

**Sustainability Appraisal
Report**

FOR THE

DESIGN

**Supplementary Planning
Document**

**Prepared by
Plymouth City Council
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1. Introduction:

1.1. Plymouth City Council is currently producing a Design Supplementary Planning Document as part its Local Development Framework (LDF). Planning Authorities are required to produce a Sustainability Appraisal (SA) in parallel with the development of these LDF documents.

1.2. Sustainability Appraisal is a tool that is used to improve the sustainability of LDF documents. It uses a range of sustainability objectives and indicators to test whether the plans, policies and proposals are the best possible ones for delivering sustainable development. SA can be viewed as a yardstick against which the social, environmental and economic effects of the plan can be tested.

1.3. Sustainability Appraisal (SA) is mandatory under the Planning & Compulsory Purchase Act 2004 for all Development Plan Documents and Supplementary Planning Documents. These SA's also need to fulfill the requirements of the Strategic Environmental Assessment (SEA) Directive.

1.4. There are however exceptions to these requirements. It is the Council's view that the Design SPD, is such an exception. To reach this conclusion the Council screened the Design SPD against the requirements as set out in the SEA / SA regulations and guidance. This work was carried out on the draft Design SPD that was published in October 2007, and has been recently refreshed in the version that is now being taken forward for adoption.

1.5. This Sustainability Appraisal report documents this screening process and sets out the reasoning behind the Council's 'Screening Opinion'.

2. Aims and content of the Design Supplementary Planning Document:

2.1. The Draft Design Supplementary Planning Document (Sustainable Design in Plymouth), seeks to provide guidance to developers, on design issues. There is a raft of national guidance that already acknowledges that good design is fundamental to the delivery of sustainable communities. The aim of the SPD is to apply that general guidance to the Plymouth context, providing more detailed guidance about the distinctive elements of Plymouth and how the unique characteristics of Plymouth need to be recognized and used to inform new development

2.2. Design in this respect is used in its broadest context and not only relate to the visual appearance of the built environment, but will also to issues regarding designing for climate change, biodiversity, community safety and the historic environment. The SPD expands upon and provides a further level of detail to the policies set out in the adopted Core Strategy.

2.3. The aim of the SPD is to expand on the policies in the Council's LDF Core Strategy and in doing so add value to the quality and sustainability of development within the City. The document is designed to be thought provoking and to aid the design process by asking relevant questions about key issues that need to be considered.

2.4. The SPD illustrates and expands upon the policies set out in the Plymouth Core Strategy, primarily CS01, CS02, CS03, CS12, CS13, CS18, CS19, CS20, CS21, CS26 and CS32. It sets out a broad range of issues to consider, and questions that should be asked in assessing the quality of development proposals, but it does not set out any new policy or proposal, or detail criteria that must be met.

3. Guidance on the requirement for Strategic Environmental Assessment:

3.1. Planning Authorities must conduct a Strategic Environmental Assessment of all DPDs & SPDs in accordance with the SEA directive (2001/42/EC). But there are circumstances when a SEA / SA is not required. The publications *A Practical Guide to the Strategic Environmental Assessment Directive (2005) ODPM* & *Sustainability Appraisal Of Regional Spatial Strategies and Local Development Documents (2005) ODPM* outline how plan should be 'screened' to determine whether the exceptions may apply.

3.2. The SEA Directive requires SEA for plans which (i) "*determine the use of small areas at a local level*" or which are (ii) "*minor modifications*" to plans, **only** when these are determined to be likely to cause significant environmental effects.

3.3. ODPM's (2005) guidance indicates that this exception to SEA may apply to SPDs. In Appendix 2 it expands on this point by stating that "*ODPM expects that in only exceptional cases will a RSS, DPD or SPD have no significant environmental effects, but the criteria in Article 3.3 may on occasion apply to **SPDs in the form of design guides or issues based documents that supplement policies in the DPD.***"

3.4. The Council considers that the Design SPD represents one of the exceptional cases to which ODPM's guidance refers. In coming to this conclusion the Council has reviewed the criteria for determining the likely significance of effects as listed in SEA directive (2001/42/EC) Annex II. (see below).

ANNEX II

Criteria for determining the likely significance of effects referred to in Article 3(5)

The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),

the value and vulnerability of the area likely to be affected due to:

- special natural characteristics or cultural heritage,
- exceeded environmental quality standards or limit values,
- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

3.5. In reviewing these criteria the Council has been mindful of the following key characteristic of the Design SPD:

- It is a guidance document that seeks to improve the quality and sustainability of development proposals in relation a range of design related issues
- It does not present on polices or proposals, and serves only to expand on existing policies with Plymouths LDF Core Strategy. These policies have already been subject to SEA / SA.

3.6. Having reviewed the criteria in this manner the Council concludes that the *Design SPD is unlikely to have significant environmental effects*, and therefore does not require a Strategic Environmental Assessment.

4. Guidance on the requirement for Sustainability Appraisal:

4.1. The purpose of SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of Development Plan Documents and Supplementary Planning

Documents. This is a mandatory requirement under Section 39(2) of the Planning & Compulsory Purchase Act 2004. It is considered best practice for SA to incorporate the requirements of the SEA directive.

4.2. The Planning & Compulsory Purchase Act 2004 requires an authority to produce a SA Report for all LDDs, including SPDs. ODPMs (2005) guidance suggests that where the authority has made a determination that the plan is unlikely to have any significant environmental effects, (and is therefore exempt from the SEA directive) it must consider whether there are likely to be any significant economic or social effects.

4.3. In screening the potential social & economic effects of the Design SPD the council has reviewed previous commentary from the SEA / SA of the LDF Core Strategy.

4.4. Extracts from SEA/SA of the submission draft of the LDF Core Strategy (July 2006) Page 12 Paras 3.23 – 3.26 Delivering the Quality City:

“Achieving a high quality environment for the City is vital in order to attract inward investment and encourage people to both live and work within the City. Positive effects generated from this proposal relate to improvements in the public realm, building and infrastructure, improvements in health, well being and quality of life and crime reduction. In addition, the creation of a high quality environment will instil confidence in businesses to invest and could encourage the retention of workers.

Whilst these proposals are not assessed as having any significant negative effects there are uncertainties associated with what effect proposals will have in conserving and enhancing nature conservation interest, the siting of development in areas vulnerable to flooding and ensuring that good design adheres to sustainable principles.

Given the high level of predicted growth, proposals in the LDF need to take radical steps to reduce the consumption of primary resources, through:

- *Waste minimisation*
- *Reduction in energy and water consumption*
- *The reuse of construction and demolition waste materials in new development/infrastructure works and thus the use of primary minerals and aggregates,*
- *Sourcing of local materials to reduce vehicle trips,*
- *Encouraging the use of renewable energy sources and sustainable urban drainage.*

The Submission Draft of the Core Strategy states clearly that detailed guidance on achieving a quality city will be set out in a separate Design Strategy SPD. It is therefore assumed that the concerns raised from the SA/SEA will be addressed through this document..”

4.5. Extract from SEA/SA of the submission draft of the LDF Core Strategy (July 2006) Page 20 Para 3.45 Area Visions & Strategies:

“All area visions and strategies need to reflect clear design principles which seek to achieve high quality design and the use of sustainable design and construction techniques”

4.6. These results support the need for a Design SPD and recognize that it could play a key role in ensuring that the city’s growth goes hand in hand with quality and sustainability.

4.7. A review of the remaining sections within SA / SEA for the Core Strategy uncovers no reference to concerns about the social or economic effects of policies promoting quality and sustainable design.

4.8. In conclusion the Council believes that the Design SPD is unlikely to have significant negative social or economic effect.

4.9. It is obviously hoped that the enhanced quality & sustainability of development resulting from the use of the SPD will contribute to a more prosperous and socially equitable city, but the Council believes there is no statutory reason to undertake an SA of this document, or that an practical value that could come from it.

5. Conclusion:

5.1. The draft Design SPD (Sustainable Design in Plymouth) has not been subject to Sustainability Appraisal because:

- The SPD is a guidance document that seeks to improve the quality and sustainability of development proposals in relation a range of design related issues
- The SPD does not present polices or proposals, and serves only to expand on existing policies with Plymouth's LDF Core Strategy. These policies have already been subject to SEA / SA.

5.2. It is therefore the Council's Screening Opinion that the SPD does not generate a risk of significant environmental, social or economic effect.