

Title of meeting: Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting: 8th March 2017
Subject: Sustainability Appraisal (SA) Scoping Report
Report by: Claire Upton-Brown - Assistant Director of Culture and City Development
Wards affected: All
Key decision: No
Full Council decision: No

1. Purpose of report

- 1.1 To approve the Sustainability Appraisal Scoping Report of the Portsmouth Local Plan. This follows consultation with the statutory bodies Natural England, Historic England and the Environment Agency for a five week period concluding on 10th January 2017, under Regulation 12 (5) and 12(6) of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of a Sustainability Appraisal (SA) is to promote sustainable development in the preparation of the Portsmouth Local Plan through the integration of social, environmental and economic considerations. Sustainability Appraisals are integral to the preparation and development of a Local Plan, so work starts at the same time that work starts on developing the plan.
- 1.3 The Scoping Report is the first stage of the four stages of the SA process. Further documents will accompany each part in the production of the Local Plan. An Equalities Impact Assessment is included as part of this process related to the Council's duties under the Equalities Act 2010 and the Crime and Disorder Act 1998.
- 1.4 A Health Assessment is not a statutory requirement but it is generally recognised as good practice to promote health gains for the local population, reduce health inequalities and ensure new plans do not actively damage health. This follows the Health and Social Care Act of 2012.

2. Recommendations

- 1. To approve the Sustainability Appraisal Scoping Report incorporating the changes following consultation with the statutory bodies**

3. Background

- 3.1 In July 2004 the UK introduced legislation that transferred the requirements of the 'European Strategic Environmental Assessment Directive' (SEA) into UK law. The SEA Directive applies to a wide range of public plans and programmes (e.g. on land use, transport, energy, waste, agriculture, etc). It seeks to provide high level protection of the environment by integrating environmental considerations into the process of preparing plans.
- 3.2 The SEA is integrated with a Sustainability Appraisal at each stage of the Local Plan. The Portsmouth Local Plan needs to contribute to the principles of sustainable development (set out in Section 19 of the Planning and Compulsory Purchase Act 2004) by carrying out a Sustainability Appraisal of each of the proposals in a Local Plan. These combined requirements are known as a Sustainability Appraisal or SA.
- 3.3 The SA considers ways in which the Local Plan can contribute to improvements in the environmental, social and economic conditions in Portsmouth, when judged against reasonable alternatives. These cover a wide range of issues;
- Social issues - The Sustainability Appraisal needs to address the issue of providing sufficient homes for all sections of the community (e.g. the ageing population, sufferers of long term illness or disability) as well as achieving more affordable homes. It also needs to consider the quality of the housing stock, fuel poverty, deprivation and designing out crime and the general health of the population.
 - Environmental - The Sustainability Appraisal needs to consider the marine environment in the Special Protection Areas and the Sites of Special Scientific Interest and ensure protection and enhancement of greenspace in the city. Other factors include the heritage environment, design, congestion and air quality.
 - Economic - the SA needs to consider issues including potential for diversifying the Portsmouth economy, building on existing economic strengths, for example, in the marine sector. Other factors include encouraging entrepreneurs and start-up businesses and improvements to the city centre.
- 3.4 The SA scoping report sets out the areas the Local Plan needs to cover and identifies where land use planning decisions can have an impact. The document has been informed by other relevant policies, plans, programmes & sustainability objectives (known as the baseline information). The Sustainability Appraisal Framework based on the framework provided by the Scoping Report, will be used to assess the strategy, policies and site allocations in the Local Plan at each of its different stages.
- 3.6 The SA Scoping Report has been consulted upon with Natural England, The Environment Agency and Historic England for a 5 week period. A summary of the comments made by the three statutory agencies and the changes proposed to the

document are attached as Appendix 1. The Scoping Report incorporating the proposed changes is attached as Appendix 2.

4. Reasons for recommendations

4.1 The formal consultation with statutory bodies was carried out between December and January 2017. Overall the document was favourably received and the majority of changes are proposed to be included in the report.

5. Equality Impact Assessment

5.1 An equality impact assessment is not required as the recommendations do not have a disproportionate negative impact on any of the specific protected characteristics as described in the Equality Act 2010 for the following reasons:

- This Scoping Report is required under our legislative duties as a local authority
- This report was consulted on with the statutory bodies Natural England, Historic England and the Environment Agency for a five week period concluding on 10th January 2017, under Regulation 12 (5) and 12(6) of the Environmental Assessment of Plans and Programmes Regulations 2004.
- Through the consultation no specific equality issues were raised by people that hold a protected characteristic as described by the Equality Act 2010

The first draft of the report was discussed with the Local Authorities Access and Equality Advisor which resulted in more specific elements being added regarding disability for example accessible housing.

6 Legal comments

6.1 The *Environmental Assessment of Plans and Programmes Regulations 2004* (the Regulations) implement the Strategic Environmental Assessment Directive into national law and apply to plans and programmes.

6.2 The Regulations require the responsible authority to carry out an environmental assessment in relation to certain plans and programmes, and modifications to them.

6.3 The Regulations also apply to other plans or programmes setting the framework for future development consent of projects that are likely to have significant environmental effects (*regulation 5(4)*) and therefore applies to the matters described in the report. The criteria for determining the likely significance of effects on the environment are set out in the Regulations.

6.4 An environmental assessment will include the preparation of an environmental report (*regulation 12*) with prescribed information included.

6.5 The environmental report must then be made available with the draft plan or programme for consultation to interested parties and the relevant consultation bodies (*regulation 13*).

7. Director of Finance's comments

7.1 The Sustainability Appraisal Scoping Report has been prepared by the Planning Service and will inform the content of the Local Plan. This work has and will continue to be funded from existing budget resources.

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Signed by:
Assistant Director of Culture and City Development

Appendices:

Appendix 1: Comments from statutory agencies and the PCC response.

Appendix 2: The Sustainability Appraisal Scoping Report: Draft for Consultation

Background list of documents: Section 100D of the Local Government Act 1972

The SA has relied on over 100 documents and pieces of legislation as well as numerous internet locations for its data and statistics. The key ones were at a European and National Level, as well as the work of the Partnership for Urban South Hampshire and our own Councils strategies that cover the broad range of issues and initiatives that we are involved in.

The full list can be found in Appendix 1 of the Sustainability Appraisal Scoping Report.

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by

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Signed