

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: New Communities Portfolio Holder 8 March 2011
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager
(Planning and New Communities)

LOCAL DEVELOPMENT FRAMEWORK - ADOPTION OF HEALTH IMPACT ASSESSMENT SUPPLEMENTARY PLANNING DOCUMENT

Purpose

1. The purpose of this report is to inform the Council on the results of a public consultation exercise carried out on the Health Impact Assessment (HIA) Supplementary Planning Document (SPD), and to seek approval for this document to be formally adopted by the Council. Once adopted, the SPD will form part of the Local Development Framework and be used to help determine planning applications.
2. This is not a key decision because the SPD does not create new policy, but provides further guidance on implementing existing policy in the Council's Local Development Framework. The agreement to carry out the public consultation was taken at the meeting of the New Communities Portfolio Holder 7 October 2010.

Recommendation

3. The New Communities Portfolio Holder is invited to agree the adoption of the Health Impact Assessment SPD (the amended page of the consultation draft SPD is included in Appendix 3) and proceed in accordance with Regulations 18 and 19 (for ease of reference, Appendix 1 details the change made to the draft SPD following the consultation process).

Executive Summary

4. This report outlines the representations received on the HIA SPD that was subject to a period of public participation from October to December 2010. As a result of these representations amendments have been made to the draft SPD. The next step is to adopt the SPD when it will form part of the Local Development Framework.

Background

5. The Council has adopted a number of Development Plan Documents (DPD) that form part of the Local Development Framework. The purpose of Supplementary Planning Documents (SPD) is to expand on policies set out in DPDs and to provide additional detail. The HIA SPD that has been consulted on relates to policies contained within the adopted Development Control Policies DPD, and in the adopted Area Action Plans for Northstowe, Cambridge East, Cambridge Southern Fringe and North West Cambridge.

6. Similar to the DPDs under the European Union Strategic Environment Assessment (SEA) Directive, the Council needs to consider whether there will be any significant environmental effects of the SPD. A Sustainability Appraisal Statement was prepared for the SPD and consulted on alongside the draft SPD.
7. The six-week public consultation took place between 29 October to the 10 December 2010.

The results of the Public Consultation

8. During the consultation period 3 representations were received, 1 in support and 2 objecting to the draft SPD.
9. A brief outline of the contents of the SPD is provided below together with a summary of the main issues raised during the consultation period.

Health Impact Assessment SPD

10. The Health Impact Assessment SPD relates to Policy DP/1 Sustainable Development in the Development Control Policies DPD and policies in individual Area Action Plans for major developments that may vary from the district-wide policies. These policies seek to ensure the creation of healthy and inclusive communities and that Health Impacts on populations are adequately addressed throughout the development process.
11. The main issues raised during the public consultation include:
 - Support from NHS Cambridgeshire - in particular because it highlights the social aspects of health and the importance of social infrastructure in contributing to the mental wellbeing of a community. These are aspects that have often got overlooked in the planning process where usually only physical aspects have been considered. This aspect is further supported in the forthcoming Joint Strategic Needs Assessment (JSNA) on New Communities (2010) which contains a section on the social environment. The executive summary of this is contained in the Phase 4 Cambridgeshire JSNA Summary document that has been recently published.
 - Objection to the duplication of guidance and good practice set out in other policy documents, which will add further bureaucracy, cost and delay. PPS4 (Planning for Sustainable Economic Growth) is recent guidance and if health impact was considered to be important it would have been included as an area to address. It would go against the advice of the Killian Pretty review which notes the amount and type of information that has been needed to support planning applications has substantially increased and become more complex.
 - A suggested amendment to paragraph 2.10 to make it clear that Environmental Impact Assessment and Health Impact Assessment do not necessarily need to be integrated together in the same document.

12. A detailed schedule of all representations received on the SPD is provided in Appendix 2. The schedule provides a summary of each representation received in plan order together with the Council's assessment of them and, where appropriate, proposes amendments to the text of the draft SPD.

Adoption Process

13. The SPD has been prepared in compliance with the legislative and regulatory requirements for the preparation of SPDs and is now ready for adoption. The New Communities Portfolio Holder is recommended to adopt the SPD as amended, (the amended page is contained in Appendix 3). Once adopted, the SPD will become part of the Local Development Framework.
14. Following the enactment of the Planning Act 2008 and a change to the Regulations in 2009 there is no longer a requirement to carry out a Sustainability Appraisal (SA) of the social, environmental and economic effects of the proposals contained within the SPD. However, under the European Union Strategic Environment Assessment (SEA) Directive, the Council still needs to consider whether there will be any significant environmental effects of the SPD. Given the parent policies in the DPDs have been fully appraised, and SPDs cannot create new policy, it is considered unnecessary to undertake an SA / SEA of the SPD. A statement to this effect has been prepared and was published alongside the draft SPD.
15. The Habitats Directive (Council Directive 92/43/EEC) sets out the requirement for Assessment of plans or projects affecting Natura 2000 sites¹. The first stage in carrying out an HRA is the scoping report which identifies the likely impacts upon a Natura 2000 or Ramsar site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. If it is found that there is not likely to be a significant impact then a full Appropriate Assessment would not need to be carried out. Each of the DPDs containing the parent policies for the SPDs has been found to have no likely significant impact. Given the parent policies in the DPDs have been fully appraised, and SPDs cannot create new policy, it is considered unnecessary to undertake an assessment of the SPD. A statement to this effect was prepared and published alongside the draft SPD.
16. No objections were received to the Sustainability Appraisal and Habitat Regulations Assessment Statements and they can be published alongside the adopted SPD.
17. As with the DPD plan making process, the new system allows for any person aggrieved by the SPD may apply to the High Court for permission to apply for judicial review of the decision to adopt the SPD. Any such application for leave must be made promptly and in any event not later than 3 months after the date on which the SPD was adopted.

Implications

¹ Natura 2000 is a Europe-wide network of sites of international importance for nature conservation established under the European Council Directive 'on the conservation of natural habitats and of wild fauna and flora' – (92/43/EEC 'Habitats Directive').

18. By adopting the SPD there will be increased clarity in the implementation of the related DPD policies and this will assist officers when giving advice to developers and applicants since the development process will be more understandable.

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| 19. | Financial | Within existing budgets |
| | Legal | None |
| | Staffing | The SPD will assist officers by providing developers and applicants with greater detail as to what is expected in submitting planning applications so making it quicker to process applications. |
| | Risk Management | No significant risks. |
| | Equal and Diversity | The SPD has been subject to an Equality Impact Assessment. |
| | Equality Impact Assessment completed | Yes http://www.scambs.gov.uk/CouncilAndDemocracy/Equality/equalityimpactassessments.htm The EqIA has been shown to have a neutral or slight positive impact on Equal Opportunities. |
| | Climate Change | The SPD supports sustainable development. |

Consultations

20. The draft SPD has been prepared in consultation with the relevant specialist officers within the Council prior to being agreed for consultation. As part of the public consultation letters were sent to a range of relevant organisations and also included a CD-Rom, containing both draft SPD and related documents.

Effect on Strategic Aims

21. **Commitment to being a listening council, providing first class services accessible to all.** The consultation on the SPD enabled the Council to receive comments on the document's contents from the health sector providers, developers, house builders, other interested parties and the general public.
22. **Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.** Development has the potential to impact on people's health and wellbeing, both directly and indirectly. The Council's Local Development Framework includes a number of policies aimed at creating sustainable developments and inclusive communities. One of the requirements, for Health Impact Assessments to be undertaken for major developments, should ensure that the implications for health are fully considered in the development process. The SPD provides guidance on the production of Health Impact Assessments of development proposals to identify potential effects on health in order to enhance the benefits for health and minimise any risks to health.
23. **Commitment to making South Cambridgeshire a place in which residents can feel proud to live.** Development has the potential to impact on people's health and wellbeing, both directly and indirectly. The Council's Local Development Framework includes a number of policies aimed at creating sustainable developments and inclusive communities. One of the requirements, for Health Impact Assessments to

be undertaken for major developments, should ensure that the implications for health are fully considered in the development process. The SPD provides guidance on the production of Health Impact Assessments of development proposals to identify potential effects on health in order to enhance the benefits for health and minimise any risks to health.

24. **Commitment to assisting provision for local jobs for all.** N/A
25. **Commitment to providing a voice for rural life.** The SPD was subject to consultation with local stakeholders to enable the Council to receive comments on the document's contents from developers, house builders, other interested parties and the general public.

Conclusions / Summary

28. This report outlines the representations received on the HIA SPD that was subject to a period of public participation from October to December 2010. As a result of these representations amendments have been made to the draft SPD. The next step is to adopt the SPD when they will form part of the Local Development Framework.

Background Papers: the following background papers were used in the preparation of this report:

Health Impact Assessment Supplementary Planning Document (Consultation Draft October 2010) <http://www.scambs.gov.uk/Environment/Planning/DistrictPlanning/LocalDevelopmentFramework/SPDs/HIASPD.htm>
Sustainability Appraisal Statement (October 2010)
Habitats Regulations Assessment Statement (October 2010)

Appendices:

- Appendix 1 Changes to the Health Impact Assessment SPD.
- Appendix 2 Schedule of comments received and Council's response.
- Appendix 3 Health Impact Assessment SPD (amended page only).

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