

Sustainability Appraisal – Addendum Report – Implications of Proposed Minor Modifications December 2015



Derby City Council

AECOM

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Sustainability Implications of Proposed Minor Modifications

1. Introduction

- 1.1 Following consultation on its 'Pre-Submission' Core Strategy, the Council has considered all representations made along with recent changes to Government policy to assess whether any minor modifications should be put to the Inspector which could resolve objections or ensure consistency with current thinking.
- 1.2 National planning guidance, as described in the NPPG (paragraph 021: Reference ID: 11-021-20140306) suggests that the sustainability appraisal should only be modified where appropriate and proportionate to the level of change being made to the Local Plan. It states that changes to the Local Plan that are not significant will not require further sustainability appraisal work.
- 1.3 The purpose of this paper is to demonstrate that appropriate consideration has been given to the potential implications of the minor modifications being suggested and that none would have any significant impact on the effects of policy already considered in the SA Report (should they be accepted by the Inspector). It is intended to be read alongside the SA Report and be used to assist the Inspector in their consideration of the minor modifications put forward
- 1.4 Given the limited influence of the minor modifications (*and therefore focused nature of this addendum*) this report has been presented in a 'non-technical' manner. It is not appropriate to prepare a separate non-technical summary that would essentially contain the same information, in the same level of detail.

2. Outline of the Plan contents and objectives

- 2.1 The Plan objectives are outlined in the SA Report. These remain unchanged at this stage.
- 2.2 The focus of this SA Addendum is the minor modifications being proposed by the Council, and therefore the scope of this appraisal is limited to these minor factors.

3. Scoping

- 3.1 The scope of the SA is set out in the SA Report. It is not considered necessary to update or amend the scope of the SA for the following reasons:
 - The modifications are minor and do not change the principle of the policies.
 - The baseline position and contextual review remains comprehensive and up to date.
 - A review of the scope would be disproportionate given that the effects of the minor modifications are unlikely to be significant and not fundamental to the Local Plan strategy.

4. Reasonable Alternatives

- 4.1 SA/SEA regulations require the consideration of ‘reasonable alternatives’. In this context, the ‘reasonable alternatives’ would be limited to the responses or changes that would be appropriate in light of the comments made or changes in context. In the main, the comments made through consultation have not led to any modifications being proposed; the reason for this is generally that the change requested would not have been considered ‘acceptable’ in terms of the Council’s stated plan objectives and/or national guidance. As such, they are not ‘reasonable’ alternatives. The modifications that have been proposed are, therefore, the only reasonable approaches that could have been taken.
- 4.2 Notwithstanding this, in most cases, the ‘change’ requested by a respondent have already been assessed in the main SA report (for example, the consideration of ‘omission’ sites or different levels of growth). Additionally, a number of the responses received related to very minor points of clarity or consistency. These would be too minor to be assessed by the SA process.

5. Appraisal of the Amended Policies

- 5.1 The Council has considered the significance of each suggested modification and the impact it is likely to have on the Sustainability Appraisal (SA) using the same methodological framework and SA objectives used throughout the SA process (*i.e. taking into account the factors identified in Annex 1(f) of the SEA Directive*).
- 5.2 Within table 1, the ‘SA Implications Commentary’ column provides a summary of the assessment that has been taken against the full SA Framework; focusing only on those factors where effects have been identified. Owing to the limited and specific nature of the modifications, this is considered to be more helpful than presenting the findings for each SA objective in turn (*which would essentially involve repeating a finding of ‘no significant effect’ for the majority of SA Objectives that are not relevant*).
- 5.3 As demonstrated in table 1 (pages 5-8), it has been concluded that none of the minor modifications would have a significant effect in their own right or cumulatively with other policies. There would therefore be no reason to make any formal amendment to the SA as a result of these changes or carry out any further consultation.
- 5.4 The majority of modifications are limited to making corrections to errors, bringing a policy up to date or providing increased clarity or accuracy. Therefore, the only policies that the Council considered likely to have any noticeable sustainability implications are listed in the table below.

Policy with minor modifications	Broad implications of modified policy compared to the Submitted Policy
CP2 – Responding to Climate Change	Less positive for climate change and energy
AC2 – Delivering a City Centre Renaissance	More positive for housing and employment
AC15 – Land South of Wilmore Road, Sinfin (Infinity Park)	More positive for geodiversity, accessibility and landscape
AC24 – South of Chellaston	More positive for the built and natural environment

5.5 Each of these policy changes above has been summarised as being ‘more’ or ‘less’ positive in the table above to illustrate the broad implications of the modifications compared to the submitted version of the policy. However, it is important to note that these ‘scores’ are only presented to assist in communicating the implications of the minor modifications. None of the modifications are predicted to have significant effects upon the baseline for any SA Objectives (as detailed in Table 1). The effects of each policy identified in the SA Report would therefore remain unchanged.

5.6 Any formal amendment of the SA document itself will, if necessary, take place at the 'Main Modifications' stage of the process, where all of the amendments approved by the Inspector can be considered and assessed. To do this prior to the consideration of any modifications at Examination would be premature and would mean the SA and 'Submission' plan were not consistent. In any event, as is shown in Table 1, there would be no purpose in making any amendments as the changes proposed have no significant effects.

6. Mitigation and enhancement

6.1 The effects identified in table 1 do not give rise to the need for any additional mitigation or enhancement within policy (*indeed, many of the proposed minor modifications are in and of themselves part of the mitigation strategy for existing policies*).

7. Monitoring

7.1 No significant effects are predicted as a result of the proposed minor modifications and thus there is no need to identify further monitoring measures.

7.2 Therefore, the proposed minor modifications would have no effect on the monitoring framework envisaged, as set out in Table 34.1 of the SA report.

7.3 Monitoring measures will be finalised upon adoption of the Plan, with the framework set out in an SA Statement.

8. Conclusions

8.1 The proposed minor modifications have been considered against the SA framework and no significant effects have been predicted in isolation or in combination with other plan policies.

- 8.2 Any implications are likely to be minor and, in the main, have a neutral or a marginally positive (but not significant) effect. The main intent of the modifications has been to provide additional clarity, certainty and consistency so it is not surprising that this would be the overall conclusion of the assessment.
- 8.3 As a result, it is the Council's view that minor modifications are unlikely to lead to significant effects upon the baseline position associated with the SA objectives; and so changes to the SA Report are not necessary at this stage. This position has been confirmed by independent consultants **AECOM** who have reviewed the assessments and conclusions
- 8.4 Nevertheless, this SA Report addendum has been prepared to document the assessment process and to assist the Inspector in their consideration of the Core Strategy.
- 8.5 Given that this addendum focuses on specific and limited changes to the Core Strategy, it is important to read the report alongside the minor modifications schedule and main SA Report.

Table 1: Sustainability Implications of the proposed minor modifications:

Policy	Proposed Minor Modification screened into assessment	SA Implications Commentary
CP1a	The range of people or organisations that the Council will wish to work with on cross boundary proposals has been extended.	No effects predicted for any SA Objectives. Arguably, the policy changes would relate more favourably to SA Objectives covering social inclusion by ensuring a wider range of people or organisations are included in the process. However, this would have an insignificant effect on the baseline position as it essentially only better reflects Government guidance – the change to the intent of policy is very minimal. There are no negative effects predicted for any of the SA objectives.
CP2	A number of changes have been suggested to reflect changes to Government guidance. This includes removal of 'zero carbon homes' and 'allowable solutions' – both of which are no longer required by Government policy. Recognition of 'viability' being a valid consideration on the delivery of renewable decentralised energy is also suggested in the supporting text (though the policy remains the same).	It could be argued that the changes to the policy would lead to lesser positive effects on the baseline associated with climate change objectives. However, the entire thrust of the policy is still geared toward minimising and mitigating the causes of climate change, so positive effects would still be predicted. The measures referred to which are to be removed were provided as potential measures available to achieving the aims of the policy which remain extant. Furthermore, the policy remains consistent with Government guidance and is tied to any targets and standards that it might set. As such, it is flexible enough to take account of any and all new measures that may be promoted by Government. There is no reason to think, therefore, that the impact of the change would be significantly adverse compared to how the policy was originally assessed. The overall effects of the policy would still be positive, albeit marginally less.
CP3	Corrections	No effects are predicted for any of the SA Objectives.
CP6	Corrections	No effects are predicted for any of the SA Objectives.
CP7	A number of changes have been suggested to reflect changes to Government guidance. This includes replacing 'lifetime homes' and references to wheelchair accessible homes with	No effects are predicted for any of the SA Objectives. It is considered that, to all intents and purposes, the suggested modifications are a like-for-like replacement (or as close as is possible) of new building regulation requirements to the original intent of the policy. While the implementation of the policy might be different as a result

Policy	Proposed Minor Modification screened into assessment	SA Implications Commentary
	the appropriate closest new Building Regulation.	of it being a condition implemented through building regulations, there would be no significant change to the impacts of the policy as a result.
CP8	Bringing the policy up-to-date in terms of the publication of new evidence and simplifying and clarifying other elements (including ensuring consistency with NPPF through reference to Green Belt)	No effects on any sustainability objectives. There would be no material change to the intent or operation of the policy as a result of the modifications.
CP10	Corrections.	No effects on any sustainability objectives.
CP13	Corrections and amending policy for clarity.	No effects on any sustainability objectives.
CP16	Corrections and ensuring consistency with the NPPF.	No effects on any sustainability objectives. . The change will just make implementation of the policy clearer; no change to its intent.
CP17	Ensuring consistency with the NPPF.	No effects on any sustainability objectives. The change will just make implementation of the policy clearer; no change to its intent.
CP20	Ensuring consistency with the NPPF.	No effects on any sustainability objectives. The change will just make implementation of the policy clearer; no change to its intent.
CP21	Consequential changes to ensure consistency with other parts of the plan.	No effects on any sustainability objectives.
CP23	Corrections.	No effects on any sustainability objectives.
CP24	Bringing policy and supporting text up-to-date.	No effects on any sustainability objectives.
AC1	Corrections.	No effects on any sustainability objectives.

Policy	Proposed Minor Modification screened into assessment	SA Implications Commentary
AC2	A number of new 'opportunities' added to the policy for completeness and/or some changes for accuracy.	The new or amended sites are only identified in AC2 as a way of identifying opportunities for change, though they are not allocations in their own right. Arguably, the modifications provide further comfort that certain objectives – such as housing and employment delivery – can be achieved but this would not have a significant effect on the appraisal which is already predicted to be 'positive' for housing and employment. No negative effects are predicted for any sustainability objectives.
AC5	Corrections.	No effects on any sustainability objectives.
AC6	Amended reference to major city centre office development to reflect current circumstances and potential.	No effects on any sustainability objectives. The area still provides the same potential for housing, employment and other uses. There would be no significant impact on the effects of the policy as a result of this change.
AC9	Adding text on the 'protected views' to the supporting text for clarity.	No effects on any sustainability objectives. The change to the text will not change the operation of the policy; it will merely make it clearer to the reader what is expected.
AC12	Amendment to supporting text for clarity.	No effects on any sustainability objectives. The change merely provides a more accurate description of the nature of the work already carried out for clarity. No sustainability implications.
AC13	Clarity.	No effects on any sustainability objectives. The change is a more accurate reflection of the site's context and would not impact on the implementation of the policy. No sustainability implications.
AC15	Additional references to public transport and the 'Local Geological Site' designation within the policy and other changes for accuracy and consistency.	Minor positive effect predicted for SA Objectives relating to accessibility, biodiversity/geodiversity and landscape (but not significant). The changes do not lead to a significant change to the policy/plan because the matters they refer to would be addressed adequately by other local or national policies. However, more

Policy	Proposed Minor Modification screened into assessment	SA Implications Commentary
		overt reference to the need for appropriate public transport and recognition of the importance assets could only be a positive feature of the policy. The overall impact on the effects of this policy would, however, be fairly minor in the strategic context of the plan and would not alter the original appraisal. There would be no negative effects relating to this change for any SA Objectives.
AC21	Clarity.	No effect on any sustainability objective. The amendment to supporting text is simply to provide a more accurate reflection of the policy's intent.
AC22	Changes to supporting text to provide further clarity on implementation of the policy.	No effect on any sustainability objective. The intent and effect of the policy would be unaffected by this change.
AC23	Changes to improve the clarity and the policy, particularly relating to what would be required in terms of mitigation.	No effect on any sustainability objective. The amendments have been made to improve clarity, particularly in terms of what mitigation will be required and how it will be addressed. The overall intent or expectation of the policy has not changed and this would have no material impact on the assessment of the policy.
AC24	Changes to properly reflect the proximity, and the need to appropriately address, a nearby Scheduled Ancient Monument.	Minor positive effect predicted for the built and natural environment. The changes do not significantly change the effect of the policy/plan because the matters they refer to would be addressed adequately by other local or national policies. However, more overt reference to the nearby SAM would only serve to make the intent of the policy clearer and thus –while any change to the 'effects' of the policy would be very minor – they would also be positive in nature.
MH1	Consequential change to reflect other modifications.	No effect on any sustainability objective.
Policies Map	All changes to the Policies Maps are to correct errors.	No effect on any sustainability objective.

