

Sustainability Appraisal of the Southend-on-Sea Planning Obligations: a guide to Section 106 and Developer Contributions

Supplementary Planning
Document

November 2009



Contents

- 1 Introduction
- 2 Method of sustainability appraisal
- 3 The character of the Borough and the Sustainability Framework
- 4 Sustainability appraisal – implementing planning obligations
- 5 Sustainability appraisal – sustainable communities criteria
- 6 Summary

Appendix 1: Comparison of Sustainable Communities Criteria for the Southend-on-Sea Planning Obligations SPD compared to the Sustainability Objectives of the Sustainability Appraisal

1 Introduction

- 1.1 This document is a report of the sustainability appraisal (SA) of the Supplementary Plan Document (the SPD) titled 'Planning Obligations: A guide to Section 106 and Developer Contributions' (November 2009).
- 1.2 Sustainability appraisal (SA) is the process by which the influence that a plan or programme may have is assessed according to its likely contribution to the desirable environmental, economic and social objectives that are embraced by a concern to achieve greater sustainability.
- 1.3 The SA of the SPD follows on from the SA of the Core Strategy Development Plan Document that makes up part of the Local Development Framework (LDF) for Southend-on-Sea Borough Council.
- 1.4 There is no formal requirement for SPD to undergo SA since the revisions to the Planning Act in 2008. Neither does the SPD fall within the type of plan that requires assessment under the Strategic Environmental Assessment (SEA) Directive required, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004. However, a decision has been made to prepare a brief appraisal of the sustainability of the SPD to demonstrate how sustainability concerns are integrated into the preparation of the document and the topics it addresses.
- 1.5 This SA report follows an SA prepared in November 2006 of a Preferred Options version of a '*Planning Obligations & Vehicle Parking Standards Development Plan Document*'. The SA report of the SPD is based on the previous SA report, amended and revised to take into account the changes in this document in moving from a detailed Development Plan Document to a simplified version suitable as an SPD.
- 1.6 As noted within the SPD the earlier SA has helped inform the current version of the SPD.
- 1.7 The purpose of this SA report is to identify and evaluate the likely sustainability effects of the plan. This includes making recommendations where necessary to help improve the coverage of sustainability matters by the SPD. To help planning contributions to be used to secure a variety of benefits for sustainable development.
- 1.8 This SA Report is available for public consultation alongside the full draft version of the Planning Obligations SPD. This means the possible sustainability implications of the SPD will be available for public scrutiny. Following the consultation period any responses received on the SA will be taken into account when moving forward with the SA and SPD as necessary. The SA will also be updated to reflect the amendments and detail added to the SPD following this consultation. A final updated version of the SA Report will be produced to accompany final SPD.

2 Method of sustainability appraisal

- 2.1 This sustainability appraisal (SA) follows on from an earlier sustainability appraisal of a Development Plan Document (DPD) version of this SPD. The DPD addressed a similar set of planning obligations in a similar way to the SPD. This means much of the evidence and assessment already undertaken is applicable to this SA revision and the new planning document. However, the SPD is a much simplified version of the DPD. Much of the detail on how standards charges will be calculated has been removed, and the SPD no longer refers to parking standards.
- 2.2 The SA will consider the topic coverage of the matters for which planning obligations are sought. The purpose of which is to check these topics incorporate an appropriately full coverage of sustainability matters, and whether the approach to each is compatible with sustainable development. In addition, the SA also considers the approach taken to implementing these obligations to see if this would be appropriate in realising the expected sustainability benefits of the SPD.
- 2.3 As part of preparing the previous DPD version of the Planning Obligations document a series of alternative approaches to implementing the planning obligations were considered and appraised. This has helped to inform the current SPD.

Format of the appraisal

- 2.4 The SA is based on a 'sustainability framework' to provide a consistent and systematic basis for appraising the SPD and evaluating it in relation to what it means to promote more sustainable development. This framework has been developed for the SA of the LDF as a whole, and its relevance to this part of the SA is discussed in section 4 of this Report.
- 2.5 The SPD does not contain any specific policies or proposals. Therefore carrying out a systematic appraisal of these against the sustainability objectives is not possible. Instead this SA Report is based on a commentary relating to its coverage of sustainability issues, as well as an assessment of how effective the SPD may be on achieving more sustainable development. The objectives are however used to check the coverage of issues in the 'sustainable communities criteria' as reported in Appendix 1.

3 The Character of the Borough and Sustainability Framework

- 3.1 This section of the SA sets out the main sustainability issues of the Borough that are of relevance to the SA of the Planning Obligations SPD. These are taken from the baseline information collation undertaken for the sustainability appraisal of the Core Strategy.
- 3.2 The baseline information gathered was used to help prepare a 'sustainability framework' for the SA process. Its purpose is to describe what elements of sustainable development are relevant to the LDF.

Sustainability issues

- 3.3 From the information gathered for the SA of the Core Strategy it was possible to draw up a list of the issues that needs to be addressed in Southend-on-Sea to achieve greater sustainability. To help in the SA of the Planning Obligations SPD a subset of these issues is identified (paragraph 3.4). These are not presented in any order of importance, and are not intended to cover all issues in the Borough and are limited those that have relevance to the SPD. The purpose of identifying these issues is to guide the SA process, providing an understanding of what the matters are the SPD should be aiming to address through obligations.
- 3.4 Environmental protection and the use of resources:
- the Local Biodiversity Action plan identifies many habitats and species of importance in the existing developed areas of the Borough, in addition to the high quality designated habitats in and around the Borough boundaries. All habitats will need to be protected and enhanced by new development wherever they are found;
 - nature conservation and biodiversity resources within the built up area are limited, and every attempt should be made to conserve and enhance existing resources, and create new ones, as well as the protection and enhancement of wildlife corridors;
 - the area is under quite high risk of flood, this includes areas that may be identified as suitable for development. This will mean flood defence improvement works will be needed to protect new development from the risk of flood, and in addition new development should not impact on the capacity of the floodplain to store water in time of flood nor should development lead to increased flood risk;
 - it has been shown that water quality in surface water bodies in the Borough (not bathing water) may be compromised by untreated run-off from the urban area, new development will need to ensure suitable sewage and water treatment infrastructure exists to mitigate against this;

- development in the Borough needs to play its role in mitigating against climate change, through the reduction in the use of fossil fuels. In addition development needs to be built to adapt to climate change in the future, considering matters such as water resource efficiency, protection from flooding, and adapting to higher summer temperatures;
- the Borough has a good rail travel network, and is identified as a Regional Interchange Centre for public transport, therefore there is an opportunity to build on this role from the actions or contributions of new development. New development can also help contribute to investment in local transport infrastructure to reduce congestion in the Borough, ideally for more sustainable development this will be from encouraging a modal shift from car use for local journeys, and reducing congestion that harms the performance of the local economy;
- the constrained boundaries of the Borough and the need for new housing is putting pressure on open space within the built up area for development. Studies have identified limits to the availability and accessibility of open space of different types and standard, especially in central Southend. Planning obligations can help to resolve this;
- the quality of the built environment is important, not only with the effect of new building in aiding 'mending the fabric', but also in affecting existing areas of identifiable character.

3.5 The key social and economic impacts are the:

- rapid growth in the Borough expected in the future. This will clearly create a demand for housing and jobs, although consideration will also need to be given to providing other community resources, including leisure facilities, education opportunities, and health care. Providing these in tandem with other growth will be essential in order to create the desired 'sustainable communities';
- identified need for affordable housing provision, with particular under provision of 2 and 3 bedroom dwellings;
- current disparities in employment levels and the relative levels of deprivation in the Borough, with central wards such as Kursaal and parts of the Milton and Southchurch ward being in the 10% most deprived nationally.

Sustainability framework

- 3.6 The 'sustainability framework' has been developed to summarise and describe the various aspects of the sustainable development agenda relative to the LDF in the Borough. The framework is to provide a systematic basis for the appraisal. The framework was drawn up for the SA of the LDF as a whole, following discussions with a group of officers from the Council, and

was further refined through the scoping process and the comments of the consultees.

3.7 Further discussion on the preparation and the rationale behind the framework can be found in the SA Report of the Core Strategy DPD. This includes detail on defining sustainable development for the SA and the reasoning behind the approach taken to establishing the objectives of the Framework. The SA framework is shown in Table 3.1.

Table 3.1: Sustainability framework for the SA of the LDF

Concern	Explanation and desirable direction of change
Social progress which recognises the needs of everyone	
Accessibility	<ul style="list-style-type: none"> to enable people all to have similar and sufficient levels of access to services, facilities and opportunities
Housing	<ul style="list-style-type: none"> to provide the opportunity for people to meet their housing needs
Education & Skills	<ul style="list-style-type: none"> to assist people in gaining the skills to fulfil their potential and increase their contribution to the community
Health, safety and security	<ul style="list-style-type: none"> to improve overall levels of health, reduce the disparities between different groups and different areas, and reduce crime and the fear of crime
Community	<ul style="list-style-type: none"> to value and nurture a sense of belonging in a cohesive community, whilst respecting diversity
Effective protection of the environment	
Biodiversity	<ul style="list-style-type: none"> to maintain and enhance the diversity and abundance of species, and safeguard these areas of significant nature conservation value
Landscape character	<ul style="list-style-type: none"> to maintain and enhance the quality and character and cultural significance of the landscape, including the setting and character of the settlement
Built environment	<ul style="list-style-type: none"> to maintain and enhance the quality, safety and distinctiveness of the built environment and the cultural heritage
Prudent use of natural resources	
Air	<ul style="list-style-type: none"> to reduce all forms of air pollution in the interests of local air quality and the integrity of the atmosphere
Water	<ul style="list-style-type: none"> to maintain and improve the quantity and quality of ground, sea and river waters, and minimise the risk of flooding
Land	<ul style="list-style-type: none"> to use land efficiently, retaining undeveloped land and bringing contaminated land back into use
Soil	<ul style="list-style-type: none"> to maintain the resource of productive soil
Minerals and other raw materials	<ul style="list-style-type: none"> to maintain the stock of minerals and other raw materials
Energy sources	<ul style="list-style-type: none"> to increase the opportunities for energy generation from renewable energy sources, maintain the stock of non renewable energy sources and make the best use of the materials, energy and effort embodied in the product of previous activity

Maintenance of high and stable levels of economic growth and employment	
Local economy	<ul style="list-style-type: none"> to achieve a clear connection between effort and benefit, by making the most of local strengths, seeking community regeneration, and fostering economic activity
Employment	<ul style="list-style-type: none"> to maintain and enhance employment opportunities matched to the size of the local labour force and its various skills, and to reduce the disparities arising from unequal access to jobs
Wealth creation	<ul style="list-style-type: none"> to retain and enhance the factors which are conducive to wealth creation, including personal creativity, infrastructure, accessibility and the local strengths and qualities that are attractive to visitors and investors

4 Sustainability appraisal – implementing planning obligations

- 4.1 This section of the SA report addresses the general matters relating to securing obligations and the SPD as a whole.
- 4.2 It is necessary for the SA to assess whether the approach put forward in the SPD is likely to help in securing obligations that would lead to the delivery of more sustainable development. This section of the SA appraises the SPD as a whole, specific topic based appraisal is contained in section 5 of this report.
- 4.3 In aiming to achieve more sustainable communities in the Borough through the use of obligations, a key matter to address is ensuring effective negotiation and implementation of obligations. This may often be partly reliant on the skill of officers within the planning department in these negotiations and in enforcing implementation.
- 4.4 The SPD has a major role to play in this by setting out a strong, understandable and robust approach to these obligations for both the officers to use in negotiation and the developers to be able to budget for these matters. If the SPD is lacking sufficient detail, or is too open to interpretation, it may jeopardise securing the positive sustainability benefits, particularly on larger sites, that need to be secured through obligations.
- 4.5 Therefore, the SPD needs to set out in clear and unambiguous way what will be sought from developers and what they will be expected to provide or pay towards. This is to secure successful obligations where all parties enter into negotiations, or contributions discussions, based on a good prior knowledge of what is expected from them. This leaves less room for manoeuvre or negotiation and providing a 'level playing field' for these matters throughout the Borough. Without such an approach it may damage the possible sustainability benefits that can be achieved through obligations on new development, and affect the overall quality of new development needed in securing the desired benefits of the Thames Gateway initiative and Regional expectations for delivering high quality development.

The Role of the SPD

- 4.6 Advice on seeking planning obligations is set out in the in the ODPM Circular 05/2005 'Planning Obligations'. The Circular sets out that planning obligations are 'intended to make acceptable development which would otherwise be unacceptable in planning terms.' This means that obligations will be used to help ensure that development complies with the intentions of relevant policy, such as that contained in the Core Strategy and saved Local Plan policy. These should help to secure sustainability benefits from development. Therefore, the negotiation and implementation of obligations is key to achieving these benefits.

- 4.7 The Circular sets out the ways in which obligations can be used in order to improve the quality of development:
- **prescribing the nature of development to achieve planning obligations**, making a development that would otherwise be unacceptable acceptable in planning terms for example through securing an element of affordable housing on-site or where necessary through a financial contribution.
 - **mitigating for the impact of development**, where a new development would make a need for a particular facility that is relevant to planning, for example through provision of new roads or public transport, or where development would give rise to the need for additional or expanded community infrastructure such as a new school classroom
 - **compensating for the loss or damage caused by development**, to substitute, replace or regenerate something that would be lost through development, for example provision of a feature of landscape or biodiversity importance, open space or right of way.
- 4.8 As stated in paragraph 4.4, whatever the good intentions set out for securing planning obligations to contribute to creating 'sustainable communities' no positive benefits are realised until these are actually negotiated and implemented through the development control process. Therefore a critical role for the obligations SPD is to address ways in which the process will be made as simple and straightforward as possible. This is to ensure that negotiation does not stall the process of receiving planning permission and that the developer is clear on what is expected of them in terms of delivered development and/or financial contributions.
- 4.9 Successful negotiation and implementation of obligations is a key matter for development, and if a strong and consistent basis for these is not in place by any local planning authority then this can have serious and long-term impacts on the way development contributes to more sustainable development. Findings of a study by the Audit Commission identifies national discrepancies in the value of negotiated planning obligations. This is reliant on the skills and resources available for negotiation and common understanding from an early stage of what contributions may be necessary by the local authority and planning applicant. Therefore, providing thorough and easily usable guidance and a clear approach to obligations it may be possible to secure more funding.
- 4.10 It is therefore imperative that the approach Southend put forward through this SPD can be effectively implemented in order to realise any benefits for creating 'sustainable communities', and contributions are sufficient to meet the needs of the Borough.
- 4.11 It is evident that the reason the SPD is being prepared is to help simplify and therefore speed up the negotiation process. The SPD should help make it clearer to developers how they should engage with the Council in negotiating section 106 agreements throughout the planning application

process. The SPD also sets out to developers what may be expected from them in delivering these objectives. This has the potential for positive outcomes for sustainable development by making sure new development makes a contribution to the Borough.

- 4.12 Effective implementation means that negotiation and securing of obligations can be undertaken quickly and efficiently so as not to unduly hold up the process of receiving permission. The Circular contains several ways in which the process can be achieved, including:
- **Standard agreements / undertakings** published standard agreements are available and the use of these can speed up proceedings, although it may be necessary to amend these to take account of particular circumstances.
 - **Use of independent third parties** this could include the use of mediators in negotiating agreements on larger sites in order for quicker process and to facilitate resolution of disputes. Third party advice may also be useful, for example independent evaluation, and other expert advice.
- 4.13 The proposed approach for planning obligations in the SPD uses the guidance of the Circular as a starting point. Framing the SPD within the guidance of the Circular.
- 4.14 In addition to the Circular the SPD also refers to the Community Infrastructure Levy (CIL) currently being proposed and consulted on by national government. This will allow Council's to set standard charges or tariffs payable by developers to fund planned infrastructure delivery. The CIL would operate alongside planning obligations, but which would only cover other site specific matters, such as affordable housing provision. If the Council decide to use CIL it will require the Council to prepare formula for calculating tariffs based on an evidence of infrastructure need and cost. If this approach is used it would require an overhaul of the national guidance on section 106, and therefore also the Council's advice on these matters.
- 4.15 Using the CIL has the potential to speed up the section 106 process, because infrastructure payments will be set, leaving fewer issues for negotiation. As mentioned elsewhere in this SA Report, anything that could make the process of developer contributions and section 106 obligations more straightforward will be positive in securing sustainability benefits from development.
- 4.16 However, it should be noted that due to national general elections in 2010 the CIL approach may be abandoned by an incoming government. This means the Council will need to maintain their current approach to securing contributions, including the preparation of the proposed Development Delivery DPD and updated Planning Obligations SPD.

Managing obligations

- 4.17 The SPD sets out a variety of ways in which planning obligations will be managed in Southend in order to secure the greatest benefits. Some of these matters are particularly welcomed by the SA as they should help in the creation of more sustainable communities. Paragraphs 4.18 to 4.28 give examples of how the SPD will support more delivering of sustainable development.
- 4.18 The SPD contains reference to the importance of recognising Southend Borough's role as part of the wider **Thames Gateway** area. Therefore, there is the potential for pooled contribution funds to be provided for facilities/infrastructure across administrative boundaries to deliver strategic objectives. Partnership working is stipulated as an important component of delivering this approach, which is in keeping with the Regional Spatial Strategy for the East of England (RSS14) and meeting the needs of communities in a strategic way.
- 4.19 The SPD supports prioritising **on-site provision** over off-site provision of infrastructure/affordable housing secured through section 106. This approach should help in seeing development that can contribute to sustainable communities successfully delivered. New facilities, or affordable, homes can be integrated into larger new developments and is likely to also be delivered within a shorter timeframe.
- 4.20 In relation to contributions through obligations the SPD emphasises that costs will be sought on **all sites**, apart from in exceptional circumstances where other unforeseen or abnormal on-site costs. This will include remediation of contamination, where not already reflected in land price.
- 4.21 Negotiation of costs of delivery of services and infrastructure will be decided on a **site by site basis** so they are relevant to individual site circumstances, although this approach may slow some negotiations. To ensure that finalising legal agreements does not delay permission, the SPD stipulates how 'heads of term' can be agreed before submission of planning applications, or that 'unilateral undertakings' can be used when appropriate.
- 4.22 Careful **monitoring** procedures will be put place to track the implementation of a completed legal agreement and compliance with obligations. This may help better secure the sustainability benefits anticipated through negotiation of obligations.
- 4.23 **Step-by-step guidance** on how developers should engage with the Council and provide information at each stage of the application. This should help to make the negotiation and securing of planning obligations run smoothly so this does not hold up the planning application process and secures the sustainable community benefits anticipated through obligations. The section of 'frequently asked questions' also provides a quick clarification of common queries for all those using the SPD. These help ensure a mutual

understanding between planning applicants and the local authority of how the section 106 and contribution negotiations will be managed.

- 4.24 To make sure that where developers state that meeting planning obligations is not financially viable and would harm delivery of development, the SPD proposes an approach to allow the Council to **scrutinise costs** in order to ensure such claims are justified. This will be important in maximising contributions and therefore delivery of sustainable development. The process may be helped by the use of independent third parties.
- 4.25 The SPD makes clear that planning obligations may be required of **commercial development**. This is a positive step in helping to deliver neighbourhoods that support sustainable communities. People need access to high quality places throughout the day. This will include access to cultural or open space facilities during the day. Planning obligations will also be essential part of ensuring all new development delivers the infrastructure necessary to give people a choice in how they travel, making non-car modes an attractive and easy to use alternative.
- 4.26 The SA also identifies some matters that may need to be clarified in order to achieve the most sustainable results, and help to reassure developers and others that planning obligations will be used effectively. Paragraph 4.27 to 4.28 set out the matters in need of clarification.
- 4.27 For **pooled funds** secured as planning obligations it may be necessary to carefully stipulate what their likely end use is to be, to ensure developers understand the purpose of handing over funds. It may also be suitable for developers to be reassured as to the length of time their funds will be held, before being returned to them if the obligations are not implemented. Being transparent over the handling and implementation of obligations is essential as it helps foster faith in process and the purpose of securing financial contributions. The proposed monitoring arrangements will help secure the successful implementation of these funds.
- 4.28 Greater emphasis could be placed on the need to **phase delivery** of on-site obligations to ensure that they are provided at appropriate stages during development. This is not only phasing of payments but to ensure phasing of delivery. This matter is mentioned in the FAQ of the SPD, but could be widened and included in topic sections. For example community infrastructure, such as health centre, schools and community halls should be provided in new development after a threshold number of homes is built to ensure large new development grows a more cohesive community, and this may include relevant public transport provision to ensure accessibility of services and jobs.

Sustainability Appraisal of the Core Strategy

- 4.29 As described in section 2 of this SA Report the SA of this SPD follows on from the SA of an emerging DPD planning obligations document and the SA of the Southend Core Strategy. That document has reached submission

version stage, and the policies of the Core Strategy have been subject to SA. The complete findings of the appraisal of those policies can be found in the SA Report accompanying the submission versions Core Strategy DPD.

- 4.30 There are several policies of the Core Strategy that set out the approach to seeking planning obligations for the various specific topic sections. However policy KP3: Implementation and Resources, outlines the overall approach to seeking planning obligations from developers, and the main matters for which these will be sought. SA of this policy was undertaken in the SA of the Core Strategy and this process concluded that the approach appears appropriate and compatible with the objectives for sustainable development.
- 4.31 Other policies contained in the Core Strategy also serve to guide the approach that will be taken to securing planning obligations. In some instances this is quite detailed, for instance in providing affordable housing as part of new residential development. For others the approach is more of a general objective to 'conserve and enhance' such as for nature conservation. More information on the SA of these more specific policies is shown in the SA Report Section 5.

5 Sustainability appraisal – sustainable communities criteria

Introduction

5.1 This section of the SA Report considers sustainability implications of implementing planning obligations under the ‘sustainable communities criteria’. In addition to ‘administration and monitoring of planning obligations’ these are:

- Transport, Highways and Accessibility
- Education, Training and Skills
- Community Facilities,
- Public Art and the Public Realm (including the Historic Environment)
- Natural Environment and Conservation
- Affordable Housing
- Flood Risk, Waste and Resources

5.2 This Section considers some general issues relating to the use of these criteria to structure the planning obligations, and the layout and coverage of issues of these criteria. In addition each topic part of the SPD is considered in turn, with a brief appraisal of the content and approach to achieving the obligation.

General comments

5.3 The matters on which obligations will be sought are set out in section 2 of the SPD. These are described in broad terms, covering what type of provision new development may have to make a contribution towards or provide. The SPD does not include standard formulae for calculating contributions. This means all contributions will need to be secured through negotiation between the Council and developers. Having the SPD in place should help make sure there is a good common understanding of what matters contributions might need to be provided. Therefore, this relies on the Council and developers working well together to ensure that the right level of planning obligations are secured. These need to ensure delivery of more sustainable communities without prejudicing delivery of necessary new development.

5.4 The SPD states that a Development Delivery DPD to include planning obligations will be prepared in future. This DPD could include greater detail on what matters obligations will be sought for and the formulae and methods of working out financial contributions and may be in parallel to pursuing a CIL in Southend. This will provide greater certainty on securing obligations, and it is hope this would lead more security in obtaining obligations that would help deliver sustainable communities. It may be that when more detail is added to these obligations when moving forward to the submission version

of the DPD an SA will allow sustainability implications become more apparent, and possibly raising further sustainability concerns or alternatively clarifying some matters that are currently unclear (with both potential positive and negative consequences).

- 5.5 The topic based sections under each of the sustainable communities headlines are kept as succinct as possible. These point out specific issues for delivering development in the Borough, without dwelling unnecessarily on national policy, which must be delivered anyway. Therefore, making the document easy to understand, which could help in it being successfully implemented.

Sustainable communities criteria

- 5.6 The Planning Obligations are based around seven 'sustainable communities criteria', plus an additional criteria on administration and monitoring of implementation. Section 2 of the SPD covering each of the criteria in turn setting out how obligations will be sought.
- 5.7 Appendix 1 of this SA Report contains a comparison of these 'sustainable communities criteria' and the objectives for sustainable development defined for the SA as shown in Section 3 of this Report. The purpose of this is to see if the coverage of issues in the criteria are compatible with achieving more sustainable development, and whether any issues could potentially be covered in further depth. This approach also allows scrutiny of the wording used in the criteria to identify where it may be appropriate to adjust or improve wording to improve clarity. The individual findings of this appraisal of criteria can be found where relevant in the discussion under each of the topic headings contained in this section of the SA Report.
- 5.8 However, there are some general findings reported here in relation to these criteria. Firstly, it may be suitable for more information to be given on the derivation of these sustainable communities headline issues and supporting criteria used in the SPD. The reason being it is not clear if these have been specifically developed for this SPD, or if they are used elsewhere in the LDF or other plans and strategies covering the Borough. They also do not directly relate to the Government definitions of sustainable communities, or the policy criteria in part two of Policy KP3. Therefore, identifying how these were developed may help to improve understanding of their purpose, and the weight of these particular issues in achieving more sustainable communities.
- 5.9 The purpose of the detailed 'sustainable communities criteria' are also not entirely clear. In some instances these give specific details of the type of obligations that will be sought from new development, such as physical provision as part of development or commuted costs. However, in other instances the approach is more to use these as objectives for development, with little detail on specific requirements. It may be suitable for the SPD to ensure that these criteria are kept to practicable matters that are suitable to seek from obligations. This may help to make sure developers are clear on

what will be expected from them in terms of planning obligations. Therefore, enabling these to be budgeted for from the outset and possibly more successfully secured.

Transport, Highways and Accessibility

- 5.10 Matters relating to this sustainable communities criteria are covered by policy in CP3: Transport and Accessibility in the Core Strategy DPD. The policy covers the approach that will be taken to transport development in the Borough over the plan period, including the specific transport schemes planned in the Borough.
- 5.11 The SA Report of the Core Strategy DPD submission version supports the public transport schemes and the other approaches of the Policy that would seek a modal shift away from car use. However, those schemes that would see road building and improvement may encourage car travel with negative sustainability implications. Wherever new roads are proposed there should be criteria in place to make sure these provide for non-car users, such as safe segregated cycle lanes and dedicated bus routes. Reducing car use and congestions is essential to maintain the advantages presented by new roads. Despite economic sustainability benefits of road improvements it is likely that these will only remain in the short/medium term as traffic levels increase to fill road capacity through 'induced demand' for car travel from reducing congestion in this way.
- 5.12 These same conclusions can be drawn from the approach taken in planning obligations for this matter. Where obligations are for general, or specific, public transport, walking and cycling routes the SA welcomes their inclusion. Where a contribution is for increased general road capacity this should be carefully managed to ensure they are designed as much for non-car users as non-car users. This is so increased road capacity may help remove long-term issues with the roads, and where this improves safety, reduce local health impacts or makes specific provision for improved public transport routes.
- 5.13 It may be suitable to consider differing financial obligations for development in different locations. For instance, new residential development that is constructed in accessible locations, such as in the town centre, railway station or other public transport interchange could pay less contribution to public transport improvements than new edge of town locations. Edge of town locations could potentially make a greater contribution.
- 5.14 Appendix 1 shows the comparison of the criteria for transport with the objectives for sustainable development. This finds that there are likely to be some positive features of this approach, through attempts to reduce car use. However, the emphasis of the criteria does appear to be towards car travel and this may have negative sustainability implications related to various environmental impacts.

- 5.15 A further point noted when appraising the criteria is that although they are relatively detailed they do not give an indication of what the type of schemes would be expected. Some criteria are written more as objectives for transport infrastructure and to deliver more sustainable travel choices it may be better to list more specific measures for transport improvements.

Education, Training and Skills

- 5.16 There is a need to ensure that not only education facilities are provided from new development but also the skills and work training needed to help achieve the economic objectives of the Thames Gateway initiative. The obligations in this part of the SPD set out the approach to securing this provision from new development.
- 5.17 Policy CP1 *Employment Generating Development* in the Southend Core Strategy DPD sets out the expectation that '*Development proposals involving employment must contribute to the creation and retention of...educational and re-skilling opportunities*'. It is through obligations that, in part, this element of the policy will be secured. This is clearly a matter that could contribute to social and economic sustainable development objectives in the Borough by providing access to employment and higher quality employment for all residents.
- 5.18 Ensuring residents have the skills to fill newly created jobs in the area can have a variety of benefits, in terms of the wellbeing secured through employment. There may also be benefits from reducing the need to commute to find work, reducing travel impacts.
- 5.19 Policy CP6 *Community Infrastructure* from the Core Strategy contains details of the expectations for schools provision through new development. Explicitly stating that planning obligations will be used to help improve education in the Borough. The SA of the Core Strategy submission version recognises the sustainability benefits of this approach, and hence supporting of the obligations in this SPD to support education. Providing suitable school and 16+ education facilities is also very important in seeking to enhance the educational resources in the Borough, with associated economic and social benefits to the area in the future.
- 5.20 Appendix 1 shows the comparison of the 'sustainable communities criteria' of this section and the sustainability objectives. For this issue the approach put forward by the criteria is compatible with the sustainable development matters outlined in sustainability objectives.

Community facilities including Open Space, Sport and Recreation and Health, Social Care and Physical Community Needs

- 5.21 Securing an appropriate level of community facilities is essential to meet people's day to day needs. Community facilities can act as a focal point for large new residential areas and therefore help in fostering the development of communities rather than just a group of new homes. The section covers

several aspects of community infrastructure, these are open space/recreational space and health care facilities.

- 5.22 The 'sustainable communities criteria' for this perform well against sustainable development objectives, as show in Appendix 1. This appraisal shows that the benefits will be for health and communities, although other benefits may be relate to quality of the built environment and depending upon the particular scheme, as well as benefits for biodiversity. The provision of suitable extra care housing may also have positive benefits in terms of access to housing. It may be suitable to add in more specific targets for open space provision into the criteria to help to clarify the issues for developers in order that they can incorporate it into their budgets and make informed responses to this consultation document.
- 5.23 *Open space and recreation:* The matters are covered in *Policy CP7 Sport, Recreation and Green Space* of the Core Strategy submission version DPD. This clearly states the need for '*new housing development...to contribute to the provision of additional sport, recreation and green space facilities*' and this must be in line with population increase. Detailed criteria are set out for the exact requirements for open space provision in the Borough. The policy also states that this will be normally through financial contributions and improvements to existing services, although large new developments will have to provide facilities on-site, with very specific requirements for the type of facilities required as part of these open spaces. These matters will be further elaborated by a specific Supplementary Planning Document on Green Spaces and the Delivering Development DPD. These should provide the necessary information and guidance to help secure this provision through negotiation on planning obligations.
- 5.24 *Health and social care facilities:* The matters addressed by these obligations are identified in Core Strategy policy CP6 Community Infrastructure. The SA of the submission version Core Strategy identifies the need to provide health and social care facilities and the role of obligations in securing these. There is only a certain amount that developers planning obligations can do in relation of provision of health facilities, as this issue may be primarily be managed by the local NHS. However, this policy should help in implementing some schemes for the benefit of the overall health of the population and related sustainability objectives, and may help in securing sites for new local health provision.

Public Art and Realm (including the Historic Environment)

- 5.25 The matters addressed in this part of the DPD have a policy backing in Core Strategy Policy CP4 The Environment and Urban Renaissance. This briefly sets out that new development will be expected to contribute to the creation of a high quality urban environment. This includes criteria relating to:
- improving the public realm
 - use of innovative design and imaginative public art
 - taking into account the historic environment

- designing out crime
- ICT infrastructure.

- 5.26 This SA and the SA of the submission version of the Core Strategy welcome these approaches in creating better quality and more sustainable development.
- 5.27 However, this part of the Planning Obligations SPD does cover a variety of matters, which are not necessarily related. This means there may be some confusion over applying these criteria, as they appear to ask for a lot. However, these criteria all have a relationship with aiming to achieve better, and more sustainable development. If implemented through the LDF policies and objectives should help to achieve these goals. However, it may not be suitable to cover all these issues in this SPD. This is because the purpose of the DPD is to set out clearly to developers, and other users of the LDF, the matters for which actual physical or financial planning obligations will be sought.
- 5.28 For example, Information Communication Technology (ICT), although an important part of creating sustainable development, is more related to utilities provision rather than public art/realm. To ensure this issues is not overlooked in the range of criteria of this policy it may be suitable highlight it in a separate section of the SPD.
- 5.29 It may also be suitable to remove reference to sustainable design from this criteria. These are issues that should not be needed to be secured by planning obligations or conditions and instead should be enforced through appropriate planning policy. No development proposals should be given permission that would harm the character of the built environment.

Natural Environment and Conservation

- 5.30 Parts of the Borough, particularly along the coast, are of very high nature conservation value and there is a particular need to ensure new development does not harm, and where possible enhances these areas. Also, although there are no nature conservation sites identified as of importance within the built-up area of the Borough, it may also be necessary to aim to enhance biodiversity wherever it is found, obligations can help achieve this.
- 5.31 Use of obligations will also be essential in certain circumstances to mitigate against the adverse impacts of new development on protected habitats. In these instances binding planning obligations can be used in mitigation either to help avoid the impacts, or create new habitats, or as a final option compensating for loss. Therefore the obligations under this section may have a very important role to play in protecting natural assets, in particularly in terms of nature conservation.
- 5.32 Nature conservation matters are addressed in Core Strategy submission version Policy CP4 *The Environment and Urban Renaissance*, that includes

criteria for the safeguarding, protection and enhancement of nature and conservation sites and the landscape. The SA of the Core Strategy identifies that it is likely that this policy, if fully implemented, will help meet sustainability objectives and the protection and enhancement of environmental assets, nature conservation and landscape quality. Securing appropriate planning obligations may be one way in which this policy can be achieved.

- 5.33 It is important that the specific role and purpose of the obligations under each section is clear to the developers using the SPD, so that they can turn to the relevant section and understand exactly the issues they will be expected to make a contribution towards. For example, bullet six appears to take a specific approach to the setting of criteria referring to the replacement of green space lost to parking or service roads. The SA is supportive this, so long as this also takes into account biodiversity enhancements, it is not clear why this matter is singled out for obligations and the need for green space replacement as a result of loss to other types of development is not.
- 5.34 The comparison of the criteria to the sustainability objectives for the SA is shown in Appendix 1, which also notes that it is not clear how some of these matters will be secured from obligations, and whether it may not be more suitable for many of these issues to be achieved through planning conditions or good development control decisions. The appraisal of this 'sustainable communities criteria' also questions whether the obligations are going beyond policy and therefore may be difficult to negotiate and secure.

Affordable housing

- 5.35 The provisions of this topic part of the DPD are already set out in detail as part of the Core Strategy submission version DPD in *Policy CP8 Dwelling Provision*. The SA of this policy identifies that it could be more stringent in its requirements for affordable housing provision. As it only requires 20% of all sites up to 49 or 1.99 hectares to be provided on-site as affordable. Above this size 30% will need to be provided on-site and below a negotiated contribution can be made to be negotiations (the regional policy standard).
- 5.36 There is a high demonstrable need for affordable housing in Southend and using these threshold requirements are unlikely to be suitable in meeting this need. The adopted East of England Plan, the Regional Spatial Strategy (RSS), sets a target of 35% of housing be affordable. The Core Strategy policy targets are well below this and are very unlikely to achieve RSS targets. Much development in Southend will be through infill and intensification sites that may only deliver a few new homes at a time (fewer than the 49 needed to meeting the higher requirement). Furthermore, on smaller sites if only financial contributions are required this could lead to difficulties in actually delivering affordable homes. For instance, the time taken to acquire affordable housing sites and pool money to fund development. It also may mean that these houses are developed in larger areas of affordable homes, possibly causing social isolation. Therefore, for

sustainable development it is better to ensure affordable housing is provided on-site by developers.

- 5.37 The SPD does not set policy and therefore cannot change the targets. This raises the need for the advice set out in the SPD to be as clear as possible for affordable housing in order to make sure that at the very least Core Strategy targets are met.
- 5.38 There are no explicit 'sustainable communities criteria' set out for affordable housing, beyond those taken from Policy CP8, and the comparison in Appendix 1 uses these in assessing the likely sustainable implications. The SPD could include more advice on delivery of affordable housing, such as how pooled funds will be delivered, the type and quality of affordable housing that is provided on-site, or key worker homes.

Flood Risk, Waste and Resources

- 5.39 Matters relating to use of natural resources need to be taken into account in achieving development that will make a long-term contribution to environmental sustainability. Choices made now on development will impact on the sustainable operation of this development for a long time into the future. This includes water resource issues, specifically mentioned in this part of the SPD, and use of resources. Flood is a major issue in parts of the Borough, and new development will have to be protected from the ever increasing risk this creates.
- 5.40 The criteria for this sustainable communities matter cover a range of issues, some of which may be better achieved through planning conditions or application of other LDF policies rather than planning obligations. In addition, some criteria may be difficult to achieve through obligations due to the lack of policy specifics to back them up.
- 5.41 Matters relating to using obligations to protect development from the risk of flood, and ensuring new development does not increase this risk is set out early in all three of the Key Policies of the Core Strategy submission version.
- 5.42 *KP1 Spatial Strategy*, stipulates that where the South Essex Strategic Flood Risk Assessment has identified there is a risk of flood development proposals must all be accompanied by a detailed flood risk assessment. Development will only be permitted where the assessment clearly demonstrates how flood defence enhancement would sufficiently reduce the risk. *KP2 Development Principles* has an expectation for the design and layout of development to avoid flood risk. *Policy KP3 Implementation and Resources*, also sets out an approach specifically related to securing planning obligations to help avoid flood risk, such as through the implementation of schemes such as sustainable drainage systems. Implementation of these policies, through development control decisions, and through planning obligations should help to secure development that contributes to sustainable development, in terms of meeting health and water related sustainability objectives.

- 5.43 This section of the SPD also relates to water resources and other utilities. Having infrastructure in places to support relevant utilities infrastructure, including electricity, gas, water as well as broadband telecommunications and sufficient sewerage capacity is essential in delivering for the needs of community.
- 5.44 For several matters, and in particular the capacity of water or sewerage networks, it is extremely important that contributions for capacity upgrading are phased into the development. Without sufficient waste water capacity from the outset this could have serious effects on the environment in terms of water quality, through untreated sewage overflowing into surface waters or the sea, a matter identified in the collation of baseline issues for the SA. Over abstraction could impact on the nature conservation value of water bodies, as water availability is a particular issue in the wider region. Therefore, the approach taken in this SPD, of helping to secure this provision in new development, is welcomed in achieving more sustainable development. However, the wording of one of the criteria could be changed as it difficult to see how development could '*provide for additional local water supplies*'.
- 5.45 The efficient use of water is not covered in much detail in SPD. The need for the efficient use of water is set out in *Core Strategy Policy KP2 Development Principles*, and this matter should be addressed as part of the obligations, as it is for energy. Water resource issues is a serious matter in the east of England and will only be exacerbated by climate change, with Southend already having an extremely low rainfall.
- 5.46 *Policy KP2 Development Principles* of the Core Strategy DPD addresses the need for new development to ensure that it makes for the more efficient use of energy, and this requirement is also contained in *CP4 The Environment and Urban Renaissance*.
- 5.47 Helping to mitigate against the impacts of climate change through reducing energy consumption is an essential component of securing more sustainable development. These matters are included in the sustainable communities criteria of this section. However, there is little detail on how these will actually be achieved. Greater detail could have been included on how new development could incorporate lower carbon energy production. For example, through the use of site-base micro renewable energy generation technologies or community based heat and power schemes. Targets for lower carbon energy generation could be set out in the SPD, following policy KP2.
- 5.48 The SPD could give greater detail on how the 10% renewable energy target could be reached. This could include advice on where this can not be met on site, a pooled contribution could be made to pay towards community based schemes to meet local needs. However, it will be important for the Council and developers to actively work towards such schemes as there is limited existing practice on these matters. Core Policy may need updating to

reflect the need for a greater proportion of energy in all types of new development to be generated on-site.

- 5.49 In addition, SPD could encourage new homes to be built to Code for Sustainable Homes standards and other buildings BREEAM standards to help ensure they make more efficient use of all resources.
- 5.50 There is only very little the LDF can achieve in terms of reducing waste, and there is no Core Strategy policy covering this issue. Controlling construction and demolition wastes produced at this stage of development may be the most important contribution obligations can make. In addition, simple design matters such as ensuring there is space for the collection of sorted waste in new development will help improve the effectiveness of recycling schemes in the Borough.

Administration and Monitoring of Planning Obligations

- 5.51 This part of the 'sustainable communities criteria' differs from the others as it only relates to financial contributions. It is noted in Section 4 of this SA Report that no matter the success of negotiations on planning obligations these have no benefit for sustainable development until infrastructure, facilities and development are actually implemented. Therefore this part of the SPD is particularly significant in achieving more sustainable development, and it sets out an approach to securing contributions from development to managing and monitoring these obligations.
- 5.52 Good management of obligations could help in reassuring the public and developers that the obligation funds they are contributing will be implemented or monies returned accordingly. There is the potential for this approach to improve transparency in these matters and possibly helping in allaying any concerns of developers of the need for contribution costs, and the public in reassuring residents that proposed schemes will be implemented.
- 5.53 The criteria used in this case set out the contributions that will have to be made to administer the monitoring of planning obligations, in addition to their maintenance over a set period. This is the most detailed section of the SPD in terms of what the costs will be to developers to monitor the obligations. It is hoped that these fees will ensure that planning obligations are successfully secured and therefore will deliver the sustainable outcomes that they seek to achieve.

6 Summary

- 6.1 This SA of the Southend Borough Council Planning Obligations SPD consultation version sought to consider not only the coverage of issues within the SPD, but also whether the approach to setting obligations could be effectively implemented and desired sustainability benefits actually secured.
- 6.2 The SA finds in general the SPD should help in delivering development that is more sustainable. The SPD sets out how developers should go about entering into negotiations with the Council in order to agree on the requirement for planning obligations. The criteria of the SPD also gives an overview of the type of matters that will be sought through obligations, the majority of which have a positive relationship with sustainability objectives.
- 6.3 Securing these planning obligations can help maximise the benefits to the wider community from new development, whilst ensuring these matters do not unduly hold up planning permissions process. This will be by ensuring effective and efficient negotiation of obligations.
- 6.4 The details of how planning obligations will be negotiated, paid for, implemented and monitored should all help in securing delivering aspects of development to support sustainable communities. However, the SPD contains little detail on the actual formulae or other standard charges that will be used to calculate planning contributions. The preparation of a Delivering Development DPD or using the Community Infrastructure Levy approach in Southend could help provide the additional level of detail needed, using this SPD as a basis.
- 6.5 Despite a good overall goal for sustainable development in the Borough the SA does raise some issues that may need to be resolved for this SPD in order to secure the sustainability benefits desired from development. It may be that these matters can be resolved in the final version of the SPD or future DPD. These issues are:
- It may be better to use a more consistent approach to setting the 'sustainable communities criteria' to ensure these directly relate to the general obligations that will be sought from development, and avoid using these to set more generic objectives for development in the Borough, or dwelling on overly specific issues.
 - Some obligations may go beyond current policy requirements, which may make requiring compliance from developers difficult. Policy updates in the future may help to reduce this gap.
 - It may be better for the planning obligations to contain greater emphasis on the need to phase delivery of obligations into the construction of larger developments. For example, in larger residential developments matters such as affordable housing, public transport, utilities and community facilities should be delivered as early as possible in construction. This will help support the

development of sustainable communities and allow new residents to make sustainable choices, such as the way they travel and identity with the local community, from the outset.

- 6.6 Appendix 1 of the SA Report includes a comparison the 'sustainable communities criteria' that were included in the SPD, and the objectives for sustainable development that have been developed for the SA of the LDF. This clearly shows there is good compatibility with the criteria addressing the majority of sustainable development objectives.
- 6.7 This paragraph identifies some of the main findings of the appraisal, although greater detail can be found in the relevant topic sections of the SA Report:

Transport, Highways and Accessibility:

- one of only specific issues where the obligations criteria may be incompatible with sustainable development objectives relates to the need to build new roads to support development. Improving road capacity can encourage car travel with associated negative impacts on the environment and health. However, if the design of these roads is managed through negotiation of obligations they could also bring benefits for non-car users, including safe segregated walking and cycling lanes and dedicated bus lanes;
- it may be suitable to include different planning obligation contributions for development in different locations with the Borough, with more accessible locations making lower contributions reflecting the greater sustainability of developing in more accessible locations.

Education, training and skills

- these criteria are compatible with sustainable development

Community facilities

- these criteria are compatible with sustainable development

Public Art and the Public Realm

- this topic covers a diverse range of issues, and specifically ICT provision fits poorly into this section
- it should not be the role of planning obligations to secure good quality design in new development, these matters should be secured through planning policy.

Natural environment and conservation

- it may be suitable to be more specific on what matters or in which areas planning obligations or contributions would be expected, such as for specific enhancement or protection schemes;
- some elements of the criteria may go beyond planning policy, therefore negotiating their delivery may slow the planning process.

Affordable housing

- the SA of the Core Strategy already raised some issues in regard to the relatively low level of affordable housing that is being sought through new development. These concerns remain in the appraisal the SPD, with the need to have more stringent targets to meet housing needs and be in line with regional policy;
- it may be suitable for the SPD to consider other matters under this obligation, including the need to secure a better mix of house sizes on sites in the Borough, how key worker housing can be delivered, a hierarchical approach to securing affordable housing provision achieved, and prioritising on-site delivery over delivery off-site with a commuted fee as a final option.

Flood risk, waste and resources

- including the need for water efficiency in new development may be a matter of particular importance for obligations given the ever increasing issues with water supply in the south and east of England;
- it may be suitable to include more details relating to the policy target of 10% of energy from renewable resources, for example how off-site and community provision could be secured through planning obligations;
- the planning obligations could include reference to the need for new development to meet national sustainable construction standards, to help in the more efficient use of resources.

6.8 The final sections of the SPD takes the users through the process of negotiating and agreeing planning obligations. This includes how heads of terms will be managed, what the stages of agreement will be between the local authority and the planning applicant and how implementation will be monitored. In addition, to some standard replies to common queries on the obligation process. All this advice is likely to be an essential resource in helping negotiate and secure delivery of planning obligations and therefore securing more sustainable development.

Appendix 1 Comparison of Sustainable Communities Criteria for the Southend on Sea Planning Obligations SPD compared to the Sustainability Objectives of the Sustainability Appraisal

This table is a brief comparison of the sustainable communities criteria for the planning obligations as set out in the Southend on Sea Borough Planning Obligations SPD (consultation draft) to the objectives for sustainable development compiled for the sustainability appraisal process. The purpose of which is to identify where it may be suitable to adjust or clarify the criteria to ensure that they appropriately cover the objectives for sustainable development.

The comparison uses the full set of criteria, based on the 7 headlines for 'sustainable communities' and the additional criteria for administering and monitoring obligation implementation. These are set out in Section 2 of the SPD.

The following sustainable communities criteria were the basis of the comparison:

Transport, Highways and Accessibility

- To provide safe access to a site during the construction phase and once development has been completed including access for the disabled
- To include parking provision and 'servicing' facilities in line with adopted or emerging vehicle parking standards contained herein
- To contribute to parking management zones and local parking conditions
- To accommodate safely and sustainably local and strategic increases in traffic numbers arising from a development
- To help discourage additional traffic from using unsuitable local highways and roads, in accordance with the Southend Route Hierarchy and 'Environmental Rooms' policy
- To provide works, services and facilities to secure improved sustainable transport and accessibility – by public transport, walking and cycling including access for the disabled
- To contribute to providing safe, adequate and sustainable access to all nearby community facilities, including parks, open spaces and schools
- To provide adequate access and facilities for managing waste
- To contribute to Road Safety Schemes
- To contribute to any Park and Ride Schemes
- To contribute financially towards the measures which address incremental growth of car traffic and congestion solution

Education, Training and Skills

- To ensure adequate provision and condition of Primary, Secondary and post 16 schooling facilities.
- To contribute to the provision of Nursery and child care facilities
- To contribute to local skills and training provision, including improved access to local jobs and recruitment

Community Facilities

- Provision, enhancement and maintenance of on and/or off site open space both formal and informal and recreation space (including public parks, beach and foreshore areas etc.)
- Provision of or improvements to built sports facilities, playing fields and other outdoor sports facilities as well as other recreation facilities in major developments
- Adequate provision of all health facilities for local community needs
- Adequate provision of extra care housing and supported accommodation units for older people, those with learning disabilities, those with mental health problems and for family centres and children's services
- Provision and/or improvements to other community facilities that fall into Use Class D1, D2 or *sui generis* (e.g. theatres, swimming pools, community centres etc.) or that contribute to the quality of the public realm, (e.g. public toilets)

Public Art and the Public Realm (including the Historic Environment)

- To apply good quality, sound & sustainable design in all new developments which positively contributes to the character and appeal of the immediate and surrounding area
- To ensure that any new development provides a significant contribution to the existing and emerging townscape being established within the town, and enhances the public realm through high quality hard and soft landscaping and the application of urban design principles in accordance with Council policies and guidance
- To provide on site, where appropriate, or contribute towards "public art" which will help broaden and reinforce Southend as the "cultural capital" of Thames Gateway South Essex
- To contribute to the maintenance and enhancement of the public realm
- To contribute to the conservation, restoration and enhancement of the historic environment and archaeological sites and monuments
- To ensure that all new developments contribute to personal and public safety by "Designing Out Crime" and "Secured by Design"
- Provision towards Information Communication Technology within developments
- Provision of CCTV cameras within the vicinity of a development where appropriate
- Provision of additional approved street lighting if required in the vicinity of a development

Natural Environment and Conservation

- To offset/compensate/mitigate for the loss of/impact on any natural or environmental resource, for example, woodland, grassland, open water, hedgerows, allotments etc. which were in existence prior to development
- To preserve, maintain and enhance natural habitats and mitigate/compensate against loss of or damage to species or habitats which contribute to local biodiversity
- To preserve, maintain and enhance public open space/green space wherever it contributes to Thames Gateway "Green Grid" Strategy or any other strategic open/green space documents which have been agreed by the Council
- To replenish/replace trees, vegetation or areas lost to/affected by development, through re-planting of suitable/appropriate species and by landscaping new and additional areas

- To include suitable measures for preserving, maintaining and enhancing species or habitats through management agreements where these species or habitats may be accommodated within the footprint of the development scheme
- To replace any areas of green/open space lost to parking facilities or service roads
- To contribute to the protection, maintenance and enhancement of the foreshore
- To contribute to the preservation, maintenance and enhancement of designated Special Protection Areas (SPA), Special Areas of Conservation (SAC), Sites of Special Scientific Interest (SSSI) and RAMSAR sites and Local Nature Reserves (LNR's), including Southend-on-Sea foreshore.

Affordable Housing

None

Flood Risk, Waste and Resources

- To contribute to the provision and maintenance of flood defences
- To ensure no increase in total flood risk within the Borough by provision of suitable flood protection measures and their future maintenance
- To make provision for sustainable urban drainage and minimisation of surface water run off
- To ensure provision of flood resilient development
- To provide for additional local water supplies and sewerage capacity, matching any additional demands generated by development, and minimise water demand
- To contribute towards essential provision and upgrading of utilities related to development
- To contribute towards present and future sustainable power sources and energy efficiency
- To provide for adequate waste management facilities during demolition, construction and post development phases
- To provide facilities which promote and facilitate separation, storage and collection of recyclable, compostable and other waste (e.g. adequate on site storage facilities)

Administration and Monitoring of Planning Obligations

- Contribution to the Council's costs of administering and monitoring planning obligations

Key to matrices

- likely positive relationship between planning obligation and sustainability objective
 - ? uncertain relationship between objective and obligation, this may be due to unpredictable impacts, or may indicate that the obligations may not be sufficient in realising potential sustainability benefits
 - X likely conflict between the planning obligations and the sustainability objective
 - no identifiable relationship between obligation and objective
- or a combination of the above with impact depending on implementation variations

	Accessability	Housing	Education and Skills	Health	Community	Biodiversity	Landscape	Built environment	Air	Water	Land	Soil	Minerals	Energy	Local Economy	Employment	Wealth	Comments
Transport, highways and accessibility	?	-	-	?	-	-	-	-	X/ ●	-	-	-	-	X/ ●	?	?	●	<p>It may be suitable for more emphasis to be put on improvements to the public transport infrastructure in these criteria. Public transport and other alternatives to car use are mentioned. However, it will be important to ensure all new development in Southend can be accessed by viable alternatives to the car. For the most part the criteria do appear to be more based on car related provisions, and criteria should be in place to ensure all new roads are built to take into account the needs of non-car users.</p> <p>The appraisal also notes that criteria four seeks to ensure that increased traffic numbers from new development are accommodated 'sustainably'. Clarifying what is meant by this term in this context could help promote car alternatives to development. Ideally this would relate to tackling congestion and travel related issues by reducing car use and increasing the proportion of people who choose to travel by modes with less environmental impact. Stating this more explicitly would be key to ensuring developers understand what is anticipated through obligations.</p>
Education, training and skill	?	-	●	-	?	-	-	-	-	-	-	-	-	-	?	●	●	<p>This approach should help in the provision of suitable school places for all children, as well as skills training to help improve access to work for local residents.</p>

Community facilities	?	●	-	●	●	-	-	-	-	-	-	-	-	-	-	-	-	The criteria here are wide ranging, and seek a variety of improvements to community facilities. There may be a variety of benefits, but in some instances it is not clear what the role of the obligations in securing these obligations will be.
Public art and the public realm (inc Historic Environment)	?	-	-	?	-	-	?	●	?	?	-	-	?	?	-	-	-	These sustainability criteria is compatible with achieving more sustainable development. Securing a high quality public realm, including public art and protection of the historic environment, has the potential to improve community cohesion by providing a 'sense of place' and outdoor community meeting spaces. ICT provision can help reduce social isolation and support working from home. However, these criteria do cover a wide range of issues and do not necessary present a cohesive objective. In addition, some issues covered, such as on design may be better achieved through applying policy, not through planning obligations.
Natural environment and conservation	-	-	-	?	-	●	●	-	?	?	-	-	-	-	-	-	-	As with other sustainable communities criteria these cover a range of issues. In general this should be positive in terms of securing benefits for the protection and enhancement of biodiversity although it is not clear how all these matters will be secured from obligations and may not all criteria are likely to be sufficiently backed by policy to secure their implementation.

Affordable housing	?	●	-	-	-	-	-	-	-	-	-	-	-	-	-	-	?	-	There are no defining criteria on this topic, however support for affordable housing is likely to have benefits in terms of sustainability objectives related to housing, and provision of housing will help retain a local workforce in the Borough. However, the Core Strategy submission version criteria in Policy CP8 may mean that affordable housing is not secured at levels entirely sufficient to meet affordable housing needs in the Borough. Negotiation of planning obligations will need to be undertaken to ensure, at the very least, the Core Strategy affordable housing targets are achieved for all sites.
Flood risk, waste and resources	-	-	-	?	-	-	-	-	-	●	-	-	●	●	-	-	-	-	The criteria cover many aspects related to environmental sustainability and safety. Avoiding flood is a crucial issue in the Borough due to the limited land availability and the high risk of tidal and fluvial flooding. Therefore, securing obligations to pay for increased flood protection and flood resilient development is vital part of delivering necessary development. The criteria also cover issues related to waste management, and increased reuse and recycling and more sustainable energy generation. If fully implemented the criteria could have multiple benefits for sustainable development, although in some instance may be reliant on suitable policies being in place to provide support of obligations.
Administration and monitoring of planning obligations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Despite 'no relationship' being shown in the summary review of this criteria, in practice this issue is one of the crucial matters to address in actual delivery of planning obligations. Without full and proper negotiation and monitoring for enforcement of obligations it may be that potential sustainability benefits are lost.