

CASTLE POINT
BOROUGH COUNCIL

Sustainability Appraisal
of the Castle Point Borough
Local Development Framework

Adoption Statement for the Essex
Urban Place Supplement

November 2007



Purpose

1. The purpose this report is to set out what the sustainability implications may be of the way in which Castle Point Borough Council propose to adopt the Essex Urban Plan Supplement (UPS) as part of their development plan. The document under consideration is the adoption statement prepared by the Council gives information on the parts of the UPS that will be adopted as a Supplementary Planning Document (SPD) to the existing Castle Point Local Plan and forthcoming Local Development Framework Core Strategy. This sustainability statement therefore reflects the ways in which the adoption of the UPS as Supplementary Planning Guidance (SPD) will aid in securing more sustainable development in Castle Point, and what matters may be worth further consideration to improve the performance.

Sustainability assessment

2. Sustainable development in this assessment is seeking development that helps achieve greater equity of people and communities now, without harming the ability of future generations to have the same or better standard of life. This encompasses elements of a sound economy and society but fundamentally underpinned by a high quality environment where natural resources are appropriately conserved and efficiently used.
3. This brief assessment of the sustainability implications is part of the wider sustainability appraisal (SA) of the whole Castle Point Local Development Framework. For the SA of the many other parts of the LDF there is a requirement to produce a detailed report of the sustainability implications of policies, following the Strategic Environmental Assessment (SEA) Directive. However in this case a full SA is not suitable, and a shorter 'sustainability statement' is more appropriate given that the purpose of this task is simply to check the suitability of the adoption process of parts of the UPS to be an SPD. Furthermore the UPS as a whole has already been subject to rigorous SA during its preparation, which can be found in full on the UPS section of the Essex Design Initiative website www.the-edi.co.uk/?section=publications_UPS, rendering full appraisal unnecessary at this stage.
4. The previous full sustainability appraisal of the UPS also means that this sustainability statement does not reconsider the suitability of the approaches put forward for development in the UPS, and takes it as given that the overall content of the document is compatible with sustainable development.

The Urban Place Supplement Adoption Statement

5. The UPS was produced as part of the Essex Design Initiative and is targeted design guidance for higher density urban development schemes of 50 dwellings and over, although general principles may be applicable to all new residential development. The major purpose of the UPS is to deliver more sustainable development through the layout and design of this type of development. This UPS approach is fully supported by this sustainability statement in terms of aiming to achieve better development in Essex in line with the objectives of sustainable development. The role of this sustainability statement is to consider how appropriate the approach to adopting the UPS as SPD is, and whether changing this approach would have implications for achieving sustainable development.

6. In order to achieve the desired layout and design of development that will contribute to more sustainable development in the borough it is important to make clear what the SPD expects from development. This will help ensure that development meets defined design and sustainability standards by presenting guidance in an unambiguous way. This therefore requires that the adoption statement clearly set out which parts of the SPD will become a material consideration in determining planning applications. At present the adoption statement may not be presenting as clearly as it could how the defined sections have been selected and the purpose or weight that 'adoption' confers on the part of the UPS selected. Although reflecting that this may change as the Core Strategy Development Plan Document moves towards adoption and therefore the weight that this gives to the policies, and associated sections of the UPS, of this document.
7. The purpose of the adoption statement is to set out how the UPS, that covers all of Essex, is applicable to development in Castle Point and should be included as SPD. The adoption statement consists of two main parts relating to two ways in which the UPS will be adopted. These are how the UPS will be SPD relevant to adopted 'Castle Point Local Plan'; and how it will be SPD to the emerging Local Development Framework Core Strategy.
8. The reason for this division is to ensure that the UPS SPD is compatible with the development plan policy, that is different in the Local Plan from the LDF. In adopting the UPS it is important that the UPS does not contradict the policies of these two development plans, in order that the guidance of the relevant sections of the UPS can be implemented successfully and enforced through policy. Avoiding this conflict is important in providing a clear approach to applications of the UPS in development, and the need to avoid a situation where the UPS guides development in one way that contradicts policy approach. This means more parts of the UPS can be implemented under the LDF and therefore is suitable to adopt more of the UPS as it can be backed up policy. However, in setting out such an approach it will be important to consider that it will not only be the local parts of the development that can be used to enforce parts of the UPS.
9. Many of the existing Local Plan policies were developed quite a few years ago with the plan adopted almost 10 years ago. Since that time thinking on sustainable development and design and development has moved on considerably. Therefore restricting the current adoption of the UPS to the Local Plan policies will miss out on a variety of potential sustainability benefits, and therefore may not be the best approach in terms of sustainability. An alternative way of implementation may be to consider how regional and national policy could be used to enforce approaches in the UPS and therefore adopt it in a more comprehensive way, in a similar way to LDF adoption. There should not be issue of conflict, as if Local Plan policy is conflicting with national or regional policy this is not sound, with higher level policy taking precedence.
10. The adoption statement also needs to take into account the adopted LDF policies rather than the current policies that have only reached preferred options stage. Therefore an updated adoption statement may be necessary following adoption of the LDF Core Strategy and Development Control Policies DPD.

Suitability of adopting the Urban Place Supplement as a Supplementary Planning Document

11. Castle Point Borough Council made the decision to adopt the UPS as SPD. An alternative approach would have been to prepare a specific design guide for Castle Point or to have no additional guidance as SPD. In terms of achieving the best from larger developments in Castle Point it will be beneficial to delivering sustainable development to have some type of design guide in place in Castle Point. There would be some advantages in preparing a locally specific guide, such as being able to have more area specific approaches that respond to the particular characteristics of various parts of the Borough. However, this would be a time consuming process and likely to result in few real advantages over the more generic Essex based guide. Adopting the UPS also does not preclude more specific advice being made available where possible through the preparation of development briefs or masterplans.
12. Therefore, rather than Castle Point preparing a unique guide it is entirely suitable for the Borough to adopt the UPS as it has been written specifically to apply to development in Essex, and therefore applicable to Castle Point. The UPS is very thorough in its coverage of issues and does provide an invaluable resource for the design and development of higher density larger new development sites.

Determining sections to be adopted

13. The other matters over which alternative approaches could be considered are on which parts of the UPS should be adopted by Castle Point. The coverage of issues is in part determined by the policies of the development plans, as the design guide must not conflict with these in order to present a clear approach to development and therefore implement sustainable development as desired. Where an approach proposed in the UPS cannot be supported in policy it would be unsuitable to pursue that requirement as it would not be possible for the local planning authority to justify and enforce through their planning decisions.
14. The choices made over which subjects to include however is still open to some interpretation, despite the need to have compatible policies. However, in all circumstances there will need to be a justification in the choices made and the approach proposed particularly where it has been decided that a section will not be adopted, yet if implemented would have a variety of sustainability benefits, or add clarity to approach adopted.

Sustainability assessment of proposed Urban Place Supplement adoption

15. All of the UPS can still be taken into account by a developer as general advice, although the non-adopted would not be part of the development plan for Castle Point, nor would there need to be compliance of development with these sections of the UPS. In a practical sense it is likely that any developer hoping to develop a new high density housing site in Castle Point will take into account the whole UPS as a source of guidance given that they will be required to consider parts of it in designing development, although the local planning authority can only enforce those matters that are adopted and backed by policy.

16. Certain sections of the UPS and the way it is to be adopted by Castle Point raises the specific matters in terms of trying to achieve more sustainable development.
17. **Sections 1 to 3:** The adoption statement does not refer to these three sections of the UPS, and it is not entirely clear if these are to be formally adopted as part of the SPD. These sections usefully set out the purpose of the UPS and therefore add to the understanding of the document and how it should be implemented. Therefore their adoption may help to add clarity to the reason including the UPS as SPD and its role in the design of larger and high density developments.
18. If the approach in these sections is incompatible with the Local Plan and LDF this should be made clear, and given as the reason for the exclusion.
19. **Section 4:** This part of the UPS relates to an approach to designing new development based on an understanding of the surrounding situation, as part of a 'Context Appraisal'. The advantages for sustainable development of such an approach will be that new development can be properly integrated into its surroundings, with benefits for the built environment and for existing and future residents.
20. For both the Local Plan and LDF it is only the Introduction and Methodology section that are adopted (4.1 and 4.2), with the remaining subsections not to be adopted. However, sections 4.3 to 4.7 directly support to the approach as they set out how to go about completing the stages of the context appraisal. This means that there is a gap in the recommendations that context appraisal should be carried out of relevant new development but there are no adopted requirements for what this process should actually include. This situation may be difficult to justify in terms of providing comprehensive guidance that will lead to more sustainable development. In terms of sustainable development it would be preferable for the detailed sub-sections to be included to ensure that context appraisal is properly carried out and important matters are not omitted.
21. **Section 5:** This section of the UPS deals with issues of designing the form and layout of new development to improve its overall quality and contribution to sustainable development. The approaches set out here have the potential to have a variety of sustainability benefits including environmental benefits through the provision of open space for biodiversity, encouraging alternatives to car use and benefits in terms of social sustainability by encouraging the provision of play space, designing out crime and creating a more attractive places to live.
22. The scope of adoption of this section varies between the SPD for the Local Plan to the LDF, with the LDF covering many more issues related to changes proposed to policy that helps give weight to the matters included in the guidance. As addressed in the paragraph 9 to avoid missing the potential sustainability benefits of more comprehensive coverage of issues it maybe suitable to consider how these could be enforced using regional and national policy and not only restricting coverage to what can be enforce through existing Local Plan policy.

23. **Section 6:** This part of the UPS relates primarily to the design of actual buildings and how specific technologies or components can be incorporated into development to achieve various benefits for sustainable development. This includes reducing demand for energy and water through development design and technology to incorporating landscaping that will add to local biodiversity. There is also the inclusion of recommended approaches to measuring the sustainability of buildings through using agreed standards of performance.
24. Development that is implemented under the LDF version of the SPD will be required to have much greater consideration of sustainable construction matters than under the Local Plan, with many more section proposed to be adopted under the LDF. This will have clear disadvantages in terms of sustainability in the shorter term as development does not have to meet the higher standards that will be required by new policy and associated guidance. Consideration, as for section 5, as to whether it may be suitable to adopt more parts of this section using regional and national policy to enforce the approach may be suitable to achieve greater sustainability benefits, rather than relying on Local Plan policy (see paragraph 9).
25. **Section 7 and the Appendices:** This section and the appendices are not proposed to be adopted in either the SPD for the Local Plan or LDF. Section 7 focuses on scenarios for development compatible with the UPS, although perhaps it would be suitable to highlight these as good practice and recommend they are used to guide similar development in Castle Point. Similarly it may be suitable to include those appendices that would aid understanding of relevant parts of the UPS.

Summary and conclusions

26. Overall adopting the UPS as SPD should help achieve more sustainable development in Castle Point, based on up-to-date approaches in layout, design and construction of development to secure a range of benefits, particularly in terms of social and environmental sustainability.
27. This sustainability statement does raise some issues relating to the way that the adoption statement is presented, as in order to achieve sustainability benefits it will be important there is clarity for developers and those making planning decisions on the expectations from new development. For this reason it may be suitable to address more fully the relative weight that will be given to those matters that are adopted, against those that are not. In addition further clarity on exactly which parts of the UPS are adopted and which are not may aid implementation of the document.
28. The division of the adoption statement into those matters that will be adopted under the existing Local Plan and those that will be adopted under the emerging LDF is also commented on in this statement. Under the Local Plan there will be less coverage of issues than under the LDF. This misses the potential to secure design and layout of development that could lead to greater sustainability because the Local Plan policy approaches do not necessarily reflect up-to-date approaches on these matters. Therefore it is suggested that more of the UPS is adopted now, using regional and national policy to enforce the approaches adopted. Thereby ensure sustainable development can be implemented from adoption of the UPS.