

**AGENDA NO.**

**REPORT TO PLANNING  
COMMITTEE**

**DATE: 6<sup>th</sup> JUNE 2007**

**CORPORATE DIRECTOR OF  
DEVELOPMENT AND  
NEIGHBOURHOOD SERVICES**

**SUSTAINABILITY APPRAISAL OF THE DRAFT PLANNING OBLIGATIONS  
SUPPLEMENTARY PLANNING DOCUMENT**

**SUMMARY**

1. This report relates to the Sustainability Appraisal (SA) of the draft Planning Obligations Supplementary Planning Document (SPD). The SA is attached as Appendix A.

**RECOMMENDATION**

2. Members are recommended to: -
  - i) Note the content of this report;
  - ii) Agree the SA of the draft Planning Obligations SPD for public consultation, subject to any amendments from internal consultees.
  - iii) Delegate to Officers minor amendments to the content of the document prior to the public consultation period.

**BACKGROUND**

3. 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 Planning Obligations SPD.
4. The purpose of the SA is to assess whether the objectives, options or policies contained in the DPD or SPD (in this instance the Planning Obligations SPD) will contribute to achieving sustainable development. The preparation of a SA is a mandatory requirement following the Planning and Compulsory Purchase Act (2004).
5. In addition to national legislation, European Directive EC/2001/42 requires that a Strategic Environmental Assessment (SEA) of the environmental effects of certain plans and programmes (which include DPD and SPD) be undertaken.
6. However, since there is a large amount of overlap between the two processes, Government guidance suggests that it is possible to satisfy the requirements of both in a single appraisal process, which is the approach adopted in this case. For ease of reference therefore, the term 'Sustainability Appraisal' (SA) incorporates both the Strategic Environmental Assessment and the Sustainability Appraisal requirements.

7. There are four principle stages to the SA process. These are:
  - 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.

## **THE CURRENT POSITION**

8. In terms of the first stage, in order to reduce duplication the SA of the draft Planning Obligations SPD draws 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.
9. The scoping stage enabled a SA Framework to be developed, which consists of a set of sustainability objectives, indicators, and targets. The sustainability objectives have been used to test the draft SPD for its likely environmental, social and economic impacts, which form the second stage of the process.
10. The attached SA (Appendix A) reports on the first two stages of the process, and presents 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.
11. The majority of the options within the draft SPD either have a positive impact, an uncertain impact, or no relationship with the sustainability objectives. Where likely negative impacts occur, they would generally involve a physical development as opposed to a financial obligation. In this instance, the sustainability objectives that are affected are 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 can be viewed in section 8 of the attached SA.
12. 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 NEXT STEPS**

13. Following submission to Planning Committee and Cabinet, and any necessary amendments, the SA is subject to a six-week public consultation alongside the draft Planning Obligations SPD. It is intended the public consultation takes place in July and August this year.

14. On completion of the public consultation, all representations will be considered and the draft SPD and SA amended where necessary. Should any significant changes occur as a result of the consultation, these would also require appraisal through the SA process. 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 the consultation. Alternatively, the consultation statement may document why no changes were made, or why other options were rejected.
15. The final stage of the SA is concerned with monitoring the impact of the adopted SPD. The Council will monitor planning obligations through a database, enabling the Council to ensure agreements are complied with, and also provide a transparent approach in dealing with the application of planning obligations. The Council also have a statutory duty to publish an Annual Monitoring Report (AMR), which reports on how successful the policies within the Council's Local Development Framework are, and for the purpose of the SPD, will seek to monitor the levels of investment and resulting benefits to the community achieved through the use of planning obligations.

## **RECOMMENDATION**

16. Members are recommended to:
  - i) Note the content of this report;
  - ii) Agree the SA of the draft Planning Obligations SPD for public consultation, subject to any amendments from internal consultees;
  - iii) Delegate to Officers minor amendments to the content of the document prior to the public consultation period.

### **Corporate Director of Development and Regeneration.**

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### **Background Papers -**

Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents.

A Practical Guide to the Strategic Environmental Assessment.

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 12: Local Development Frameworks

Draft Planning Obligations Supplementary Planning Document.

**Financial Implications** – The production of the document can be made within existing budgetary provisions

**Environmental Implications-** N/A

**Community Safety Implications -** N/A

**Human Rights Implications** - The provisions of the European Convention of Human Rights 1950 has been taken into account in the preparation of this report.

**Ward and Ward Councillors** – N/A