



South Cambridgeshire Local Development Framework

Listed Buildings: Works to or Affecting the Setting of Supplementary Planning Document

Sustainability Appraisal / Strategic Environmental Assessment Adoption Statement

Introduction

South Cambridgeshire District Council adopted the Local Development Framework (LDF) Listed Building: Works to or affecting the setting of Supplementary Planning Document (SPD) on 2 July 2009.

This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4), which require a statement to be produced on adoption of a plan or programme, to detail:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed through public consultation have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with;
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Planning Policy Statement 12 widens these considerations from environmental, to broader sustainability issues, so that this statement provides information on the wider sustainability appraisal process.

This statement examines each of these points in turn.

1. How sustainability considerations have been integrated into the plan

The LDF aims to improve the overall quality of life for residents of South Cambridgeshire in a way, which will also benefit future generations. Taking a sustainable approach to economic, social and environmental issues is at the heart of the plan and will be closely related to the national strategy for sustainable development, which has four objectives:

- Social progress which recognises the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

Policy Context

The national context is set out in Planning Policy Statements (the replacement to Planning Policy Guidance Notes), Circulars and other advice from Government. Whilst some of those national policies require local interpretation, a great number do not.

The regional context is set out in the East of England Plan that was published by the Secretary of State in May 2008. It continues the strategy that was set out in the Regional Planning Guidance for East Anglia (RPG6). It aims to focus a higher proportion of Cambridgeshire's growth into the Cambridge Sub-Region and proposes a sequential approach to the planning of development, with much of the development concentrated into and on the edge of Cambridge (subject to a review of the Cambridge Green Belt), including development in South Cambridgeshire, and into a new town beyond the outer boundary of the Green Belt.

The East of England Plan 2008 replaced the Cambridgeshire and Peterborough Structure Plan when it was published in its final form by the Secretary of State in May. A number of Structure Plan policies were 'saved' after September 2007 and remain valid until they will be superseded by policies in LDFs as these plans are adopted across the County.

Listed Buildings SPD Policy Approach

The SPD expands on district-wide policies in the Development Control Policies Development Plan Document (DPD) adopted July 2007 and policies in individual Area Action Plans for major developments that may vary from the district-wide policies. It provides additional details on how they will be implemented. In particular it will supplement policies CH/3 (Listed Buildings) and CH/4 (Development Within the Curtilage or Setting of a Listed Building). Policies seek to ensure that Listed Building issues are adequately addressed throughout the development process.

The policy builds on National legislation, Planning (Listed Buildings and Conservation Areas) Act 1990 and on Planning Policy Guidance (PPG) for Listed Buildings as set out in PPG15: Planning and the Historic Environment (September 1994).

Specific objectives of Listed Building document are to:

- Assist applicants' and agents' understanding of whether Listed Building Consent is required to undertake proposed works;
- Assist applicants' and agents' understanding of the local historic context, help identify features of importance and ensure that proposed works to Listed Buildings are carefully considered and appropriately designed to protect and, where possible, enhance their character, appearance, architectural interest or setting;
- Assist applicants' and agents' to gain Listed Building Consent and / or Planning permission quickly by informing them of what information is required to accompany applications, to justify their proposals and to demonstrate what impact the proposals may have on the character or setting of a Listed Building;
- Ensure that minor repairs and works, which require Listed Building Consent, are undertaken in an appropriate manner.

2. How the Sustainability Appraisal had been taken into account

The Sustainability Appraisal has contributed to plan development by providing an independent assessment of the sustainability of the Council's proposed options and policies as they were developed. It demonstrates that sustainability considerations have been incorporated into the development of the LDF and subsequently that of the SPD from an early stage and provides a formal statement and audit trail of the assessment.

The Sustainability Report is a key output of the plan preparation process. It reflected and supported the draft plan on which formal public consultation and participation was carried out.

The SPD is adding detail to policies to assist the implementation of adopted Development Plan Document policies and therefore the process had begun with the preparation of a Sustainability Report for this DPD. The policies in this DPD were therefore subject to sustainability appraisal. The main role of this appraisal was to examine whether the SPD results in any differences in these effects and add detail where appropriate.

In initiating the Sustainability Appraisal for the SPD, it was decided to do an addendum to the LDF Sustainability Appraisal Scoping Report to provide additional specific scoping information on the Listed Building SPD. The additional scoping information relevant specifically to the SPD formed the basis of the assessment in the SA Report.

The issues identified in the LDF Scoping Report and Addendum were used to define a set of objectives, decision-making criteria and relevant baseline indicators, which collectively comprise the SA Framework.

Central to the Sustainability Appraisal process is the testing of the objectives of the SPD guidance against a Sustainability Appraisal Framework. The SPD objectives outline the purpose of the SPD and its aims. It is important that the overall SPD objectives are consistent with the concept of sustainable development. These were assessed and it was found that the objectives of the SPD were compatible with the Sustainability Appraisal objectives.

It was found that the SPD made no differences to the effects of the appraised adopted policies and so no changes were necessary to the SPD as a result of being appraised.

3. How consultation taken into account (draft plan and the Environmental Report)

In this statement the Council is required to detail how opinions expressed in response to consultation have been taken into account.

Key Environmental Bodies

The Strategic Environmental Assessment Directive requires that authorities referred to in Article 6(3) shall be consulted when deciding on the scope and level of detail of the information, which must be included in the Environmental Report. In England, the key bodies are the Environment Agency, English Heritage and Natural England.

Consultation on a draft of the Sustainability Appraisal Scoping Report with these key bodies was carried out in April 2008. The consultation enabled these bodies to comment on the appropriateness of the objectives, indicators, baseline assessment and issues / problems. No changes were needed to be made as a result of the consultation

Public Participation

The Strategic Environmental Assessment Directive requires early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme or its submission to the legislative procedure.

The Council consulted the public on the SPD and its Sustainability Appraisal. Full details can be found in the Statement of Consultation – Regulation 18(4)(b), available to view on the Council's

website. This outlines the main issues raised in the representations received and how they have been addressed in the SPD, which is to be adopted.

Consultation under Regulation 17

The public consultation on the draft SPD and Sustainability Appraisal Report was carried out over a 6 week period, which was in accordance with Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended.

There were in total 39 representations received. 8 were in support and 31 objecting. No representations were received on the Sustainability Appraisal.

The main issues raised include:

- Seeking confirmation that the previously adopted Thatching Guide would form part of the Listed Buildings SPD
- Concern over the impacts of works on biodiversity including habitats for protected species such as bats and owls
- Suggested improvements on consultation, distribution and updating of the document
- Questions about the overall purpose, intended audience, tone, structure and degree of detail
- Concern about the relationship to national law, policy and guidance and whether the SPD has to reflect these

The consultation resulted in a number of changes to the SPD. These are listed in Appendix A.

4. Reasons for choosing the document as adopted in light of other reasonable alternatives.

The Environmental Assessment of Plans and Programmes Regulations 2004 (12) (2) requires environmental reports to examine reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

This statement is required to set out the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with. PPS12 makes clear that full regard should be had to the chain of conformity to avoid duplication of assessment.

The alternative to having an SPD was to have no SPD at all and to carry out “Business As Usual” implementing the adopted Development Control Policies DPD without published detailed guidance. This was considered in the Sustainability Report. The Listed Buildings SPD, once

adopted will provide further guidance on the implementation of the Council's adopted policy. As such, it is considered more likely to result in Listed Buildings being protected and enhanced than existing policy alone. Omitting the SPD would provide much less certainty.

5. Monitoring

The Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities to set out the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Details of the monitoring measures envisaged are summarised in Appendix 7 of the Final LDF Sustainability Report.

The indicators created in the Sustainability Appraisal Scoping Report, will continue to be monitored annually. They have been utilised as 'significant effect indicators', to be collated in the LDF Annual Monitoring Report. This report includes an analysis of the implications of the results, and should a need arise a review of LDF documents could be triggered by this information.

The South Cambridgeshire Annual Monitoring Report is available to view on the Council's website.

Appendix 1: Extract From 'Statement of Consultation (Regulation 18(4)(b) Statement)'

Sustainability Appraisal Scoping Report

Statutory Bodies Consultation on Draft South Cambridgeshire Sustainability Appraisal Scoping Report

- Consultation with statutory bodies took place in April 2008
- Key agencies that have environmental, social or economic responsibilities (the Environment Agency, English Heritage and Natural England).
- No changes were needed to be made as a result of the consultation

Draft Final Sustainability Reports

The Draft Final Sustainability Report meets the requirements for sustainability appraisal and strategic environmental assessment.

It was published for public participation alongside the draft SPD.

Appendix A – Amendments made to SPD as a result of the public consultation.

Listed Buildings Supplementary Planning Document

- Section 2.15
Amend to read; 'The Statutory List includes a description of each building, which refers to some, but not necessarily all, important features of a historic building. This is for identification purposes only; protection covers the entire building and any object or structure fixed to it or within the boundaries of the building. Irrespective of a building's designated grade, every part the building is Listed, including the interior and any later alterations or additions. In addition, any building or structure within the curtilage (land) of the Listed Building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948, are treated as part of the Listed Building. Refer to PPG15, Section 6.19 for further information.'
- Section 4.42
Amend to read; 'Sufficient justification and technical data is required for all listed building applications. There are national and local checklists which require particular documents to be submitted. If the information has not been submitted, it may not be formally registered and the additional information requested.'
- Section 5.2
Amend to include the additional bullet point;
* All listed buildings, including non-listed older buildings, have potential to provide sites for various forms of wildlife. Breeding birds, such as house sparrows or swifts, may take up residence in the eaves of buildings, and gable ends or weatherboarding may provide suitable crevices for bats. It must be noted that certain species, such as bats, are fully protected in law and their presence is likely to have bearing on the determination of an application and possibly the timing of works. Applications may need to be supported by advance ecological survey information to allow potential wildlife impacts to be properly assessed. A license from Natural England may be required to allow lawful disturbance or destruction of certain habitats (within buildings). Further detail on the range of protected species, biodiversity conservation measures and ecological survey seasons can be found in the SCDC Biodiversity SPD.
- Section 8.26
Amend to include the additional bullet point;

'Due regard should also be had to the potential impact of chemical treatments on protected species such as bats. Certain treatments are harm to bats and other wildlife and their use may constitute an offence. Further guidance on the subject can be found in the Bat Worker's Manual, chapter 10 "Timber Treatment, Pest Control and Building Work".

Mitchell-Jones, A.J, & McLeish, A.P. Ed., (2004), 3rd Edition Bat Workers' Manual, ISBN 1 86107 558 8, published by JNCC'

- Section 9.1

Amend to read; 'The Council will require that all new materials are handmade, locally sourced from within the United Kingdom and preferably from the local area and appropriate to the building's age and style, unless otherwise agreed in writing and based upon the particular circumstances of the proposal and building.'

- Section 11.5:

Text amended to read 'sash window'.

- Section 13.1

Amend to read; 'The previously adopted document regarding Thatching in South Cambridgeshire has been incorporated into this supplemental planning document. This document supersedes the previously approved policy document.'