

Report to the Local Development Framework Cabinet Committee



**Epping Forest
District Council**

Report reference: LDF-011-2009/10
Date of meeting: 12 April 2010

Portfolio: Leader

**Subject: Sustainability Appraisal Scoping Report – Consultation
Arrangements**

Responsible Officer: Amanda Wintle (01992 564543)

Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

To agree that the draft Sustainability Appraisal Scoping Report should be published for a 5-week period of public consultation between 17 May and 18 June 2010.

Executive Summary:

In 2009, Scott Wilson was jointly commissioned by Epping Forest, Harlow and East Herts District Councils to carry out a Sustainability Appraisal (SA) of each of the three Local Authority's Core Strategy documents to help inform their preparation. Each Council's Core Strategy will form a central part of their respective Local Development Frameworks (LDFs).

The Sustainability Appraisal involves identifying and evaluating the impacts of a plan on the economy, the community and the environment – the three dimensions of sustainable development – and then suggesting ways to avoid or reduce adverse impacts and maximise positive impacts.

In order to undertake the SA of the Core Strategy, it is first necessary to establish the scope of the appraisal, i.e. establish the issues that should and should not be a focus. Establishing the scope is the aim of this 'Scoping Report'. Within this document, the scope of the SA is established by setting a 'framework' to guide the appraisal. Epping Forest District Council's Scoping Report has now been completed and this framework once approved can then be taken forward for consultation with stakeholders and the public.

Reasons for Proposed Decision:

The SA is a statutory requirement for Core Strategies under the Planning and Compulsory Purchase Act 2004. Section 39(2) of the Act states that when preparing new or revised Development Plan Documents (DPDs) and SPDs, Local Planning Authorities must provide an accompanying Sustainability Appraisal. It should also be noted that the SA incorporates a Strategic Environmental Assessment (SEA), which is a closely related process required under EU legislation.

Other Options for Action:

Not to approve the Sustainability Appraisal Scoping Report for public consultation at this stage. However, to ensure that a sound Core Strategy is achieved, the Sustainability

Appraisal is required.

Report:

1. The Sustainability Appraisal (SA) is required as part of the preparation of any Local Development Framework documents. It systematically identifies and evaluates the contribution that a plan or policy is likely to make to the sustainable development of an area. The aim is to provide information – in the form of an initial Scoping Report, followed by a formal Sustainability Appraisal Report – that can then be used to enable decision makers to enhance the performance of the relevant plan with respect to its contribution to the sustainable development of the area affected. The SA also incorporates the requirement of a European directive to carry out a Strategic Environmental Assessment (SEA).

2. In January 2009, Scott Wilson was appointed by Epping Forest, Harlow and East Herts District Councils to carry out a Sustainability Appraisal (SA) of each of the three Local Authority's Core Strategy documents. This appointment was made jointly due to the requirement in policy HA1 of the East of England Plan that the regeneration and growth of Harlow is delivered in a coordinated or joint manner by the three relevant local authorities. By having the SA of each of the Core Strategies carried out by the same organisation, it can be ensured that there is a consistency of approach. Further, by working in a joint manner on this work, it has been possible to access the "Programme of Development" fund.

3. There is a statutory requirement for public consultation on the draft Scoping Report, prior to it being finalised. Following this public consultation, comments made will be considered, and changes made to the Scoping Report where necessary. Each stage of the Core Strategy will be accompanied by a Sustainability Appraisal, which will assess the impacts of the policy proposals and ensure that the most sustainable development is achieved.

4. In order to meet with the requirements of the SEA Directive, EFDC must seek the views of the three statutory environmental consultation bodies, designated in the SEA Regulations as The Environment Agency, English Heritage and Natural England at each round of consultation. Central Government also recommends in its guidance on preparing Sustainability Appraisals, that a balance of bodies concerned with social, environmental and economic issues should also be consulted as well the public. It is important for all of these groups to be involved to ensure that they are aware of all the possible significant effects on the district that may result from the options chosen in the Core Strategy.

5. A member of Scott Wilson's team will present the draft Scoping Report to Councillors as part of another item on this agenda. In brief therefore, the Scoping Report begins by introducing the Sustainability Appraisal process and the role of the initial 'Scoping Stage'. Following this, the document then provides a selection of evidence which has been collected to take the full range of sustainability issues in consideration. This evidence has been organised into a framework of seventeen separate chapters. The first twelve of these chapters comprise the following thematic topics:

- Air quality;
- Biodiversity and green infrastructure;
- Climate change (mitigation and adaptation);
- Community and wellbeing;
- Economy and employment;
- Historic environment;
- Housing;
- Land;

- Landscape;
- Transport;
- Water; and
- European Sites.

6. The remaining five chapters then focus on the district itself, dividing it into five separate functional areas and then determining the sustainability issues specific to each area. (These areas can be identified in the map in Appendix A).

7. In each of these chapters, evidence has been considered systematically by asking the following questions:

- What's the policy context?
- What are the key sustainability objectives that need to be considered?
- What's the situation now (including any identified problems)?
- What will be the situation without the plan?
- What issues should be a particular focus for the appraisal?

8. The key findings of the document can be summarised in terms of the key issues which the Scoping Report believes exists in each of the five proposed functional areas:

(a) Waltham Abbey and Nazeing:

- To address pockets of socio-economic deprivation, particularly in Waltham Abbey;
- To protect landscape character and the integrity of the historic settlements;
- To support the objectives of the Corporation of London, as the stewards of Epping Forest;
- To support the objectives of the Lee Valley Regional Park;
- To address flood risk (including through recognising the potential need for flood alleviation measures);
- To consider the potential for traffic impacts on the rural road network; and
- To address water quality issues due to human recreational activity and over-extraction of surface water.

(b) Rural North and Harlow:

- To protect landscape character and the integrity of the historic settlements;
- To consider the development planned for Harlow that may extend into this functional area and the potential impacts;
- To support the objectives of the Lee Valley Regional Park; and
- To consider the potential for traffic impacts on the rural road network.

(c) Central Line Settlements:

- To address pockets of socio-economic deprivation, particularly in Loughton;
- To protect settlement boundaries and accessible green space;
- To take account of air pollution from major roads, at busy road junctions and from other sources;
- To support the objectives of the Corporation of London, as the stewards of Epping Forest; and
- To take account of the objectives of the Environment Agency and work to minimise flood risk.

(d) Rural South East:

- To protect landscape character and the integrity of the historic settlements;

- To manage the floodplain of the River Roding as well as land use across the wider catchment in order to reduce downstream flood risk;
- To provide sufficient rural housing;
- To ensure access to services, facilities and employment; and
- To support access to public transport.

(e) Ongar and Rural North East:

- To protect landscape character and the integrity of the historic settlements;
- To manage the floodplain of the River Roding as well as land use across the wider catchment in order to reduce downstream flood risk;
- To provide sufficient rural housing;
- To ensure access to services, facilities and employment; and
- To support access to public transport.

9. It is now proposed that the required public consultation on the SA Scoping Report takes place between Monday 17 May and Friday 18 June 2010.

Resource Implications:

From existing resources.

Legal and Governance Implications:

Consultation is required under section 39(2) of the Planning & Compulsory Purchase Act 2004 (as amended).

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Legislation requires that consultation is undertaken for a statutory period of 5 weeks.

Background Papers:

Epping Forest District Council Sustainability Appraisal Scoping Report, Scott Wilson (January 2010);

PPS12: Local Spatial Planning, Department for Communities and Local Government (2008)

Sustainability Appraisal Of Regional Spatial Strategies and Local Development Documents, Office of the Deputy Prime Minister (November 2005)

Impact Assessments:

Risk Management

Risk to the Council's reputation with the Government Office for the East of England if this consultation exercise is not undertaken during the indicated time period.

Equality and Diversity:

This Sustainability Appraisal contains some matters relating to the Equality Impact Assessment. A full Equality Assessment will be carried out in respect of the Core Strategy in the future.

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
N/A.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.