



South Cambridgeshire Local Development Framework Development Affecting Conservation Areas Supplementary Planning Document

Sustainability Appraisal / Strategic Environmental Assessment Adoption Statement

Introduction

South Cambridgeshire District Council adopted the Local Development Framework (LDF) Development Affecting Conservation Areas Supplementary Planning Document (SPD) on 11th December 2008.

This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4), which require a statement to be produced on adoption of a plan or programme, to detail:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed through public consultation have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with;
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Planning Policy Statement 12 widens these considerations from environmental, to broader sustainability issues, so that this statement provides information on the wider sustainability appraisal process.

This statement examines each of these points in turn.

1. How sustainability considerations have been integrated into the plan

The LDF aims to improve the overall quality of life for residents of South Cambridgeshire in a way, which will also benefit future generations. Taking a sustainable approach to economic, social and environmental issues is at the heart of the plan and will be closely related to the national strategy for sustainable development, which has four objectives:

- Social progress which recognises the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

Policy Context

The national context is set out in Planning Policy Statements (the replacement to Planning Policy Guidance Notes), Circulars and other advice from Government. Whilst some of those national policies require local interpretation, a great number do not.

The regional context is set out in the East of England Plan that was published by the Secretary of State in May 2008. It continues the strategy that was set out in the Regional Planning Guidance for East Anglia (RPG6). It aims to focus a higher proportion of Cambridgeshire's growth into the Cambridge Sub-Region and proposes a sequential approach to the planning of development, with much of the development concentrated into and on the edge of Cambridge (subject to a review of the Cambridge Green Belt), including development in South Cambridgeshire, and into a new town beyond the outer boundary of the Green Belt.

The East of England Plan 2008 replaced the Cambridgeshire and Peterborough Structure Plan when it was published in its final form by the Secretary of State in May. A number of Structure Plan policies were 'saved' after September 2007 and remain valid until they will be superseded by policies in LDFs as these plans are adopted across the County.

Development Affecting Conservation Areas SPD Policy Approach

Development Affecting Conservation Areas SPD has been prepared by South Cambridgeshire District Council. It forms part of the Local Development Framework (LDF).

The SPD expands on district-wide policies in the Development Control Policies Development Plan Document (DPD), adopted in July 2007, and policies in individual Area Action Plans for major developments that may vary from the district-wide policies. The SPD provides additional details on how these policies will be

implemented. Policies seek to ensure that Conservation Areas are adequately addressed throughout the development process.

Conservation Areas are defined as '*areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*' (Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990). South Cambridgeshire is a district comprising over 100 villages and contains over 80 Conservation Areas; as a result the majority of historic village cores are also designated as Conservation Areas.

The aim of the Supplementary Planning Document is to provide additional advice and guidance on developments affecting these Conservation Areas and to expand on the broad policy set out in the Development Control Policies DPD Policy CH/5 and Planning Policy Guidance 15 – Planning and the Historic Environment (Sept 2004)

Specific objectives of the SPD are to:

- Assist applicants' understanding of whether Conservation Area Consent is required to undertake proposed works;
- Assist applicants' understanding of the local historic context, help identify features of importance to the character of Conservation Areas, and ensure that proposed developments are appropriately designed to protect and, where possible, enhance their character;
- Assist applicants gain conservation area consent and / or planning permission quickly by informing them what information is required to accompany planning applications to justify their proposals and demonstrate what impact they would have on the character of the Conservation Area;
- Ensure that development is undertaken in an appropriate manner to avoid adverse harm to the character of the Conservation Area.

2. How the Sustainability Appraisal had been taken into account

The Sustainability Appraisal has contributed to plan development by providing an independent assessment of the sustainability of the Council's proposed options and policies as they were developed. It demonstrates that sustainability considerations have been incorporated into the development of the LDF and subsequently that of the SPD from an early stage, and provides a formal statement and audit trail of the assessment.

The Sustainability Report is a key output of the plan preparation process. It reflected and supported the draft plan on which formal public consultation and participation was carried out.

The SPD is adding detail to policies to assist the implementation of adopted Development Plan Document policies and therefore the process had begun with the preparation of a Sustainability Report for this DPD. The policies in this DPD were therefore subject to sustainability appraisal. The main role of this appraisal was to examine whether the SPD results in any differences in these effects, and add detail where appropriate.

In initiating the Sustainability Appraisal for the SPD it was decided to do an addendum to the LDF Sustainability Appraisal Scoping Report to provide additional specific scoping information on the Development Affecting Conservation Areas SPD. The additional scoping information relevant specifically to the SPD formed the basis of the assessment in the SA Report.

The issues identified in the LDF Scoping Report and Addendum were used to define a set of objectives, decision-making criteria and relevant baseline indicators, which collectively comprise the SA Framework.

Central to the Sustainability Appraisal process is the testing of the objectives of the SPD guidance against a Sustainability Appraisal Framework. The SPD objectives outline the purpose of the SPD and its aims. It is important that the overall SPD objectives are consistent with the concept of sustainable development. These were assessed and it was found that the objectives of the SPD were compatible with the Sustainability Appraisal objectives.

It was found that the SPD made no differences to the effects of the appraised adopted policies and so not changes were necessary to the SPD as a result of being appraised.

3. How consultation taken into account (draft plan and the Environmental Report)

In this statement the Council is required to detail how opinions expressed in response to consultation have been taken into account.

Key Environmental Bodies

The Strategic Environmental Assessment Directive requires that authorities referred to in Article 6(3) shall be consulted when deciding on the scope and level of detail of the information, which must be included in the Environmental Report. In England, the key bodies are the Environment Agency, English Heritage and Natural England.

Consultation on a draft of the Sustainability Appraisal Scoping Report with these key bodies was carried out in April 2008. The consultation enabled these bodies to comment on the appropriateness of the objectives, indicators, baseline assessment and issues/problems. No changes were needed to be made as a result of the consultation

Public Participation

The Strategic Environmental Assessment Directive requires early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme or its submission to the legislative procedure.

The Council consulted the public on the SPD and its Sustainability Appraisal. Full details can be found in the Statement of Consultation – Regulation 18(4)(b), available to view on the Council's website. This outlines the main issues raised in the representations received and how they have been addressed in the SPD, which is to be adopted.

Consultation under Regulation 17

The public consultation on the draft SPD and Sustainability Appraisal Report was carried out over a 6 week period, which was in accordance with Regulation 17 of the Town and Country Planning (Local Development)(England) Regulations 2004 as amended in 2008.

There were in total 32 representations received. 7 were in support and 25 objecting. No representations were received on the Sustainability Appraisals.

The main issues raised include:

- The legislative background is due to change when the Heritage Protection Bill is enacted and it is suggested this should be recognised within the SPD.
- Concern that the SPD is too focused on what is happening within Conservation Areas and does not address the setting of Conservation Areas adequately.
- Comment that there is no reference under what circumstances the Council would consider the use of an Article 4 Direction nor when it would consider withdrawing permitted development rights.
- Concern that the SPD is too restrictive over the use of recycled materials and it is suggested the SPD be amended so as to provide maximum flexibility in the use of recycled materials in all situations.

The consultation resulted in a number of changes to the SPD. These are listed in Appendix A.

4. Reasons for choosing the document as adopted in light of other reasonable alternatives.

The Environmental Assessment of Plans and Programmes Regulations 2004 (12) (2) requires environmental reports to examine reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

This statement is required to set out the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with. PPS12 makes clear that full regard should be had to the chain of conformity to avoid duplication of assessment.

The alternative to having an SPD was to have no SPD at all and to carry out "Business As Usual" implementing the adopted Development Control Policies DPD without published detailed guidance. This was considered in the Sustainability Report. The Development Affecting Conservation Areas SPD, once adopted will provide further guidance on the implementation of the Councils' policies. The SPD gives the benefit of providing a clear structured approach to requirements. Omitting the SPD would provide much less certainty as their implementation will be more problematic, without the provision of the local context to the interpretation of national planning guidance.

5. Monitoring

The Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities to set out the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Details of the monitoring measures envisaged are summarised in Appendix 7 of the Final LDF Sustainability Report.

The indicators created in the Sustainability Appraisal Scoping Report, will continue to be monitored annually. They have been utilised as 'significant effect indicators', to be collated in the LDF Annual Monitoring Report. This report includes an analysis of the implications of the results, and should a need arise a review of LDF documents could be triggered by this information.

The South Cambridgeshire Annual Monitoring Report is available to view on the Council's website.

Appendix 1: Extract From 'Statement of Consultation (REGULATION 18(4)(b) STATEMENT)'

Sustainability Appraisal Scoping Report

Statutory Bodies Consultation on Draft South Cambridgeshire Sustainability Appraisal Scoping Report

- Consultation with statutory bodies took place in April 2008.
- Key agencies that have environmental, social or economic responsibilities (the Environment Agency, English Nature, English Heritage, and the Countryside Agency).
- No changes were needed to be made as a result of the consultation

Draft Final Sustainability Reports

The Draft Final Sustainability Report meet the requirements for sustainability appraisal and strategic environmental assessment.

It was published for public participation alongside the draft SPD.

Appendix A – Amendments made to SPD as a result of the public consultation

Development Affecting Conservation Areas Supplementary Planning Document

- Add a new paragraph after paragraph 1.9 to read: "Development affecting Conservation Areas includes any development proposal outside the Conservation Area that would affect its setting, or views into or out of the area. The guidance contained in this SPD should be applied equally to any such development proposals." Renumber the remaining paragraphs accordingly.
- Add the following to the end of paragraph 1.3: "The draft Heritage Protection Bill is likely to introduce changes to the way the historic environment is protected in England when it is implemented. As a result, it may result in a review of PPG15 to support the new Heritage Protection legislation, at which time this SPD will need to be updated."
- Amend the note at the end of paragraph 1.9 to read: "The issue of trees in Conservation Areas is the subject of the Trees and Development Sites SPD."
- Ensure the status of the SPDs listed in Appendix 2 reflects the latest position.
- Amend the last sentence of paragraph 1.11 to read: "Any planning application within or affecting a Conservation Area will be considered against the key characteristics identified within the appraisal and the policies outlined in the management plan."
- Add a footnote to paragraph 1.11 as follows: "Conservation Area Character Appraisals are produced by the Council covering various Conservation Areas within the district. The appraisals define the special character and evolve guidelines for development and enhancement schemes. For further information contact the Conservation and Design Team."
- Amend the first sentence of paragraph 2.9 to read: "The South Cambridgeshire Design Guide identifies that a number of villages have a strong linear form and in such villages backland development may weaken or erode this character."
- Amend the first sentence of paragraph 2.17 to read: "In order for new developments to preserve or enhance a Conservation Area it is important that they are constructed of appropriate materials, i.e. materials drawn from the pallet of traditional materials found in the locality."
- Delete paragraphs 2.19 and 2.20 and replace with the following text: "2.19 Over recent years there has been an increasing move to use recycled building materials, and in particular bricks, slates and roofing tiles. The decision whether to use salvaged or new (but often traditional) materials needs to weigh the particular circumstances of each case against the factors

set out below. 2.20 Reusing resources helps achieve sustainability objectives. When repairs are being carried out on a historic building it is important that materials are carefully removed, stored, and reused. When whole or parts of buildings are demolished, materials can be used successfully for new structures on the same site. Salvaged materials are particularly valuable in making repairs to historic buildings that match the existing and this use should be given priority. 2.21 It is also important not to encourage the sort of markets in salvaged materials that lead to the needless and damaging stripping or demolition of historic buildings. Materials should only be reused if they are of good quality and fit for purpose and are appropriate to a building's construction, type and location. 2.22 The changes made to historic buildings over time are usually reflected in their materials and details. Using new materials, as opposed to salvaged ones, means that this tradition is continued as recent additions can be clearly read. New materials can also be appropriate where a new building is responding to the general character of an area's buildings rather than trying to copy them. The use of new but traditional materials such as tiles, brick and stone helps promote their production and availability." Renumber the remaining paragraphs accordingly.

- Add a new section after paragraph 2.21 as follows: "ARTICLE 4 DIRECTIONS 2.22 In order to restrict the right of landowners from carrying out certain types of development, an Article 4 Direction can be placed on specific buildings or areas. This enables the local authority to require permission for what is otherwise allowed without consent. This is despite the current changes to the permitted development rights to landowners which are in the process of being update. This does not necessarily mean that permission would be refused, but allows the authority to assess any potential impact to the buildings, the street scene and the Conservation Area. 2.23 It is recommended the District Council should be contacted prior to undertaking any work to discuss the development proposal to establish whether the development would be permitted and whether planning permission will be needed for all or part of the work. Contravention of the legislation relating to Conservation Areas may result in the local planning authority taking legal action."
- Amend the last sentence of paragraph 2.21 to read: "The District Council will refuse Outline Applications for developments within Conservation Areas, or affecting their character or appearance, where the information submitted is not sufficient to determine whether or not the proposal would preserve or enhance that Conservation Area."
- Add the following after the third sentence in paragraph 2.21: "Consultation with SCDC officers prior to submission of a planning application is encouraged to ensure applicants provide sufficient information with their application to judge its impact."
- Add "Landscape Guidance for Development Sites SPD" to the list of other relevant SPDs by SCDC in Appendix 2.