

MID ULSTER

**Sustainability Assessment Incorporating Strategic Environmental
Assessment**

2 June 2015

Purpose: To provide the Mid Ulster Council with an overview of Sustainability Assessment and Strategic Environmental Assessment, their statutory underpinning and their implications for land use planning within Mid Ulster District Council Area.

Content: The paper provides information on:

- (i) an explanation of the requirements for and purpose of Sustainability Assessment and Strategic Environmental Assessment and identification of suggested indicators for the Assessment;**
- (ii) the requirement to establish a Multi-Disciplinary Steering Group;**
- (iii) a timetable of work and meetings to produce the SA Interim report.**

Recommendation: That the Council consider the findings and agree the setting up of a Multi-Disciplinary Steering Group and agree on who the members shall be.

1.0 Introduction

1.1 The Regional Development Strategy 2035 (RDS) defines sustainable development as ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’¹. The RDS therefore places the onus on the Mid Ulster Council to address the economic, social and environmental issues aimed at achieving sustainable development and social cohesion. To set Mid-Ulster Council on a more sustainable track, we must know what we are aiming for. The Executive’s Sustainable Development Strategy (May 2010) ‘Everyone’s Involved’ set out six principles as follows:

- Living within environmental limits;
- Ensuring a strong, healthy, just and equal society;
- Achieving a sustainable economy;
- Promoting good governance;
- Using sound science responsibly; and
- Promoting opportunity and innovation.

¹ Regional Development Strategy 2035 Glossary, P.109

- 1.2 The idea behind the above principles is the desire to ensure that everybody in our society enjoys a better quality of life both now and in the future. In order to achieve this it is important to integrate these principles of sustainable development into the plan and policy making process.
- 1.3 The Mid Ulster Council intend to have a timetable for its forthcoming Local Development Plan ready by early 2016. The Local Development Plan will set out the rules for how the area will develop over time. The Local Development Plan, along with any neighbourhood plans, will form the overall development plan for the Mid Ulster Council Area. The Local Development Plan will, once adopted, guide development throughout the Council area.
- 1.4 The production of the Local Development Plan, however cannot operate in isolation. The European Union introduced a statutory requirement that all plans and programmes that are likely to have a significant environmental effect must be subject to an environmental appraisal. More commonly referred to as a Strategic Environmental Assessment (SEA).

2.0 Legislative Context

- 2.1 Section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 requires all NI Departments and District Councils, in exercising their functions, to act in the way they consider best calculated to contribute to the achievement of sustainable development. Section 5 of the Planning Act (NI) 2011 reaffirms this duty by requiring those who exercise any function in relation to local development plans to do so with the objective of furthering sustainable development.
- 2.2 Furthermore, Sections 8(6) and 9(7) of the Planning Act (NI) 2011 require an appraisal of sustainability to be carried out for the Plan Strategy and Local Policies Plan, respectively. As the sustainability appraisal (SA) for each of these development plan documents will incorporate an assessment of environmental effects, it must also comply with the requirements of the European Directive 2001/42/EC on the assessment of effects of certain plans and programmes on the environment (SEA Directive) .
- 2.3 European Union Directive ‘2001/42/EC’ states that an SEA is mandatory for plans/programmes which are:
‘are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and which set the framework for future development consent of projects listed in the EIA Directive.’²

² European Commission – Environment, 4th March 2015, <http://ec.europa.eu/environment/eia/sea-legalcontext.htm>

2.4 For Northern Ireland this Directive was transposed in the form of the 'Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004.'³ Mid Ulster's proposed Local Development Plan constitutes a qualifying plan under this European Directive and regional legislation and as such it is a statutory requirement to undertake an SEA of the plan.

3.0 Purpose of SA, incorporating SEA

3.1 A sustainability appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Development Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.

3.2 The latter point highlights an important distinction between SA and SEA. The main difference between the two is that the SA has a wider scope as it covers the social and economic effects of the plans, as well as the more environmentally focused considerations of the SEA.

3.3 Similar to SEA, SA must be carried out from the outset and in parallel with the local development plan preparation process. Whilst the requirement to carry out a SA and SEA are distinct, it is possible to satisfy both these requirements through a combined appraisal process. SA should help to improve the quality of the plan making process by:

- Raising awareness of the social, economic and environmental impacts of the plan;
- Facilitating the identification and assessment of reasonable alternatives for the plan;
- Demonstrating that the plan is the most appropriate given the reasonable alternatives;
- Providing transparency in the decision making process and facilitating public participation;
- Facilitating the effective monitoring of implementation of the plan.

3.4 SA must be an integral part of the plan making process and perform a key role in providing a sound evidence base for the plan which will play an important part in demonstrating if a development plan document is 'sound'.

3.5 The purpose of the SEA is to highlight any significant negative effects that land use change and development, brought about by the policies and proposals

³ Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004
http://www.legislation.gov.uk/nisr/2004/280/pdfs/nisr_20040280_en.pdf

contained within the proposed Local Development Plan, may have on the environment only.

3.6 SEA is a key component of sustainable development, establishing important methods for protecting the environment and extending opportunities for public participation in decision making. SEA achieves this by:

- Systematically assessing and monitoring the significant environmental effects of councils strategies, plans and programmes;
- Ensuring that expertise and views are sought at various points in the process from Northern Ireland Environment Agency, and the public;
- Requiring a public statement as to how opinions have been taken into account.

3.7 A key output of the SEA is the production of the Environmental Report. The Environmental Report describes the outcome of the SEA. This involves an evaluation of the likely environmental effects of implementation and non-implementation of the Local Development Plan, including an assessment of 'realistic alternative' approaches.⁴ The Report also suggests measures to minimise potentially adverse environmental effects of implementing the Local Development Plan.

3.8 By establishing the current environmental status of the area through the baseline data, the council will be much better placed to predict and monitor environmental effects and also better placed to identify environmental problems. Through the identification of clear objectives, measured against achievable, tangible targets the council will be equipped to consider alternative ways of dealing with any problems identified.

3.9 The Environmental Report must be made available at the same time as the draft Local Development Plan, as an integral part of the consultation process. The Environmental Report and the responses to the consultations must be taken into account during the preparation of the area plan before the final decision is taken to adopt it.⁵ and must take account of relationships between the plan and other relevant policies, plans, programmes, such as the RDS, and a Strategic Planning Policy Statement for Northern Ireland (SPPS).

⁴ The Environmental Assessment of Plans and Programmes Regulations (NI) 2004, Schedule 2 (6), sets out a list of issues that the council must have due regard to when determining the likely significant effects of the local development plan. These are; biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage assets, landscape and the interrelationship between the above factors.

⁵ *ibid*, Article 8

4.0 Establishing the Baseline and Deciding on the Scope

- 4.1 Scoping is the process used to set the context of the SA /SEA, define the study area, identify key environmental, economic and social baseline information within the study area and agree on the method that will be used to assess the Plan. The main output from this stage is the Scoping Report which will be issued to statutory consultees for formal comment and they will have 8 – 12 weeks to respond. Prior to the publishing of the Scoping report a pre-scoping exercise will be carried out over the course of late 2015. The scoping of the SA / SEA will involve establishing a Multi-Disciplinary Steering Group where key stakeholders, including NIEA and heads of council services among others, will be invited to discuss the content of the Scoping Report, including its coverage of environmental, economic and social topics and the associated assessment method.
- 4.2 In addition formal comment on the scope of the SA / SEA may be required from other transboundary statutory authorities. These are the other devolved administrations and other bordering countries (the Republic of Ireland). The responses from the scoping workshop will inform this report and statutory consultees will be further integrated into the next stages of the SA / SEA process where appropriate.
- 4.3 It is also the Council's duty to compile the background information needed for an SEA. The Council's Conservation and Environment Team, through liaison with the Northern Ireland Environment Agency and various other bodies, has been compiling this baseline data for the SEA since the formation of the new council area. The purpose of this information gathering has been to ensure the integration of the SEA into the preparation process for the Local Development Plan. This baseline information has been focused upon the SA topic areas / objectives to provide the evidence base and help inform the subsequent appraisal process (See Appendix II). This data gathering exercise is ongoing. Guidance provided by the Department in DPPN4⁶ provides an example of an SA Framework and it is recommended that this framework be used as a starting point to set the objectives for the SA / SEA for this area.

5.0 Creation of a Multi-Disciplinary Steering Group

- 5.1 The first stage in undertaking SEA / SA is to establish any likely significant effects of implementing the plan and this will provide the basis for the preparation of a scoping report. The scoping report will provide the evidence base to inform the appraisal, it will establish the SA framework for undertaking the appraisal and through which seek agreement with the Consultation Body.

⁶ Department of the Environment, Development Plan Practice note 4, *Sustainability Appraisal incorporating Strategic Environmental Assessment* (April 2015)

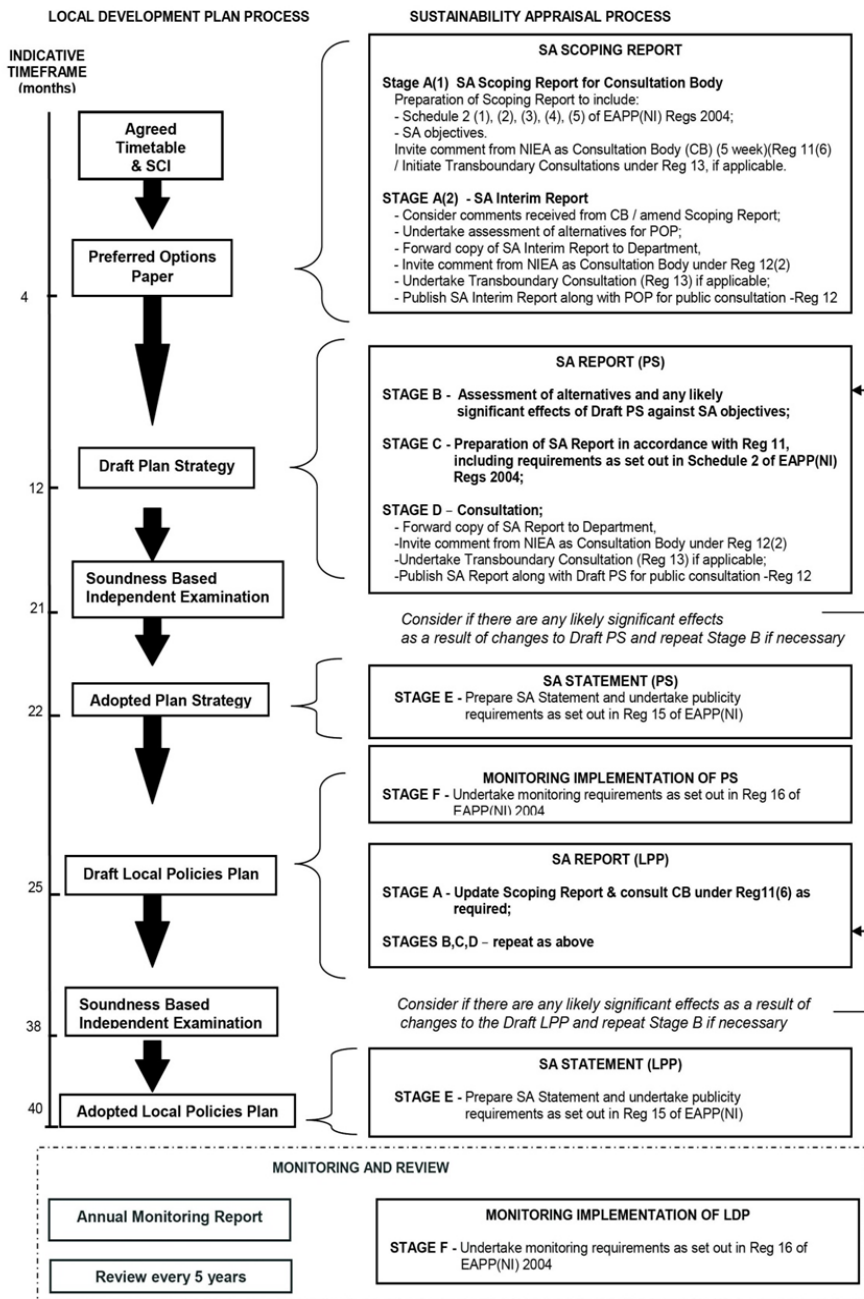
- 5.2 The scoping report is a useful means to set out the evidence base and framework of sustainability objectives against which the social, economic and environmental effects of implementing the draft plan can be appraised. In order to establish and tailor where necessary the agreed framework for the appraisal of the area plan it will be necessary for the Council to agree the creation of a Multi-Disciplinary Steering Group.
- 5.3 The steering group should be comprised of representatives of the key stakeholders involved in the development plan process. The steering group should therefore include;
- Mid Ulster Council Director of Business & Communities, Director of Culture and Leisure, Director of Environment and Property, Director of Public Health and Infrastructure.
 - NIEA Historic Environment Division,
 - NIEA Natural Environment Division,
 - NIEA Water management Unit
 - Shared Environmental Service,
 - Transport NI,
 - DCAL Inland Waterways and Fisheries,
 - Loughs Agency,
 - DARD Rivers Agency,
 - NI Water,
 - DETI/Invest NI,
 - NIHE.
- 5.4 This multi-disciplinary steering group will play a key role in the formulation of the SA objectives and the indicators that will be chosen in order to adequately monitor the effectiveness of the plan. The steering group will also decide on the structure and level of detail of the subsequent Interim SA report on the draft plan.

6.0 Suggested Timetable of Work

- 6.1 In order to achieve these goals it is recommended that the following timetable of work is adopted;
- (i) An initial meeting of the Multi-Disciplinary Steering Group to take place in September 2015. The purpose of this meeting will be to draft a list of Baseline Indicators that will be used to review how the Mid Ulster Local Development Plan may impact on the area in terms of the environmental, economic and social wellbeing of its citizens. It will also agree a draft list of baseline indicators that will demonstrate the effectiveness of the plan.
 - (ii) The key consultees and the Directors will be asked to comment on the compilation and content of the Scoping Report and also on the Baseline Information. It should be agreed that this information must be supplied in writing prior to the next steering group meeting.

- (iii) A second meeting of the Multi-Disciplinary Steering Group to take place in January 2016. As a result of the ongoing correspondence mentioned previously the purpose of this meeting will be to agree a draft scoping report. In consultation with the DOE, consideration will be given as to whether an Environmental Statement is needed, together with the scope of the report. A formal determination will be made by Dr Boomer on behalf of the Mid Ulster council within 28 days of the publication of the plan timetable and Statement of Community Involvement (SCI). A press notice and publication on the council website of this determination will occur simultaneously with the timetable and SCI. Copies of the scoping report and any background documents will also be published.
- (iv) A five week period will then be allowed for the Consultation Body and other consultees to make comment on the draft SA Scoping Report before it is finalised.
- (v) A third meeting of the Multi-Disciplinary Steering Group to take place to discuss and finalise the SA Interim Report that will identify and evaluate the likely significant effects on the environment of implementing the plan and also 'reasonable alternatives'.

Appendix I – Local Development Plan and SA preparation process



Appendix II – SA Themes, Objectives and Indicators

SA Theme		Objective	Decision Making Criteria	Suggested Indicators
Social	Prosperity and Social Inclusion	To reduce poverty and social exclusion	Will it reduce poverty and social exclusion, in particular in those areas most affected?	<ul style="list-style-type: none"> • Average income • Unemployment figures • Most deprived wards (NI Multiple Deprivation Measure) • Increase in average life expectancy • Health deprivation and disability (NIMDM) • A & E distance/travel times • Proportion of people claiming Disability Living Allowance • Number of doctors surgeries, health facilities • Noise nuisance (Environmental Health Data) • Government statistics for those in F/T, P/T education both academic and vocational
	Health and Wellbeing	To improve the health and wellbeing of the population	Will it improve affordability of essential services?	
			Will it improve access to high quality health care?	
			Will it encourage healthy lifestyles and provide opportunities for sport and recreation?	
			Will it reduce health inequalities?	
			Will it improve physical and mental health?	
			Will it reduce noise levels and concerns?	
	Education and Skills	To improve the education and skills of the population	Will it improve qualifications and skills of the population?	
			Will it improve access to high quality educational facilities?	
			Will it help fill key skill gaps?	

Housing	To provide everybody with the opportunity to live in a decent home	Will it increase access to affordable housing?	<ul style="list-style-type: none"> • Housing Growth Indicators • Recognised village by village Social Housing needs (NIHE) • Number of housing completions by dwelling type, size and density • Homelessness figures • National and local crime statistics (NISRA) • Crime rate figures (NISRA) • The provision of new shared community facilities • The provision of new health, education facilities • The provision of new public transport routes
		Will it encourage a range of dwelling type, size and tenure?	
		Will it reduce homelessness?	
Crime Prevention and & Community Safety	To reduce crime and anti-social activity	Will it reduce actual levels of crime?	
		Will it reduce the fear of crime?	
Community Identity	To encourage a sense of community; identity and welfare	Will it encourage engagement in community activities?	
		Will it foster satisfaction and a sense of pride in the local area?	
		Will it increase the ability of people to influence decisions?	
		Will it improve ethnic relations?	
		Will it improve understanding between different communities of their respective needs and concerns?	
		Will it encourage people to respect and value their contribution to society?	
Accessibility	To improve accessibility to key services especially for those most in need	Will it improve the level of investment in key community services?	
		Will it make access more affordable?	

			Will it make access easier for those without access to a car?		
Environmental	Traffic	To reduce the effect of traffic on the environment	Will it reduce traffic volumes and congestion?	<ul style="list-style-type: none"> • Average distance / time travelled to work or school • Percentage of population travelling to Work or school by means of public Transport (or non-mechanical) • Traffic volume figures • Traffic congestion figures 	
			Will it increase the proportion of journeys using modes other than the car?		
			Will it encourage walking and cycling?		
	Water Quality & Resources	To improve water quality; conserve water resources and provide for sustainable sources of water supply	Will it improve the quality of surface and ground water?		<ul style="list-style-type: none"> • National water quality figures (NIEA) • Water consumption figures (NI Water Data) • Air quality data
			Will it reduce water consumption and improve water efficiency?		
	Air Quality	To improve air quality	Will it improve air quality?		
			Will it help achieve the objectives of the Air Quality Management Plan?		
			Will it reduce emissions of key pollutants?		
	Biodiversity	To conserve and enhance biodiversity	Will it conserve and enhance habitats of borough or local importance and create habitats in areas of deficiency?		
			Will it conserve and enhance species diversity; and in particular avoid harm to protected species?		
			Will it conserve and enhance sites designated for their nature conservation interest at the regional or national level?		

		Will it protect and enhance woodland cover and trees and promote their management?	
		Will it improve access to and promote the educational value of sites of biodiversity value?	
Landscape & Townscape	To maintain and enhance the character and quality of landscapes and townscapes	Will it improve the landscape character and visual amenity of open spaces?	<ul style="list-style-type: none"> • Areas of landscape quality • Protection and enhancement of green spaces within towns and villages • Number of Conservation Areas, Areas of Townscape Character
		Will it enhance the quality of priority areas for townscape and public realm enhancements?	
		Will it protect and enhance local distinctiveness and sense of place?	
		Will it minimise visual intrusion and protect views?	
		Will it decrease litter in urban areas and open spaces?	
Historic Environment & Cultural Assets	To conserve and, where appropriate, enhance the historic environment and cultural assets	Will it protect and enhance Conservation Areas and other sites, features and areas of historical and cultural value?	<ul style="list-style-type: none"> • Number of conservation areas scheduled monuments and listed buildings (and those at risk) • Number of unauthorised developments occurring resulting in the full or partial loss of listed building
		Will it protect listed buildings and their settings?	
		Will it help preserve, enhance and record archaeological features and their settings?	
Climate Change	To reduce contributions to climate change and	Will it reduce emissions of greenhouse gases by reducing energy consumption and the need to travel?	<ul style="list-style-type: none"> • Percentage of energy from renewable sources • Energy consumed by type • Percentage of energy from renewable sources – by type • Carbon dioxide emissions

	reduce vulnerability to climate change	<p>Will it lead to an increased proportion of energy needs being met from renewable sources?</p> <p>Will it reduce emissions of ozone depleting substances?</p> <p>Will it minimise the risk of flooding from rivers and watercourses to people and property?</p> <p>Will it reduce the risk of damage to property from storm events?</p>	<ul style="list-style-type: none"> • CfC emissions • Percentage of land at 'significant' of Flooding
Waste Management	To minimise the production of waste and use of non-renewable materials	<p>Will it help reduce the impact of increased urban temperatures on people and property?</p> <p>Will it lead to reduced consumption of materials and resources?</p> <p>Will it reduce household waste?</p> <p>Will it increase waste recovery and recycling and improve facilities?</p> <p>Will it reduce hazardous waste?</p> <p>Will it reduce waste in the construction industry?</p>	<ul style="list-style-type: none"> • Recycling targets • Council recycling figures
Land and Soil	To conserve and enhance land quality and soil resources	<p>Will it minimise development on greenfield sites?</p> <p>Will it ensure that, where possible, new development occurs on derelict; vacant and underused previously developed land and buildings?</p>	<ul style="list-style-type: none"> • Proportion of development on brownfield sites • Proportion of development within the urban footprint • Proportion of development on brownfield sites • Proportion of development within the

Economic			Will it ensure contaminated land is remediated as appropriate?	<ul style="list-style-type: none"> urban footprint DARD classes of land quality (Agricultural Land Classification NI) Business start-up figures (DETI, NISRA) Economic activity rates Amount of employment floorspace created through planning permissions Area of employment land lost to housing or other uses National unemployment figures Amount of employment floorspace Created through planning permissions Employment activity rates Average income figures Proportion of development on brownfield sites Amount of employment floorspace
			Will it minimise the loss of soils to development and maintain and enhance soil quality?	
			Will it reduce the risk of subsidence and heave?	
	Economic Growth	To encourage sustainable economic growth	Will it encourage new business start-ups and opportunities for local people?	
			Will it improve business development and enhance productivity?	
			Will it improve the resilience of business and the local economy?	
			Will it promote growth in key sectors?	
			Will it promote growth in key clusters?	
			Will it enhance the image of the area as a business location?	
	Employment	To offer everybody the opportunity for rewarding and satisfying employment	Will it reduce short and long-term local unemployment?	
			Will it provide job opportunities for those most in need of employment?	
			Will it help to improve earnings?	
	Regeneration	To reduce disparities in economic performance and promote sustainable regeneration	Will it promote regeneration, reducing disparity with surrounding areas?	

Investment	To encourage and accommodate both indigenous and inward investment	Will it encourage indigenous business?	<p>created through planning permissions</p> <ul style="list-style-type: none"> • Average distance travelled to work or school • Percentage of population travelling to Work or school by means of public Transport (or non-mechanical) • Percentage of population travelling to Work or school by means of public Transport (or non-mechanical) • Bus station usage figures • Proportion of households with hourly or better daytime bus service to district or City Centre
		Will it encourage inward investment?	
		Will it make land and property available for business development?	
Efficient Movement	To encourage efficient patterns of movement in support of economic growth	Will it reduce commuting?	
		Will it improve accessibility to work by public transport; walking and cycling?	
		Will it improve access between key employment areas and key transport interchanges?	
		Will it encourage rail and water based freight movement?	
Source: Adapted from Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents, ODPM, 2005			