

## Screening Statement

On the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC

for the proposed Sustainable Transport Supplementary Planning Document

October 2012

### 1. Introduction

- 1.1 The Environmental Assessment of Plans and Programmes Regulations 2004<sup>1</sup> explain how local planning authorities should undertake a Strategic Environmental Assessment (SEA) in respect of plans and programmes. They implement a European Directive<sup>2</sup>, and place an obligation on local planning authorities to undertake an SEA on any land use plan or programme “which sets the framework for future development consent of projects.”
- 1.2 There are however exceptions to this requirement for plans “which determine the use of a small area at local level” or which only propose “minor modifications to a plan,” if the local planning authority determines that the plan is unlikely to have significant environmental effects. Schedule 1 to the Regulations sets out the criteria for determining the likely significance of effects on the environment.
- 1.3 The National Planning Policy Framework (NPPF) advises that a sustainability appraisal which meets the requirements of the European Directive on SEA should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, social and economic factors<sup>3</sup>. However, it advises that assessments should be proportionate, and should not repeat policy assessment that has already been undertaken<sup>4</sup>.
- 1.4 To assess whether an SEA is required, the local planning authority must undertake a screening process based on a standard set of criteria. This must be subject to consultation with English Heritage, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, available to the public.

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<sup>1</sup> SI 2004 no. 1633: <http://www.opsi.gov.uk/si/si2004/20041633.htm>.

<sup>2</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

<sup>3</sup> NPPF at paragraph 165:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

<sup>4</sup> At paragraph 167.

## **2. The Sustainable Transport Supplementary Planning Document (SPD)**

- 2.1 Exeter City Council is preparing its Local Development Framework (LDF) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF. The LDF is a set of Development Plan Documents (DPDs) and SPDs which provide the spatial strategy for Exeter. Details of the documents and the programme for preparation are set out in the Local Development Scheme (LDS), originally approved by the Council in 2007 and updated in June 2012. This includes the Core Strategy, adopted on 21 February 2012, which has been subject to its own SEA process as part of a wider Sustainability Appraisal. A Site Allocations and Development Management DPD is in the course of preparation.
- 2.2 The NPPF advises that a planning authority may prepare SPDs to help applicants make successful applications or aid infrastructure delivery.
- 2.3 The Exeter Local Plan First Review 1995-2011 was formally adopted by Exeter City Council on 31 March 2005. The Council has 'saved' most of the policies of the Local Plan until the document is replaced by the LDF. Together with the Core Strategy, the saved policies in the Local Plan form the statutory land use planning framework for Exeter City, and contain policies to determine planning applications and proposals for specific land uses.
- 2.4 The LDS introduces the proposed Sustainable Transport SPD, and summarises its role and content as being to clarify and amplify Local Plan policy relating to the provision of sustainable transport. Its scope is described as follows:-
- "Identify sustainable transport as including walking, cycling, bus (including park and ride) rail and car clubs.
  - Identify the types of development to which sustainable transport policy will apply.
  - Demonstrate the need for development to provide sustainable transport infrastructure, encourage its use and/or make contributions.
  - Provide detail of what the Council will expect to secure in terms of infrastructure and contributions from qualifying developments.
  - Refer to the Infrastructure Delivery Plan and provide detailed arrangements for the provision of infrastructure with reference to the Residential Design Guide SPD and masterplans.
  - Identify funding mechanisms and timetable for delivery.
  - Refer to and amplify Developers Contributions/Infrastructure Delivery SPD."

## **3. The Screening Process**

The key to the screening decision is the determination of whether the SPD is likely to have significant environmental effects, using the criteria set out in Annex II of the Directive and Schedule 1 to the Regulations. These criteria are set out in the table in Appendix 1, alongside the Council's response in relation to the Sustainable Transport SPD.

## **4. Statement of Reasons for Determination**

- 4.1 It is demonstrated, through the attached responses to the criteria in the SEA Directive and Regulations, that the impact of the Sustainable Transport Supplementary Planning Document will not have significant environmental effects.
- 4.2 Each of the three statutory consultation bodies were consulted on the initial screening statement.

The responses received from the statutory consultation bodies were as follows:

**English Heritage:** No comment.

**Natural England:** Satisfied that a SEA is not required.

**Environment Agency:** No comment.

- 4.3 It is determined that as a result of the screening undertaken by the Council, along with the responses received from the statutory consultation bodies, a Strategic Environmental Assessment is not required for the Sustainable Transport Supplementary Planning Document.

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**APPENDIX 1: Criteria for determining the likely significance of effects on the environment**

<b>SEA Directive Criteria<sup>5</sup> and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004<sup>6</sup></b>	<b>Exeter City Council's response in relation to the Sustainable Transport SPD</b>
<b>1. Characteristics of the SPD, having regard to:</b>	
The degree to which the SPD 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 will not set a new framework for projects, and will not allocate resources. It offers guidance to supplement (a) saved Local Plan policies, (b) adopted Core Strategy policies, and (c) emerging Site Allocations and Development Management DPD policies, and will set out relevant guidance specific to sustainable transport in relation to development.
The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD will be in conformity with the National Planning Policy Framework, the adopted Local Plan and Core Strategy, and the emerging Site Allocations and Development Management DPD, and will be supplementary to them. The SPD sits at the lowest tier of the development plan system and will help applicants make successful planning applications, and aid the delivery of necessary infrastructure.
The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD will promote sustainable development. However, rather than containing new policies, it will provide guidance on the design features and contributions that may be required to satisfy planning policies in higher tier documents, and ensure that development results in sustainable travel outcomes.
Environmental problems relevant to the SPD.	In helping to secure those sustainable travel outcomes, the SPD will promote the aims of higher tier policy documents in addressing the problems of carbon emissions, air pollution, traffic congestion and energy use, without any negative effects.
The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD is not directly relevant to the implementation of European legislation.

<sup>5</sup> Annex II of Directive 2001/42/EC.

<sup>6</sup> Schedule 1 to the Regulations (SI 2004 no. 1633).

SEA Directive Criteria <sup>5</sup> and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 <sup>6</sup>	Exeter City Council's response in relation to the Sustainable Transport SPD
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</b>	
The probability, duration, frequency and reversibility of the effects.	The SPD will provide guidance to encourage good design and best practice in relation to sustainable transport. The effects on the sustainability of future development are expected to be enduring and entirely positive.
The cumulative nature of the effects of the SPD.	The SPD is intended to ensure consistent application of policies in higher tier documents. To that extent its effects are expected to be cumulative but entirely positive.
The trans-boundary nature of the effects of the SPD.	There are no trans-boundary issues across Member States. Any effects on adjoining local authority areas are likely to be positive.
The risks to human health or the environment (e.g. due to accidents)	There are no significant risks to human health or the environment. On the contrary, designing development to facilitate sustainable travel is likely to improve human health, ensure the safety of all road users, and reduce the impact on the environment of motorised traffic.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the SPD.	The SPD covers the whole of Exeter City which has a population of 119,600 (ONS, 2010). Environmental effects are expected to be entirely positive, as the purpose of the SPD is to ensure new development facilitates and encourages sustainable travel.
<p>The value and vulnerability of the area likely to be affected by the SPD due to:</p> <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li> <li>• Exceeded environmental quality standards or limit values or</li> <li>• Intensive land use</li> </ul> <p><i>and</i></p> <p>The effects of the SPD on areas or landscapes which have recognised national, community or international protection status.</p>	The city as a whole contains various areas designated for their importance to nature or heritage; however, the higher tier policy documents contain policies for their protection and the SPD will if anything reinforce those policies, with no negative effects. The city contains an Air Quality Management Area, and the SPD will reinforce policies in the higher tier documents designed to improve air quality.