

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting7th June 2007

1. Title of Item/Report

Sustainability Appraisal of the Draft Planning Obligations Supplementary Planning Document

2. Record of the Decision

Cabinet considered a report relating to the preparation of the Sustainability Appraisal of the draft Planning Obligations Supplementary Planning Document.

It was explained that the purpose of the Sustainability Appraisal (SA) was to assess whether the objectives, options or policies contained in the DPD or SPD (in this instance the Planning Obligations SPD) would contribute to achieving sustainable development. The preparation of a SA was a mandatory requirement following the Planning and Compulsory Purchase Act (2004).

In addition to national legislation, European Directive EC/2001/42 required that a Strategic Environmental Assessment (SEA) of the environmental effects of certain plans and programmes (which include DPD and SPD) be undertaken.

However, since there was a large amount of overlap between the two processes, Government guidance suggested that it was possible to satisfy the requirements of both in a single appraisal process, which was the approach adopted in this case. For ease of reference therefore, the term 'Sustainability Appraisal' (SA) incorporated both the Strategic Environmental Assessment and the Sustainability Appraisal requirements.

Members noted that there were four principle stages to the SA process:

- Scoping – identifying other relevant plans and policies, establishing the baseline (current situation), sustainability issues, sustainability objectives and indicators;
- Appraising the plan's objectives, options and policies, and informing the refinement of them;

- Producing a sustainability appraisal report for consultation alongside the draft Planning Obligations SPD; and
- Monitoring the effects of the implemented plan.

In terms of the first stage, in order to reduce duplication, the SA of the draft Planning Obligations SPD had drawn on scoping work previously carried out for the Core Strategy Issues and Options, together with a generic scoping report concerning the Core Strategy DPD, the Regeneration DPD, the Residential Design Guide SPD and Open Space and Landscaping SPD.

The scoping stage enabled a SA Framework to be developed, which consisted of a set of sustainability objectives, indicators and targets. The sustainability objectives had been used to test the draft SPD for its likely environmental, social and economic impacts, which formed the second stage of the process.

The SA reports on the first two stages of the process were provided to Members, and presented the results of the appraisal of the draft SPD in a set of tables. Each of the options of the draft SPD (Affordable Housing, Open Space, Biodiversity, Highways and Transport etc.) were assessed against the sustainability objectives to ensure any likely detrimental effects were noted, and to inform any amendments to the draft SPD as necessary.

The majority of the options within the draft SPD either had a positive impact, an uncertain impact, or no relationship with the sustainability objectives. Where likely negative impacts occurred, they would generally involve a physical development as opposed to a financial obligation. In this instance, the sustainability objectives that were affected were those concerned with reducing waste (SA15), biodiversity and geodiversity (SA16), and making better use of resources such as land and soil (SA 17). The full list of the sustainability objectives were provided at section 8 of the SA.

A 'do nothing' option was also considered, which allowed the option of not producing a SPD to be appraised. The majority of the effects of this option on the sustainability objectives were negative.

The SA was subject to a formal six-week public consultation accompanying the draft SPD, due to take place in July and August this year. Any comments received would be considered, and the draft SPD or SA would be amended where necessary to reflect these. If, as a result of the consultation, significant changes to the draft SPD were made, then

they would need to be appraised through the SA. On adoption of the SPD, a consultation statement should set out how changes were made to the SPD as a result of the SA process and consultation. Alternatively, the consultation statement might document why no changes were made, or why other options were rejected.

The final stage was concerned with monitoring the impact of the adopted SPD. The Council would monitor planning obligations through a database that would ensure agreements were complied with, and also provided a transparent approach concerning the Council's approach in dealing with the application of planning obligations. The Council also had a statutory duty to publish an Annual Monitoring Report (AMR), which reported on how successful the policies within the Council's Local Development Framework were, and for the purpose of the SPD, would seek to monitor the levels of investment and resulting benefits to the community achieved through the use of planning obligations.

RECOMMENDED to Council that

- i) the report be noted.
- ii) the Sustainability Appraisal of the draft Planning Obligations SPD for public consultation be agreed, subject to any amendments from internal consultees.
- iii) authority be delegated to Officers to make minor amendments to the contents of the document prior to the public consultation period.

3. Reasons for the Decision

The Planning and Compulsory Purchase Act (2004) places a mandatory requirement on Local Planning Authorities (LPA) to carry out a Sustainability Appraisal (SA) when preparing new or revised Development Plan Documents (DPD) or Supplementary Planning Documents (SPD), such as the Planning Obligations SPD. The SA must be subject to public consultation at the same time as the draft Planning Obligations SPD. The SA assessed whether the objectives, options or policies contained in the draft SPD would contribute to achieving sustainable development, a concept at the heart of new planning policy through an appraisal of the likely social, economic, and environmental impacts of the plan.

The Council's Local Development Scheme (LDS) required the adoption of

the Planning Obligations SPD by September 2007, which meant that public consultation on the draft Planning obligations SPD and the accompanying SA was required to take place in July and August this year, to allow the consideration of representations to be fed into the final document.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

Not applicable

Proper Officer
29 June 2007