

# Mears Ashby Village Design Statement SPD

## Strategic Environmental Assessment Screening Report

Date: January 2017

## **1. Introduction**

- 1.1 This screening report is designed to determine whether or not the Mears Ashby Village Design Statement Supplementary Planning Document (SPD) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the SPD is to complement policies in the local plan; in particular policies Policies 2, 3, 8 and 11 of the North Northamptonshire Joint Core Strategy. Village design statements do not allocate land or contain policies that should be subject to independent examination. Instead they provide an analysis of the area's character and local distinctiveness that provides additional practical guidance and support to those involved in the decision making process with planning applications. The SPD sets out various design guidelines that are intended to ensure that the appearance and quality of Mears Ashby and its surrounding area are respected along with encouraging sensitive high quality design.

## **2. Legislative Background**

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, otherwise known as the SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA. The 2008 Planning Act removed the requirement to undertake a SA for a Supplementary Planning Document, but not the requirement for Strategic Environmental Assessment.
- 2.3 Regulation 5 of the 2004 Regulations sets out 3 types of plan that require SEA:
  - The plan is for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or landuse and sets the development framework for future consent of projects listed in annexes 1 or 11 of the EIA Directive<sup>1</sup>;
  - The plan requires a Habitat Directive Assessment;
  - The plan sets the future development consent framework that does not fall in the above two categories but has been determined to be likely to have significant environmental effects.

SEA is not required for plans that determine the use of a small area at a local level or for a minor modification to a plan unless it is likely to have significant environmental effects.

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<sup>1</sup> Regulation 5(2) of the Environmental Assessment of Plans and Programmes Regulations 2004 (no. 1633)

- 2.4 The National Planning Policy Framework, paragraph 167, advises that assessments should be proportionate, and should not repeat policy assessments that have already taken place.

### **3. Screening Process**

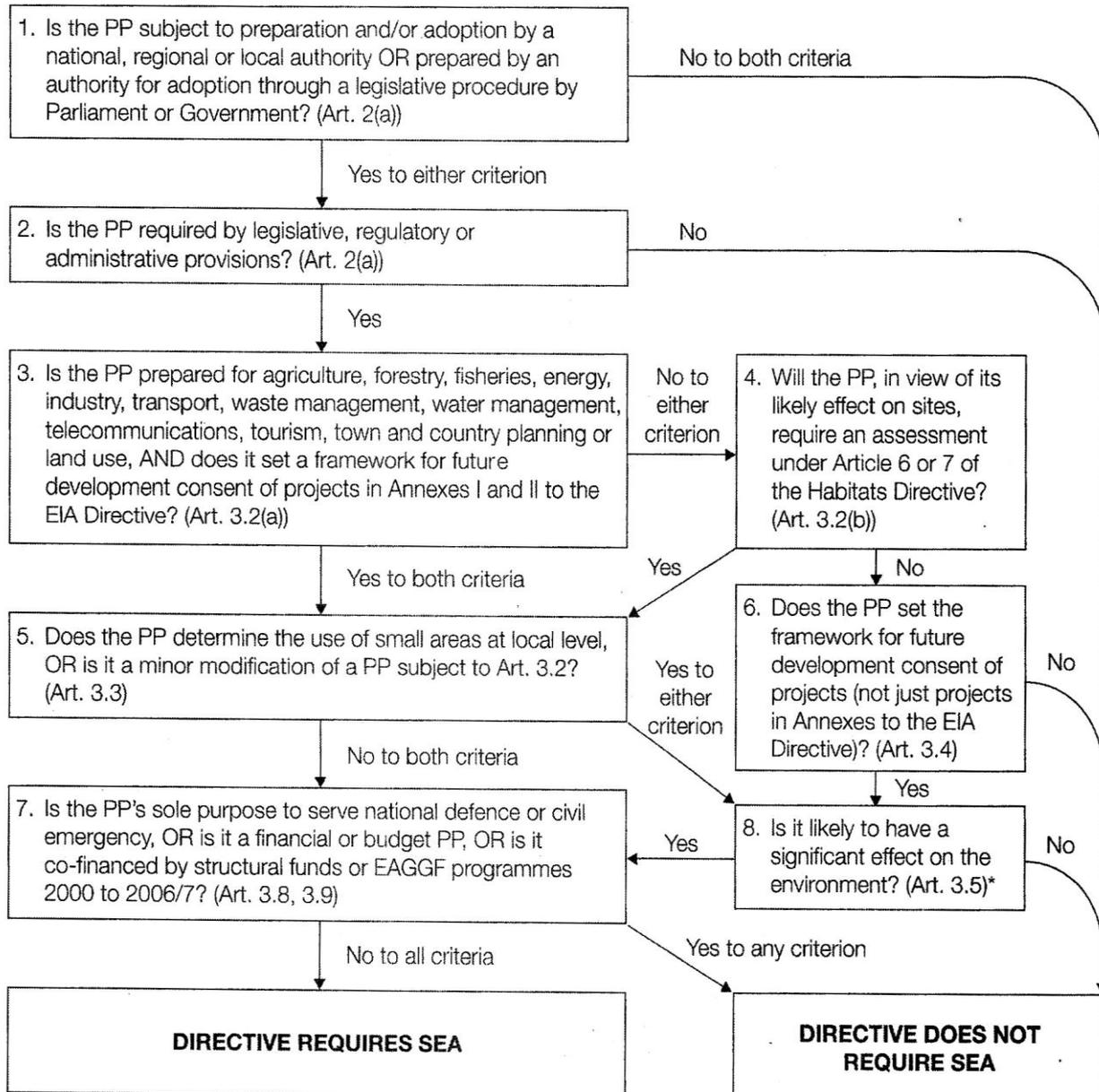
- 3.1 The ODPM guidance provides a checklist approach based on the SEA Regulations to help determine whether SEA is required. This is replicated in Appendix 1 and applied to the proposed SPD.
- 3.2 The Borough Council as the Responsible Authority must determine whether the plan under assessment is likely to have significant environmental effects having regard to the criteria set out in Schedule 1 of the Regulations. These are reproduced in Appendix 2 and applied to the proposed SPD.
- 3.3 The authority must also consult with the Environment Agency, Historic England and Natural England before making a determination as to whether SEA is required. Consultation on a draft determination was undertaken alongside consultation on the draft SPD itself.
- 3.4 Where the authority determines that a plan is unlikely to have significant effects, and therefore does not need to be subject to a full SEA, it must prepare a statement showing the reasons for this determination.

### **4. Screening Outcome**

- 4.1 Responses to the draft screening were received from each of the consultation bodies. The Environment Agency confirmed that the VDS is unlikely to have a significant effect on the environment. Historic England had no comments to make. Natural England stated that *'It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.'*
- 4.2 This screening demonstrates that, having regard to the information set out in Appendices 1 and 2, and taking account of the consultation responses received, the Mears Ashby Village Design Statement SPD is unlikely to have a significant effect on the environment. A full SEA will not therefore be required.

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



\*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.

Establishing the need for SEA		Answer	Reasons	Next step
1	Is the SPD 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 (Article 2(a))	Y	The SPD is prepared and adopted by the local authority in accordance with the 2004 Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (Statutory Instrument 2012 No. 767).	Proceed to question 2.
2	Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	N	Preparation of SPDs are not required, they are optional to aid the successful delivery of development.	Proceed to question 3.
3	Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste 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))	N	The SPD is prepared for town and country planning and land use and does set out a framework for future development in Mears Ashby. It is debatable however whether the plan will set a framework for any projects in Annexes I and II of the EIA Directive as 'urban-development projects' in Annex II is the only project that might be relevant. The local plan is the document which sets out the framework for consent for these types of projects, the SPD is merely supplementing and supporting those policies.	Proceed to question 4.
4	Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	N	The SPD is not proposing any development likely to affect the Upper Nene Valley Gravel Pits SPA.	Proceed to question 6.
5	Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan subject to Article 3.2? (Article 3.3)	Y	The SPD only relates to Mears Ashby and provides guidance on the application of existing plan policies and is therefore a minor modification to the development framework.	
6	Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Y	The SPD will be used as a material consideration in the determination of planning applications	Proceed to question 8.

7	Is the SPD's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan, OR is it co-financed by structural funds or EAGGF programmes 2000-2006/7? (Article 3.8, 3.9)			N/A
8	Is it likely to have a significant effect on the environment? (Article 3.5)	N	See assessment of significance of effects in Appendix 2	Directive does not require SEA

**Criteria for determining the likely significance of effects on the environment from  
Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations  
2004**

<b>Criteria</b>		<b>Borough Council's Assessment</b>
<b>1. Characteristics of the SPD, having regard, in particular to:</b>		
1a	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 Village Design Statement is supplementary to the policies in the local plan. It does not determine the location, nature, size and operating conditions of projects or other activities to any significant degree. The SPD does not allocate resources
1b	The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD adds guidance to the policies of the local plan. Policies in the local plan have already been scrutinised, consulted upon and assessed through the plan making process. The VDS will only be used to influence the nature and form of development within the parish of Mears Ashby. The SPD is unlikely to influence other Plans or Programmes within the statutory development plan.
1c	The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development by providing guidance on the implementation of and compliance with policies relating to sustainable development in Mears Ashby. The SPD seeks to ensure the highest standards of development by ensuring it reflects the local characteristics of Mears Ashby.
1d	Environmental problems relevant to the plan or programme	This document is not considered to introduce or exacerbate any environmental problems. It seeks to improve the quality of the environment and development in Mears Ashby.
1e	The relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	There are no direct linkages with the implementation of legislation on the environment.

<b>2. Characteristics of the effects and of the area likely to be affected [by the SPD], having regard, in particular, to:</b>		
2a	The probability, duration, frequency and reversibility of the effects	The SPD will be a material consideration in the decision making process. The SPD is likely to have modest, incremental but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development. However, they will be of a local scale.
2b	The cumulative nature of the effects	The likely cumulative nature of the effects from the SPD is the improvement in quality of the built and natural environment.
2c	The trans-boundary nature of the effects	There are considered to be no trans-boundary effects arising from the SPD. The SPD only relates to the parish of Mears Ashby.
2d	The risk to human health or the environment (for example, due to accidents)	There are considered to be no significant or likely risks to human health or the environment from the SPD
2e	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will only apply to the parish of Mears Ashby. The 2011 Census showed 473 people living in the parish which covers 674ha. As such the geographical area, and population size is small, but the effects may continue for an extended period of time. The intended effects will be incremental and cumulative in nature, and are not considered to be of a significant magnitude. Effects should be positive.
2f	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; or iii) intensive land-use	The VDS is designed to help reinforce existing planning policies in settlements under pressure from development. The identification of local areas of special natural characteristics and elements of cultural heritage will make a positive impact by providing local detail to be protected. Similarly, the VDS does not propose new development, but does look to influence the design quality. As such, this should help to ensure new development does not exceed environmental quality standards or limit values, or create an over-intensive land use.
2g	The effects on areas or landscapes which have a	The VDS is designed to help reinforce existing planning policies in Mears Ashby.

	recognised national, Community or international protection status.	<p>Protection for areas or landscapes with recognised protection status will be enhanced by providing local detail to be protected.</p> <p>National designations within the parish are: listed buildings and a conservation area.</p> <p>There are no areas or landscapes with Community or International status.</p>
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**Statement of Reasons for Determination**

The Mears Ashby VDS will not set a new framework, but rather supplement and provide additional guidance to existing policy contained within the Local Plan. Furthermore, it has been demonstrated that the VDS will not have significant environmental effects. It can therefore be determined that an environmental assessment under the SEA Directive, in line with the Environmental Assessment of Plans and Programmes Regulations 2004, and the Town and Country Planning (Local Development) (England) (Amendment) Regulation 2008, is not required for the Mears Ashby Village Design Statement.