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Introduction
1 Introduction


1.2 The scope of the SPD is limited to ensuring that all new developments will contribute to appropriate levels of provision and facilities to meet the needs of new residents. It will assist developers by informing them about what contributions are required, either in the form of provision on site or financial contributions to provision or improvements off site, the process for making those contributions and ensuring that new provision and facilities are properly maintained. It also provides clear information to parish and town councils and other interested parties.

1.3 This Sustainability Appraisal (SA) accompanies the SPD and Drafts of both documents were published for consultation in tandem between 27 February & 10 April 2009. No changes to the SA followed from this consultation. The SA is required under Regulation 39 of the Planning and Compulsory Purchase Act 2004. The approach to the sustainability appraisal in this report reflects the Government’s sustainability agenda and guidelines for undertaking sustainability appraisals. In A Better Quality of Life – A Strategy for Sustainable Development in the UK – CM 4345 (May 1999) the Government sets out four aims for sustainable development:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- the prudent use of natural resources; and
- the maintenance of high and stable levels of economic growth and employment.

These were set out on PPS1: Delivering Sustainable Development.

1.4 The Council has prepared a screening document which demonstrated that a Strategic Environmental Assessment (SEA) was not required for this SPD (see paragraph 5.3).
Appraisal Methodology
2 Appraisal Methodology

Approach Adopted for the Sustainability Appraisal

2.1 The approach taken in this Sustainability Appraisal for the Open Space SPD recognises that sustainable development is not limited to environmental concerns but recognises that economic and social issues also need to be taken into account. The Sustainability Appraisal of the Braintree District Local Plan Review (LPR) Adopted July 2005 was based on a list of 28 objectives used in the Braintree Quality of Life Plan. These objectives represented a range of sustainability criteria affecting people’s everyday lives as well as longer-term social, economic and environmental questions and against which the implications for sustainability of the Plan could be assessed. These were grouped under the following 13 headings:

- Housing
- Jobs, skills and the local economy
- Transport
- Built environment and landscape
- Energy, water and pollution
- Waste
- Nature conservation
- Health
- Community Safety
- Leisure and recreation
- Arts and heritage
- Equalities and welfare
- Promoting democracy.

2.2 This sustainability appraisal used the same set of criteria to enable a direct comparison to be made between two options:

Option 1 – Adopting an SPD to add value to the LPR Policies by enabling the Council to negotiate with more consistency and effectiveness the type and quantity of provision of open space which will meet the needs of future residents and help to address local deficiencies within Braintree District.

Option 2 – A ‘do nothing’ scenario in which the existing LPR Policies RLP 137 and RLP 138 on open space provision provide the sole basis for securing additional open space in the District.

It has been prepared in tandem with the SPD and consultation on both documents was undertaken simultaneously.

2.3 The SA process incorporated the requirements of the EU Strategic Environmental Assessment Directive, which requires certain types of UK plans and programmes to undergo a formal environmental assessment.
Background
3 Background

Purpose of the Sustainability Appraisal

3.1 Under the Planning and Compulsory Purchase Act 2004 (as amended) a sustainability appraisal must be undertaken for each SPD (PPS12 paragraphs 3.14-3.18). The purpose of the sustainability appraisal is to promote sustainable development through better integration of sustainability considerations into their preparation. The appraisal looks at the guidance contained in the SPD and examines how it contributes to the aim of sustainable development. Identifying issues at an early stage enables the guidance to be changed and amended to ensure that it is as sustainable as possible.

3.2 The approach to sustainable development addresses social, economic and environmental concerns and covers a wide range of issues from local to global effects of development. This appraisal assesses the effect of the Open Space Supplementary Planning Document on sustainability by assessing whether there are any impacts additional to those which may have been identified under the LPR policies.

Policy Context

3.3 The Braintree District Local Plan Review, adopted in July 2005, provides general guidance on open space provision through Policies RLP 137 Open Space Standards, RLP 138 Provision of Open Space in New Housing, RLP 141 Informal Countryside Recreation Areas and RLP 163 Infrastructure and Community Facilities. The Secretary of State for Communities and Local Government has confirmed that these policies can be ‘saved’ under Regulations relating to the Planning and Compulsory Purchase Act 2004.

3.4 The Braintree Open Space Audit 2006 provided the evidence base for the development of open space standards adopted in the Braintree Green Spaces Strategy 2008 and the identification of open space deficiencies within six geographical sub-areas of Braintree District. These open space standards will eventually be incorporated into the developing Local Development Framework, but in the interim period the LPR standards will be applied to this SPD.

3.5 The Government is expecting that future open space provision will be brought about through the planning system by way of planning gain. The amount which can be brought forward will therefore be directly related to future levels of residential and commercial development. Provision will also be competing with other demands from development such as highways infrastructure, schools, affordable housing and utilities infrastructure. Therefore the provision of open space will depend upon economic performance.

3.6 The Open Space SPD will supplement the existing Local Plan Review by providing guidance and advice to developers on how the policy should be interpreted and implemented, and to enable them to take the need for open space into consideration at an early stage in the development process.
**SPD Objective**

3.7 The Open Space SPD has one principle objective – to deliver open space of the right type in the right location which meets the need of the community. It will produce certainty and ensure a consistent approach to the provision of open space throughout Braintree District.

3.8 The SPD gives further guidance on the definition of open space used in the Braintree District Local Plan Review and the approach to open space delivery. It gives guidance on how Policies RLP137 and RLP138 should be interpreted to help meet the need for open space. The Document covers detailed issues such as open space standards, open space types, thresholds for on-site provision of open space in new development, financial contributions to off-site provision and maintenance by public bodies and management arrangements for open space. It is intended to provide clarity, consistency and a more structured approach to open space delivery and will assist the council to negotiate an appropriate and more consistent level of open space of the right type in the right place. The SPD also states how monitoring of the policies and the SPD will be undertaken to ensure the successful implementation of Policies RLP137 and RLP138.
Objectives, Baselines and Context
4 Objectives, Baselines and Context

Links to Other Strategies, Plans and Programmes

4.1 The SPD is part of a hierarchy of planning policy. It must conform to the Braintree District Local Plan Review, and is consistent with the Regional Spatial Strategy *East of England Plan* (2008) and national planning policies which support the Government’s sustainability agenda.

4.2 Other policies in the LPR also have a bearing on the location, accessibility and type of open space – RLP 4 *Prevention of Town Cramming*, RLP 10 *Residential Density*, RLP 20 *Residential Institutions in Towns and Villages*, RLP 21 *Institutional Uses in the Countryside*, RLP 25 *Garden extensions within Built-Up Areas*, RLP 31 *Design and Layout of Business Parks*, RLP 34 *Buffer Areas between Industry and Housing*, RLP 41 *Employment Allocation, Springwood Drive, Braintree*, RLP 59 *Panners Roundabout Special Policy Area*, RLP 90 *Layout and Design of New Development*, RLP 95 *Preservation and Enhancement of Conservation Areas*, RLP 111 *Retail Development*, RLP 129 *Sports and Leisure Facilities*, RLP 136 *Formal Recreation Policy*, RLP 140 *River Walks/Linear Parks and Disused Railway Lines*, RLP 142 *Country Parks*, RLP 150 *Educational Establishments* and RLP 157 *Community Uses Site, White Colne*. These policies have also been ‘saved’ by the Secretary of State. This sustainability appraisal will not consider those other policies because its purpose is to consider the likely effects of the SPD on implementing open space policies RLP137 and RLP138.

Baseline Characteristics

4.3 The current policy on open space requirements dates from the First Draft Local Plan Review. The adopted LPR covers the period 1996-2011, but has a baseline of 31 March 2002 and will be in force until its policies are replaced by Development Plan Documents. The open space standards are based on the widely accepted Fields in Trust (National Playing Fields Association) national standard of 6 acres (2.43 hectares) per thousand population. The Government encourages the setting of local standards through Planning Policy Guidance 17 *Planning for Open Space, Sport and Recreation* (2002), to be justified through needs assessments and quality audits in accordance with PPG17 and its Companion Guide.

4.4 The Council’s *Audit of Open Spaces in Braintree District* (2006) was the most comprehensive survey of open space and outdoor sports and recreation facilities undertaken in the District. Along with household, user and sports club surveys, it provided the baseline data on which the local open space standards of the *Braintree Green Spaces Strategy* were founded. Quality assessments of the major spaces will form the basis of an Action Plan to secure the raising of quality standards throughout the District. The Strategy looked at provision in six geographic sub-areas so that local needs could be established for a range of open space types.

4.5 The SPD is supplementary to the Local Plan Review adopted in 2005. It builds on the BGSS and is intended to ensure that the right type of open space is provided in the right locations. Information on the environmental, social and economic baseline of the LPR provides the basis for predicting and monitoring effects and helps to identify problems and alternative ways of dealing with them. The sustainability appraisal of the LPR found no adverse impacts from any of the open space policies.
and no open space policies were amended as a result of the SA. The main role of this appraisal is to examine whether the Open Space SPD results in any differences in the effects of the Local Plan Review policies, and add detail where appropriate.

**The Sustainability Appraisal Framework**

4.6 To enable a direct comparison to be made between the Local Plan Review Policy and the Open Space SPD the same 28 sustainability objectives were used, grouped under the following headings:

**Social**

- **Housing**
  - Access to housing
  - Quality, quantity and affordability

- **Built environment and landscape**
  - Local distinctiveness
  - Design – utility, aesthetics and sense of community

- **Health**
  - Health – lifespan and quality
  - Access to health services

- **Community Safety**
  - Crime and disorder reduction
  - Reduce perceptions of insecurity
  - Reduce accidents

- **Leisure and recreation**
  - Encourage leisure activities
  - Maximise leisure and sports opportunities

- **Arts and heritage**
  - Access to the arts
  - Preservation of local cultural heritage

- **Equalities and welfare**
  - Access to affordable housing, food, water and fuel
  - Access to community services and facilities
  - Opportunities for disadvantaged citizens and groups
Promoting democracy

- Opportunities to participate in decision-making

Environmental

Energy, water and pollution

- Energy, water and natural resources
- Pollution – air, water, land and noise

Waste

- Reduction in refuse and solid waste
- Sustainable waste management

Nature conservation

- Protection of biodiversity
- Opportunities for nature conservation

Economic

Jobs, skills and the local economy

- Stable and sustainable local economy
- Physical access to employment
- Training and skills

Transport

- Access – modal shift
- Impact of transport

4.7 These sustainable objectives not only encompassed, but also went beyond the issues published by the Government in *Sustainable Communities for the 21st Century*. Each policy in the Local Plan Review was appraised through the use of a sustainability matrix and the impact of the policies measured in terms of having clear adverse effects or having unclear objectives. This process focused on policies where change was considered essential or desirable. In total 5 strategy elements and 39 policies, nearly a quarter of the policies contained in the Plan, were changed.
The Sustainability Appraisal
5 The Sustainability Appraisal

5.1 This appraisal adopts the most commonly employed method of using a sustainability matrix to cross-reference policies to specific sustainability objectives. The matrix, appended to this SPD, was developed by a small working group of officers representing parks, leisure, environmental and planning services. The matrix is used to compare the impacts of the principal LPR policy (RLP 138) with the impacts of the additional guidance given in the SPD. As both were appraised on a similar basis, the SPD should achieve at least the same level of sustainability as the LPR and, ideally, some improvement. The matrix compares the relative effects of the SPD in comparison to the baseline data and assesses them as positive, neutral or negative.

5.2 The SPD provides guidelines for securing the delivery of open space to meet the needs generated by new development. The following elements of the SPD were tested against the selected sustainability indicators:

- **Delivery** of open space of the right type in the right location
- **Type** of open space provision
- **Thresholds** for on-site provision
- **Financial contributions** from residential, commercial and mixed use developments
- **Ongoing maintenance** of open spaces

**Strategic Environmental Assessment**

5.3 The Council undertook a screening exercise to determine whether a Strategic Environmental Assessment (SEA) should be carried out in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. The Council determined that a SEA was not required because the Open Space SPD is a thematic document that supplements existing saved policies in the LPR, and those policies were subjected to a sustainability appraisal. The Council consulted the three statutory bodies comprising English Heritage, Natural England and the Environment Agency and no objections were made to the Council’s determination. See Appendix 2 for the Screening Statement.
Sustainability Effects of the SPD
6 Sustainability Effects of the SPD

6.1 The positive effects of the SPD are mostly social. The SPD will ensure an adequate supply of good quality open space appropriate to people’s needs, and giving people the opportunity to undertake recreation and sports activities. Access to a range of open spaces can assist in improving the quality of life of people and reducing factors which may contribute to ill health. The provision of open space also provides opportunities for nature conservation and protection of biodiversity through sympathetic management. There were no negative sustainability effects.

6.2 The results of the assessment of the sustainability implications of having an Open Space SPD rather than relying on Policies RLP 137 and RLP 138 alone are:

- **Delivery** – No significant change, although having the right type of space in the right location will encourage greater community use of the spaces provided.

- **Type** – The SPD has a significant positive sustainability effect by ensuring that the type of open space will meet the needs of the community, so that people will have good access to a range of open space types.

- **Thresholds** – Having thresholds for the provision of each type of open space on site aids sustainability by ensuring that open spaces are located close to new developments. Smaller spaces such as children’s play spaces are more likely to be provided on new sites.

- **Financial contributions** – An important mechanism for ensuring that all development can contribute to the provision or improvement of more extensive open spaces such as playing fields to meet the needs of the occupiers of that development.

- **Ongoing maintenance** – providing for the future maintenance of new open spaces, whether through the private or public sectors, will ensure that the health and recreational opportunities of people can be safeguarded in the longer term.
Monitoring
7 Monitoring

7.1 The implementation of the SPD and its sustainability effects will be assessed by monitoring:

- The amount of open space provided annually by type, location and size
- The annual change in surpluses or deficiencies of open space types set against the adopted standards.

7.2 The level of development will then be assessed against the projected open space shortfall to determine the effectiveness of the policy in meeting the needs of the District. The overall sustainability effect of the SPD will be assessed by having regard to the type of provision being secured, and to address any adverse impacts that arise through future modification to the guidance. The results of this assessment will be published in the Annual Monitoring Report.
Appendix
## Appendix

### Table 1 Sustainability Effects of Open Space SPD (Option 1) compared with Local Plan Policies alone (Option 2)

<table>
<thead>
<tr>
<th>Sustainability Indicators</th>
<th>Delivery of right amount of open space in the right location</th>
<th>Type of Provision</th>
<th>Thresholds for On-site Provision</th>
<th>Financial contributions towards new provision of improvements</th>
<th>Maintenance of Open Spaces</th>
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</thead>
<tbody>
<tr>
<td><strong>SOCIAL INDICATORS:</strong></td>
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<td>Housing</td>
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<td>Local distinctiveness</td>
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<td>?</td>
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<tr>
<td>Reduce accidents</td>
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<td>Encourage leisure activities</td>
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<td>Maximise leisure and sports opportunities</td>
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<td>Access to affordable housing, food, water and fuel</td>
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+ Beneficial effect  
- Detrimental effect  
0 Neutral effect  
? Uncertain
**Sustainability Indicators**

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<th>ENVIRONMENTAL INDICATORS:</th>
<th>Delivery of right amount of open space in the right location</th>
<th>Type of Provision</th>
<th>Thresholds for On-site Provision</th>
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+ Beneficial effect
- Detrimental effect
0 Neutral effect
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SEA Screening Statement Introduction
1 SEA Screening Statement Introduction

1.1 The Council is preparing an Open Space Supplementary Planning Document (SPD) which expands upon the saved policies for open space in the Braintree District Local Plan Review, adopted in July 2005. A Sustainability Appraisal is also being prepared to accompany the SPD and both documents will be subject to public consultation later this year.

1.2 Sustainability Appraisals are required to incorporate the requirements for Strategic Environmental Assessments (SEAs) as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 which implements the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. The Regulations place an obligation on local authorities to undertake a SEA on any land use plan which sets the framework for future development.

1.3 Under Regulation 5(6) a SEA need not be carried out for a plan or programme which determines the use of small areas at a local level or for minor modifications to a plan or programme, unless the plan or programme or modification is determined to have significant environmental effects. To assist in this determination, local authorities are required to undertake a screening process, based on a set of criteria specified in the Regulations, to assess whether the plan is likely to have significant environmental effects. Before making its determination, a local authority is required to consult on the screening process with three statutory bodies comprising English Heritage, Natural England and the Environment Agency.

1.4 The Council considers that the Open Space SPD will not have any significant environmental effects since it is simply a thematic document that supplements existing local plan policies, and therefore a SEA under Directive 2001/42/EC is not required. Therefore this SEA Screening Document is being sent to the statutory bodies as part of the consultation process for their opinion on whether or not a SEA is required.
Open Space Draft Supplementary Planning Document
2 Open Space Draft Supplementary Planning Document

2.1 For many years now it has been standard practice to base the provision of public open space on the standards set out by the National Playing Fields Association, and indeed the Adopted Braintree District Local Plan Review Policy RLP137 (Open Space Standards) reinforces these standards. Through Planning Policy Guidance Note 17 the Government advocates the setting of standards locally and has published detailed guidance on how this should be undertaken. During the Local Plan Review Public Inquiry objections were made to Policies RLP137 and RLP138 (Provision of Open Space in New Housing Developments). Whilst the Inspector found that there was no evidence to indicate that NPFA standards are inappropriate for Braintree District, he did recommend that local planning guidance should be given on the provision of housing in new developments, and Policy RLP138 was amended to reflect that a supplementary planning document on open space standards in new development will be prepared. An Open Space Audit was undertaken in 2006 and forms the evidence for this Open Space SPD.

2.2 Adopted Braintree District Local Plan Review Policy RLP138 (Provision of Open Space in New Housing Developments) reads:

“In proposals for new residential development, the District Council will require land to be made available for open space. The open space will be for play areas and for formal recreation and shall be adequate in terms of size and location to meet the needs of the development that it serves. Where open space is to be provided for the benefit of the development itself and is to be dedicated to the Council, a commuted payment will be required to cover future maintenance costs. Appropriate provision of play equipment, or a commuted sum to cover its costs, should also be made.

A Supplementary Planning Document will be prepared on open space standards. Where individual developments would not warrant a directly associated open space provision, but where cumulatively, and over time, there would be a requirement for open space, commuted payments to provide open space will be required.”

2.3 The provision of open space could, and did, happen without the SPD, but the SPD provides additional guidance on how the Local Plan Review policy will be used to secure the type of open space required to meet the needs of the local community. The Open Space SPD covers detailed issues including the types of open space required, open space standards, types of contributing development, thresholds for provision, the bases of calculating the contribution and determining local priorities for expenditure, the policy for adoption of open space by the District Council and viability. This SPD will assist the Council to implement its Green Spaces Strategy by directing expenditure to areas of development and ensuring that local open space needs will be met.
The Sustainability Appraisal
3 The Sustainability Appraisal

3.1 A sustainability appraisal is required for all DPDs and SPDs under the Planning and Compensation Act 1990, and must incorporate the requirements of the SEA Directive. However, the Directive is not applied to plans and programmes which “determine the use of small areas at a local level” or which are “Minor modifications” unless they are determined to be likely to have significant environmental effects.

3.2 The ODPM guidance on Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents states in Appendix 2 that the criteria in Article 3.3 (implemented by Regulation 5(6)) may on occasion apply to SPDs in the form of design guides or issues-based documents that supplement policies in the DPD. It is for the local authority to determine whether there are significant environmental effects and, where they consider that a plan is exempt the Directive requires the local authority to follow a screening procedure by consulting the four specified environmental bodies on whether or not there are likely to be significant environmental effects. The determination and a statement of reasons for reaching it must be made available to the public and local authorities are advised to include it in the SA Report during the consultation process.

3.3 Even where there are no significant environmental effects, the SA will be used to assess whether there are any economic or social effects. Since the Adopted Braintree Local Plan Review was subject to a sustainability appraisal, the SPD SA will compare the effects of the Open Space SPD with the effects of operating the provision of open space in new housing developments policy without any additional guidance.
The Screening Process
4 The Screening Process

4.1 Annex II of the Directive sets out the relevant criteria to be used in the screening process to determine whether the Draft Open Space SPD is exempt from the requirements of Directive 2001/42/EC:

1. The characteristics of plans and programmes having regard to

- the degree to which it sets a framework for projects and other activities
- the degree to which it influences other plans and programmes
- the relevance for integration of environmental considerations in particular with a view to promoting sustainable development
- environmental problems relevant to the plan or programme
- relevance for the implementation of Community legislation on the environment

2. Characteristics and effects of the area likely to be affected having regard to

- probability, duration, frequency and reversibility of the effects
- cumulative nature of the effects
- transboundary nature of the effects
- risks to human health or the environment
- magnitude and spatial extent of the effects (geographical area and size of population likely to be affected)
- value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage
  - exceeded environmental quality or standards or limit values
  - intensive land use
  - effects on areas or landscapes which have a recognised national, Community or international protection status
4.2 The screening process required the Draft Open Space SPD to be assessed against the criteria listed above and the results are listed in Table 2. The table shows that the SPD is unlikely to have any significant environmental effects because any effects were neutral or positive.

Table 2 Results of Screening Process

<table>
<thead>
<tr>
<th>SEA Directive Criteria</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>The SPD will not set a framework for any other projects or activities, rather it will supplement existing planning policies in the Braintree District Local Plan Review, which set out the framework for open space requirements in the District. The SPD will provide more detailed guidance on how open space policies shall be interpreted and on the mechanisms through which it will be delivered. It will enable the Council to negotiate an appropriate level and type of open space in connection with individual planning applications for housing development to ensure that the open space needs of the District are met. The SPD elaborates and adds further detail to BDLPR Policy RLP138.</td>
</tr>
<tr>
<td>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</td>
<td>The SPD is the lowest form of plan in the hierarchy and is subservient to the Local Plan Review and the Regional Spatial Strategy. It will not influence these or any other plans or programmes.</td>
</tr>
<tr>
<td>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</td>
<td>The SPD will promote the sustainable development in accordance with the principles of PPS12. It will ensure the provision of new open spaces of the right type and in the right location to meet the needs of people living in new housing developments. For larger development schemes the provision of open spaces will be integrated into the development to increase its sustainability.</td>
</tr>
<tr>
<td>Environmental problems relevant to the plan or programme.</td>
<td>The SPD will not lead to environmental problems. A sustainability appraisal including social, economic and environmental effects has already been undertaken on the policies and proposals of the Local Plan Review. The provision of open space in accordance with local needs will have a positive environmental effect.</td>
</tr>
<tr>
<td><strong>SEA Directive Criteria</strong></td>
<td><strong>Response</strong></td>
</tr>
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<td>--------------------------------------------------------------------------------------------</td>
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<tr>
<td>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</td>
<td>The SPD has no relevance to the implementation of Community legislation on the environment.</td>
</tr>
<tr>
<td><strong>SEA Directive Criteria</strong></td>
<td><strong>Response</strong></td>
</tr>
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<td>--------------------------</td>
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</tr>
<tr>
<td>The effects on areas or landscapes which have a recognised national, Community or international protection status.</td>
<td>There are no areas or landscapes within Braintree District that have a recognised national, Community or international status.</td>
</tr>
</tbody>
</table>
Conclusions
5 Conclusions

5.1 The screening process has demonstrated that the Open Space SPD will not have any significant environmental effects and that a Strategic Environmental Assessment need not be incorporated into the Sustainability Appraisal.