

**Planning Contributions and
Affordable Housing: Priorities and Delivery**
Supplementary Planning Document

Sustainability Appraisal

Regulation 17 Draft

Non-Technical Summary

**Health • Social inclusiveness • Accessibility
• Heritage • Biodiversity • Economy
Education • Culture • Resources • Safety
Community • Environment • Health • Social
inclusiveness • Accessibility • Heritage
Biodiversity • Economy • Education •
Culture • Resources • Safety • Community
Environment • Health • Social inclusiveness
Accessibility • Heritage • Biodiversity**

**Planning Contributions and Affordable Housing
Supplementary Planning Document**

**Sustainability Appraisal of Regulation 17 Draft Consultation Document
(Incorporating SEA Requirements)**

Non Technical Summary

Purpose of this document:

This leaflet summarises the Sustainability Appraisal (SA) report for the Torbay Planning Contributions and Affordable Housing SPD (Regulation 17 Consultation document). The SA report aims to identify the potential social, economic and environmental impacts of the SPD.

This summary leaflet and related full report have been compiled for consultation purposes and your comments are welcome (please see details below to comment or to view a full version of the report).

We want your views!

The Strategic Planning Group welcomes feedback on this leaflet and the associated report particularly in regard to your views on the following:

- Have all potential social, economic and environmental impacts of implementing this plan been identified?
- Are the recommendations suggested sufficient to prevent, reduce and, as far as possible offset any significant adverse effects of implementing the plan?
- Do you have any further comments or suggestions relating the monitoring the plan to assist in tracking the likely social, economic and environmental implications of the plan?

If you wish to comment on this report please use the contact details below.

The consultation period extends in parallel to the consultation on the Regulation 17 Draft Supplementary Planning Document, starting on Monday 5 November 2007 and extending for a 6 week period until 4.00pm on Friday 14 December 2007.

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For further information regarding this Sustainability Appraisal or to request an alternative format or language please contact the Strategic Planning Group Tel: (01803) 208857.

Please send your comments via email to sa@torbay.gov.uk. You can also comment by post or fax if you are unable to use electronic methods.

Hard copies of this leaflet and full report will be made available at the Torbay Council Offices (Torquay Town Hall, Roebuck House, or any of the Council Libraries and Connections Offices in Torquay, Paignton or Brixham).

This leaflet and the full report can also be accessed via the internet:
www.torbay.gov.uk/ldf

What is the Planning Contributions and Affordable Housing SPD?

Planning Obligations are an important way of providing the physical and social infrastructure needed by development. They are also one of the main ways in which affordable housing is provided. They are often referred to as Section 106 (or s106) Agreements.

The Planning Contributions and Affordable Housing Supplementary Planning Document (SPD) provides detailed guidance on the implementation of Policies in the Saved Adopted Torbay Local Plan 1995 – 2011. It aims to utilise s106 Obligations to deliver high quality sustainable development and meet the priorities in the Torbay Community Plan. The intention of the SPD is to provide transparent advice on the Council's requirements, which will help make the planning process faster, more certain and help provide guidance on priorities when determining planning applications.

The Planning Contributions and Affordable Housing SPD also provides guidance on implementation and the use of independent third party advice to test viability issues. The SPD will, when adopted, replace the 2003 Supplementary Planning Guidance on affordable housing. The SPD also sets out an undertaking by the Council to spend s106 monies for the purpose which they were collected within a given time period (usually 10 years).

What is a Sustainability Appraisal?

Under the new planning system Local Authorities must produce a Sustainability Appraisal alongside any Development Plan Document (DPD) or SPD within the Torbay Local Development Framework. European and UK legislation require that the LDF is also subject to a Strategic Environmental Assessment (SEA), a process that considers the effects of development planning on the environment. Government guidance advises that these two processes should be carried out together and requires the LDF to be subject to a SA incorporating SEA.

The aim of the SA/ SEA appraisal process is to ensure that full consideration is given to the social, environmental and economic impacts of the plan being proposed. This document summarises the work carried out for the Sustainability Appraisal of the Planning Contributions and Affordable Housing SPD.

Whilst in the past large-scale individual projects have been assessed for their environmental impact it is becoming apparent that incremental development allowed under overarching policies can have a significant cumulative impact. It is for this reason that documents such as those contained within the Local Development Framework need to be appraised for sustainability at a strategic level.

The Sustainability Appraisal (SA) process feeds into various stages in the plan's development, ensuring continual consideration of sustainability issues throughout plan production. This summary sheet relates to the findings of Stages A - C of the process as outlined below. The consultation on this leaflet and related report will form Stage D of the appraisal process.

- Stage A: Setting Context and Scope
- Stage B: Developing Options and Assessing Effects
- Stage C: Preparing the SA Report
- Stage D: Consulting on the Plan and the SA Report**
- Stage E: Monitoring Implementation of the Plan

SA Scoping and Issues for Sustainability

The ground work for the Sustainability Appraisal was carried out at the early scoping stage and provides the context upon which to build the appraisal. In 2006 a scoping process was carried out to help ensure that the SA covered key sustainability issues relevant to Torbay and to the content of the SPD. Plans and programmes were reviewed and information was

collated relating to the current and predicted social, environmental and economic characteristics of the area.

From these studies, the key sustainability issues and opportunities identified were associated with ensuring good quality, sustainable and affordable housing and ensuring vibrant communities with quality infrastructure to meet a range of health, education, community, cultural and recreational needs. Accessibility and environmental quality were also considered to be important issues.

Objectives and Indicators:

An SA Framework was compiled and included 36 sub-objectives to test the sustainability of each LDF document. They are grouped under 6 ‘High Level Objectives’ and are derived from the Regional Spatial Strategy’s equivalent appraisal framework.

- 1 Improve health.
- 2 Support communities that meet people’s needs.
- 3 Develop the economy in ways that meet people’s needs.
- 4 Provide access to meet people’s needs with least damage to communities and the environment.
- 5 Maintain and improve environmental quality and assets.
- 6 Minimise consumption of natural resources.

For a full list of further detailed objectives under these broad titles please see the main report.

Sustainability Appraisal of the SPD

Each option, selected saved Local Plan policy and preferred option were tested against the 36 sub objectives in the sustainability appraisal framework by using the following symbols to indicate levels of impact. Where both positive and negative impacts were predicted, a combination of these symbols was used. Where it was considered that there were opportunities to enhance the sustainability of the proposals, recommendations were made.

++	Clear benefits	--	Clear negative impacts
+	Minor benefits	-	Minor negative impacts
~	No obvious impact	?	Impact cannot be determined

Sustainability Appraisal of Issues and Options

The first elements of the plan to be tested were the issues and options, representing Stage B in the SA process.

The appraisal compared the sustainability implications of three strategic options available to Council in the preparation of the SPD. These are detailed below, alongside a summary of their sustainability implications.

Option 1: Status Quo: *This would formalise the arrangements already in place, and represents a ‘business as usual’ approach.*

This option was considered to provide a very site-specific approach designed to meet the exact needs arising as a result of the development. This will be beneficial in addressing a number of key sustainability issues. However this option offers limited scope to introduce new contributions for example for culture or arts.

Option 2: Tariff Approach: *This would introduce a ‘roof tax’ or ‘development tariff’ that would be payable at a standard rate according to the type and size of development proposed.*

This option allows contributions to be made for a wide variety of sustainability issues. However its approach to distributing this finance has some serious problems. This option loses the direct link between site specific issues and contributions sought. In particular it does not allow for on-site provision of affordable housing. This may lead to concentration on

a small number of key sustainability issues and neglect of other sustainability issues (culture/ heritage/ open space).

Option 3: Mixed Approach: *This would seek to reflect the Government's most recent emerging guidance and seek contributions for (a) affordable housing (b) on-site mitigation measures and (c) broader sustainable communities infrastructure.*

This option provides opportunities to cover a range of sustainability issues, many of which are on a site specific level, providing opportunities to closely match needs arising from a development with the contributions sought. It also provides opportunities for new contributions to be sought for areas such as art and wildlife conservation.

As a result of the appraisal work outlined above it was felt appropriate that a combination of 'Status Quo' (option 1) and the 'Mixed' Approach' (option 3) should be progressed, due to the sustainability benefits which could be achieved within the remit of a supplementary planning document.

Sustainability Appraisal of Saved Policies

The Planning Contributions and Affordable Housing SPD provides detailed guidance on the implementation of Policies in the Saved Adopted Torbay Local Plan 1995 – 2011. The saved policies have not been subject to full Sustainability Appraisal therefore it was considered appropriate to undertake a basic appraisal of the relevant local plan policies to ensure their compatibility with the SA Framework objectives.

The SA illustrated that there are no conflicts of aims or purpose of the saved policies with the SA Framework objectives. The policies strongly reflect, reinforce and enable both national guidance and policy and the aims of the Torbay Community Strategy and Local Plan.

Appraisal of the Planning Contributions and Affordable Housing SPD Preferred Options

An early draft of the SPD was subject to an initial sustainability assessment in July 2007. Key findings from this assessment included a need to adopt a robust approach to sustainable transport; a need to better consider open space and biodiversity; a need to focus on environmental matters rather than social and economic sustainability; and the need to clarify how a loss of employment contributions will be spent. These suggestions were incorporated into the next draft of the SPD.

During August 2007, the emerging policies in the Planning Contributions and Affordable Housing SPD (Preferred Options) draft were appraised in detail. The SPD includes requirements for contributions/obligations, separated into three themes:

- 1. Development Site Acceptability**
- 2. Affordable Housing**
- 3. Sustainable Development Contributions.**

Each section addresses specific areas of obligation, for example, landscaping, archaeology, design, affordable housing, and as such has specific areas of impact.

The SA found that, for the most part, the emerging SPD Preferred Options are likely to have significant positive effects for sustainability. Positive effects identified include:

- Positively and directly addressing the shortage of affordable housing in the area.
- Increasing accessibility to services and acknowledging a need to move away from private car use.
- Requiring energy efficiency measures, with benefits for reducing climate change
- Assisting in waste minimisation.
- Progressing biodiversity through requiring landscape planting and contributions towards landscaping.

- Positive effects for health and wellbeing through increasing open space and play areas.
- Indirect beneficial impacts for landscape, biodiversity, pollution and climate change.

A number of minor recommendations were made to further improve the implications of the SPD for sustainable development. These generally related to clarifying matters or providing additional detail in the Preferred Options. For example, the SA recommended including a reference to National guidance on the sequential approach to flood risk. It also suggested a requirement for the preparation of green travel plans for new development.

Secondary, Cumulative and Synergistic Effects

The SEA Directive requires that consideration is given to the secondary, cumulative and synergistic effects of the plan. It is one of the advantages of carrying out a strategic assessment that the combined effects of different measures can be more effectively identified.

A number of cumulative effects were identified throughout the appraisal of options and preferred options, although impacts generally relate to development that is proposed in higher level plans (the Adopted Torbay Local Plan 1995-2011). The SPD Preferred Options may assist in mitigating some of those impacts, for example, through improving the quality and quantity of open spaces and preventing poorly landscaped incremental development which would have a detrimental impact on Torbay's overall landscape/ townscape. The SPD is considered to have a positive overall effect on public health, through increased funding for public open space, safer, and therefore, more walkable communities and reduced car usage (with positive effects for air quality).

Climate change is a cumulative effect resulting from increased development (therefore increased energy usage and travel causing greenhouse emissions). As the SPD does not in itself promote development, it is unlikely to contribute to this effect, however positive effects were identified through requiring a high level of eco-efficiency in new homes, and through assisting in reducing car travel and energy usage.

How will we know what effect the plan is actually having once adopted?

The impacts of the plan can be assessed through a programme of monitoring. This is an important part of the sustainability appraisal process enabling identification of any predicted or unforeseen impacts of the plan an early stage providing opportunities for remedial action. Monitoring for the Planning Contributions and Affordable Housing SPD will comprise two sets of indicators. The first set will be based around a broad set of indicators listed within the SA framework. Consideration is also being given to the development of a second set of indicators focussing on potentially negative impacts specific to the Planning Contributions and Affordable Housing SPD which have been identified through the appraisal process. These indicators are detailed further in Section 8 of the main report.

Summary of findings:

As a result of the SA work it has been determined that implementation of the Planning Contributions and Affordable Housing SPD will bring a number of sustainability benefits to the Torbay area. Generally, the SPD performs well against the SA objectives and will have positive and long term effects for sustainability. These include positive effects for climate change through encouraging energy-efficient housing and reducing reliance on the private car, and positive impacts for community, health and wellbeing through improving the quality and quantity of open spaces. The SPD may also have positive indirect effects on biodiversity and in reducing pollution.

As the SPD has progressed through the planning process a number of changes have arisen as a result of the SA process. In particular the Sustainability Appraisal of Issues and Options highlighted the need for a more detailed look at the levels affordable housing in Torbay, which is a significant issue. An under-provision of affordable units could exacerbate the already high number of people on the waiting list for affordable housing.

The current SPD Preferred Option has incorporated this issue to ensure that 30% affordable housing will be sought on all developments of 10 or more dwellings, which will directly and positively address the significant lack of affordable housing in the area, allowing people to remain in their chosen communities or workplace.

The structure of the Local Development Framework

