

## IMPLEMENTATION EXECUTIVE

7 April 2009

**PROMOTING SUSTAINABLE DEVELOPMENT THROUGH PLANNING POLICIES**  
**(DRAFT SUSTAINABILITY APPRAISAL SCOPING REPORT)**

**Executive Summary**

All emerging planning policies have to be subject to a Sustainability Appraisal (SA) to ensure that the final adopted planning policy is supporting more sustainable patterns of development.

The SA is a continuous process carried out in tandem with the preparation of individual planning policy documents such as the Core Strategy. How to carry out a SA is informed by Government guidance. The first stage is the preparation of a Scoping Report which includes a sustainability framework against which all emerging planning policies should be tested. A draft Wiltshire Council SA Scoping Report, informed by approved Scoping Reports prepared previously by the individual Districts, was published for consultation in January 2009. It is important to complete this stage of the SA process before detailed work on developing planning policies begins so that assessing the impact of emerging policies is fully integrated into the policy development process.

The Local Planning Authority has a duty to document and consider the submissions received during the consultation on the draft Scoping Report and respond as appropriate. At this moment in time that duty falls to the Implementation Executive.

This report outlines the process of consultation that has taken place, considers the comments the Council has received and recommends changes that are needed to the draft Scoping Report in response to those comments.

**Proposal**

That the Implementation Executive:

- (i) Approve the proposed actions and changes to the draft Wiltshire Council Sustainability Appraisal Scoping Report in response to comments received during the consultation period set out as recommendations in attached **Appendix 1**.
- (ii) Delegate authority to the Director of Economy and Enterprise to authorise detailed amendments and any consequential changes to the draft Scoping Report as a result of the actions recommended in **Schedule 1** which is available on the website: <http://www.wiltshire.gov.uk/environment-and-planning/planning-home/sustainability-appraisal-consultation.htm>

- (iii) Agree to the publication of the final Wiltshire Council Sustainability Appraisal Scoping Report once the changes approved under (i) and (ii) have been made.

**Reason for Proposal**

To inform members of the recent consultation exercise in relation to the Wiltshire Council Sustainability Appraisal Scoping Report and to agree the content of a revised Scoping Report, incorporating changes made in response to the comments received.

**ALISTAIR CUNNINGHAM**

Service Director, Economy and Enterprise

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**Purpose of Report**

1. To:
  - (i) Report on the consultation on the draft Wiltshire Sustainability Appraisal (SA) Scoping Report
  - (ii) Present a summary of the comments received
  - (iii) Agree the proposed changes to the draft document and
  - (iv) Authorise the publication of the SA Scoping Report as amended and for the sustainability appraisal framework to be used to assess the sustainability credentials of all planning policies and proposals developed for the Wiltshire Local Development Framework (LDF).

**Background**

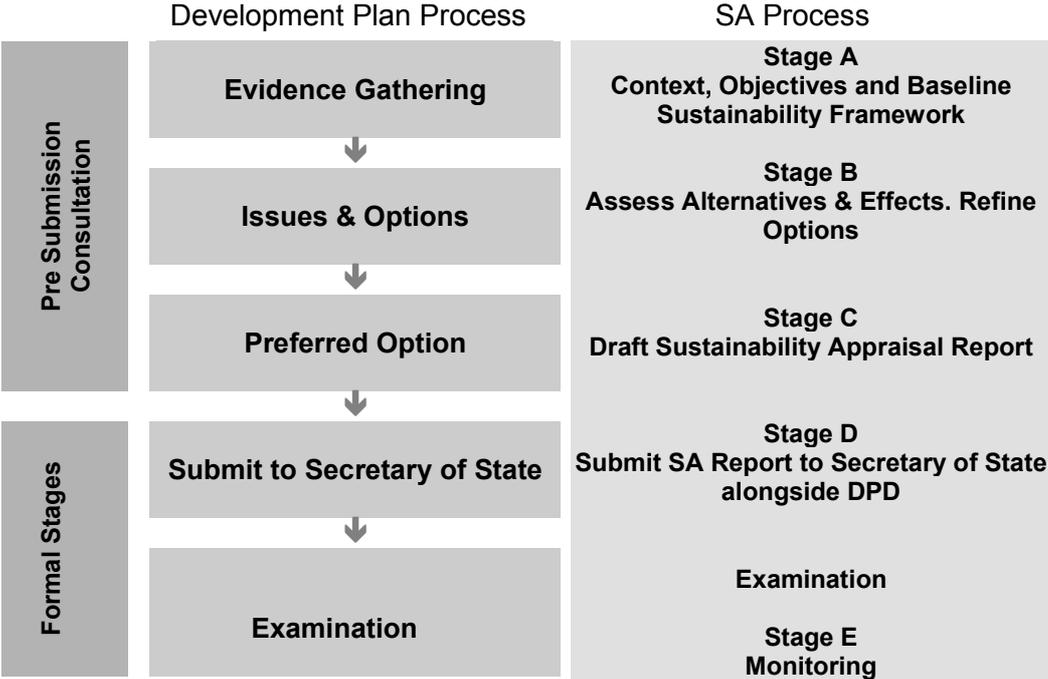
2. The Implementation Executive meeting on 10 December 2008 resolved:

*"To note that consultation on the Draft Sustainability Appraisal Scoping Report will start in January 2009, and that a report of the outcome and the proposed final Scoping Report will be presented to the Implementation Executive in April 2009."*
3. All emerging planning policies have to be subject to SA to ensure that the final adopted policy is supporting sustainable patterns of development. The SA is a continuous process carried out in tandem with the preparation of individual Development Plan Documents<sup>1</sup>. The first stage is the preparation of a framework against which to test emerging policies - the SA Scoping Report contains that framework. A draft SA Scoping Report was prepared by officers and has been subject to consultation over a five week period. (A copy of the [draft Wiltshire Council Sustainability Appraisal Scoping Report](#) is available on the website.)

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<sup>1</sup> Development Plan Document (DPD) is the name given to documents setting out the Council's planning policies and proposals. The Core Strategy is a DPD within the Local Development Framework. A sustainability Appraisal is required for each development plan document.

4. The principal planning policy document to be prepared by Wiltshire Council is the Core Strategy. This will contain the strategic policies to guide development in the County for the period up to 2026. At each stage in the preparation of this document there has to be an appraisal of the potential impacts on the local social, economic and environmental conditions. This is known as a SA. Within the UK, SA also incorporates Strategic Environmental Assessment (SEA) required by European law.<sup>2</sup> These processes, referred to as 'SA', are designed to promote sustainable development through the integration of social, environmental and economic considerations into planning documents.
5. Preparation of the Wiltshire Council's Sustainability Appraisal Scoping Report is the first part of the SA process. The Scoping Report sets out the key sustainability issues and objectives for Wiltshire Council, develops a sustainability appraisal framework based on those key issues and objectives and, once approved, will be used to assess the extent future planning policies will contribute towards sustainable development within the Council's area.
6. The SA process can be divided into five stages, these are illustrated below. The chart also illustrates how progress on an individual development plan document, such as the Wiltshire Core Strategy, relates to the SA process. The Scoping Report is Stage A.



<sup>2</sup> EU Directive 2001/42/EC on “the assessment of plans and programmes on the environment” and Section 39 (2) Planning and Compulsory Purchase Act 2004

7. The draft Wiltshire SA Scoping Report was published in three parts:

- (i) A non technical summary
- (ii) Main report, and
- (iii) A series of technical appendices on:
  - biodiversity
  - land and soil resources
  - water resources and flood risk
  - air quality and environmental pollution
  - climatic factors
  - historic environment
  - landscapes
  - population and housing
  - healthy communities
  - inclusive communities
  - education and skills
  - transport and
  - economy and enterprise.

(Copies of all the consultation documents are available by following this link to the [Wiltshire Council](#) web site).

### **Consultation and Response**

8. The draft Scoping Report was consulted on for a five week period over the period 12 January 2009 –16 February 2009 in accordance with the SEA Regulations.

9. The SA is required to support the preparation of planning policy documents within the LDF but is not subject to the same regulations that require a minimum of six weeks consultation<sup>3</sup>. Five weeks consultation was considered appropriate in this instance because:

- (i) The Wiltshire Council Scoping Report draws upon the individual Scoping Reports previously prepared by each of the districts in support of their LDF. Each of these had already been consulted on<sup>4</sup>;
- (ii) It was important to have an approved SA Scoping Report in place by 1 April 2009 so that testing policies to make sure they promote more sustainable patterns of development would be embedded in Wiltshire Council's planning policy work from the outset, and
- (iii) Much wider, targeted consultation was proposed to that required by the SEA Regulations. The SEA Regulations only requires that three statutory consultees (described below) are consulted for a period of five weeks.

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<sup>3</sup> Figure 7, Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents, Office of the Deputy Prime Minister, 2005 confirms 5 week requirement.

<sup>4</sup> Kennet District Council SA Scoping Report July 2006; North Wiltshire District Council SA Scoping Report September 2006; Salisbury District Council SA Scoping Report June 2007; and, West Wiltshire SA Scoping Report October 2007.

10. The statutory consultees referred to in the SA Guidance<sup>5</sup> are English Heritage, Natural England and the Environment Agency. Each of these organisations was contacted before the consultation began to discuss the content of the draft Scoping Report. The Regulations also state that other community groups and social and economic bodies should be consulted as the Local Planning Authority (LPA) considers appropriate. A separate Statement of Community Engagement has been prepared which details the process of consultation that took place to fulfil this obligation and is available on the website. <http://www.wiltshire.gov.uk/environment-and-planning/planning-home/sustainability-appraisal-consultation.htm>
11. The LPA has a *statutory duty to document and consider the submissions received during the consultation on the draft Scoping Report and respond as appropriate*. The responses and any subsequent changes proposed to the draft document will be documented in an Appendix to the final Scoping Report. **Schedule 1** will form this Appendix and is available on the website <http://www.wiltshire.gov.uk/environment-and-planning/planning-home/sustainability-appraisal-consultation.htm>. This includes the summary of the comments made by each respondent, together with a suggested response to the issues raised and a recommendation for changes to the draft Scoping Report where appropriate. The **Schedule** is presented to reflect the questions asked of consultees on the questionnaire which was available on the web site and in libraries.
12. **Appendix 1** to this report contains a summary of the key issues and main changes proposed to the draft Scoping Report.

### **Environmental Impact of the Proposal**

13. One of the main objectives of the SA is to remove or at least reduce the environmental impact of development proposed in planning policy documents produced by Wiltshire Council.

### **Equalities Impact of the Proposal**

14. One of the main objectives of the sustainability appraisal is to consider the social and economic impacts of emerging planning policies. Specifically the SA seeks to promote inclusive communities and healthy communities.

### **Risk Assessment and Options Considered**

15. The format and process for preparing a SA Scoping Report is directed by national guidance notes and no other options for preparing the Scoping Report were considered. There would be a risk to the quality and robustness of the SA if national guidance were not followed. There would be a further risk that the Wiltshire Core Strategy could be found 'unsound' at the final examination if the SA was flawed.

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<sup>5</sup> The environmental consultation bodies are referred to in Environmental Assessment of Plans and Programmes Regulations 2004 and in *A Practical Guide to the Strategic Environmental Assessment Directive*, September 2005.

## **Financial Implications**

16. There are no financial implications arising from the preparation of the Scoping Report other than the cost of printing and distribution which are included within the Spatial Planning budget.

## **Legal Implications**

17. Wiltshire Council is the LPA responsible for the production of the Wiltshire LDF required by the Planning and Compulsory Purchase Act 2004. The SA is part of the LDF process. Not completing a SA in accordance with EU Directive 2001/42/EC and the Planning and Compulsory Purchase Act 2004 could lead to the Wiltshire Core Strategy being found 'unsound' at the final examination.

## **Conclusion**

18. The SA is an essential part of the LDF to ensure planning policies and proposals move towards providing more sustainable patterns of development. The SA Scoping Report is the beginning of that process to identify the sustainable objectives the Council should be aiming to achieve through its planning policies.

## **ALISTAIR CUNNINGHAM**

Service Director, Economy and Enterprise

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March 2009

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**The following unpublished documents have been relied on in the preparation of this Report.**

Original representations from consultees.

**Appendix 1:** Summary of key issues raised by consultees in response to the Sustainability Appraisal and main changes proposed to the Scoping Report

**Schedule 1:** Summary of individual responses received during the Consultation, Suggested Response and Recommended Action.

<http://www.wiltshire.gov.uk/environment-and-planning/planning-home/sustainability-appraisal-consultation.htm>