
DEVELOPMENT CONTROL POLICY GUIDANCE NOTE 9

CONVERSION AND RE-USE OF BUILDINGS IN THE GREEN BELT

SUSTAINABILITY APPRAISAL REPORT

Published by

Bury Metropolitan Borough Council

Planning & Economic Development

JANUARY 2007

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1.0 INTRODUCTION

- 1.1 Under the Planning and Compulsory Purchase Act 2004¹ (P&CP Act), 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 by integrating sustainability considerations into the preparation and adoption of planning strategies and guidance, such as SPDs. The SA considers the effect of the SPD from an environmental, social and economic perspective. This is achieved by assessing the SPD objectives and options against the sustainability appraisal framework.²
- 1.2 This SA Report identifies and reports on the likely significant effects of the **Conversion and Re-use of Buildings in the Green Belt SPD** (also referred to as 'Development Control Guidance Note 9'); and the extent to which implementation of the SPD will deliver the social, environmental and economic objectives of sustainable development.
- 1.3 This revised SA Report makes minor amendments to the initial SA Report that accompanied the consultation draft SPD. As there have been no significant changes, it was concluded that there is no need for further appraisal work.

2.0 BURY UNITARY DEVELOPMENT PLAN

- 2.1 The policies within the Bury Unitary Development (UDP) have been 'saved' for a period of three years from the commencement of the P&CP Act (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.
- 2.2 The SPD to which this SA report is associated, is designed to support UDP Policy OL1/4 - Conversion and Re-use of Existing Buildings in the Green Belt. This policy acknowledges that when suitable safeguards are taken, the re-use or conversion of buildings should not prejudice the openness of the Green Belt. These safeguards include a number of listed criteria addressing issues such as the impact on the openness of the Green Belt and the suitability of the buildings for conversion. Consideration is also given to design, access, traffic generation and the impact of the development on protected species.

¹ Section 19 (5)

² The sustainability appraisal framework consists of sustainability objectives, indicators and the associated baseline information.

- 2.3 The Bury UDP has not been subject to sustainability appraisal. Office of the Deputy Prime Minister (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, and to enable an appraisal of the existing policy, option one of the two options subject to appraisal was the “do nothing” or rely on the existing UDP policy option.

3.0 STRATEGIC ENVIRONMENTAL ASSESSMENT

- 3.1 It is considered appropriate to utilise the SA process to assimilate the requirements of other legislation, plans and programmes into the various SA stages, for instance this includes the specific requirements of:

A – STRATEGIC ENVIRONMENTAL ASSESSMENT

- 3.2 When preparing their LDDs, Local Planning 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 that “an environmental assessment need not be carried out for a plan or programme which determines the use of a small area at the local level or for minor modifications to an existing plan.” Guidance produced by the ODPM (2005) identifies that SPDs are most likely to fall within this category.
- 3.3 Having assessed the SPD objectives and options, it was determined that a SEA of the SPD is not required because the plan was unlikely to have any significant⁵ environmental effects. This was primarily because the SPD elaborates the existing UDP policy, without introducing an overall change in policy direction. Having made this determination, a copy of the draft SA Report and draft SPD were sent to the consultation bodies detailed in Regulation 4 of the SEA regulations (2004). In line with Bury’s adopted Statement of Community Involvement (SCI), the draft SPD (accompanied by this SA report) will also be subject to a statutory period of consultation of no less than 4 weeks and no more than 6 weeks (see Section 7).

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).

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

B – APPROPRIATE ASSESSMENT

- 3.4 The purpose of Appropriate Assessment (AA) of land use plans is to ensure that protection of the integrity of European sites is a part of the planning process. The requirements for AA of plans and projects is outlined in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43EEC on the conservation of natural habitats and of wild fauna and flora otherwise known as the habitats directive⁶.
- 3.5 Schedule 1 of the Conservation (Natural Habitats, &c) (Amendment) (England and Wales) Regulations 2006 (Habitat Regulations) inserts a new Part IVA into the Conservation (Habitats, &c.) Regulations 1994 and transposes into English law the requirement to carry out AA for land use plans.
- 3.6 European sites are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). Planning Policy Statement 9 - Biodiversity and Geological Conservation advises that proposed sites awaiting approval, such as potential SPSs and candidate SACs should be treated in the same way as those already classified and approved.
- 3.7 There are no European sites within the borough. However, there are sites located in adjacent or more distant authorities. These sites are the Rochdale Canal SAC⁷ (located 4km from the borough), South Pennines SAC⁸ (13km) and the Peak district SPA⁹ (17km).
- 3.8 Having undertaken a screening of the SPD, it was determined that an AA is not needed. We have made this determination for the following reasons:
- There will be no adverse effect on the integrity of European sites.
 - The purpose of the SPD is to provide greater clarity on existing planning policy for the conversion and re-use of existing buildings in the Green Belt, provide design advice and details of other matters to consider prior to submitting a planning application.
 - There are no European sites within the borough and the SPD is unlikely to adversely affect the conservation objectives of more distant European sites.

⁶ DCLG (2006) Planning for the Protection of European Sites: Appropriate Assessment – Guidance for regional Spatial Strategies and Local Development documents.

⁷ Designated because the canal supports a protected species (floating water-plantain – *Luronium natans*)

⁸ Designated because the area supports habitats of value such as European dry heaths, blanket bogs, old sessile oak woods.

⁹ Designated because the area supports protected species (short eared owls (*Asio flammeus*), Merlin (*Falco columbarius*) and Golden Plover (*Pluvialis apricaria*)).

C – EQUALITY IMPACT ASSESSMENT

- 3.9 Equality Impact Assessments (EQIAs) involve a thorough and systematic analysis of policies which involve change(s) in policy direction. Its purpose is to avoid unintended discrimination or unwanted/unlawful negative differential impact. This is particularly the case where policies would potentially have negative impacts on individuals/groups of people because of their race, disability, religion or belief, gender, age, sexual orientation or caring responsibilities. Due to similar legislated requirements for sustainability appraisals, consultation and publicity procedures under planning legislation, Equity Standards for Local Government and legislation affecting diversity and equality issues, it is appropriate to merge these requirements into the sustainability process.
- 3.10 The stages required for EQIA have been absorbed into the SA process. For example, this SA scoping stage (or screening stage) considers which groups/organisations are likely to be affected by SPD 9. These include:
- Businesses, landowners and end users of new developments
 - Developers, architects and those who submit planning applications to Bury MBC which involve an element of parking provision within their development
 - A potentially wide range of groups covering a variety of races, religions, ages, sexuality, disabilities, responsibilities and people of either gender. The initial impact assessment conducted at Stage B will identify potential impacts (if any) that the implementation of SPD 9 may have.
- 3.11 Following the initial impact assessment through the appraisal framework (see Appendix A, Objective 6) it was established that SPD 9 would have a positive impact on people with disabilities in terms of equality and diversity between particular social groups. Considering no negative impacts were identified, there is no need for a Stage 2 or 3 Equality Impact Assessment.

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 directive¹⁰ and expands the same rigorous process required by SEA to include social and economic impacts. The same guidance sets out key stages to the SA process. Table 1 (below) highlights these stages:

Table 1: Stages in the SA Process

Stage	Stage in SA Process	Notes
A	Setting the context and objectives, establishing the baseline and deciding on the scope.	This stage is sub-divided into tasks A1 to A5. For more information, please refer to the Supplementary SA Scoping Report (April 2006) for SPD 9, which covers stage A in the SA process.
B	Developing and refining options and assessing effects.	This stage is detailed in Appendix A&B of this report.
C	Preparing the Sustainability Appraisal Report.	(This report)
D	Consulting on the draft SPD and sustainability appraisal report.	See Section 7 of this report.
E	Monitoring the significant effects of implementing the SPD.	See Section 8 of this report.

¹⁰ 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".

5.0 APPRAISAL METHODOLOGY

- 5.1 The Supplementary Sustainability Appraisal Scoping Report (April 2006) for SPD 9 detailed the scope of the appraisal (Stage A of the SA process - see Table 1 above). This Scoping Report was subject to a 5-week period of targeted¹¹ consultation that ran from 21/04/06 to 26/05/06.
- 5.2 The Supplementary Sustainability Appraisal Scoping Report for SPD 9 identified that the SA Scoping Report for the LDF Core Strategy has already covered Tasks A1 to A4 and this framework and baseline information would be used to assess the SPD. In addition to this, the Supplementary SA Scoping Report for this SPD also identified further sustainability issues, problems, and objectives specific to the SPD as well as the broad options to be considered. These are:

ISSUES AND PROBLEMS

- Applicants often fail to consider other more sustainable uses in comparison to the proposed use in terms of location and access to public transport with inadequate justification.
- Applicants often fail to consider the suitability of the proposed new use in terms of the delivery of sustainable development objectives.
- Design issues such as:
 - the use of inappropriate materials;
 - the submission of poorly designed internal layouts which require significant modifications to the external appearance of buildings and subsequently detracts from the original character and simplicity of the original building.
 - poorly designed extensions which fail to conserve the character of the existing building.
- Applicants often fail to consider the treatment of land surrounding the building, for example the creation of 'suburban-style' gardens and/or the use of inappropriate boundary treatments can all have a negative impact on the openness of the Green Belt.

¹¹ Consultation was targeted towards the Countryside Agency, English Heritage, English Nature, the Environment Agency and the Government Office for the North West.

OBJECTIVES

Objective A:

- To clarify when a building in the Green Belt may be suitable for conversion and re-use.

Objective B:

- To ensure that the building's new use is no less sustainable than its previous use in terms of location and access to public transport and local services.

Objective C:

- To provide general design related advice to ensure that conversions and the intended new use of the building do not have a greater impact on the openness of the Green Belt than its current use.

Objective D:

- To prevent the introduction of predominately urban elements upon the land surrounding the building intended for conversion, in particular 'suburban-style' gardens.

Objective E:

- To ensure that the environmental quality, amenity, wildlife interest and character of the Green Belt is maintained and where possible, enhanced.

ALTERNATIVE OPTIONS

- Rely on the existing UDP policy OL1/4 and related UDP policies.
- Seek to provide additional clarity on the implementation of existing policy (i.e. the introduction of SPD 9).

The Council's Planning Policy Section carried out the appraisal of both the objectives and options late May 2006 following the end of the Scoping Report consultation period.

6.0 APPRAISAL CONCLUSIONS

6.1 Stage B of the SA process as defined by ODPM Guidance (2005) (see Table 1) involves appraising both the SPD objectives and then the identified options against the sustainability appraisal framework. The more detailed findings of the appraisal of the SPD Objectives can be found in Appendix A, and the subsequent detailed appraisal of the SPD Options can be found in Appendix B.

SPD Objectives

6.2 The objectives of the SPD set out what it is aiming to achieve in spatial planning terms and set the context for the development of options.

6.3 Following the appraisal of the objectives (Appendix A), it was concluded that it would not be sufficient to continue implementing the existing UDP policy.

6.4 It was concluded that the objectives associated with this SPD are most compatible with the following SA objectives:

- local neighbourhood quality;
- Improving accessibility for all to essential services and facilities;
- Reducing the effects of road travel on the environment;
- the natural environment (biodiversity, geological and geomorphological features);
- local character and distinctiveness; and
- reducing the need to travel

SPD Options

6.5 Although it was recognised that the implementation of Green Belt policy within the Borough can be beneficial in terms of other SA objectives by reducing urban sprawl, these benefits were identified as insignificant because the SPD is clarifying the implementation of the existing policy and not introducing a specific policy change.

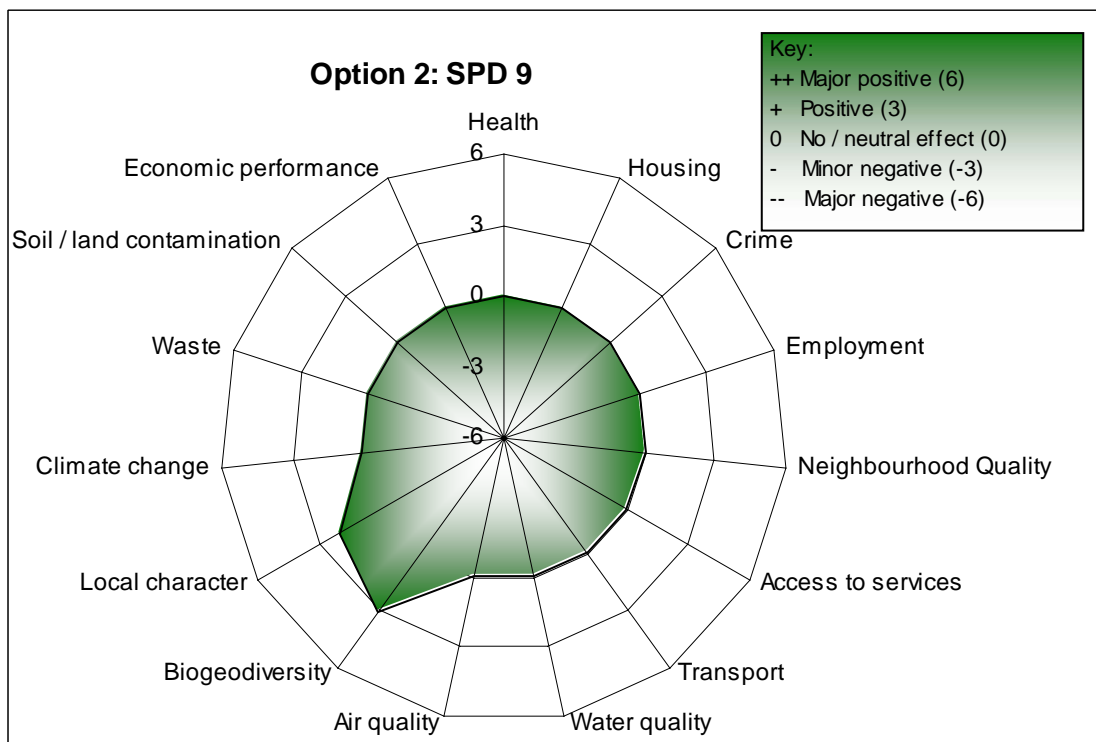
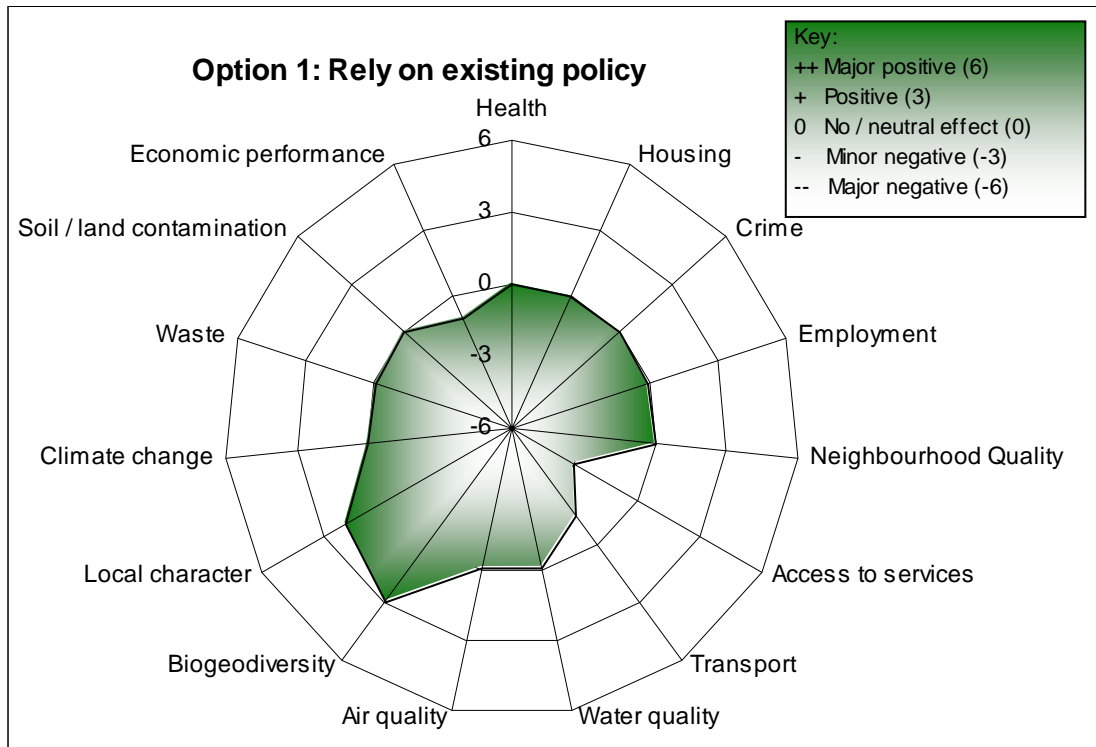
6.6 As a result of the appraisal of the SPD against equality and diversity categories, no negative impacts were identified.

6.7 The Supplementary Scoping Report (April 2006) for SPD9 detailed the available options. Appendix B contains the full details of the appraisal of the options against the SA framework. Table 2 on page 11 contains a summary of the appraisal for each of the two options.

Table 2: Summary of SA

OPTIONS	SUSTAINABILITY APPRAISAL SUMMARY
Option 1 - Rely on the existing UDP policy	<p>Policy OL1/4 is a standard Green Belt control policy, which repeats national policy and enables the re-use of buildings inside the Green Belt provided there is no materially greater impact than the present use on openness. The policy has minor positive economic and environmental effects by allowing the reuse of buildings whilst considering the impacts on landscape and biodiversity. However, the policy is primarily concerned with openness and fails to adequately address the suitability of conversions in terms of access to key services without having to rely on private car use. The current policy also fails to address the cumulative impacts of developments on road traffic, for instance where several developments each have no significant impact but collectively have a combined negative effect. For example the conversion of buildings in locations poorly served by public transport could result in additional car journeys which may contribute to traffic congestion and poor air quality. For this reason the effect of the policy on a number of the SA objectives is uncertain.</p>
Option 2 - Implement SPD 9	<p>Although there would be no overall significant difference between producing the SPD and relying on existing policy, the adoption of this SPD (i.e. option 2) would result in positive benefits. For example, it would positively improve the social and environmental performance of the economy and would protect local distinctiveness. Option 2 would also result in no significant adverse effects upon any of the objectives or baseline used for the sustainability appraisal.</p>

6.8 Figures 1 and 2 provide a diagrammatic representation of the appraisal of the three SPD options. These diagrams clearly show that Option 2 performs best in sustainability terms.



7.0 CONSULTATION ON THE DRAFT SPD AND THE SA FRAMEWORK

- 7.1 This SA Report accompanies the consultation draft Supplementary Planning Document (SPD) on the 'Conversion and Re-use of Buildings in the Green Belt'. Both the SA and SPD were the subject of a period of public consultation (10/07/06 to 21/08/06). Responses to representation and details of any ensuing changes can be found in the 'Statement of Consultation' document.
- 7.2 Please note that it was determined that a SEA/AA of the SPD was not required (see section 3). A copy of this SA report and the draft SPD were sent to the consultation bodies detailed in Regulation 4 of the SEA Regulations (2004).
- 7.3 As noted in paragraph 1.3, following the consultation period on the draft SPD, representations made on the draft SPD9 and the SA were considered prior to formal adoption, and no significant changes were made to draft SPD9. Therefore, no additional appraisal work was required.
- 7.4 For further information regarding this document, please contact

David Hodcroft (Planning Officer)
Planning Policy Section
2nd Floor, Craig House
5 Bank Street
Bury
BL9 0DN
Telephone: 0161 253 7659
E-mail: d.hodcroft@bury.gov.uk
Fax: 0161 253 5290

8.0 MONITORING THE SIGNIFICANT EFFECTS OF IMPLEMENTING THE SPD

- 8.1 Bury MBC will monitor the significant effects of implementing the Adopted SPD. This will enable us to identify any unforeseen adverse effects and enable appropriate action to be taken. This monitoring will allow the SPD to be tested against the effects predicted as part of the SA process.
- 8.2 The SA monitoring will be incorporated into existing monitoring arrangements such as the Annual Monitoring Report for Bury's Local Development Framework.
- 8.3 If, as a result of this monitoring, significant adverse affects are identified then this will trigger an immediate review to either amend or suspend part or all of the SPD.

APPENDIX A TESTING THE SPD OBJECTIVES AGAINST THE SA FRAMEWORK

The following SPD objectives were appraised:

Objective A:

To clarify when a building in the Green Belt may be suitable for conversion and re-use.

Objective B:

To ensure that the building's new use is no less sustainable than its previous use in terms of location and access to public transport and local services.

Objective C:

To provide general design related advice to ensure that conversions and the intended new use of the building do not have a greater impact on the openness of the Green Belt than its current use.

Objective D:

To prevent the introduction of predominately urban elements upon the land surrounding the building intended for conversion, in particular 'suburban-style' gardens.

Objective E:

To ensure that the environmental quality, amenity, wildlife interest and character of the Green Belt is maintained and where possible, enhanced.

SPD 9: Conversion and Re-use of Buildings in the Green Belt
Sustainability Appraisal Report - January 2007

SA Objectives	Plan Objectives				
	1	2	3	4	5
1	-	-	-	-	-
2	-	-	-	-	-
3	-	-	-	-	-
4	-	-	-	-	-
5	-	-	-	-	-
6	-	-	-	-	-
7	-	-	-	-	-
8	-	-	-	-	Compatible
9	-	Compatible	-	-	-
10	-	Compatible	-	-	-
11	-	-	-	-	-
12	-	-	-	-	-
13	-	-	-	-	Compatible
14	Compatible	-	Compatible	Compatible	Compatible
15	-	-	-	-	-
16	-	-	-	-	-
17	-	-	-	-	-
18	-	-	-	-	-
19	-	-	-	-	-
20	-	-	-	-	-
21	-	-	-	-	-
22	-	Compatible	-	-	-
23	-	-	-	-	-
24	-	-	-	-	-



Compatible



Incompatible

— No Link/ Insignificant

? Uncertain / Unknown

Comments and Recommendations:

The objectives associated with this SPD are most compatible with the SA objectives concerning:

- local neighbourhood quality;
- improving accessibility for all to essential services and facilities;
- reducing the effects of road travel on the environment;
- the natural environment (biodiversity, geological and geomorphological features);
- local character and distinctiveness and
- reducing the need to travel.

Although it was recognised that the implementation of Green Belt policy within the borough can be beneficial in terms of other SA objectives by reducing urban sprawl, these benefits were identified as insignificant because the SPD is clarifying the implementation of the existing policy and not introducing a specific policy change.