



**Strategic Environmental Assessment of the
Development Requirements SPD –
New and Revised Parts H, I, K, O and R**

SEA Screening Document

Stratford-on-Avon District Council

February 2019

Update to the January 2018 SEA Screening Report for the Development Requirements SPD

1.0 Introduction

Further to the SEA Screening Document (January 2018) on the draft Development Requirement SPD, the District Council has undertaken an SEA screening on 3 revised sections and 2 new sections to consider whether they would trigger the requirement for an SEA in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004.

The revised sections comprise the following;

- Part H – Shopfronts and Retail
- Part O – Parking and Travel
- Part R- Air Quality

The new sections comprise the following;

- Part I – Non- Commercial Buildings
- Part K – Holiday Lets and Caravan Parks

2.0 The Screening process

The SEA Directive requires plans and programmes to be in general conformity with the strategic policies of the adopted development plan for the local area.

Planning Practice Guidance (PPG) 'Strategic environmental assessment and sustainability appraisal' Paragraph 11-008 states that:

'Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan'.

Table 1 below establishes whether there is a need for SEA for the revised and new sections. The questions are taken from the Figure 2 the Application of the SEA Directive to plans and programmes set out in ODPM, 'The Practical Guide to Strategic Environmental Assessment' (2005).¹

¹ ODPM, (2005) 'The Practical Guide to Strategic Environmental Assessment'

Table 1: Determines if there is a requirement for SEA

Stage	Yes/No	Reason
1. Is the PP (plan or programme subject to preparation by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art,2(a))	Y	The SPD has been prepared by and will be adopted by Stratford-on-Avon District Council to give detail on the Core Strategy.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art,2(a))	Y	When the SPD is adopted it would become a material consideration part of the statutory development plan.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	Due to the nature of the Development Requirements SPD, development projects contained in Annex I are unlikely to be affected by the content of the SPD. It sets guidance to aid the preparation of projects under Annex II. Whilst the SPD is a material consideration to the granting of development consent rather than directly setting the framework for the development consent, it sets out a series of 'requirements' for development to adhere to
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	Y	The SPD is not anticipated to have a likely significant effect on any European Sites.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The SPD identifies a range of development guidance for Stratford-on-Avon District
6. Does the PP set the framework of future development consents of projects (not just projects in the Annexes to the EIA Directive)? (Art 3.5)*	N	The SPD does not formulate policies, but provides guidance on the Stratford-on-Avon District Core Strategy.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP OR is it co-financed by structural funds of EAGGF programmes 2000 to 2006/7? (Art 308, 3.5)	Y	The SPD serves other purposes
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	No – see assessment below.
*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.		

3.0 Relevance to the SEA Directive

Question 8 within the ODPM guidance (see Table 1) refers to whether the SPD would have a significant effect on the environment. The criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations (2004) can be used to consider the relevance of the plan to the SEA Directive. Section 4.0 considers likely environmental effects of the plan.

Table 2: Development Requirements SPD and the SEA Directive

Criteria (from Annex of SEA Directive and Schedule of Regulations)	Response
Characteristics of plans and programmes	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD sets a framework for projects by providing detail on adopted policies of the Local Development Plan. The SPD forms a material consideration for the nature and operating conditions of projects.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SPD provides detail to existing strategic planning policies set out in the Stratford-on-Avon Core Strategy (2011-2031). It does not create new policies.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	There are opportunities for integrating environmental considerations within the SPD. The new and revised sections of the SPD contains topics on environmental aspects such as air quality, parking and hot food takeaways.
(d) environmental problems relevant to the plan or programme	<p>Key issues include:</p> <ol style="list-style-type: none"> 1. Congestion, poor rural accessibility, high car dependency 2. Fluvial flooding risk 3. Impacts of growth on natural and historic landscape 4. Loss of biodiversity through natural habitat depletion 5. Aging and expanding population
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	Not applicable

Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects	The SPD is not expected to give rise to any significant environmental effects.
(b) the cumulative nature of the effects	The SPD is not considered to have any significant cumulative effects and is not thought to contribute to cumulative impacts in combination with the Stratford-on-Avon Core Strategy.
(c) the transboundary nature of the effects	The SPD is not expected to give rise to any significant transboundary environmental effects.
(d) the risks to human health or the environment (for example, due to accidents)	There are no anticipated effects of the SPD on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD is not expected to give rise to any significant environmental effects.
(f) the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards or limit values (iii) intensive land-use 	(iii) The SPD is not anticipated to adversely affect any special natural characteristics or cultural heritage. Nor would the SPD be expected to lead to the exceedance of environmental standards or promote intensive land use.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status	The SPD is not expected to have any adverse effect on areas with national, community or international protection status

4.0 Determination of significant effects

The Development Requirements SPD is the “daughter” document of the “parent” Core Strategy. The SPD adds further detail to the policies contained within the Stratford-on-Avon Core Strategy, and is used to provide further guidance on existing higher level adopted policy. The policies of the Stratford-on-Avon Core Strategy have been subject to a full SA. Paragraph 9 of the SEA Directive states that:

“This Directive is of a procedural nature, and its requirements should either be integrated into existing procedures in Member States or incorporated in specifically established procedures. With a view to avoiding duplication of the assessment, Member States should take account, where appropriate, of the fact that assessments will be carried out at different levels of a hierarchy of plans and programmes.”

Therefore it is considered that the potential significant effects of the new and revised sections of the SPD, either individually or in combination with other plans and projects, have already been assessed in the SA of the Core Strategy. Nonetheless, a full review of the potential effects of the new and revised sections of the SPD has been undertaken to

ensure that the SPD does not give rise to new potential significant environmental effects. This review is set out below.

A summary of baseline conditions affecting this SPD can be found in the Stratford-on-Avon Core Strategy SEA Scoping Report (2011) and an assessment of the potential effects of the new and revised sections of the SPD against each of the topics set out in Annex I (f) of the SEA Directive is presented below.

Biodiversity, flora and fauna

Part R of the SPD puts forward air quality requirements for development proposals. Improved air quality is likely to have positive effects on biodiversity, flora and fauna as well as benefits for human health.

The air quality requirements at new development sites will also be likely to benefit SEA topics including climatic factors (climate change mitigation as well as adaptation), air (vegetation helps to improve air quality by filtering out pollutants) and human health (access to natural habitats is beneficial to the physical and mental health and wellbeing of residents).

Population and human health

The Development Requirements SPD puts forward several requirements for development which would be anticipated to be beneficial to the mental and physical health and wellbeing of residents. In particular, revised Part R. includes requirements related to protecting and improving air quality, whilst Part I provides guidance on non-residential buildings to ensure proposals achieve high quality design, thereby improving the character and amenity of the local environment.

In addition, Part O promotes sustainable transport and travel patterns, which is anticipated to provide benefits towards climatic factors (climatic change mitigation and adaptation) such as reducing carbon emissions, improvement in health through the use of more sustainable transport, such as walking and cycling and potentially improved air quality. Finally, Part H includes a section on the Hot Food Takeaways, providing guidance to ensure that there is not an over dominance of such uses in any one location, as it may provide easy access to unhealthy food and less attractive areas in local communities. In doing so, it will lead to more attractive and vibrant environments.

Soil, water and air

Revised Part R of the SPD provides further clarity on requirements for new development to adhere to in relation to improving and maintaining good air quality. This includes the requirement for an air quality assessment where there is a risk of development either significantly reducing air quality or where residents will be exposed to poor air quality. Part R also includes a three stage robust methodology for assessing air quality in new development and recommends potential mitigation measures.

Climatic factors

The SPD puts forward several requirements for development which would be likely to help reduce the local area's contribution towards the causes of climate change. This includes the promotion of sustainable transport and travel patterns, which would be likely to help reduce carbon emissions.

Material assets

The material assets topic considers social, physical and environmental infrastructure. This sub-section should be read alongside 'Population and human health', which details some health and social infrastructure implications of the SPD; 'Climatic factors', which considers transport infrastructure in terms of sustainable transport; 'Soil, water and air', which considers air quality ;and the 'Biodiversity, flora and fauna' sub-section, which considers air quality.

Cultural heritage (Inc. architectural and archaeological)

There is not anticipated to be any significant effects on cultural heritage due to the need for conformity to the Core Strategy Policy CS.8 Historic Environment.

Part I of the SPD sets out guidance for new commercial buildings to ensure that development achieves high quality design.

Landscape

The protection, enhancement and management of the character and appearance of the landscape and townscape and its distinctiveness and special qualities depend on design, layout and extent of development. Part I provides guidance on non-residential buildings to ensure proposals achieve high quality design, thereby improving the character and amenity of the local environment.

5.0 Screening outcome

This screening report has explored the potential effects of the 5 sections of proposed Stratford-on-Avon District Council Draft Development Requirements SPD, with a view to determining whether an environmental assessment is required under the SEA Directive.

Proposals in the SPD, including requirements for development, refer to policies set out in the district's Core Strategy, but do not propose the policies themselves. The proposals also list criteria for testing the acceptability of future development proposals and in most cases are designed to help enhance environmental protection.

In accordance with topics cited in Annex 1(f) of the SEA directive, significant effects on the environment are not expected to occur as a result of the SPD.

It is recommended that the new and revised sections of the Stratford-on-Avon District Council Draft Development Requirements SPD should be screened out of the SEA process.

An Appropriate Assessment of the Core Strategy was undertaken and it was concluded that it is unlikely to have a significant impact on any European site or SEA Objective. Therefore it was not necessary to move to the Stage 2 Appropriate Assessment.

The SPD is a "daughter" documents of the "parent" Core Strategy and the SPD is therefore unlikely to have any significant effects on a SPA or SAC, above and beyond any significant effects that the Core Strategy is likely to have, either individually or in combination with other plans and projects. Therefore, the SPD will not trigger the need for an SA/SEA.

6.0 Consultation

This SEA Screening report will be subject to consultation with the statutory consultees: Environment Agency, Historic England and Natural England.

7.0 Conclusions

In conclusion, the changes to the SPD provide greater clarity to topic and strengthen its requirements. There are no additions to the SPD that would result in a significant effect on the environment. The conclusions of the SEA Screening Report (Jan 2018) still apply and it is concluded that the Development Requirements SPD is screened out of the SEA Process.