

## **SPD6: Alterations and Extensions to Residential Properties**

### **Sustainability Appraisal Statement**

Following changes to the Town and Country Planning (Local Development) (England) Regulations a Sustainability Appraisal is no longer mandatory for Supplementary Planning Documents. PPS12 states that "*Sustainability Appraisal must be proportionate to the plan in question*".

Given the limited scope of SPD6: Alterations and Extensions to Residential Properties, it is not considered appropriate to carry out a full Sustainability Appraisal of the SPD. Following initial screening, SPD6 is not considered to have any significant negative social, economic or environmental effects, as it provides guidance on alterations and extensions to residential properties which will have only negligible and localised positive impacts, rather than the broader impacts that may be seen from a strategy / supplementary planning document directing both the form and location of new development.

### **Other Relevant Legislation/Procedures to take into Account**

#### **A - Strategic Environmental Assessment**

Local Planning Authorities must comply with the European Directive 2001/42/EEC and the Strategic Environmental Assessment (SEA) Regulations<sup>1</sup>. 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.

Having assessed the SPD objectives, it has been determined that a SEA of the SPD is not required because the plan is unlikely to have any significant<sup>2</sup> environmental effects. This is primarily because the SPD elaborates existing UDP policies, without introducing an overall change in policy direction. Having made this determination, we have sent a copy of this SA Statement and draft SPD6 to the consultation bodies detailed in Regulation 4 of the SEA regulations (2004). In line with Bury's adopted Statement of Community Involvement (SCI), SPD6 and this accompanying SA Statement will also be subject to a statutory period of consultation of no less than 4 weeks and no more than 6 weeks.

#### **B – Habitats Regulations Assessment**

The purpose of the Habitats Regulations Assessment (HRA) of land use plans is to ensure that protection of the integrity of European sites is part of the planning process. The requirements for HRA 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 directive.

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<sup>1</sup> Environmental Assessment of Plans and Programmes Regulations (2004).

<sup>2</sup> Significance will be determined by taking into account criteria specified in Schedule 1 of the SEA Regulations and Annex II of the Directive.

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 HRA for land use plans.

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 SPAs and candidate SACs should be treated in the same way as those already classified and approved.

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 SAC<sup>3</sup> (located 4km from the Borough), South Pennines SAC<sup>4</sup> (13km), the Peak district SPA<sup>5</sup> (17km) and Manchester Mosses SAC<sup>6</sup> (10-16km).

Having undertaken a screening of the SPD it has been determined that an HRA is not needed. This determination has been made for the following reasons:

- There are no European sites within the borough and the SPD is unlikely to adversely affect the conservation objectives of more distant European sites.
- The SPD is addressing alterations and extensions to residential properties, rather than significant new development.
- The SPD will seek to protect, conserve and enhance the natural environment.
- This conclusion is consistent with the Screening Statement produced for the Core Strategy 2<sup>nd</sup> Stage Issues and Options Report in 2007 and for the Core Strategy Preferred Options Report in 2008<sup>7</sup>.

### **C – Equality Impact Assessment**

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.

Following Equality and Diversity screening it was established that SPD 6 would have a largely neutral impact in terms of equality and diversity for most social groups. The exception to this is the positive impact SPD6 will have for the mobility impaired. As no negative impacts were identified, there is no requirement for a Stage 2 or 3 Equality Impact Assessment.

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<sup>3</sup> Designated because the canal supports a protected species (floating water-plantain – *Luronium natans*)

<sup>4</sup> Designated because the area supports habitats of value such as European dry heaths, blanket bogs, old sessile oak woods.

<sup>5</sup> Designated because the area supports protected species (short eared owls (*Asio flammeus*), Merlin (*Falco columbarius*) and Golden Plover (*Pluvialis apricaria*)).

<sup>6</sup> Designated because the area contains raised bogs still capable of natural regeneration.

<sup>7</sup> Please see:

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