

AGENDA NO

PLANNING COMMITTEE

2 JUNE 2010

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND
NEIGHBOURHOOD SERVICES**

**LOCAL DEVELOPMENT FRAMEWORK: UPDATED SUSTAINABILITY
APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT SCOPING
REPORT.**

SUMMARY

The Local Development Framework (LDF) Sustainability Appraisal and Strategic Environmental Assessment Scoping Report records the process of deciding on the scope and level of detail for the Sustainability Appraisal of the emerging documents within the LDF. The report will be used as a tool to appraise the emerging proposals and policies of the LDF using the ten Sustainability Appraisal objectives that reflect the key sustainability issues within the Borough.

This report provides an outline of recent changes made to update the initial Scoping Report, which was produced in 2005. It also provides a summary of responses from consultation on the updated Scoping Report.

RECOMMENDATION

Members are requested to;

1. Note the content of the report
2. Agree the content of the Updated Sustainability Appraisal and Strategic Environmental Assessment Scoping Report;

BACKGROUND

1. The Scoping Report records the process of deciding on the scope and level for the Sustainability Appraisal, which is required for all Development Plan Documents to ensure that local planning authorities fulfil their obligations to the contribution of sustainable development in the preparation of their plans.
3. An initial Scoping Report was produced in 2005. This informed the development of Sustainability Objectives for the Core Strategy and early Supplementary Planning Documents, but was produced before significant progress had been made on the transition to the Local Development Framework. As a result of changes to the LDF regulations, national policy guidance, the overarching sustainability objectives of the Integrated Regional Framework (IRF) and the social, economic and environmental composition of the Borough, the document was updated to inform the other emerging DPDs.
4. In April 2009, the Council consulted the three statutory bodies, English Heritage, Natural England and the Environment Agency, and selected

organisations with social, economic or environmental responsibilities, on the updated Scoping Report. The stakeholders were asked to consider whether the report considered all relevant plans and programmes, whether there were any other significant sustainability issues affecting the Borough, if the Sustainability Objectives covered all the necessary issues and if there were any further baseline indicators that might provide useful information.

5. Comments were received from the following sources and a summary of these consultation responses is provided as Appendix 1:
 - Natural England
 - Environment Agency
 - English Heritage
 - Sport England
 - One North East
 - Northumbrian Water
6. The majority of changes made to the document provided additional baseline information, revised DPD objectives and additional plans, programmes and indicators. The changes made and responses to the consultation comments are also summarised within Appendix 1 and the updated Scoping Report document is attached as Appendix 2.
7. In addition to the changes made to the document in response to the consultation comments, the Scoping Report was revised to take into account the Planning Act 2008, which removed the requirement for Supplementary Planning Documents to be subject to a Sustainability Appraisal, providing the impacts have been covered in the appraisal of the parent DPD or where no assessment is required by the SEA Directive. In this case, the Sustainable Design SPD is to provide additional guidance on Core Strategy Policy CS3, which has been subject to a Sustainability Appraisal and an Independent Examination by the Planning Inspectorate. The SPD has therefore been removed from the Scoping Report.

Next Steps

8. The Scoping Report has been altered and updated and will be considered by Cabinet before being used to inform the Sustainability Appraisals of the emerging Development Plan Documents.

Corporate Director of Development and Neighbourhood Services
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Financial Implications – The costs of the document has been met from within existing budgetary provisions.

Environmental Implications – Climate change and the protection of the natural environment are identified as key sustainability issues. Sustainability Objectives 2 and 3 are concerned with climate change and living within environmental limits. Objective 7 relates to the Borough's environmental infrastructure and Objective 8 is concerned with building sustainable communities. All emerging LDF policies will be assessed against these objectives.

Legal Implications - The Scoping Report will form part of the evidence base for the development of planning policies to be incorporated into the Local Development Framework. The policies are being prepared under the provisions of Part 2 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008 and the Town and Country Planning (Local Development)(England) Regulations 2004 and the Town and Country Planning (Local Development) (England)(Amendment) Regulations 2008. LDF documents must be subject to Sustainability Appraisal and Strategic Environmental Assessment (SEA) legal process in line with the European SEA Directive and UK legislation.

Community Safety Implications – Objective 8 is for building sustainable communities within the Borough and all emerging LDF policies will be assessed against this objective.

Human Rights Implications –

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers –

- The Town and Country Planning (Local Development)(England) Regulations 2004;
- The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008.
All available at www.communities.gov.uk.
- Sustainability Appraisal and Strategic Environmental Scoping Report, April 2009.

Ward - Not applicable.