
**DEVELOPMENT CONTROL POLICY GUIDANCE
NOTE 8**

NEW BUILDINGS IN THE GREEN BELT

**A CONSULTATION DRAFT SUPPLEMENTARY
PLANNING DOCUMENT (SPD)**

**SUPPLEMENTARY
SUSTAINABILITY
APPRAISAL SCOPING
REPORT**

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1.0 INTRODUCTION

Under the Planning and Compulsory Purchase Act 2004 (PCPA)¹, Sustainability Appraisal (SA) is mandatory for a range of Local Development Documents (LDDs), including Supplementary Planning Documents (SPDs). The purpose of SA is to promote sustainable development through better integration of sustainability considerations into the preparation and adoption of planning documents.

This Scoping Report forms part of the first stage of the SA of the Draft Development Control Guidance Note 8 - New Buildings in the Green Belt SPD and should be read in conjunction with the Local Development Framework (LDF) Sustainability Appraisal Scoping Report for the Core Strategy, which establishes an overarching SA framework and is available from the council's web site².

2.0 BURY UNITARY DEVELOPMENT PLAN

The policies within the Bury Unitary Development (UDP) have been 'saved' for a period of three years from the commencement of the PCPA (September, 2004). The current UDP policies therefore continue to be the policies against which any new SPDs are linked, as required under regulation 13 (7) of the Town and Country Planning (Local Development) (England) Regulations, 2004.

The SPD to which this SA scoping report is associated, is designed to support UDP Policy OL1/2 - New Buildings in the Green Belt. This policy seeks to control new development within the Green Belt. The policy identifies that new buildings within the Green Belt is inappropriate development, unless it is for one of the four uses listed in the policy.

The UDP has not been subject to sustainability appraisal. ODPM advisory guidance (2005)³ states that "where the SPD has been prepared on the basis of a saved plan, policy or policies which have not been subject to SA, the authority will need to carry out a SA of that policy or policies and report on these." To satisfy this requirement one of the options subject to appraisal will be the "do nothing" or rely on the existing policy, which will enable appraisal of the existing policy to take place.

3.0 STRATEGIC ENVIRONMENTAL ASSESSMENT

Local authorities must also comply with the European Directive 2001/42/EEC and the Strategic Environmental Assessment (SEA) Regulations⁴. The SEA Regulations require a determination to be made on whether there are likely to be significant environmental effects as a result of the SPD. However, Regulation 5 (6) states, "an environmental assessment need not be carried out for a plan or programme which determines the use of a small area at the

¹ Section 19 (5)

² <http://www.bury.gov.uk/Environment/Planning/DevelopmentPlanning/LocalDevelopmentFramework/default.htm>

³ ODPM (2005) Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents: Guide for Regional Planning Bodies.

⁴ Environmental Assessment of Plans and Programmes Regulations (2004).

local level or for minor modifications to an existing plan.” Guidance produced by the Office of the Deputy Prime Minister (2005) identifies that SPDs are most likely to fall within this category. We will therefore undertake a Screening of the SPD, to determine whether the SPD is likely to have significant⁵ environmental effects. If there are no significant environment effects then the SPD is exempt from the SEA Directive.

4.0 STAGES IN THE SA PROCESS

The SEA Regulations prescribe the steps that must be undertaken during the environmental assessment of a plan, for instance deciding on the scope and level of detail to be included in the environment report and the consideration of alternatives. ODPM SA guidance on sustainability appraisal absorbs the requirements of the SEA directive⁶ and expands the same rigorous process required by SEA to include social and economic impacts. The same guidance sets out the following stages to the SA process:

- Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope.
- Stage B: Developing and refining options and assessing effects.
- Stage C: Preparing the Sustainability Appraisal Report.
- Stage D: Consulting on the draft SPD and sustainability appraisal report.
- Stage E: Monitoring the significant effects of implementing the SPD.

This Scoping Report covers Stage A, this involves the following tasks:

- Task A1: Identifying other relevant policies, plans and programmes, and sustainability objectives.
- Task A2: Collecting baseline information.
- Task A3: Identifying sustainability issues and problems.
- Task A4: Developing the SA Framework.
- Task A5: Consulting on the scope of the SA.

5.0 THE SCOPE OF THE SA

Regarding the scope of the SA that will accompany this SPD, we have determined that the SA Scoping Report for the LDF Core Strategy has already covered stages A1 to A4. This Scoping Report was subject to a 5-week period of consultation between the 20th June and the 25th July 2005. The updated SA Framework including Stages A1- A4 has been available from the Council’s web site since February 2006 and will be used for appraising this SPD.

We consider this approach to be appropriate because the Core Strategy will be the broadest ranging of all the DPDs/SPDs to be prepared. The related sustainability objectives, indicators and baseline information identified within it are intended to cover the full range of social,

⁵ Significance will be determined by taking into account criteria specified in Schedule 1 of the SEA Regulations and ANNEX II of the Directive.

⁶ Although, para 1.6 of the ODPM guidance details that the purpose of the guide “is to provide information to assist users to comply with the SEA Directive. It is however not intended as a legal interpretation”.

environmental and economic issues that the DPD and SPD alternatives will need to be assessed against. Therefore, Stages A1- A4 will not be repeated here again. We would however like to draw your attention to national planning policies contained in PPG2 - Green Belt (1995) and PPS7 - Sustainable Development in Rural Areas (2004), which are relevant to the SPD. We have also identified a number of specific issues and problems, objectives and reasonable alternatives related to this SPD, these are:

ISSUES AND PROBLEMS

- Presence of poorly designed and sited new buildings present within the Green Belt.
- Unlawful development appearing in the Green Belt, often because developers were unaware that planning permission was required. In addition, the unlawful development may be badly designed and/or sited

OBJECTIVES

- To provide greater clarity in terms of acceptable forms of new development in the Green Belt.
- To provide general and design related advice on the construction of new buildings in the Green Belt.
- To ensure that the environmental quality, amenity, wildlife interest and character of the Green Belt is maintained and where possible, improved.

ALTERNATIVE OPTIONS

- Rely on existing policy.
- Seek to provide additional clarity on the implementation of existing policy to ensure that new buildings have a minimal impact on the openness and character of the Green Belt.

6.0 CONSULTATION

To fulfil the requirements of Stage A5 in the SA process we will send this Scoping Report to the following consultation bodies:

1. The Countryside Agency
2. The Historic Buildings and Monuments Commission for England (English Heritage);
3. English Nature; and
4. The Environment Agency.
5. Government Office for the North West.

The SA report will be subject to a statutory public consultation period alongside the Draft SPD for a minimum of 4 weeks. If you wish to make any comments on this report, then representations should be submitted to the address below, by no later than the 26th May 2006:

Planning Policy Section
2nd Floor, Craig House
5 Bank Street
Bury
BL9 0DN

For further information regarding this document, please contact:

David Hodcroft (Planning Officer)
Telephone: 0161 253 7659
E-mail: d.hodcroft@bury.gov.uk
Fax: 0161 253 5290