



**Strategic Environmental Assessment of the
Development Requirements SPD -
New Part V: Climate Change
Mitigation and Adaptation**

SEA Screening Document

Stratford-on-Avon District Council

November 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 Requirements SPD, the District Council has undertaken an SEA screening on a new part to consider whether it 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 new part comprises Part V – Climate Change Adaptation and Mitigation.

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 been assessed during the preparation of the relevant strategic policies.'

Table 1 below establishes whether there is a need for SEA for the new section. 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: Establishing whether there is a requirement for SEA

| Stage | Yes/No | Reason |
|---|--------|---|
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Art. 2(a)) | Y | Part V of 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 Part V of the SPD is adopted it will become a material consideration in the determination of planning applications |
| 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 planning 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)) | N | 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) | N | 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: Part V of the 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 | Part V of the SPD sets a framework for projects by providing detail on relevant adopted policies of the Core Strategy. The SPD forms a material consideration for the determination of planning applications. |
| (b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy | Part V of the SPD provides detail to existing strategic planning policies set out in the Core Strategy. 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 | Environmental considerations are integrated into Part V of the SPD, relating to reducing greenhouse gas emissions and mitigating and adapting to the effects of climate change. |
| (d) Environmental problems relevant to the plan or programme | The purpose of Part V is specifically to tackle the issue of climate change. |
| (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 are likely to be affected | |
| (a) The probability, duration, frequency and reversibility of the effects | Part V of the SPD is not expected to give rise to any significant negative environmental effects. |
| (b) The cumulative nature of the effects | Part V of the SPD is not considered to have any significant negative cumulative effects and is not thought to contribute to cumulative impacts in combination with the Core Strategy. |
| (c) The transboundary nature of the effects | Part V of 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 not expected to be any risks to human health from Part V of the SPD |
| (e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | Part V of the SPD is not expected to give rise to any significant negative environmental effects. |
| (f) The value and vulnerability of the area likely to be affected due to: (i) Special natural characteristics or cultural heritage (ii) Exceeded environmental quality standards or limit values (iii) Intensive land-use | Part V of the SPD is not anticipated to adversely affect any special natural characteristics or cultural heritage. Nor would Part V 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 | Part V of the SPD is not expected to have any adverse effect on areas with national, community or international protection. |

4.0 Determination of significant effects

The Development Requirements SPD is the 'daughter' document of the 'parent' Core Strategy. The SPD add 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 Part V of the SPD, either individually or in combination within 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 section of the SPD has been undertaken to ensure that Part V 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 section of the SPD against each of the topics set out in Annex I 9f) of the SEA Directive is presented below.

Biodiversity, flora and fauna

Principle 5 of Part V puts forward a range of measures that can be incorporated into developments to mitigate biodiversity loss caused by climate change. This includes bio-enhancing existing green space, improving background wildlife capacity and creation of local wildlife nodes and green corridors.

Population and human health

Many measures set out within Part V of the SPD are anticipated to be beneficial to mental and physical health and wellbeing of residents. In particular, reducing the need for the private car will improve air quality and improve health by encouraging walking and cycling. In addition, Principle 3 relates to adapting to higher temperatures and focuses on measures to future-proof the design of new buildings to adapt to the health effects of higher and more extreme temperatures. Measures to increase biodiversity has both physical and mental health benefits through the provision of green infrastructure which reduces toxins, increases levels of oxygen and has mental health and wellbeing benefits.

Soil, water and air

Part V of the SPD includes many measures that will contribute to soil, water and air improvements including the provision of biodiversity features, measures to manage flood risk and improving accessibility thus reducing the need of the private car. In addition improvements to energy efficiency will reduce the reliance on fossil fuels.

Climatic factors

The purpose of Part V is to address the effects of climate change through reducing greenhouse gas emissions and mitigation and adaptation to the effects of climate change.

Material assets

The material assets topic considers social, physical and environmental infrastructure. This section should be read alongside 'Population and Human Health', 'Climatic Factors', 'Soil, water and air' and the 'biodiversity, flora and fauna' sub-section.

Cultural heritage (inc. architectural and archaeological)

There is not expected to be any significant effects on cultural heritage due to the need for conformity to the Core Strategy Policy CS.8 Historic Environment. Part V of the SPD acknowledges that it may not be possible for Listed Buildings to comply with all the requirements due to the potential impact on heritage assets.

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 V of the SPD encourages the incorporation of climate change mitigation and adaptation measures to be considered from the outset of a design proposal and sets out different requirements depending upon the type and scale of development.

5.0 Screening outcome

This screening report has explored the potential effects of the draft part V (Climate Change Mitigation and Adaptation) of the Development Requirements SPD, with a view to determining whether an environmental assessment is required under the SEA Directive.

Proposals in Part V of 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 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 Part V of the 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, Part V of the SPD will not trigger the need for an SA/SEA.

6.0 Consultation

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

7.0 Conclusions

In conclusion, Part V of the SPD provides greater clarity to climate change mitigation and adaptation measures and strengthen its requirements. There are no aspects 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 Part V of the Development Requirements SPD is screened out of the SEA Process.