

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 16 JANUARY 2014

EXECUTIVE – 21 JANUARY 2014

REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING
AND TRANSPORT

8. INTERIM SUSTAINABILITY APPRAISAL REPORT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- This report presents the Interim Sustainability Appraisal (SA) of the draft East Herts District Plan. It summarises the Interim SA Report as required by the EU Strategic Environmental Assessment (SEA) Directive. It describes the various stages of the Interim SA Report and how the process of sustainability appraisal has been integrated into the process of preparing the development strategy and the Draft District Plan.

**RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE
PANEL AND THE EXECUTIVE: That:**

(A)	The Interim Sustainability Appraisal of the East Herts District Plan, January 2014, be supported as part of the evidence base to inform and support the East Herts District Plan; and be published alongside the Draft East Herts District Plan (Preferred Options) (January 2014);
(B)	The Council's response as detailed in Section 11.3 Tables 11.3 and 11.4 to the Interim SA, be incorporated into the Consultation version of the Interim Development Strategy Report (January 2014); and
(C)	The Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the Interim Sustainability Appraisal.

RECOMMENDATIONS FOR COUNCIL: That:

(A)	The Interim Sustainability Appraisal of the East Herts District Plan, January 2014, be agreed as part of the evidence base to inform and support the Draft East Herts District Plan (Preferred Options) (January 2014);
(B)	The Council's response as detailed in Section 11.3 Tables 11.3 and 11.4 to the Interim SA, be incorporated into the Consultation version of the Interim Development Strategy Report (January 2014); and
(C)	The Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the Interim Sustainability Appraisal.

1.0 Background

- 1.1 Sustainability Appraisal is a mechanism for considering and communicating the likely effects of a draft plan and any alternatives, in terms of sustainability issues, with a view to avoiding and mitigating adverse effects and maximising positives. In simple terms, the process of SA is one of assessing and recording how possible implications of development have been considered through the plan-making process.
- 1.2 The process of SA is legally required and should be undertaken in line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004, which were prepared in order to transpose into UK national law the EU Strategic Environmental Assessment (SEA) Directive, 2001.
- 1.3 The Council has commissioned URS consultants to undertake a Sustainability Appraisal to support the emerging District Plan. This Interim SA expands and updates on previous SA work presented alongside the Issues and Options Consultation Document, 2010. The Interim SA encompasses the requirements of the Equality Impact Assessment, Health Impact Assessment and Rural Proofing.
- 1.4 Over the last two years the Council has been undertaking a process of short-listing options as part of the emerging development strategy to deliver the District's objectively assessed

needs. This information is contained within the Supporting Document of the District Plan, a document of over 1,000 pages of information, which provides a narrative of the process of short-listing options and establishing a preferred development strategy. This process is also outlined in the Interim Development Strategy Report presented in Agenda Item 6. The Interim SA Report itself summarises these processes in a format that is more aligned to addressing the particular requirements of the SEA Directive. The Interim SA Report is attached as **Essential Reference Paper 'B' (ERP)**.

1.5 Given the iterative relationship between plan-making and appraisal, it is necessary to present the SA findings on the plan separately, as an independent quality control check. These findings can then be used to amend the plan if necessary. SA therefore helps to ensure that the plan is justified, in accordance with Paragraph 182 of the National Planning Policy Framework. An example of this iterative relationship is contained in **Essential Reference Paper 'C' (ERP)**, which contains the Council's response to the Interim SA Report.

2.0 Report

2.1 The Interim SA Report consists of 16 sections across 4 Parts plus two appendices A and B. Sections 1 to 3 contain an introduction, which explains the background to the report and an overview of the regulatory requirements. Part 1 of the Report (which contains sections 4 to 8) sets out the scope of the SA, what the District Plan is seeking to achieve, the sustainability context and baseline and the sustainability issues and objectives that should be a particular focus of the SA. These sections update the 2010 SA Scoping Report with new data and takes into account changes in Government policy and industry best practice. These sections also refer to the Council's Interim Strategy Supporting Document in terms of how these issues have been taken into account during the strategy selection process.

2.2 Section 8 of Part 1 sets out the key issues and objectives that should be a focus of the SA. Drawing on the context and baseline, these objectives update those presented in the 2010 Scoping Report and are reflected in the objectives of the Draft District Plan.

2.3 Part 2 of the Interim SA Report (which contains Sections 9 to 11) describes the various stages of plan-making undertaken to

establish the preferred development strategy. Section 10 contains a brief overview of the work undertaken between 2008 and 2012. Section 11 describes the 'stepped' approach to plan-making and cross-refers to the relevant content of the Supporting Document as appropriate. It describes the 'sieving' process of identifying development options, appraising these options and identifying and appraising alternative spatial strategy options within the context of the requirements of the SEA Directive. Seven alternative options were appraised against the preferred option.

- 2.4 Part 3 of the Interim SA Report, which contains Sections 12 to 14, details the findings and recommendations of the SA. It considers not only the preferred development strategy option, but also considers the effects of the emerging Plan as a whole, including all the topic-based policies, which are the mechanism by which the objectives of the Plan can be achieved. During the process of preparing the Topic-Based Policies (as presented to Members at the District Plan Executive Panel on 18th November, 2013), Officers carried out a 'mini SA' on the working drafts of the policies. This process enabled Officers to ensure the Draft Plan policies met the requirements of SA. The Interim SA Report therefore contains a positive appraisal of the topic-based policies within the context of the whole Plan.
- 2.5 A working draft of the preferred option development strategy was subjected to the SA process in order to ensure that the plan-making process met the requirements of SA. This also ensured any findings from the appraisal could be taken into account in the final stage of the plan-making process. This stage is detailed in Section 11 of the SA Report, while further detailed discussion of the development options appraisal is contained in Appendix B of the Interim SA Report. Through this integrated process, the Council has been able to develop a preferred approach based upon a robust consideration of reasonable alternatives.
- 2.6 **ERP 'C'** provides the Council's proposed response to those aspects of the SA which concern the development strategy. It is proposed that the Council's response as set out in Section 11.3 Tables 11.3 and 11.4 to the Interim SA Report, will be incorporated into the consultation version of the Interim Development Strategy Report (January 2014). Table 3 in **ERP 'C'** provides the Council's response to those aspects of the SA which concern the topic policies, some of which have already been incorporated into the current Draft District Plan.

- 2.7 Part 4 of the Interim SA Report, which contains sections 15 and 16, explains the next steps that will be undertaken during the plan-making and SA process. It also describes the monitoring requirements of this process in order to ensure any issues emerging from the SA can be monitored over time.
- 2.8 Appendix A of the Interim SA Report, which supports Section 11, contains the findings from the development options appraisal. It describes how the sieving process explained in the Council's Supporting Document met the requirements of SA, taking each SA topic in turn. Appendix B of the Interim SA Report contains the discussion and findings of the spatial growth options appraisal. It assesses each development strategy alternative by SA topic and discusses some of the positives and negatives of each option. These findings are then discussed in the context of the Council's preferred strategy in Section 11 of the Interim SA Report.
- 2.9 It does not follow that one single option will 'out-perform' others in all respects. An option that performs well in the context of air quality may perform badly in the context of housing or economy and employment for example. It should be noted therefore that it is not possible, nor appropriate to seek to calculate these assessments to find the single 'highest scoring' option. The Interim SA Report indicates that spatial development options that seek to concentrate development in single locations perform better against many topic areas. The Council's preferred approach must be determined by a balance of considerations and therefore differs from the options preferred solely on sustainability appraisal grounds. The Interim Development Strategy Report discusses how the preferred option has been developed taking into account the SA amongst all other necessary considerations.
- 2.10 To conclude, the Interim SA Report makes several recommendations which have and will be addressed in the Plan, either through minor amendments prior to consultation, or more fundamentally through specific detail in a later Broad Locations Development Plan Document. The SA highlights where further information will be necessary in order to mitigate or avoid any detrimental effects of development, but there are no SA topic areas where the possible impacts of the preferred option could not be managed. The important message arising from the SA process is that the extensive plan-preparation process has been robust and comprehensive and meets the requirements of the SEA Directive.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Sustainability Appraisal Scoping Report, 2010

www.eastherts.gov.uk/sa

Contact Member: Councillor Mike Carver – Executive Member for Strategic Planning and Transport.
mike.carver@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control, Extn: 1407.
kevin.steptoe@eastherts.gov.uk

Report Author: Jenny Pierce – Senior Planning Policy Officer, Extn: 1624. jenny.pierce@eastherts.gov.uk