

# PLANNING FOR HEALTH SUPPLEMENTARY PLANNING DOCUMENT (SPD) CONSULTATION DRAFT

## REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>14 June 2022</b>
<b>PORTFOLIO</b>	<b>Economy and Growth</b>
<b>REPORT AUTHOR</b>	<b>Elizabeth Murphy</b>
<b>TEL NO</b>	<b>Ext 7286</b>
<b>EMAIL</b>	<a href="mailto:emurphy@burnley.gov.uk">emurphy@burnley.gov.uk</a>

### PURPOSE

1. The purpose of this report is to seek approval to undertake formal public consultation on a draft Planning for Health Supplementary Planning Document (SPD).
2. The draft SPD (attached at Appendix A) has been prepared to support the implementation of Burnley's Local Plan. Once adopted, it will become a material consideration to be used in the determination of relevant applications.

### RECOMMENDATION

3.
  - (1) That Executive approves the draft Planning for Health SPD for public consultation for a six-week period commencing in late April/early May 2022.
  - (2) That, up to the start of the consultation period, the Strategic Head of Economy and Growth is authorised by the Executive to make minor changes to the wording or layout of the draft SPD, providing that the changes do not materially alter the meaning of the consultation document.

### REASONS FOR RECOMMENDATION

4. To meet the commitment to preparing a Planning for Health SPD as set out in the Council's Local Development Scheme (LDS) and through the Council's involvement in the Pennine Lancashire Childhood Obesity Trailblazer Programme; and to seek comments in accordance with the relevant regulations and commitments in the Council's Statement of Community Involvement (SCI).

### SUMMARY OF KEY POINTS

#### Early Consultation

5. During the preparation of the draft SPD, early and informal consultation took place on its scope and content with internal officers, specifically those whose work relates to

the issues within the document e.g. Policy and Engagement, Environmental Health, Green Spaces and Amenity, Burnley Leisure; and with Lancashire County Council Public Health and Wellbeing team and the Pennine Lancashire 'Healthier Place Healthier Future' Programme (HPHF) team.

### **Pennine Lancashire Childhood Obesity Trailblazer Programme**

6. The Pennine Lancashire 'Healthier Place Healthier Future' Programme (HPHF) is one of five Government funded childhood obesity trailblazers involving a consortium of seven Council's: Blackburn with Darwen, Burnley, Hyndburn, Pendle, Ribble Valley, Rossendale and Lancashire County Council. Funding is for three years. The programme commenced in June 2019.
7. The HPHF team are working across and within the districts to collaboratively improve the food environment and make it easier for people to lead healthier lives. Delivery is focused on working within Wards that have high levels of deprivation, large concentrations of fast-food establishments and children living with obesity.
8. The project is built upon 'four levers for change' to influence healthier environments with one of these being Planning: working with planning authorities to support development of healthier places; aligning policy across the districts and using planning to support public health. The agreed planning-related actions include the development of a Planning for Health SPD for Burnley to be adopted by June 2022.

### **Strategic Environmental Assessment**

9. SPDs no longer require Sustainability Appraisal (SA) but can require Strategic Environmental Assessment under the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations').
10. Councils must carry out a screening process to determine whether relevant plans or programmes are likely to have significant environmental effects, and hence whether SEA is required. Where the Council determines that SEA is not required, it must prepare a statement setting out the reasons for this determination. Before coming to a conclusion on this matter, the Council is required to consult with three specific consultation bodies, namely: Historic England, Natural England and the Environment Agency. The three bodies have confirmed their agreement with the Council's conclusion on this matter and the Council made a determination on 4 July 2020 that SEA is not required.

### **Proposed Consultation**

11. Under the Town and Country Planning (England) Regulations 2012 there is a requirement for a minimum of four weeks public consultation on all SPDs. The Council's adopted Statement of Community Involvement (SCI) however extends this period to six weeks to allow more time for interested parties to respond.
12. Consultation on the draft SPD will include notification to all those required to be notified by legislation and all others on the Local Plan consultation database, together with advertisement on social media and the Council's website. The document will also be made available at the Contact Centre and main libraries.

13. A revised SPD will then be prepared taking into account the consultation responses received and will be presented to a future Executive for formal adoption.

### **The Draft SPD**

14. The draft SPD highlights the key links between the planning system and health and discusses how the policies of the local plan, in accordance with its objectives, seek to protect and/or improve people's physical and mental health and address health inequalities. Whilst it could be argued that all the Local Plan policies have a link to health, the SPD concentrates on key linkages against 4 themes:
  - Theme 1 - policies that seek to protect people from physical harm
  - Theme 2 - policies that seek to enable people to live healthier lifestyles
  - Theme 3 - policies that seek to provide access to health infrastructure
  - Theme 4 - policies that involve the general protection or enhancement of the environment that can improve quality of life.
15. It identifies the impact of the policy in relation to the issue and its relative importance (not the importance of the health issue itself but rather the importance of the planning tool in seeking to address it).
  - Impact 1: Where the planning tool clearly can or does have a positive effect on its own (regardless of other agencies' activities) but is also essential to the efforts of other agencies to address health issues and inequalities; and where normal levels of public and private sector funding can deliver the policy e.g. protection of precious open space and ensuring safe vehicular access in new development.
  - Impact 2: Where the planning tool is one of the key tools available in relation to the matter and is essential to the efforts of other agencies to tackle health issues and inequalities; and where it clearly can or does have a positive effect, but is heavily reliant on public sector funding or private sector investment e.g. the protection and provision of formal sports and play facilities
  - Impact 3: Where the planning tool complements wider efforts to tackle health inequalities but has a limited effect on its own e.g. controlling the location and where possible the menu offer of hot food takeaways.
16. By explaining the health impact of policies in more detail than is set out in the Local Plan, and by categorising the impacts and their relative importance, the SPD aims to better inform planning decisions and the 'planning balance'.

### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

17. £3,000.00 was received towards the work involved in preparing the SPD through the Trailblazer Programme and the work will be completed within this and existing budgets. As such, there are no financial implications directly associated with this report.

### **POLICY IMPLICATIONS**

18. The Planning for Health SPD will be a material consideration when considering relevant

applications. Its production fulfils an existing commitment in the Council's LDS.

**DETAILS OF CONSULTATION**

19. As set out in paragraph 5 of the report.

**BACKGROUND PAPERS**

20. None

**FURTHER INFORMATION**

**PLEASE CONTACT:**

**Elizabeth Murphy**

**ALSO:**

**Erika Eden Porter**