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**ST HELENS**  
BOROUGH COUNCIL

# **ST HELENS BOROUGH LOCAL PLAN UP TO 2037**

## **SEA Adoption Statement**

### **July 2022**

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## 1. Introduction

- 1.1. This Sustainability Appraisal Adoption Statement forms the final output from the SA of the St Helens Borough Local Plan up to 2037 (hereafter referred to as SHBLP). The SHBLP has been subject to an integrated SA and Strategic Environmental Assessment (SEA) (hereafter referred to as SA) in line with the requirements of **The Environmental Assessment of Plans and Programmes Regulations 2004** (the 2004 SEA Regulations).
- 1.2. This statement explains how the various SA reports undertaken at different stages of the SHBLP preparation process meet the requirements of the 2004 SEA Regulations. This statement briefly summarises and refers back to the various reports as they contain more detail on the assessment process.
- 1.3. As stated above the required content of this SA Adoption Statement is set out within the 2004 SEA Regulations, Part 4, Regulation 16 which specifically states a need to report:
  - a) how environmental considerations have been integrated into the plan or programme;
  - b) how the environmental report has been taken into account;
  - c) how opinions expressed in response to –
    - I. the invitation referred to in regulation 13(2)(d), i.e. consultations
    - II. action taken by the responsible authority in accordance with regulation 13(4), been taken into account;
  - d) how the results of any consultations entered into under regulation 14(4) have been taken into account;
  - e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
  - f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.
- 1.4. This SA Adoption Statement is structured such that matters (a) to (f) are addressed in turn.
- 1.5. A hard copy of both the adopted SHBLP and the Final SA Report are available to view at libraries throughout the Borough. The location and opening hours of libraries can be found here: [Find your library - St Helens Borough Council](#). Both documents are also available to view online at: <https://www.sthelens.gov.uk/localplan>.

## 2. Legislative Background

- 2.1. When preparing the SHBLP, regard has been given to the Government's Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.2. As outlined above, the specific part of the 2004 EA Regulations that requires this statement to be produced and sets out what information should be included in the SEA reports is Part 4, Regulation 16.
- 2.3. The Regulations implement Directive 2001/42/EC of the European Parliament and Council on the assessment of the effects of certain plans and programmes on the environment as regards plans and programmes relating solely to any part of England. The Directive is commonly referred to as "*the SEA Directive*", where "*SEA*" stands for Strategic Environmental Assessment, and was adopted in 2001.
- 2.4. The SEA Directive requires that "*an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment*" (Article 1). Where an assessment is required, an environmental report must be prepared, "*identifying, describing and evaluating the likely significant environmental effects of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme*". This Report must be consulted on and taken into account in decision-making, and this together makes up the process of SEA. The SEA Directive was incorporated into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633) (the 'SEA Regulations').
- 2.5. The requirement for environmental assessment applies to any plan or programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, which sets the framework for future development consent of projects listed in Annex I or II to the Environmental Impact Assessment (EIA) Directive. EIAs are undertaken for individual projects rather than plans or projects which may comprise several projects. Plans for town and country planning are specifically named in paragraph 2 of Article 3 of the SEA Directive as one of the types of plans and programmes which must be subject to SEA, subject to several exceptions. A Development Plan Document (DPD) will always require "Environmental Assessment", the most significant element of which is the "Environmental

Report” (which in planning is also known as the “SA/SEA report” – see below) which accompanies the draft DPD at public consultation.

### **Sustainability Appraisal and its relationship with SEA**

- 2.6. In the UK, SA’s were introduced through the Planning and Compulsory Purchase Act 2004 (PCPA). SA’s expand on SEA’s focus on assessing the environmental impact of plans and programmes to also considering economic and social impacts. The PCPA requires Local Planning Authorities to undertake SA for each of their DPDs, and in some circumstances for SPDs.
- 2.7. The SA has been designed to meet the requirements for SEA, so a SA conducted in accordance with Government guidance is effectively also a SEA, and certain outputs and stages of SA process have an equivalent in the SEA process.

## **3. Environmental Assessment of Plans and Programmes Regulations 2004 Requirements**

### **a) How environmental considerations have been integrated into the SHBLP**

- 3.1. The SA has been carried out alongside the preparation of the SHBLP and has been a continuous and iterative process throughout, thus ensuring that social, environmental and economic effects have been taken into account at every stage of the SHBLP’s production.
- 3.2. The SHBLP is a DPD)which sets out the framework for the growth and development of the Borough. It identifies how and where new development and regeneration should take place and thereby promotes and manages the future development of the Borough. This has been built into the Vision of the SHBLP and also into the seven Strategic Aims and 12 Strategic Objectives.
- 3.3. The decision to prepare a new local plan for St Helens Borough was made by the Council’s Cabinet on 18 November 2015. When the St Helens Local Plan Core Strategy was adopted in 2012, the Council intended to supplement it with a new Site Allocations DPD and a Sustainable Development DPD. However, when the decision to prepare a new local plan was made in 2015, it was also determined that the new Plan should completely replace the Core Strategy, and that matters previously planned to be addressed in the Site Allocations and Sustainable Development DPDs should instead be covered by the new Local Plan, this was largely due to the existence of updated evidence concerning

development needs, a shortage of brownfield land supply and to changes in national policy.

3.4. Each version of the SHBLP has been subject to a robust process of SA which details the evolution of the process of testing the vision, strategic objectives, options and refined options / changes. The SA process comprised of the following stages:

- **Scoping Stage**  
St Helens Metropolitan Borough Council, Sustainability Appraisal Scoping Report for the St Helens Local Plan (December 2015);
- **Preferred Options Stage**  
St Helens Local Plan 2020 – 2032, Sustainability Appraisal, Interim SA Report (December 2016);  
St Helens Local Plan Preferred Options December 2016 Sustainability Appraisal: Interim SA Report, Non technical summary (December 2016);  
Technical Appendix A Site Appraisals;
- **Publication Stage**  
St Helens Local Plan 2020 – 2032 Submission Draft, Sustainability Appraisal, SA Report (January 2019);  
St Helens Local Plan 2020 – 2032 Submission Draft, SA Technical appendix A, Site Assessment Proformas (January 2019);  
St Helens Local Plan 2020 – 2032 Submission Draft, Sustainability Appraisal: SA Report, Non-technical summary (January 2019);
- **Examination in Public**  
St Helens Local Plan Sustainability Appraisal, Addendum to the SA Report (December, 2019, Updated September 2020);  
St Helens Local Plan Sustainability Appraisal: Second Addendum to the SA Report (June, 2021); and
- **Main Modifications**  
St Helens Local Plan SA, SA Report Addendum: Appraisal of Modifications (November 2021).

### **Scoping Stage**

3.5. The St Helens Local Plan Scoping Consultation Document set out 21 questions for stakeholders to consider. These covered, for example, the key issues and policy areas to be addressed and evidence relating to development need. The questions also sought to establish whether the vision and approach of the Core Strategy were still appropriate, and if not, what changes should be made. A Sustainability Appraisal scoping report (St Helens Metropolitan Borough Council: Sustainability Appraisal Scoping Report for the St Helens Local Plan, December 2015) was prepared at the same stage.

- 3.6. The SHBLP Scoping Document and its supporting documents including the SA Scoping Report were made available for public comment for 6 weeks using a wide range of consultation methods and 212 representations were received. The St Helens Local Plan 2018 – 2033 - Summary of Representations on St Helens Local Plan Scoping Consultation 20 January – 2 March 2016 set out the issues raised by stakeholders and how the Council responded to those issues.

### **Preferred Options Stage**

- 3.7. The St Helens Local Plan Preferred Options (LPPO) document 2016 set out a growth based strategy, including Vision, 7 Strategic Aims (supported by 14 Strategic Objectives) and 40 draft policies.
- 3.8. The overall Vision, Aims and Objectives retained an emphasis on urban regeneration and re-use of brownfield land. However, to meet development needs fully, the removal of some sites from the Green Belt was also proposed.
- 3.9. The LPPO document assessed alternative options for each of its 40 draft policies, as well as the spatial scale and distribution of growth. The Sustainability Appraisal also assessed detailed policy and site options.
- 3.10. An extensive consultation exercise took place on the Preferred Options document and its supporting Sustainability Appraisal, over 8 weeks between 5 December 2016 and 30 January 2017. 5,695 responses were received. The St Helens Local Plan Preferred Options: Report of Consultation summarises the main issues raised by the representations and how they were addressed in the subsequent Submission Draft.

### **Publication Stage**

- 3.11. The Council published the SHBLP Submission Draft (LPSD) in January 2019. In progressing to this stage, the Council took into account a range of key factors including: the new NPPF introduced in July 2018; updates to national Planning Practice Guidance; updated evidence; and the outcomes of consultation and appraisal processes. The SA at this stage identified the reasonable alternatives for employment and housing figures. It assessed the various alternatives and made recommendations on the best approaches and growth scenarios.
- 3.12. The SA also carried out a detailed appraisal of a number of policy options, that were not predominantly procedural in nature. The SA concluded that the Submission draft SHBLP provides the benefits of each option in sufficient detail. Furthermore, the SA appraised the site options and provided scores for each of the site options against the site appraisal criteria.

- 3.13. The Council's report of consultation<sup>1</sup> summaries how feedback from the previous LPPO consultation was taken into account in developing the submission draft.
- 3.14. An addendum to the SA Report was prepared in September 2020 which assessed the proposed modifications to the Plan that were being submitted alongside the Plan for Examination.

### **Examination in Public Stage**

- 3.15. Following the SHBLP hearings, which took place in May/June 2021, a SA Addendum<sup>2</sup> was prepared in response to discussions held at Hearing Session 1 (25 May 2021) of the SHLP Examination in Public. This was to improve clarity in the site appraisal framework and to rectify any inconsistencies.

### **Main Modifications**

- 3.16. In addition, the Council proposed a number of modifications before and after the Examination Hearings of the SHBLP. These changes were prompted for clarification and factual update purposes, to reflect any national and regional policy changes, and required by the Inspectors in order to make the plan sound. Therefore, in November 2021, an Addendum to the Sustainability Appraisal was published for consultation with the Inspector's Main Modifications, (including the Council's Additional 'minor' Modifications), the consultation ran for 8 weeks from 18 November 2021 to 13 January 2022.
- 3.17. The SA and SEA process has been fully integrated into the plan-making process, with its findings being a key influence on the content of policy. The development and appraisal of the SHBLP has been an iterative process, with the policies being refined to take account of the appraisal and consultation process. The policies must be in accordance with the national and regional policies unless there is good evidence to support a different approach. They have been subject to SA, developed and modified to ensure that the chosen options are the most sustainable.
- 3.18. Reasonable alternatives have been considered in relation to the policies and site allocations and the SA process has been instrumental in assessing the options available, both in terms of policy development and site selection and assessment.

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<sup>1</sup> The St Helens Local Plan 2020-2035 Regulation 22 Consultation Statement

<sup>2</sup> St Helens Local Plan: Sustainable Appraisal: Second Addendum to the SA Report, June 2021

- 3.19. SA was carried out simultaneously alongside the preparation of the SHLP and informed the consideration of alternatives and options, as well as making decisions on the final policy direction. The SA has encouraged the integration of social, environmental and economic considerations into the development of policies.
- 3.20. The Inspectors found that with the modifications proposed in the SHBLP, it met the criteria for soundness, and concluded in their final report<sup>3</sup> “**Overall, the SA has adequately considered reasonable alternatives and is suitably comprehensive and legally compliant.**”

### **b) How the SA report has been taken into account**

- 3.21. At each stage the results of previous consultations on the SHBLP document and SA reports were taken into account, and the SA reports have built upon the findings of the previous SA reports, concentrating on changes since the last report, and so should be considered as a whole and not read in isolation.
- 3.22. The SA identified and appraised reasonable alternatives (options) and against the SA framework, with the options being refined to take account of the appraisal and consultation process. The LPPO version of the SHBLP was consulted on during December 2016 to January 2017. At this stage, any policy options that were identified as having overall negative impacts were no longer further considered in the subsequent versions of the SHBLP.
- 3.23. A further SA was undertaken prior to the Regulation 19 consultation on the Publication version of the SHBLP, which took place in 2019, which again reviewed the SHBLP proposed policies and proposed allocated and safeguarded sites. Therefore, at each stage of the production of the SHBLP, where necessary and appropriate, the policies within the Plan have been modified in line with the findings of the SA to ensure that the chosen policy and proposed site options are the most sustainable.
- 3.24. Where uncertain impacts were identified, policy approaches were modified where possible to provide greater certainty regarding outcomes. In addition, following the assessment of the effects of the policies, measures to limit and mitigate any potential environmental, social and economic impacts of the Plan policies were identified. The Council proposed some changes following submission of the Plan to inform the hearings, and following the hearings the Inspector proposed main modifications to the Plan which were also subject to consultation and SA.

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<sup>3</sup> [https://www.sthelens.gov.uk/media/4065/St-Helens-LP-Final-Report-and-MM-s-Combined/pdf/St\\_Helens\\_LP\\_-\\_Final\\_Report\\_and\\_MMs\\_Combined.pdf?m=637889225079730000](https://www.sthelens.gov.uk/media/4065/St-Helens-LP-Final-Report-and-MM-s-Combined/pdf/St_Helens_LP_-_Final_Report_and_MMs_Combined.pdf?m=637889225079730000)

3.25. A summary of the effects of the SHBLP, identified for each SA topic can be viewed in Chapter 9: Summary of Findings in the main SA report that accompanied the Submission version of the SHBLP here [SD005 St Helens LPSPD Sustainability Appraisal Main Report 2019.pdf \(sthelens.gov.uk\)](https://sthelens.gov.uk/SD005_St_Helens_LPSPD_Sustainability_Appraisal_Main_Report_2019.pdf).

### **c) How opinions expressed in consultations have been taken into account**

3.26. Consultations throughout the SA process have been undertaken in accordance with Article 6 (3) of the SEA Directive, SEA Regulation 13 and the St Helens Council, Local Development Framework Revised Statement of Community Involvement (November 2013). Furthermore, there are three key bodies that must be consulted: the Environment Agency, Historic England and Natural England. The guidance also states that it is desirable to consult other bodies with social and economic responsibilities as the Council deems appropriate.

3.27. The SHBLP and accompanying SA reports were subject to three stages of public consultation. Formal consultation on the SA Scoping Report and subsequent SA reports was carried out with the environmental consultation bodies, community groups, social and economic bodies at each stage of the process. In particular comments from the statutory bodies helped shape the SA and inform policy development. These bodies, stakeholders and members of the public were able to comment on the SA accompanying the SHBLP documents. The Council has produced a Consultation Statement, which provides comprehensive details of how St Helens Council undertook community participation and stakeholder involvement in the production of the SHBLP, setting out how such efforts have shaped the SHBLP; together with the key and main issues raised by representations, and where appropriate the Council's response.

3.28. Full details on the comprehensive processes of each stage of the SHBLP production up to submission, can be found here [SD004 Regulation 22 Consultation Statement - Updated1.pdf \(sthelens.gov.uk\)](https://sthelens.gov.uk/SD004_Regulation_22_Consultation_Statement_-_Updated1.pdf). Furthermore, the Duty to Cooperate Statement<sup>4</sup> also sets out the Council's active engagement in the preparation of the SHBLP with prescribed bodies including the Environment Agency, Natural England, Historic England and National Highways.

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<sup>4</sup> [SD009 St Helens Borough Local Plan 2020-2035 Duty to Cooperate Statement 2020.pdf \(sthelens.gov.uk\)](https://sthelens.gov.uk/SD009_St_Helens_Borough_Local_Plan_2020-2035_Duty_to_Cooperate_Statement_2020.pdf)

#### **d) How the results of any consultations entered into under regulation 14(4) have been taken into account**

3.29. At every stage of consultation, from SA scoping to Main Modifications, representations and any Council responses have been made available on the St Helens Council website for public viewing. Throughout the SA process all general and specific consultees have been notified, including the three key statutory environment bodies, (the Environment Agency, Historic England and Natural England), with their views taken into account.

#### **e) The reasons for choosing the SHBLP as adopted, in the light of the other reasonable alternatives dealt with**

3.30. A critical stage of the SA process was the consideration of alternative approaches and options for delivering the objectives of the SHBLP. Alternatives were explored for the following SHBLP elements:

- The Spatial Strategy (housing and employment growth and distribution);
- Alternative site options for housing and employment; and
- Consideration of other policy options.

3.31. The SA process assessed a number of reasonable scenarios for the overall level of housing development, the rationale for selecting these scenarios and conclusions are set out in the main SA report<sup>5</sup>. Further explanation can also be found in the Council's published "Developing the Spatial Strategy Background Paper"<sup>6</sup>.

3.32. A key requirement for the new SHBLP is to meet the evidenced needs of St Helens for new employment development. To define reasonable alternatives for employment development, the Council took into account the specific types of site required to meet needs. The large scale logistics sector in particular has a need for large sites that have good access to motorway and other key transport corridors. Compared to housing sites, the potential pool of sites that meet these requirements and could be made readily available for employment development is limited.

3.33. At the Preferred Options (LPPO) stage of plan preparation, the Council's SA report focussed on just one 'reasonable' option for the overall amount of employment growth, equating to the proposed strategy at that stage. As the Plan progressed, the Council took the view that the range of options for

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<sup>5</sup> [SD005\\_St\\_Helens\\_LPSD\\_Sustainability\\_Appraisal\\_Main\\_Report\\_2019.pdf \(sthelens.gov.uk\)](#)

<sup>6</sup> [SD026\\_Developing\\_the\\_Spatial\\_Strategy\\_Background\\_Paper\\_October\\_2020.pdf \(sthelens.gov.uk\)](#)

employment growth should be re-assessed. Accordingly, the SA report published alongside the SHBLP Submission Draft identified 3 reasonable alternatives for employment growth.

- 3.34. Again, further details demonstrating that all reasonable options and alternatives were assessed can be viewed in the above documents.
- 3.35. The Council consider that the SHBLP will direct development in a sustainable manner up to 2037, and this was supported by the Local Plan Examination Inspectors.

**f) The measures that are to be taken to monitor the significant environmental effects of the implementation of the SHBLP**

- 3.36. The main SA Report<sup>7</sup> sets out recommendations on monitoring the predicted effects of the SHBLP, with particular focus on any identified significant effects. Monitoring indicators and targets have been identified for the policies set out in the SHBLP within the Monitoring Framework (Appendix 4: Monitoring Framework of the St Helens Borough Local Plan). Continual monitoring is a key aspect of the plan making system. The Localism Act of 2011 requires local planning authorities to monitor the extent to which policies contained in their plans are being achieved and to publish this information each year in an Authority Monitoring Report (AMR).
- 3.37. The Monitoring Framework includes significant effects indicators which form part of the Sustainability Appraisal process. The success and effectiveness of the SA/SEA process will be monitored by the continued collection of baseline data according to identified indicators. The indicators monitor the significant effects of the SHBLP and identify remedial action required if the trends or targets are not met. The information monitored will be published in the as required by current and future planning regulations.
- 3.38. The Planning Policy team through the completion of the AMR will be responsible for ensuring that the necessary information is collated. The targets and indicators included in the Monitoring Framework includes existing indicators used to measure performance and new indicators that will be used going forward. In these cases, the indicators have been selected where information is available to ensure that the policy can be monitored on a regular basis

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<sup>7</sup> St Helens Borough Local Plan 2020-2035 – Submission draft, Sustainable Appraisal: SA Report, January 2019  
[SD005\\_St\\_Helens\\_LPSD\\_Sustainability\\_Appraisal\\_Main\\_Report\\_2019.pdf\(sthelens.gov.uk\)](#)