

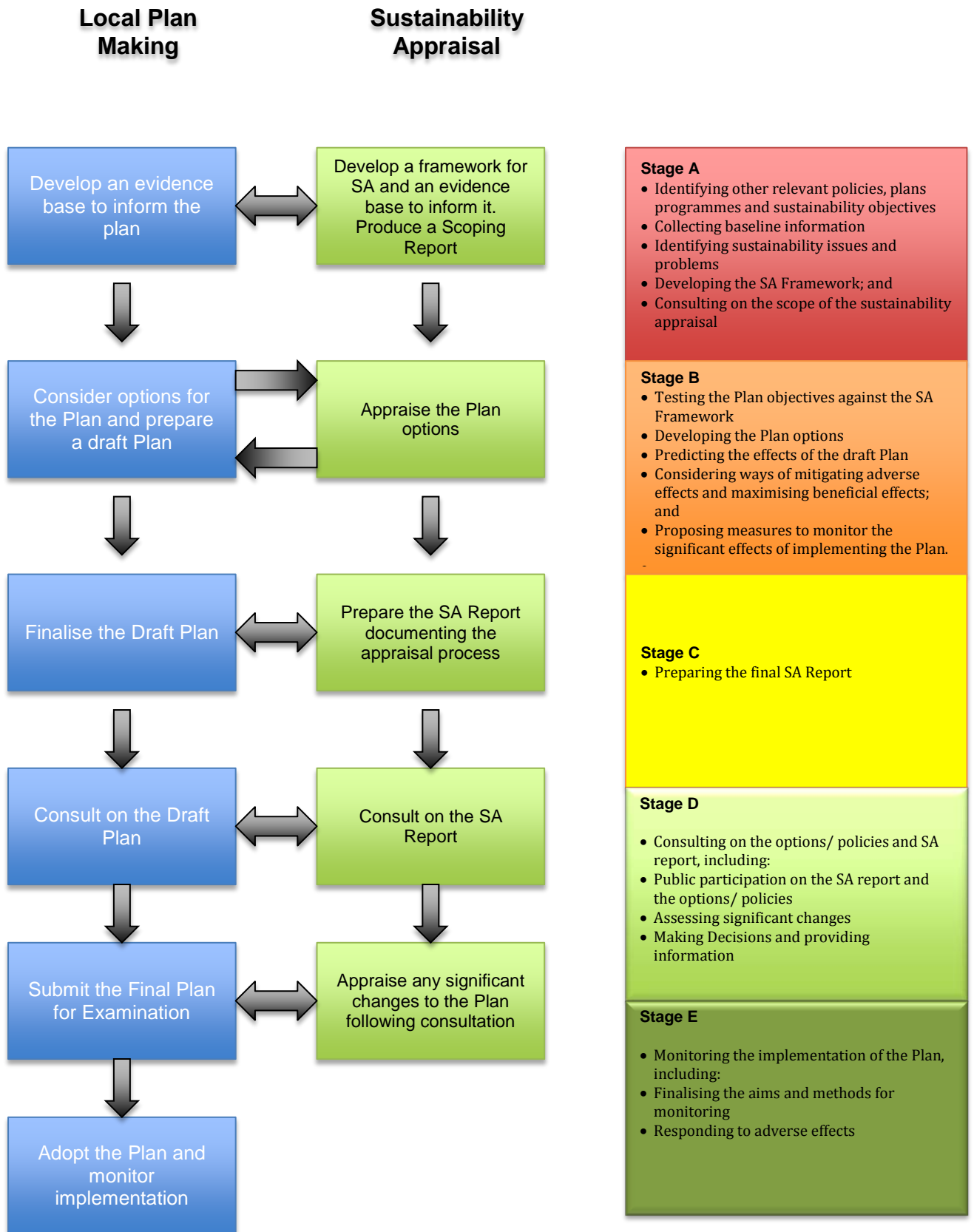
Principle 4: Integrate the sustainability appraisal with each stage of the plan making process

Guide Questions

- What are the arrangements for the shared use of evidence between plan preparation and the Sustainability Appraisal?
- How will the Sustainability Appraisal inform the plan through its parallel development, particularly in the appraisal of options?
- How will the process and outputs of the Sustainability Appraisal be captured in the audit trail presented at the examination?

- 4.1 Carrying out a sustainability appraisal of your local plan is an essential part of the plan-making process. The sustainability appraisal is not a one-off exercise; it needs to be integrated into the various stages of plan making as illustrated in the diagram below. It provides you with evidence, helps to test the evidence and helps with developing options. It cannot just be done as a 'looking back' exercise at the end and so it warrants consideration at the earliest stage of plan making.
- 4.2 The sustainability appraisal must address the legal requirements of the EU Directive (2001/42/ EC) known as the Strategic Environmental Assessment (or SEA) Directive. The Environmental Assessment of Plans and Programmes Regulations 2004 give effect to this Directive and set out specific, legal, requirements for each stage of the sustainability appraisal process. Failure to carry out the sustainability appraisal process properly can expose the plan to legal challenge. Further guidance is provided in: A Practical Guide to the Strategic Environmental Assessment Directive, Office of the Deputy Prime Minister, September 2005.
- 4.3 You may also wish to consider opportunities to integrate the sustainability appraisal with other types of assessments where possible. This might include health impact assessment or equalities impact assessment. This can avoid duplication of effort, save time and make the process more effective.

Sustainability Appraisal and Plan Making



Scoping Report

- 4.4 Establishing the scope of the sustainability appraisal is the first step. This Scoping Report should explain the context; identify sustainability objectives and the proposed approach of the assessment; and identify relevant environmental, economic and social issues. Consultation on the scope of a sustainability appraisal is a legal requirement. The final scope of the appraisal should be determined through consultation with: English Heritage, Natural England and the Environment Agency.
- 4.5 The scoping exercise must include an analysis of the context in which the plan is being prepared – this includes policies, plans, programmes, strategies and initiatives (PPPSI) with an influence on the content of the plan. This review should help you identify your obligations and also highlight the objectives of other organisations and service providers, which your authority might pursue through the plan. This review could be undertaken on a topic-by-topic basis. Some tips for undertaking the policy context review are to:
- only review PPPSIs that are up to date and relevant to the plan.
 - identify sustainability objectives contained within relevant PPPSIs: use these as a checklist when preparing the plan to ensure that it takes into account everything that it needs to.
 - avoid including international and national PPPSIs if it is clear that the requirements of these are translated by strategic and local documents included in the review.
- 4.6 PPPSI will often include plans prepared by neighbouring authorities or have impacts across boundaries. The scoping exercise can also help you start to put the duty to co-operate into action and start to identify where it is sensible for you to work with other authorities or organisations.
- 4.7 You should identify data on the existing environmental, economic and social characteristics of the area likely to be affected by the local plan. This 'baseline information' should provide a starting point for thinking and predicting how the area and its constituent parts are likely to change without a plan. This will help you 'future-proof' your options and justify the interventions set out in the plan. The scoping report should address the topics identified in the Environmental Assessment of Plans and Programmes Regulations 2004 and may include some of the following topics (this list is not exhaustive):
- Air quality
 - Biodiversity and green infrastructure
 - Climate change adaptation and flood risk
 - Climate change mitigation and energy
 - Community and wellbeing (including equalities and health)
 - Economy and employment

- Historic environment
 - Housing
 - Land (including agricultural land, brownfield land and contaminated land)
 - Landscape
 - Rural areas
 - Transport
 - Waste
 - Water
- 4.8 A common method for sustainability appraisals is to define a framework for assessment based on number of sustainability objectives. Local Plan options can then be appraised in relation to these objectives and their likely impact on the baseline environmental, social and economic context.
- 4.9 Sustainability objectives and associated indicators or targets should reflect the local context and be directly relevant to the plan being prepared. The objectives should be kept strategic – that is, they should concentrate on the ends rather than the means; for example, where an authority knows that air pollution from traffic is an issue, the strategic objective would be to promote cleaner air as opposed to promoting public transport, walking and cycling. The latter is more likely to be a plan objective. You may also wish to draw on existing sets of objectives (for example, from the sustainable community strategy), but make sure they reflect the key sustainability issues for the area.
- 4.10 It is recommended that you have a manageable number of sustainability objectives, typically 12 – 20, and write the objectives using plain English so they are understandable. You will find it helpful to:
- balance economic, social and environmental issues across the objectives; bear in mind that many objectives are crosscutting (for example, increasing employment is an economic and social issue).
 - develop criteria or questions for each objective as prompts for those undertaking the appraisal in order to 'tease out' impacts, in turn relating these to effects which can be monitored.
 - ensure that you understand the implications of each objective – for example, 'minimise' can have very different connotations to 'reduce'.
 - provide a brief commentary on each objective for the benefit of stakeholders, explaining the terms used and what the objective is looking to promote.
 - think about how the objectives can be adapted to assess site allocations (for example, by mapping them against site assessment criteria linked to GIS).
 - consider, against each objective, defining levels of significance (this is discussed further below).
- 4.11 Remember that the consultation bodies will want to see PPPSIs and sustainability objectives relevant to their areas of interest included in the review. For example, Natural England may wish to see biodiversity action

plans referred to and an objective on this topic. But also remember to keep things relevant and proportionate.

- 4.12 It may be appropriate to agree a sustainability appraisal methodology with neighbouring authorities in some circumstances. This can be particularly valuable where there are cross boundary sites or opportunity areas.

Assessing the effects of options

- 4.13 The sustainability objectives are used as the basis for the assessment of the emerging plan options. Local Plan should be realistic; don't include options that cannot be delivered. Where there are no or few options explain why in the sustainability appraisal as there is a legal requirement to assess alternatives. Sometimes this will be obvious - for example, a minerals plan may have few if any options given that minerals can only be worked where they exist.

- 4.14 The main aim of the sustainability appraisal is to identify and compare the significant effects of options – whether positive or negative – and respond to these effects. What constitutes 'significant' will vary according to circumstance and is a matter of your judgment. But in determining the likely significance of effects there is a requirement to consider the:

- probability, duration, frequency and reversibility of the effects
- cumulative nature of the effects
- risks to human health or the environment (for example, due to accidents)
- magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
- value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use
 - the effects on areas or landscapes which have a recognised national, community or international protection status.

- 4.15 When identifying effects, consider whether the effect is likely to be permanent or temporary as well as the timescale over which the effect is likely to be observed. For example, short-term effects may occur in the first five years of the plan, medium-term effects as those that take place between five and fifteen years hence, and longer-term impacts as those that happen beyond the lifetime of the plan. Look at each case individually as effects that are significant in one situation are not necessarily significant in another. Analysis of significance needs to be proportionate to the expected severity of the effect.

- 4.16 When appraising strategic options, there is bound to be some uncertainty around implementation. With this in mind, consider the following:

- 'What if employment opportunities do not keep pace with household growth?'
- 'What might happen if critical infrastructure doesn't follow development?'

- What is the effect on neighbouring areas – is the plan likely to displace environmental problems or lead to increased traffic generation in adjacent authorities?
- 4.17 You may wish to consider using quantitative information where possible (for example, the distance of a site to services and facilities) to determine significant effects. But be careful with mathematical models to determine degrees of significance. It can be tempting to allow formulae and scoring of the effects but this can lead to an artificial 'certainty' in the model. Furthermore scoring systems which result in an overall ranking can be misleading as authorities need to be clear, and make it clear to others, that a sustainability appraisal is a tool to aid the selection of the most appropriate option and is not the actual decision-making mechanism.
- 4.18 When using symbols or other ways of presenting information regarding the likely effects (for example, positive, negative, uncertain), always explain and justify the choice of symbol with reference to the baseline situation and the relevant to the Sustainability Appraisal objective (thus demonstrating an evidence based, baseline-led approach). Flow diagrams can also have a role in identifying and illustrating cause-and-effect, indirect and secondary effects.
- 4.19 It is important to keep the process as simple and consistent as you can. Criteria should be as objective as possible, the range of scoring options should be limited and any baseline data must be kept up to date. There is also considerable merit in taking a team work approach to the sustainability appraisal – involving the local plan authors - to generate discussion on likely impacts and to aid consistency and objectivity. You may also wish to incorporate internal quality assurance checking or external review of the appraisal process.

Habitats Screening

- 4.20 Options must also be screened and assessed for their impacts on European wildlife sites (under the Conservation of Habitats and Species Regulations 2010). The process of screening and appropriate assessment is often referred to as a 'Habitats Regulations Assessment'. The application of the Habitats Regulations invokes the precautionary principle. Plans can only be permitted having ascertained that there will be no adverse effects on the integrity of European sites or European offshore marine sites (unless there are 'imperative reasons of overriding public interest'). So you must screen options to work out if they are likely to have a significant effect on a European site or European offshore marine site based on the conservation objectives of the relevant sites and, if so, undergo an 'appropriate assessment'.
- 4.21 Any option determined to have an adverse effect on the integrity of a European site or European offshore marine site should not be taken forward unless adequate mitigation measures can be put in place.

- 4.22 Early analysis is best, although there must be sufficient detail contained in the plan to enable a meaningful assessment to be made. If an 'Appropriate Assessment' is required, this can rarely be done earlier than 'preferred options' or its equivalent since before that the plan rarely contains sufficient detail. At whatever stage you do this exercise, it should be updated at each subsequent stage to confirm its continuing relevance and (if recommendations for amendments to the plan have been made) to identify the relevant changes and their implications. As a statutory consultee, Natural England must be consulted. It is best if this can be done before the formal public consultation and before the plan is taken to committee for approval as the consultation may lead to amendments of the plan.
- 4.23 The end report should enable the competent authority for the purposes of a Habitats Assessment to confirm that the plan will not lead to adverse effects on the integrity of any internationally important wildlife sites. Ideally this would be before the final stage of consultation on the plan and certainly prior to submission. The local plan will only be adopted if it has been found to have no adverse effects on the integrity of the defined sites, or if so, then (a) there are no alternatives to the plan and (b) there are 'Imperative Reasons of Over-riding Public Interest' why the plan must nonetheless proceed. If such a decision is reached the Secretary of State must be notified. You should utilise the findings of this habitats assessment work to inform the sustainability assessment, for example in assessing the impact of options on biodiversity.

Mitigating adverse (and enhancing positive) effects

- 4.24 Mitigation measures should be identified as part of the sustainability appraisal where appropriate. An Environmental Impact Assessment (EIA) for a development proposal may suggest specific mitigation measures such as construction of a noise barrier but a sustainability appraisal is more likely to suggest changes in policy wording or emphasis. For this reason, mitigation measures may emerge throughout the Sustainability Appraisal process as the options and draft policies are developed. Therefore, you must have a clear audit trail to demonstrate that you have taken steps to mitigate adverse effects (and maximise positive ones). Typical mitigation measures altering options or policies might include:
- measures to offset the impacts, for instance, through projects that replace any benefits lost through other projects (for example, a new park near an area of open space that is being lost to development)
 - requirements for further assessment for certain types of projects or in certain locations such as landscape or traffic assessments.

Sustainability Appraisal Report

- 4.25 At the publication stage, you also have to publish the Sustainability Appraisal Report alongside the local plan. The Sustainability Appraisal Report must show how the sustainability appraisal has informed the local plan. The story behind the plan's preparation and the role of the sustainability appraisal in developing, refining and choosing between options must be articulated. One way to ensure this is to include formal recommendations for the local plan within the Sustainability Appraisal Report. This response can be recorded together with any subsequent amendments to the emerging plan and form part of the audit trail which will help explain why the proposed plan is the best solution to the needs and demands of the locality.
- 4.26 The Sustainability Appraisal Report should clearly set out the sustainability appraisal methodology and the rationale behind it so the reader understands how the appraisal was carried out. It should also highlight:
- the purpose and aims of the plan and their compatibility with the sustainability objectives
 - details of any limitations or uncertainties related to the data and any difficulties encountered during the SA process
 - details of any relevant consultation comments and how these have been taken into account
 - any changes to relevant plans, programmes, policies etc, or the introduction of any new ones, since the scoping report (including those of neighbouring authorities) and a statement to confirm that the Sustainability Appraisal framework has been reviewed accordingly and whether any changes were needed as a result.
 - the rationale for the options considered and the reasons for the selection or rejection of each alternative, referring to the evidence;
 - the anticipated effects of the plan;
 - any proposed mitigation or enhancement measures (and information as to how these have been reflected in the plan) noting whether or not there will be any residual effects and
 - proposals for monitoring (i.e. potential indicators for monitoring the significant effects identified through the Sustainability Appraisal).
- 4.27 You must consider all reasonable alternative options at the same level of detail, regardless of the stage of the process at which they are identified. The selected options which are in the published local plan need to be included in the Sustainability Appraisal Report. This may include re-appraising any options that are changed or are hybrid of more than one option where these have been incorporated in the plan. If a new option or even alternatives are introduced after consultation on the publication plan and the supporting Sustainability Appraisal Report, another round of consultation may be needed.

Consultation

- 4.28 The Sustainability Appraisal Report is likely to be a lengthy document. You must prepare a non-technical summary covering the information included in the environmental report; this is a legal requirement. Preparing this non-technical summary provides an opportunity to succinctly present the appraisal findings and facilitate engagement.
- 4.29 As a minimum, consultation should be undertaken on: the scope and the sustainability appraisal report on draft plan. It is also best practice for consultation to take place on sustainability appraisal during the plan preparation process for example, through the production of an interim Sustainability Report and through other means such as workshops and working groups. Ideally consultation on the Sustainability Appraisal should be done alongside other engagement work, for example, through workshops to identify sustainability issues at the scoping stage or events that debate the effects of options. This will help to ensure that views of stakeholders can be taken into account during the appraisal and facilitate an open and transparent assessment.

Further Information

[PAS support for undertaking a sustainability appraisal](#)

[A Practical Guide to the Strategic Environmental Assessment Directive, Office of the Deputy Prime Minister, September 2005 \(including SEA Quality Assurance Checklist at Appendix 9\)](#)



Frequently Asked Questions

Q: Housing sites are being proposed within high flood risk areas. What evidence are PAS/PINs expecting to address and justify this?

A: The evidence needs to clearly and convincingly demonstrate why this is the most appropriate strategy when considered against the reasonable alternatives. Clearly there is a need to have the support of the Environment Agency. The potential to reduce overall flood risk through mitigation such as improvements to flood defences may be a positive factor.