

Leicester City
**local
development
framework**

**Residential Amenity
Supplementary Planning
Document**



Leicester
City Council



**SUSTAINABILITY
APPRAISAL
REPORT**

October 2007

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1. Introduction

- 1.1 This report is a Sustainability Appraisal (SA), incorporating the requirements for a Strategic Environmental Assessment (SEA), of Leicester City Council's Residential Amenity Supplementary Planning Document (SPD). A Scoping Report, including baseline information, was also produced as part of the preparation of the Supplementary Planning Document.

2. Context

- 2.1 The term sustainable development has been widely used since its inception by the World Commission on Environment and Development in 1987 and refers to “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. Following the Summit, the UK government defined the themes of sustainable development in the strategy ‘A Better Quality of Life, a Strategy for Sustainable Development in the UK. These include:
1. Social progress which recognises the needs of everyone;
 2. Effective protection of the environment;
 3. The prudent use of natural resources; and
 4. Maintenance of high and stable levels of economic growth and employment.
- 2.1 Sustainability Appraisal is now considered to be an integral part of producing planning documents. The Planning and Compulsory Purchase Act 2004 and the requirements of Planning Policy Statement 12 ensure that the concept of sustainable development is integrated into all land-use plans. It requires such plans to be subject to a Sustainability Appraisal (SA). Its purpose is to promote sustainable development by integrating sustainability considerations into plans. SA assesses and reports the likely significant effects of the plan and the opportunities for improving the social, environmental and economic conditions by implementing the plan.
- 2.2 At the same time as a Sustainability Appraisal, the plan document is also required to be subject to a Strategic Environmental Assessment (SEA) pursuant to European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes.
- 2.3 Whilst the SA examines all sustainability related effects the SEA is focused primarily on its environmental effects. SEA involves carefully assessing plans and programmes for the potential environmental impacts they may have. It also takes into consideration sustainability issues in the strategic decision-making.
- 2.4 The SA and SEA are distinct, however there is a large amount of overlap between the European requirement and the SA allowing these to be combined into one process for assessment. This document will be in accordance with government guidance and in addition ensure that the requirements of the SEA Directive are met.

3. The SPD objectives

The residential amenity SPD attempts to address the demand for sustainable higher density residential development and at the same time protecting the existing and future occupiers' residential amenity.

3.1 Definition of residential amenity

In the context of the SPD the definition of residential amenity is considered as the benefit enjoyed from physical space within part of the private home. The feeling of being pleasant can also depend on the quality of space. The level of enjoyment is dependent on a number of factors, this can include location, size, orientation sounds, noise and enclosure.

Amenity space allows individuals to carry out household and leisure activities. This can include gardening, drying clothes, playing with children, fresh air and other hobbies.

3.2 Objectives of the SPD

The guide has four main objectives:

1. To provide practical guidance to supplement with existing development plans policies on how on how new residential development can protect amenity of both new existing residents;
2. Provide guidance to encourage residential development, which protects both the built and natural environment;
3. To provide guidance which identifies and categories the different areas of Leicester and promotes design features in accordance with development densities and character of the relevant area; and
4. To provide guidance on how parking provision can be used as a pro active measure to improve residential amenity and to underpin the use of other transport methods.

3.3 Policies

The SPD supplements the following policies from the adopted City of Leicester Local Plan 2006:

PS10. Residential Amenity and New Development

In determining planning applications, the following factors concerning the amenity of existing or proposed residents will be taken into account:

- a). Noise, light, vibration, smell and air pollution (individually or cumulatively) caused by development and its use;

- b). The visual quality of the area including potential litter problems;
- c). Additional parking and vehicle manoeuvring;
- d). Privacy and overshadowing;
- e). Safety and security;
- f). The ability of the area to assimilate development; and
- g). Access to key facilities by walking, cycling or public transport.

H03. Density

The following minimum net densities will be sought:

- h). On sites of 0.3 hectares or more within the defined Central Commercial Zone: at least 50 dwellings per hectare;
- i). On sites of 0.3 hectares or more within 250 metres walking distance of main public transport corridors or defined Town and District Centres: at least 40 dwellings per hectare; and
- j). On all other sites: at least 30 dwellings per hectare.

On larger sites, a variety of densities may be necessary to meet the urban design objectives of this plan.

In order to achieve higher density developments, a high quality of design will be sought, which incorporates environmental consideration, the need for open space and landscaping.

4. Preparing the Report

4.1 The Residential Amenity Supplementary Planning Document will form part of the Leicester Local Development Framework (LDF). This Sustainability Report has been prepared in accordance with Government guidance on how to carry out sustainability appraisal as an integral part of the process of preparing Local Development Document and Supplementary Planning Documents. The report follows the stages within the guidance of the Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks 2005.

Table 1: SEA/SA guidance taken from the Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks, 2005, ODPM 2005.

STAGE A: Setting the context and objectives, establishing the baseline and deciding on the Scope
A1. Identifying other relevant plans, programmes, and sustainability objectives. A2. Develop relevant baseline information and characterise the area. A3. Identifying key sustainability. A4. Developing the SA Framework including objectives, indicators and targets. A5. Testing the plan objectives against the SA Framework. A6. Consulting on the scope of the SA. Output: Scoping Report
STAGE B: Developing and refining options (Reg 25)
B1. Appraising issues and options. B2. Consulting on the SA of emerging options.
STAGE C: Appraising the effects of the plan (SPD) (Reg 26 & Submission)
C1. Predicting the effects of the plan, including plan options. C2. Assessing the effect of the plan. C3. Mitigating adverse effects and maximising beneficial effects. C4. Developing proposals for monitoring. C5. Preparing the SA Report. Output: Sustainability Report
STAGE D: Consulting on the plan and SA Report
D1. Consulting on the SA Report alongside the plan. D2. Appraising significant changes. D3. Decision making and providing information. D4. Consultation on the Sustainability Report. Output: Sustainability Statement
STAGE E: Monitoring implementation of the plan
E1. Monitoring the significant effect of the plan and publishing report. E2. Responding to adverse effects. Output: section in the Annual Monitoring Report (AMR)

5. Sustainability Appraisal Objectives

- 5.1 Finally, as part of the “scoping report”, SA objectives incorporating the SEA Directive issues were devised. These are essentially a test of the emerging SPD’s sustainability and environmental soundness.

Table 2: SA/SEA objectives

Social Objectives
1. To ensure that the existing and future housing stock meets the housing needs of the City.
2. To improve health and reduce health inequalities.
3. To provide better opportunities for people to value and enjoy the City’s heritage and participate in cultural activities.
4. To improve community safety, reduce crime and the fear of crime.
5. To support diversity, tackle inequality, and support the development and growth of social capital across the communities of the city.
Environmental Objectives
6. To increase biodiversity levels across the City.
7. To protect, enhance and manage the rich diversity of the natural , cultural and built environmental and archaeological assets of the City.
8. To manage prudently the natural resources of the City including water, air quality, soils, and minimising of flood risk through sustainable forms of development.
9. To reduce the potential impact of climate change by minimising energy usage, and to develop the City’s renewable energy resource, reducing dependency on non renewable resources.
10. To make efficient use of existing transport infrastructure, help reduce the need to travel by car, improve accessibility to jobs and services for all, and to ensure that all journeys are undertaken by the most sustainable mode available.
11. To minimise waste and to increase the re use and recycling of waste materials.
Economic Objectives
12. To create high quality employment opportunities and develop a strong diverse and stable local economy.
13. To raise the levels of education achievement and development a strong culture of enterprise and innovation.
14. To reduce level of deprivation.

6. Appraisal Methodology

- 6.1 The Appraisal was undertaken by officers of Leicester City Council
- 6.2 The SPD supplements policies PS10 – Residential Amenity and New development and H03. Density. These policies have all been appraised as part of the sustainability appraisals of the Local plan. The appraisal process therefore, has been undertaken as an iterative and continuous process commencing from the Local Plan policy development stages up to this report on the SPD.
- 6.3 The guidance updates previous supplementary guidance in the form of the design guide for house extensions SPG which main aim was the protection of household amenity. However this updated guidance takes this aim further looking at all the protecting the amenity of all residential property. Whilst residential amenity may have limited opportunities to forward the sustainability agenda on its own, it has various links to other important issues such as open space provision, protection of historic buildings, sustainable building design and positive change to deprivation, and although the policies which this SPD supplements were appraised as part of the sustainability appraisal for the adopted City of Leicester Local plan, the SEA/SA process should be a continuous process and this appraisal allows reassessment of both the supplemented policy and the issues from the SPD.
- 6.4 The Scoping Report includes the baseline information. This will need to be updated and monitored.

7. Appraisal of Local Plan Policies

- 1.1 Policies H03, UD01, UD02, SPA06, AM12, AM15, H03, UD04, UD06, PS10, H15, of the adopted City of Leicester local Plan, were appraised as part of a matrix of factors relating to the Quality of Life and Local Environmental, Natural Resources, and Global Sustainability. The outcomes are set out in the appraisal documents, which supplement the Local Plan.

8. Responses to the Four Consultation Bodies

- 8.1 The comments of the three statutory environmental bodies – The Environment Agency, Natural England and English Heritage, who were consulted on the Scoping Report as part of the preparation of the SPD, have been incorporated into this report.

	Comments on Scoping Report	Action Taken
Environment Agency	<p>The Sustainability Appraisal document addresses flooding from river sources it currently doesn't consider other sources such as surface water run-off or sewers as required by PPS25.</p> <p>Redevelopment provides an opportunity to review the infrastructure for the removal of foul and surface waters. New development should be served by separate foul and surface water drainage systems to reduce the incidence of foul sewers flooding and the consequent of deleterious impact on overall water quality in the area.</p>	<p>Comments are noted, amendments made to the SPD to cover requirements for PPS25.</p> <p>Comments noted.</p>
English Heritage	No comments on this stage of the document.	
Natural England	No comments were received.	

9. Policy, Environmental, Social and Economic Context

Stage A of the SA/SEA process considered the policy and sustainability context in which the SPD is being prepared. The main findings of the Stage A Scoping Report were as follows.

Nineteen Key issues were identified:

1. Population Size and Structure;
2. Climate Change;
3. Environment and Green Infrastructure;
4. Green Spaces, Sport and Landscape;
5. Waste;
6. Townscape, Conservation and Heritage;
7. Flood Risk and Water;
8. Air Quality;
9. Biodiversity, Flora and Fauna;
10. Transport and Travel;
11. Health;
12. Housing and Household Composition;
13. Ethnicity & Religion;
14. Community Safety and Crime;
15. Regeneration and Efficient use of Land;
16. Community Cohesion and Equality;
17. Education, and Access to Cultural and Recreational Facilities;
18. Deprivation; and
19. Employment and a Stable Diverse Economy.

1. Population Size and Structure

Demographic change has implications for trends in housing provision, there is a need to ensure that a range of homes, jobs, services and community facilities as well as the appropriate supporting infrastructure are available in sustainable locations to support a diverse and increased population.

2. Climate Change

It is recognised the implications that climate will have to the City of Leicester, and therefore how critical climate change is a sustainability issue. The provision and protection of residential amenity has the potential in some cases adversely impact climate change. This could be through construction on the flood plain, or through construction of energy inefficient homes.

3. Environment and Green Infrastructure

The provision and protection of the environment and green infrastructure is an important objective of any planning document, and the SPD although focusing on mainly small-scale amenity mainly being residential amenity, it should help improve both the local environment of residential areas and the local green infrastructure.

4. Green spaces, Sport and Landscape

Within the city centre there is a recognised shortage of quality accessible open space, and the SPD through its nature will be able to help address this shortage. Also by enhancing green space this provides the opportunity to protect and enhance the landscape of Leicester.

5. Waste

The SPD should help Leicester reach its tough recycling targets by promoting the re-use of building materials, and by using natural resources more efficiently.

6. Townscape, Conservation and Heritage

The SPD should help enhance the townscape of Leicester whilst at the same time conserving the rich heritage of Leicester

7. Flood Risk and Water

The SPD should help prevent problems associated with water quality such as polluting "run off" from sites, whilst not adversely impacting the potential flood problems associated with climate change.

8. Air Quality

The SPD should promote clear air policy, and help reduce the impact that poor air quality has on the amenity of residents.

9. Biodiversity, Flora and Fauna

The SPD should help protect existing biodiversity, flora and fauna, whilst the provision of residential amenity should be used to help enhance this objective.

10. Transport and Travel

The SPD should help encourage better use of sustainable transport methods as well promote alternate use to the car.

11. Health

The SPD should help protect health, whilst help to promote a healthy lifestyle.

12. Housing and Household Composition

The SPD should help provide high quality lifetime homes, which are of an appropriate mix and type that are affordable for future generations.

13. Ethnicity and Religion

The SPD should help provide facilities, which are appropriate for all ethnic groups and those of all faiths and religion.

14. Community Safety and Crime

The SPD should help promote community safety whilst reducing the opportunity for crime, and the associated fear of crime.

15. Regeneration and Efficient Use of Land

The SPD should help facilitate sustainable urban regeneration, and the efficient use of land.

16. Community Cohesion and Equality

The SPD should help create cohesive communities, whilst at the same promoting equality.

17. Education, and Access to Cultural and Recreational Facilities

The SPD should promote access to cultural and recreation facilities as well as facilitating new cultural and recreational facilities.

18. Deprivation

The SPD should help reduce deprivation

19. Employment and a Stable Economy

The SPD should not adversely impact the employment opportunities within Leicester.

The overall impact of the SPD when assessed against each SA objective are documented in Table 3 below.

Table 3. Overall Impact of the SPD

Key to Table 3	
++	Likely to have a very positive impact
+	Likely to have a positive impact
0, +/-	Likely to have neutral impact, or positive impacts would be out balance out negative impacts
	Unlikely to have an impact
-	Likely to have a negative impact
--	Likely to have a very negative impact
I	Could have either a positive or negative impact depending on how it is implemented
*	Nothing specific to this character area – refer to generic policies

SA/SEA Objective	Comments and Overall Assessment	Recommendations
1. To ensure that the ensure that the existing and future housing stock meets the housing needs of the City.	++ The SPD will promote housing which will have the highest amenity standards, which will mean that both the current occupiers and/or future occupiers will be able to live comfortably for the entire lifetime of both the occupier and the home.	
2. To improve health and reduce health inequalities.	+ Quality living environments will help improved both health, and health inequalities.	
3. To provide better opportunities for people to value and enjoy the City's heritage and participate in cultural activities.	+ Better open space provision will allow new and existing residents within an area to enjoy the cultural identity of an area, and to potentially as long as the open space is provided correctly the heritage of an area.	
4. To improve community safety, reduce crime and the fear of crime.	I Properly designed amenity space will prevent associated crime and other associated problems that can be related to new and upgraded open space provision. However if new space is provided incorrectly or upgrades are done inappropriately then, these can increase the problems of crime.	The SPD should ensure that the proposed new amenity spaces are designed correctly and upgrading of existing open space is carried out satisfactorily to avoid the potential serious problem of crime.

SA/SEA Objective	Comments and Overall Assessment	Recommendations
5. To support diversity, tackle inequality and support the development and growth of social capital across the communities of the City.	+ The provision of amenity whether this a rear garden to a house, a balcony to a flat or a large public open space, will allow interaction between community groups, whether this is neighbours or whole neighbourhoods, which will allow the increasing of social capital in the City.	
6. To increase biodiversity levels across the City.	++ The provision of new amenity space will increase levels of biodiversity around the city.	
7. To protect, enhance and manage the rich diversity of the natural, cultural and built environmental and archaeological assets of the City. continues over	I Sensible provision of amenity space and the associated benefits of residential development could be used to help protect the natural, cultural, built environmental and archaeological assets of the city by various methods. These would include: <ul style="list-style-type: none"> • Improving existing open space and other currently inaccessible areas of amenity space; • Providing new open space; • Bringing unoccupied or buildings at risk back in to use through new residential development; • Providing a properly managed environment to protect important archaeological assets of Leicester; and • However badly conceived provision of amenity space, or badly implemented associated residential development could have serious impact on these very important issues. 	The SPD should ensure that amenity space and its associated residential development will be designed to the highest standards, and be sympathetic to natural and built environment.

SA/SEA Objective	Comments and Overall Assessment	Recommendations
7. continued.	<p>These impacts could include:</p> <ul style="list-style-type: none"> • Poorly designed open space creating 'no go' areas, which would not provide access to important natural assets of Leicester, or an area which would help enhance the cultural assets; • Poorly designed buildings or badly conserved amenity provisions i.e. inappropriate balconies, which harm the visual identity of a building; and • Badly designed residential development, which damages the archaeological assets of Leicester through inappropriate excavations or badly conceived building methods. 	
8. To manage prudently the natural resources of the City including water, air quality, soils and minimising of flood risk through sustainable forms of development.	<p>+/- Whilst it is recognised new residential development can increase the problems of flood risk, sensible locations for residential development and the implementation of PPS25 as specified within the SPD will help limit this impact.</p>	
9. To reduce the potential impact of climate change by minimising energy usage and to develop the City's renewable energy resource, reducing dependency on non-renewable resources.	<p>+/- The provision of associated residential development allows for the opportunity to provide energy efficient development, which will help minimise the cities impact on climate change. However if badly constructed, energy inefficient development is approved, which makes provides no renewable energy contribution could potentially have an extremely adverse impact to the climate change agenda within Leicester.</p>	<p>Any new development follows both policy guidance regarding renewable energy, and guidance with the adopted Energy Efficiency and Renewable Energy Supplementary planning document</p>

SA/SEA Objective	Comments and Overall Assessment	Recommendations
10. To make efficient use of existing transport infrastructure, help reduce the need to travel by car, improve accessibility to jobs and services for all, and to ensure that all journeys are undertaken by the most sustainable mode available.	+ The residential amenity SPD will help discourage excessive new car parking provision which will therefore encourage the use of public transport. The SPD will also encourage only higher density development near existing or proposed public transport routes, and supplements current planning policy which requires new large to medium scale resident development to be within short walking distance of existing public transport routes.	
11. To minimise waste and to increase the re use and recycling of waste materials	+ The provision of associated residential development allows for the opportunity to construct new residential development in a sustainable manner.	
12. To create high quality employment opportunities and development a strong diverse and stable local economy		
13. To raise the levels of educational achievement and develop a strong culture of enterprise and innovation		
14. To reduce levels of deprivation.	++ Provision of good quality public and private amenity space will help reduce levels of deprivation.	

10. Consultation

The SPD was sent to various bodies, groups and organisation for their comments, during the statutory consultation period between 29th August 2007 to 3rd October 2007.

The three statutory environmental consultation bodies were also consulted they are: -

Environment Agency (Lower Trent)

Trentside offices
Scarrington Road
West Bridgeford
Nottingham
NG2 5FA

English Heritage

44 Derngate
Northampton
NN1 1UH

Natural England

The Maltings
Wharf Road
Grantham
NG31 6BH

A summary of their comments and the amendments made to the final Environmental Report can be found in appendix 1.

Appendix 1: Comments affecting final Sustainability Appraisal arising from Consultation on Draft SPD.

Name of Respondent	Comments Made	Response to Comments
Sally Murray. Natural England.	<ul style="list-style-type: none"> • SA makes reference to need and benefit of important sustainability issues however these are not reference in the SPD. • Disagree with positive outcome of point 9 in Table 3. • Not sure about the positive outcome of point 10 in Table 3. • No reference to cumulative short or long term effects. 	<ul style="list-style-type: none"> • Comment noted. Amendments made in final supplementary planning document. • Comment noted - outcome changed from positive to unknown/uncertain mitigation added to table 3 point 9. • Comment noted - justification extended in Table 3 point 10. • Comment noted - Due to the type of document being appraised no assessment of short or long term cumulative effects is required under regulations.
Michelle Dunne. Environment Agency.	<ul style="list-style-type: none"> • SA report references flood risk guidance PPS25, however SPD still doesn't. 	<ul style="list-style-type: none"> • Comment noted. Amendment made to final supplementary planning document
Anne Plackett. English Heritage.	<ul style="list-style-type: none"> • Due to work load unable to comment. 	