



South Hams
District Council

**SOUTH HAMS
PLANNING OBLIGATIONS
SUPPLEMENTARY PLANNING
DOCUMENT (SPD)**

SUSTAINABILITY APPRAISAL
August 2008

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South Hams Planning Obligations Supplementary Planning Document (SPD) Sustainability Appraisal

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1.0 SUMMARY AND OUTCOMES

NON TECHNICAL SUMMARY

This Sustainability Appraisal Report

- 1.1 This is a summary of the Report that documents the processes of Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) for the South Hams Planning Obligations Supplementary Planning Document (PO SPD). SA assists in promoting more sustainable development through an ongoing dialogue and assessment during the preparation of spatial planning documents. SEA considers the potential impacts of planning proposals on the environment and is a requirement of European legislation. The SA is an iterative, ongoing process and is integral to the preparation of the PO SPD.

Sustainability Issues, Problems and Opportunities

- 1.2 During early 2005 a sustainability scoping process was carried out to help ensure that the SA covered the key sustainability issues that are relevant to the development planning system in South Hams. From these studies, the key sustainability problems and issues were identified as affordable housing, local employment, the Sherford New Community, high design standards for development, protection of environmental quality, second homes, car usage, and accessibility.

Method for Appraising the Sustainability of DPDs and SA Scoping Consultation

- 1.3 A Sustainability Appraisal Framework was compiled and included objectives that aim to resolve the issues and problems identified. This approach and the proposals for testing the development planning process was written up into a SA Scoping Report (2005) that was sent to a wide range of organisations and also made available on the Council's website. Comments were invited and received from a number of these organisations; this consultation helped improve the Appraisal Framework. Professional judgement has been used with the SA framework to ensure that there were no further potential significant effects arising.

SA of Planning Obligations Supplementary Planning Document (PO SPD)

- 1.4 Planning Obligations are an important issue for planning and sustainability in the South Hams area. The SPD provides further guidance and detail to supplement the adopted Core Strategy, specifically policy CS8: Infrastructure Provision. The Core Strategy has been subject to SA and public consultation. Accordingly the significant effects have already been considered and addressed during the preparation of this higher level

document. The SPD details the process and mechanisms for securing planning obligations.

How the SA has influenced the SPD

- 1.5 The SA of the PO SPD has confirmed that there are no potential significant adverse effects and that, overall, the PO SPD will positively contribute to the progression of sustainable development objectives for the South Hams area.

2.0 Introduction and Background

Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

- 2.1 The purpose of Sustainability Appraisal (SA) is to promote sustainable development through the integration of environmental, social and economic considerations in the preparation of Local Development Documents (LDDs) and Supplementary Planning Documents (SPDs). This requirement is set out in Section 39 (2) of the Planning and Compulsory Purchase Act, 2004. LDDs and SPDs must also be subject to Strategic Environmental Assessment^{1,2} (SEA) and it is advised³ that an integrated approach is adopted so that the SA process incorporates the SEA requirements.

Planning Obligations SPD (PO SPD)

- 2.2 The PO SPD expands upon policies of the adopted South Hams Core Strategy which was subject to full Sustainability Appraisal⁴ and adopted in December 2006. In particular, it expands upon Policy CS8 : "Infrastructure Provision" and provides clarity to developers, the local authority, local residents and other stakeholders regarding the process by which planning obligations will be secured.
- 2.3 The PO SPD provides a clear, definite and upfront approach which should help developers and the district council to bring forward sites allocated in the LDF and inform discussions about windfall sites. It sets out the areas where planning obligations may be sought and how these will be prioritised to ensure schemes remain deliverable. It also sets out the mechanisms that will be used and how contributions will be managed, including standardised legal agreements. The administration costs and legal fees the Council will charge for planning obligations are also included.

¹ EU Directive 2001/42/EC

² Environmental Assessment of Plans and Programmes Regulations 2004

³ ODPM, 2005 *Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents*

⁴ SHDC, 2006 Sustainability Appraisal of South Hams Core Strategy Submission Document

3.0 Methodology

3.1 Enfusion Ltd was commissioned in January 2005 by the Council to progress the SA work associated with the priority LDF documents (but excluded the SPD on Planning Obligations). The appraisal of this document has been undertaken in-house. The framework for appraising the sustainability of LDDs and SPDs in the South Hams was developed during early 2005 by Enfusion in conjunction with the Council and stakeholders. A draft list of objectives was developed from the review of relevant plans and programmes and the baseline conditions of the South Hams district to reflect the issues for sustainability and spatial planning in the area. The SA framework is presented in Appendix 1 and includes the changes made as a result of public consultation during the SA scoping stage. A Scoping Report was prepared to summarise the findings of the Scoping process and is available on the Council's website. This framework has been used to appraise all LDDs and SPDs that have been prepared to date, including the Core Strategy, Development Policies, Sherford Area Action Plan, Affordable Housing DPD and Affordable Housing SPD.

3.2 Government guidance recognises that "...the SA of SPDs will draw extensively on appraisals undertaken at the higher level for policies within the DPD and the need for new work may be limited. Generally, due to the nature of an SPD, its SA is likely to focus on a more limited range of potentially significant effects..." The Core Strategy policy CS8 on Infrastructure Provision has been appraised through the SA on the Core Strategy and the Preferred Options appraisal concluded that:

"Consideration should be given to strengthening the policy, for instance a minor change in the wording as follows; 'where existing infrastructure is inadequate, new or improved infrastructure and facilities should **always** be provided'."

The policy wording was amended to state "must" be provided.

It was also recommended, and the supporting text was accordingly amended, to include reference to "community recycling facilities" in the examples of infrastructure.

Therefore, the significant effects have already been considered and addressed during the preparation of this higher level LDD.

3.3 However, for continuity and completeness, the elements of the SPD have been appraised using those SA objectives that have a particular relevance to planning obligations. Table 1 sets out the assessment of the SPD against the SA objectives. Two different options were considered. Option 1 considers a "business as usual" approach i.e. not having a PO

SPD in place. Option 2 sets out the situation with an adopted SPD on Planning Obligations in place.

- 3.4 These elements have been assessed using professional judgment with the Sustainability Appraisal Framework and available information, including that presented in the Plan & Programmes Review and Baseline Conditions published with the SA Scoping Report in 2005.

4.0 Summary Findings & Influence of the SA

- 4.1 The SPD does not contain new policies or proposals or influence the spatial distribution of development. It will be used alongside development plan policies and sets out the process, mechanisms and guidance associated with securing planning obligations. The SA of the SPD has confirmed the findings of the higher level SA on the Core Strategy, in particular policy CS8. It concludes that there are no further potential significant adverse effects. It is considered that this SPD will not result in any adverse social, economic or environmental impacts.
- 4.2 Table 1 illustrates the assessment of the SPD through the SA objectives against the two options (a “business as usual approach” and adoption of the SPD). Assessment of Option 1 stated that without the SPD it may not be possible to provide a consistent and equitable approach for the provision of certain SA objectives or to secure specific provisions, such as open space. Consideration of the cumulative impact of new development on infrastructure would also not be consistently addressed.
- 4.3 Option 2 sets out that the SPD will have a positive impact on the community and local environment. This is by ensuring that the impact of new development is accounted for and mitigated against by the developer in so far as the legislative framework sets out. The securing of planning obligations will be carried out in ways that promote (or do not conflict with) other sustainability objectives for the South Hams area. It will also result in a positive cumulative impact through on-site provision or the pooling of off site financial contributions. Therefore, it is concluded that the preferred option is to bring forward the SPD towards adoption.

5.0 Habitats Regulation Assessment

- 5.1 This SPD has been subject to a Habitat Regulations Assessment (which is also part of the evidence base). This has concluded that there will be no significant adverse impact on the integrity of Natura 2000 sites. Natural England has been positively engaged in HRAs of the South Hams Local Development Framework. The consultation on this SPD included seeking

the views of Natural England and agreeing the principles, direction and conclusions of the Planning Obligations HRA.

6.0 Monitoring

- 6.1 Monitoring the effect of the SPD will be mainly through the recording of obligations included as part of S106 agreements on a database maintained by the Council. This is to ensure that all obligations are adhered to. This process will ensure on-site contributions are delivered as agreed and it will provide reassurance that there is prompt and appropriate spending of financial contributions once they have been received. This will assist in measuring the effects of the SPD on the key sustainability issues identified from the appraisal. It will also help to identify unforeseen adverse effects of the implementation of the SPD at an early stage and allow remedial action to be taken.

TABLE 1: Sustainability Appraisal of SPD

The table below provides an assessment of the SPD against the SA objectives as detailed in Appendix 1. The assessment has been undertaken in two stages. The first (**Option 1**) analyses the options of carrying on with “business as usual” compared with the situation should the SPD be adopted (**Option 2**).

1. Balanced Communities		
Comment	Option 1	Option 2
<p>The overall aim of this SA objective is to promote community viability and balance to be achieved through a range of housing types and tenure and the reduction of social exclusion. The clarification of matters such as delivery of, and the integration of, affordable housing with market housing will be fundamental to achieving these aims.</p> <p>This objective aims to provide sites for community services and facilities (education, health, recreation, social care, etc). It also aims to ensure provision is made for local businesses and employment opportunities.</p>	<p>In the absence of this SPD, the cumulative impact of new development on infrastructure, communities and the environment would not be consistently addressed.</p> <p>In the absence of this SPD, mitigation measures to address the impact of the new development may not adequately be provided for.</p> <p>Opportunities for enabling the delivery of housing, employment and community facilities to support a viable and balanced community may be lost.</p>	<p>The SPD helps to ensure that developers and not the local community are responsible for meeting the additional needs arising from new development.</p> <p>The SPD helps to ensure that measures to mitigate any adverse impact are taken.</p> <p>Opportunities for enabling the delivery of housing, employment and community facilities to support a viable and balanced community will be taken.</p>
2. Access		
Comment	Option 1	Option 2
<p>The aim of this SA objective is to enhance and promote access to jobs, services and facilities, particularly in rural areas.</p> <p>It aims to encourage integrated public transport and provide for basic services within walking</p>	<p>In the absence of this SPD, it may be difficult to secure opportunities that would improve access to jobs, services and facilities in the wider community.</p> <p>Without the SPD, it may not be possible</p>	<p>The SPD helps to ensure that mechanisms are in place to enable improvements to infrastructure, facilities or amenities, particularly where these cannot be addressed on site.</p>

distance of residents.	to achieve the maximum potential for improvements to integrated public transport. It may also not be possible to ensure that basic services are provided within walking distances of residents where there are a number of site options for provision.	
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3. Housing		
Comment	Option 1	Option 2
<p>The aim of this SA objective is to ensure that everyone has access to a range of good quality housing, particularly affordable housing for identified local needs. Affordable housing was identified as a key problem for sustainability for the South Hams during the SA scoping.</p> <p>The Council's Affordable Housing DPD (and SPD) contain detailed policies for affordable housing provision and the mechanisms which will be used to achieve them.</p>	<p>In the absence of this SPD it may not be possible to provide a consistent and equitable approach to the provision of affordable housing in the South Hams. For example, in the way that it sets out the process, procedure and costs involved in the planning application process.</p>	<p>This SPD will be used alongside the policies and guidance contained in the Affordable Housing DPD (and SPD) and provides a clear framework to developers, adding certainty and clarity to the process.</p> <p>There should be no adverse impacts on the provision of affordable housing or need for mitigation when the requirements of this SPD are incurred.</p> <p>The SPD sets out a means by which to prioritise areas of provision so as not to undermine securing affordable housing and the viability of sites in this respect.</p>

4. Quality of the Built Environment		
Comment	Option 1	Option 2
<p>The aim of this SA objective is to ensure that new development is of the highest design quality, appropriate density and protects and enhances green and open spaces within the built environment.</p>	<p>In the absence of this SPD it may not be possible to provide a consistent and equitable approach to the provision of quality open space within the built environment in the South Hams.</p>	<p>This SPD will be used alongside the policies and guidance contained in the Open Space, Sport and Recreation SPD and provides a clear framework to developers, adding certainty and clarity</p>

		<p>to the process.</p> <p>There should be no adverse impacts on the provision of open space or need for mitigation when the requirements of this SPD are incurred.</p> <p>This SPD sets out a means by which to prioritise areas of provision so as not to undermine securing open space within the built environment.</p>
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5. Health		
Comment	Option 1	Option 2
The aim of this SA objective is to provide a healthy and safe environment.	In the absence of this SPD, it may not be possible to secure provisions which contribute to this SA objective where they may be applicable.	This SPD sets out the process by which planning obligations may be secured which contribute to this SA objective.

6. Employment 7. Economic Growth		
Comment	Option 1	Option 2
The aims of these SA objectives are to promote sustainable economic development and employment opportunities.	In the absence of this SPD, it may not be possible to secure provisions which contribute to this SA objective where they may be applicable	<p>This SPD sets out the process by which planning obligations may be secured which contribute to these SA objectives.</p> <p>This SPD will help secure improvements to the quality of facilities within the area which could boost it's attractiveness to businesses and employers.</p>

8. Landscape; 9. Land & Soil Quality; 10. Biodiversity; 11. Historic Environment & Cultural Heritage; 12. Minerals; 13. Energy; 14. Air Quality; 15. Waste ; 16. Water

Comment	Option 1	Option 2
<p>These SA objectives aim to protect and enhance and make sustainable use of these environmental assets.</p>	<p>In the absence of the SPD, it may not be possible to provide a consistent approach to protect and enhance the environmental assets of the district. This could lead to development having an adverse effect on amenity, safety or the environment.</p>	<p>The SPD will be used alongside existing plans and policies. Where there is a need to mitigate against harm in respect of the environmental SA objectives the level of contribution and the means of contribution will be set in other policies and guidance and/or established in the relevant S106 agreement/planning condition.</p>

APPENDIX 1: SUSTAINABILITY APPRAISAL FRAMEWORK

	SA OBJECTIVE	DECISION-AIDING QUESTIONS
1	Balanced Communities <i>SEA topic: Population</i>	
	Promote community viability and balance	<ul style="list-style-type: none"> ▪ Promote mixed use, mixed housing type and mixed tenure developments ▪ Encourage regeneration and enhancement of viable communities ▪ Enable independent lifestyles for the elderly and those with disabilities ▪ Provide sites for community services and facilities (education, health, recreation, social care, etc) ▪ Provide sites for business and employment within communities ▪ Enable people to live near to where they work ▪ Promote social inclusion and community ownership
2	Access <i>SEA topic: Population and Human Health</i>	
	Enhance access to jobs, education, services, cultural and leisure facilities for all	<ul style="list-style-type: none"> ▪ Enhance access, particularly in rural areas ▪ Promote accessible jobs, services and facilities such as shops, schools, banks, health centres, community centres, libraries, sports and leisure facilities, especially in under-served localities and at the Sherford New Community ▪ Improve quality and capacity of public transport, particularly in new developments ▪ Encourage integrated public transport ▪ Provide for basic services within walking distance of residents ▪ Reduce isolation of minorities and people with limited mobility
3	Housing <i>SEA topic: Population and Human Health</i>	
	Ensure that everyone has access to a range of good quality housing to meet their needs, particularly affordable housing for identified local needs	<ul style="list-style-type: none"> ▪ Restrict second home ownership ▪ Provide dwellings to allow local residents, including young people, to remain within their communities

4	Quality of the Built Environment <i>SEA topic: Population and Human Health</i>	
	Enhance the form and design of the built environment	<ul style="list-style-type: none"> ▪ Ensure new development is located in line with sustainable principles ▪ Promote high density in new development wherever appropriate ▪ Insist upon high design quality and respect for local character, distinctiveness and surrounding environment in new development ▪ Protect and enhance the quality of green and open spaces
5	Health <i>SEA topic: Population and Human Health</i>	
	Provide a healthy and safe environment	<ul style="list-style-type: none"> ▪ Provision of space for informal recreation ▪ Design out crime and fear of crime in local communities ▪ Contribute to a safe, secure built environment ▪ Encourage safe provision for walking and cycling ▪ Prevent unacceptable levels of noise, light, odour and air pollution, through application of the precautionary principle
6	Employment <i>SEA topic: Population and Material Assets</i>	
	Promote a range of quality employment opportunities	<ul style="list-style-type: none"> ▪ Promote reuse of redundant agricultural buildings for employment ▪ Encourage provision of jobs that are accessible to residents ▪ Promote a year-round working countryside ▪ Support provision of employment to allow young people to remain within their communities ▪ Support indigenous growth of small and micro businesses
7	Economic Growth <i>SEA topic: Population and Material Assets</i>	
	Promote sustainable economic development that can capitalise on the local distinctiveness of the area	<ul style="list-style-type: none"> ▪ Taking advantage of Objective II funding and Regional assistance from SWRDA ▪ Encourage growth of indigenous companies ▪ Encourage diversification into key growth sectors, including the environmental sector ▪ Provide for the needs of businesses (range of premises, services, infrastructure, skilled workforce) ▪ Enhance the vitality of town, district and local centres and encourage their commercial renewal

		<ul style="list-style-type: none"> Provide for the purchase of goods and use of services locally
8	Landscape <i>SEA topic: Landscape</i>	
	Ensure that special and distinctive landscapes, and the features within them, are conserved and enhanced	<ul style="list-style-type: none"> Preserve and where possible enhance diverse landscape character and value Maintain a high quality of undeveloped coastal landscapes Protect and enhance the Areas of Outstanding Natural Beauty (AONB) and Dartmoor National Park Maintain and enhance hedgerow cover and traditional field boundaries
9	Land and Soil Quality <i>SEA topic: Soil and Water</i>	
	Maintain and improve the quality of land and soil in the region	<ul style="list-style-type: none"> Promote high density development Actively promote the re-use of previously developed land Remediate contaminated land Protect the best and most versatile agricultural land
10	Biodiversity <i>SEA topic: Biodiversity, Fauna and Flora</i>	
	Protect and enhance the diversity and abundance of semi-natural habitats and indigenous species	<ul style="list-style-type: none"> Promote ecologically based land management Protect and enhance valuable wildlife habitats and species, both those statutorily designated and those of local value Avoid habitat fragmentation Protect and enhance those species and habitats identified in the Devon BAP and the National BAP Protect and enhance the biodiversity value of the coastline, including estuaries
11	Historic Environment and Cultural Heritage <i>SEA topic: Cultural Heritage</i>	
	Protect and enhance cultural resources	<ul style="list-style-type: none"> Protect and enhance valued architecture, buildings (including listed buildings) and their settings Support locally-based cultural resources and activities Protect and improve the historic and archaeological environment (landscapes, sites, buildings and settings), including

		<p>Scheduled Ancient Monuments (SAMs)</p> <ul style="list-style-type: none"> ▪ Protect the important geology of the South Hams ▪ Protect and enhance Conservation Areas
12	Minerals	
	<i>SEA topic: Material Assets</i>	
	Encourage efficient exploitation of mineral resources	<ul style="list-style-type: none"> ▪ Contribute to the supply of minerals whilst protecting local communities and the environment ▪ Minimise demand for primary minerals and aggregates ▪ Recycle local stone where possible, to reinforce local character
13	Energy	
	<i>SEA topic: Material Assets and Climatic Factors</i>	
	Encourage energy efficiency, and promote the generation and use of energy from renewable sources	<ul style="list-style-type: none"> ▪ Avoid exacerbating climate change by reducing energy usage (including through design of new development, and sustainable location of development to encourage accessibility by means other than the car) ▪ Support the generation and use of renewable energy while protecting local communities and the environment ▪ Promote energy efficiency by locating development in such a way as to minimise the number of trips made by private car ▪ Promote energy efficiency in the design of new development
14	Air Quality	
	<i>SEA topic: Air, Climatic Factors and Human Health</i>	
	Protect and improve local and global air quality	<ul style="list-style-type: none"> ▪ Maintain or improve local air quality ▪ Reduce the number of trips made by private car ▪ Reduce CO₂ emissions ▪ Consider the longer term effects
15	Waste	
	<i>SEA topic: Water, Soil, Human Health and Population</i>	
	Encourage minimisation, reuse and recycling of waste	<ul style="list-style-type: none"> ▪ Encourage provision for local community recycling and waste management facilities, including on new developments ▪ Promote minimisation, reuse and recycling of construction materials and waste

16	Water <i>SEA topic: Water and Climatic Factors</i>	
	Protect and enhance the water environment	<ul style="list-style-type: none"> ▪ Take into account the predicted effects of climate change ▪ Protect and improve freshwater, estuarine and coastal water quality ▪ Consider the close relationship between water quality, quantity and flood risk management ▪ Increase efficient use and reuse of water resources ▪ Promote sustainable coastal and flood risk management that provides for climate change, where appropriate, in new developments ▪ Promote Sustainable Urban Drainage Systems