



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

Newark & Sherwood Local Development Framework

Draft Shopfronts and Advertisements Design Guide Supplementary Planning Document (SPD)

SUSTAINABILITY APPRAISAL SCREENING REPORT

June 2014

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Sustainability Appraisal Screening Report

Shopfronts and Advertisements Supplementary Planning Document

1. Introduction

- 1.1 The District Council has produced a draft Shopfronts and Advertisements Supplementary Planning Document (SPD) to supplement the policies within the Newark and Sherwood Local Development Framework (LDF).
- 1.2 Sustainability Appraisal (SA) is a tool that is used to improve the sustainability of LDF documents. It uses a range of sustainability objectives and indicators to test whether the plans, policies and proposals can deliver sustainable development. SA can be viewed as a yardstick against which the social, economic and environmental effects of the plan can be tested. Integrated into the SA are the requirements of the Strategic Environmental Assessment (SEA) Directive¹. However, the SA covers wider social and economic effects of plans, as well as the more environmentally-focused considerations in the SEA Directive.
- 1.3 The Planning and Compulsory Purchase Act 2004 required that all Local Development Documents, including DPDs (now local plans) and SPDs be subject to SA prior to publication. Alterations to Section 19(5) of the 2004 Act under the Planning Act 2008 removed the requirement for local authorities to produce an SA for SPDs. The rationale behind this is that SPDs do not contain any new policies, but provide supplementary guidance relating to policies set out in overarching local plans that have been subject to SA.
- 1.4 A SPD may, however, occasionally be found likely to give rise to significant effects which have not been formally assessed in the context of a higher-level planning document. Therefore, local authorities need to screen their SPDs to ensure that legal requirements for SA are met where there are impacts that have not been covered in the appraisal of the parent plan or where an assessment is required by the SEA Directive.
- 1.5 The District Council does not believe that a SA/SEA is likely to be required for the purpose of the draft Shopfronts and Advertisements SPD as outlined in this report and sets out the assessment on which the Council's screening opinion is based.

¹ European Directive 2001/42/EC transposed into United Kingdom law by the Environmental Assessment of Plans and Programmes Regulations 2004

2. Shopfronts and Advertisements SPD

- 2.1 The draft Shopfronts and Advertisements SPD will replace the existing Shopfronts and Advertisements SPD which was adopted in May 2009, and should be read alongside other LDF documents, particularly the Core Strategy Development Plan Document

(DPD) and the Allocations & Development Management DPD. The primary purpose of the new SPD is to promote excellence in the design of shop frontages, signage and advertisements within historic areas and to provide guidance on which types of development are appropriate.

- 2.2 The SPD provides guidance on the interpretation and implementation of adopted LDF policies. Core Policy 9 'Sustainable Design' and Core Policy 14 'Historic Environment' from the Core Strategy are referred to in the SPD. From the Allocations and Development Management DPD, Policy DM5 'Design', Policy DM 12 'Presumption in Favour of Sustainable Development' and in particular Policy DM9 'Protecting and Enhancing the Historic Environment' are relevant to the SPD. Policy DM9 refers specifically to 'shopfronts of high architectural or historical value' and says that relevant proposals will be assessed in accordance with a Shopfronts and Advertisements Design Guide SPD, and therefore DM9 should be regarded as the primary enabling policy that the SPD expands upon.

3. Strategic Environmental Assessment

- 3.1 Firstly, the screening process ascertains whether the draft Shopfronts and Advertisements SPD gives rise to significant environmental effects, using the criteria set out in Annex II of the SEA Directive 2001/42/EC and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2 Paragraph 10 of the SEA Directive only requires SEA for plans which 'determine the use of small areas at a local level' or, which are 'minor modifications' to plans, when these are determined to be likely to cause significant environmental effects. Therefore the criteria for determining the likely significance of effects as listed in SEA Directive 2001/42/EC Annex II and the Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 have been reviewed to determine whether the exception applies to the draft Shopfronts and Advertisements SPD.
- 3.3 Appendix 1 sets out the assessment of the contents of the draft Shopfronts and Advertisements SPD against the SEA criteria. The results of the assessment clearly demonstrate that the SPD should not be subject to a SEA. The SPD merely provides further guidance on existing policies from LDF documents which have already been subject to SEA.

4. Sustainability Appraisal

- 4.1 Government guidance (Office of Deputy Prime Minister - Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (2005)) suggests that where the authority has made a determination that the plan is unlikely to have any significant environmental effects (and is therefore exempt from the SEA directive) it must consider whether there are likely to be any significant economic or social effects.

- 4.2 Secondly, the screening process therefore considers whether the draft Shopfronts and Advertisements SPD gives rise to significant social and economic effects. If these have been formally assessed in the context of the higher-level policies in local plans, it is unlikely that significant social and economic effects arise from the draft Shopfronts and Advertisements SPD.
- 4.3 The Allocations & Development Management DPD, which contains the primary enabling policy for the SPD, as well as the Core Strategy DPD, were appraised during their preparation and the appraisal results were reported in Sustainability Appraisal Reports. The SAs for those plans assessed their policies against a range of social, economic and environmental ‘sustainability objectives’ using a range of indicators to consider the contribution that each policy makes towards the achievement of each sustainability objective.
- 4.4 The results of the Appraisal for Policy DM9 are summarised below. The social and economic effects of the LDF policy that the draft SPD draws from primarily have been considered against the sustainability objectives of the Allocations & Development Management DPD Sustainability Appraisal.

Policy	Commentary
Policy DM 9 – Protecting and Enhancing the Historic Environment	This policy was assessed against the 14 Sustainability Objectives set out in Appendix 2. The assessment shows that the policy contributes positively overall to the Objectives. For seven of them, the assessment was that the policy supports the objective, but the beneficial impact may be minor. For six of them, the policy had no impact or the effect was neutral. For the tenth criterion, the conclusion of the SA was: ‘uncertain or insufficient information on which to base the assessment at this stage’. Policy DM9 is clearly in line with the priorities that underlie the Objectives.

Conclusion

- 5.1 The draft Shopfronts and Advertisements SPD does not determine the use of land or constitute a minor modification to a plan. Based on the assessment in Appendix 1, it is demonstrated that the draft SPD does not give rise to significant environmental effects.
- 5.2 The draft Shopfronts and Advertisements SPD does not give rise to significant social and economic effects. Based on the review in Appendix 2, it is demonstrated that social and economic effects that are likely to arise from the draft SPD have been formally assessed in the context of the Core Strategy and the Allocations and Development Management DPD, and no significant environmental effects have been identified that have not already been mitigated.

Appendix 1

Schedule 1 Criteria	
The characteristics of the Draft Shopfronts and Advertisements SPD having regard to	
(1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD does not introduce new policy, but rather provides guidance on the interpretation and implementation of existing LDF policies. These policies are set out in the Core Strategy and the Allocations & Development Management DPDs, both of which have been subject to Sustainability Appraisals (including SEA assessment). The SPD is merely a design guide; it is the existing LDF policies, as well as national policies and regulations, which set the framework for projects and other activities.
(1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD will provide detailed local guidance for shopfronts and advertisements in accordance with local and national policies and regulations. It is influenced by other higher tier plans rather than influencing other plans itself.
(1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>The SPD has relevance to the integration of environmental considerations and the promotion of sustainable development in so far as promoting high standards of design and incorporating inclusive access into designs as far as possible is relevant to this.</p> <p>Sustainable development can be viewed as having three aspects: environmental, social and economic. The promotion of good design and inclusive access to shops within the District could be seen as contributing to all three of these aspects.</p> <p>The purpose of the SPD, however, is to provide additional guidance on the policies within the Council's Core Strategy and Allocations & Development Management DPDs.</p>

	District policies aimed at addressing environmental matters, in particular those aimed at promoting sustainable development, are set out within these documents. The SPD provides additional guidance on the application of these policies, but the requirement for integrating environmental considerations is set in the LDF.
(1d) Environmental problems relevant to the plan or programme; and	The SPD itself only supplements adopted policy and does not introduce new policy. Policies seeking to address environmental problems within the District are set out in the Core Strategy and Allocations and Development Management DPD. There are no environmental problems that are specifically relevant to the SPD only.
(1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The draft SPD is limited in its scope to providing guidance on the design of shop fronts and advertisements, in the light of existing policies.
Characteristics of the effects and of the area likely to be affected, having regard, in particular to	
(2a) the probability, duration, frequency and reversibility of the effects;	The draft SPD provides guidance on the design of shop fronts and advertisements. There are many shops and places for advertisements in the District so the probability is high. The consideration of frequency and duration is of little relevance. Any shop can be redesigned endlessly and any advertisement replaced or removed so the reversibility is high.
(2b) the cumulative nature of the effects;	The cumulative effects of the SPD, if any, should be to maintain and improve the design of shopfronts and advertisements within the District.
(2c) the trans-boundary nature of the effects;	The effects of the SPD are likely to be limited to the District.
(2d) the risks to human health or the environment (for example, due to accidents);	The guidance contained within the SPD presents no risks to human health or the environment. The guidance may make a small contribution to reducing the risk of accidents through its promotion of inclusive access to buildings. The guidance may also make

	a small contribution to improving the environment by promoting good design.
(2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The population of the District is approximately 115,000 and its area is around 65,181 hectares. Visitors will also use shops within the District and may therefore be affected by the guidance within the SPD. The SPD focuses primarily on historic areas and buildings. There are 47 Conservation Areas within the District and 1387 listed buildings. The SPD provides guidance on design and on existing policies rather than introducing policy, so any effects of the SPD could be seen as being effects of the wider LDF.
(2f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	The SPD supplements adopted policies that have been subjected to Sustainability Appraisals. The guidance within the SPD is likely to be applied mostly in built-up areas, in particular historic areas within Newark and Southwell. These areas could be seen as valuable and vulnerable due to cultural heritage, but not because of special natural characteristics; exceeded environmental quality standards or limit values; or intensive land use. The application of the guidance within the SPD is likely to make a positive contribution to the maintenance and enhancement of cultural heritage
(2g) the effects on areas or landscapes which have a recognised national, Community or protection status	The SPD only supplements and provides additional guidance on the policies contained in the Core Strategy and Allocations and Development Management DPDs which have been subjected to Sustainability Appraisals. The application of the guidance in the SPD is not expected to have significant effects on protected or locally important natural areas or landscapes. The effects of the guidance in the SPD will be to promote good design in local shopfronts and advertisements which may lead to the maintenance and enhancement of the appearance of

	Conservation Areas and listed buildings.
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Appendix 2

Sustainability Appraisal of Policy DM 9 of the Newark & Sherwood Allocations and Development Management DPD:

Key performance:

- +++ Strong and significant beneficial impact
- ++ Potentially significant beneficial impact
- + Supports objective, but beneficial impact may be minor
- 0 Policy has no impact or effect is neutral
- ? Uncertain or insufficient information on which to base the assessment at this stage
- Conflicts with objective and may have adverse impacts
- – Potentially significant adverse impact
- – – Strong and significant adverse impact

Objective:	
To ensure that the housing stock meets the housing needs of the District	0
To improve health and reduce health inequalities	0
To provide better opportunities for people to value and enjoy the District's heritage	+
To improve community safety, reduce crime and the fear of crime	0
To promote and support the development and growth of social capital across the District	0
To increase biodiversity levels across the District	0
To protect and enhance the rich diversity of the natural, cultural and built environmental and archaeological assets of the District	+
To manage prudently the natural resources of the District including water, air quality, soils and minerals	+
To minimise waste and increase the re-use and recycling of waste materials	+
To minimise energy usage and to develop the District's renewable energy resource, reducing dependency on non-renewable sources	?
To make efficient use of the 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	0
To create high quality employment opportunities	+
To develop a strong culture of enterprise and innovation	+
To provide the physical conditions for a modern economic structure, including infrastructure to support the use of new technologies	+

