

Briefing Note and FAQs :

Sustainability Appraisal incorporating Strategic Environmental Assessment and Habitats Regulations Assessment

What is a sustainability appraisal?

The process of undertaking and reporting on a sustainability appraisal (SA), which incorporates strategic environmental assessment (SEA), is an important tool used during plan-making. The SA assesses the likely effects of the plan on environmental, social and economic objectives when judged against reasonable alternatives.

The role of the SA is to promote sustainable development by assessing the extent to which the emerging plan will contribute to the achievement of sustainable development. SA incorporates Strategic Environmental Assessment (SEA). SEA assesses potential significant environmental impacts of the plan being prepared, and may recommend mitigation measures. The sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.

Why prepare a SA/SEA?

The formal requirement to carry out a sustainability appraisal (SA) is set out in Section 19 of the Planning and Compulsory Purchase Act 2004 which requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation and to prepare a report of the findings of the appraisal.

Sustainability appraisals incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment Regulations' or "SEA regulations"). The SEA Regulations implement the requirements of the European Directive 2001/42/EC (the 'Strategic Environmental Assessment Directive') on the assessment of the effects of certain plans and programmes on the environment.

The Town and Country Planning (Local Planning) (England) Regulations 2012 require an SA Report to be published for consultation alongside the 'Proposed Submission' plan document. Regulation 12 of the SEA Regulations require an environmental report and non-technical summary to be produced to accompany the publication of the draft Local Plan. This environmental report should form an integral part of the SA report.

More generally, section 39 of the Planning and Compulsory Purchase Act requires that the authority preparing a Local Plan must do so "with the objective of contributing to the achievement of sustainable development".

What is sustainable development?

There are three dimensions to sustainable development: economic, social and environmental. The concept of “sustainable development” as a goal of the planning system has been around for over 20 years, being developed in response to the 1987 Brundtland Report “Our Common Future”. This high level objective requires us to demonstrate that overall the individual elements of local plan collectively result in sustainable development.

We need to demonstrate that the three elements of sustainability are in balance considering the overall public interest, not that every locational or policy decision must individually be the most sustainable. For example, in areas of high landscape value such as Areas of Outstanding Natural Beauty (AONBs), it is considered sustainable to place greater emphasis on environmental protection than on social or economic development.

It is important to note that there is no definition of “sustainable development” in UK legislation.

The National Planning Policy Framework (NPPF) tells us that “the purpose of the planning system is to contribute to the achievement of sustainable development”. “The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.”

The Ministerial Forward to the NPPF says “the purpose of planning is to help achieve sustainable development. *Sustainable* means ensuring that better lives for ourselves don’t mean worse lives for future generations.”

Resolution 24/187 of the United Nations General Assembly defined sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development:

- living within the planet’s environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- promoting good governance; and
- using sound science responsibly.

Who prepared the SA?

Guildford Borough Council appointed URS Infrastructure & Environment UK Ltd in 2012 to assist us in undertaking a sustainability appraisal of the Local Plan at each of the qualifying stages.

The development and appraisal of policies, sites and proposals in the Local Plan is an iterative process, with proposals being revised to take account of the appraisal’s findings. In December 2012 we carried out a focussed consultation on the SA scoping report and in January 2013, the initial SA of the Issues and Options Strategy and Sites.

What is a Habitat Regulations Assessment (HRA) and what does it do?

The overall purpose of the HRA is to conclude whether or not the proposals and policies of the Local Plan: strategy and sites would adversely affect the integrity of the European site in question. For Guildford borough, this is the Thames Basin Heath Special Protection Area (SPA). The Council must consider whether the policies and/or site allocations in the plan is likely to have a significant effect on a *European site* directly or indirectly either alone, or in combination with other plans and projects. European sites are *Special Areas of Conservation (SACs)*, *Marine SACs*, *Special Protection Areas (SPAs)* and *Ramsar sites*.

The Thames Basin Heaths Special Protection Area (SPA) is designated under European Directive because of its populations of three heathland species of birds – Dartford Warbler, Nightjar and Woodlark. This designation covers parts of 15 local authority areas including Guildford borough and three counties and is likely to have a major impact upon the potential for development within these areas and others adjoining it.

The HRA helps inform the Councils' decisions on where to locate development by assessing policies and site allocations in terms of their impact on the SPA, ensuring any significant impact is avoided or identifying how and where mitigation can be employed.

Why prepare a HRA?

The formal requirement to carry out a HRA is set out within Article 6 of the EC Habitats Directive 1992, and transposed into British law by the Conservation of Habitats & Species Regulations 2010.

Who prepared the HRA?

As with the SA / SEA, Guildford Borough Council appointed URS Infrastructure & Environment UK Ltd in 2012 to assist us in undertaking a Habitats Regulations Assessment (HRA) of the Local Plan at each of the qualifying stages.

In 2013, URS carried out the HRA screening stage to consider if the plan required a full HRA. They have subsequently carried out the HRA for the Draft Local Plan: strategy and sites document which is undergoing consultation for 12 weeks between July and September 2014.