

Building for the High Weald: Design Guidance for new Housing Development in the High Weald Area of Outstanding Natural Beauty



Strategic Environmental Assessment: Screening Report

Prepared by the High Weald AONB Unit on behalf of the local authorities with land in the High Weald AONB

June 2019

1. Introduction

- 1.1 The High Weald AONB Partnership has prepared a Design Guide for housing developments in the High Weald Area of Outstanding Natural Beauty. 15 local authorities have land within the AONB – 4 counties and 11 districts/boroughs – and all of these authorities have representatives on the Joint Advisory Committee which commissioned and oversees this Design Guide.
- 1.2 It is intended that this Guide be prepared in accordance with the regulations on Supplementary Planning Documents¹ so that the local authorities with land in the AONB can adopt it as such to supplement their own design policies in their Local Plans.
- 1.3 This document comprises the Screening Report to determine whether or not the Design Guide will require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

2. Background

- 2.1 Supplementary Planning Documents (SPDs) can be prepared to build upon and provide more detailed advice or guidance on the policies within Local Plans. Most housing applications will be determined by the 11 district/borough councils. On the rare occasions that the county councils are the determining authority (i.e. on their own land) they would use the policies in the district/borough Local Plans to guide the design of these housing developments.

3. Local Policy Background

- 3.1 With so many local authorities concerned, the Local Plan policy background will change over time. However, at present the most likely policies the Design Guide would be supplementing are as follows:
 - **Ashford Local Plan 2030**(adopted February 2019) SP6 Promoting High Quality Design
 - **Crawley Local Plan 2015-2030** (adopted December 2015) Policy CH2: Principles of Good Urban Design
 - **Hastings Development Management Plan** (adopted September 2015) Policy DM1 – Design Principles
 - **Horsham District Planning Framework** (adopted November 2015) Policy 32 Strategic Policy: The Quality of New Development
 - **Mid Sussex District Plan** (adopted March 2018) Policy DP24: Character and Design
 - **Rother Local Plan Core Strategy** (adopted September 2014) Policy EN3: Design Quality
 - **Sevenoaks Local Plan** – Regulation 19 Consultation December 2018 Policy EN1 - Design Principles
 - **Tandridge: Our Local Plan 2033** (submitted January 2019) Policy TLP18: Place-Making and Design
 - **Tonbridge and Malling Local Plan** (submitted January 2019) Policy LP14: Achieving High Quality Sustainable Design
 - **Tunbridge Wells Local Plan** (2006) Policy EN1 and **Core Strategy** (adopted June 2010) Core Policy 5 Sustainable Design and Construction
 - **Wealden Local Plan** (submitted January 2019) Policy BED 1 DesignThe text of these policies is appended to this document.

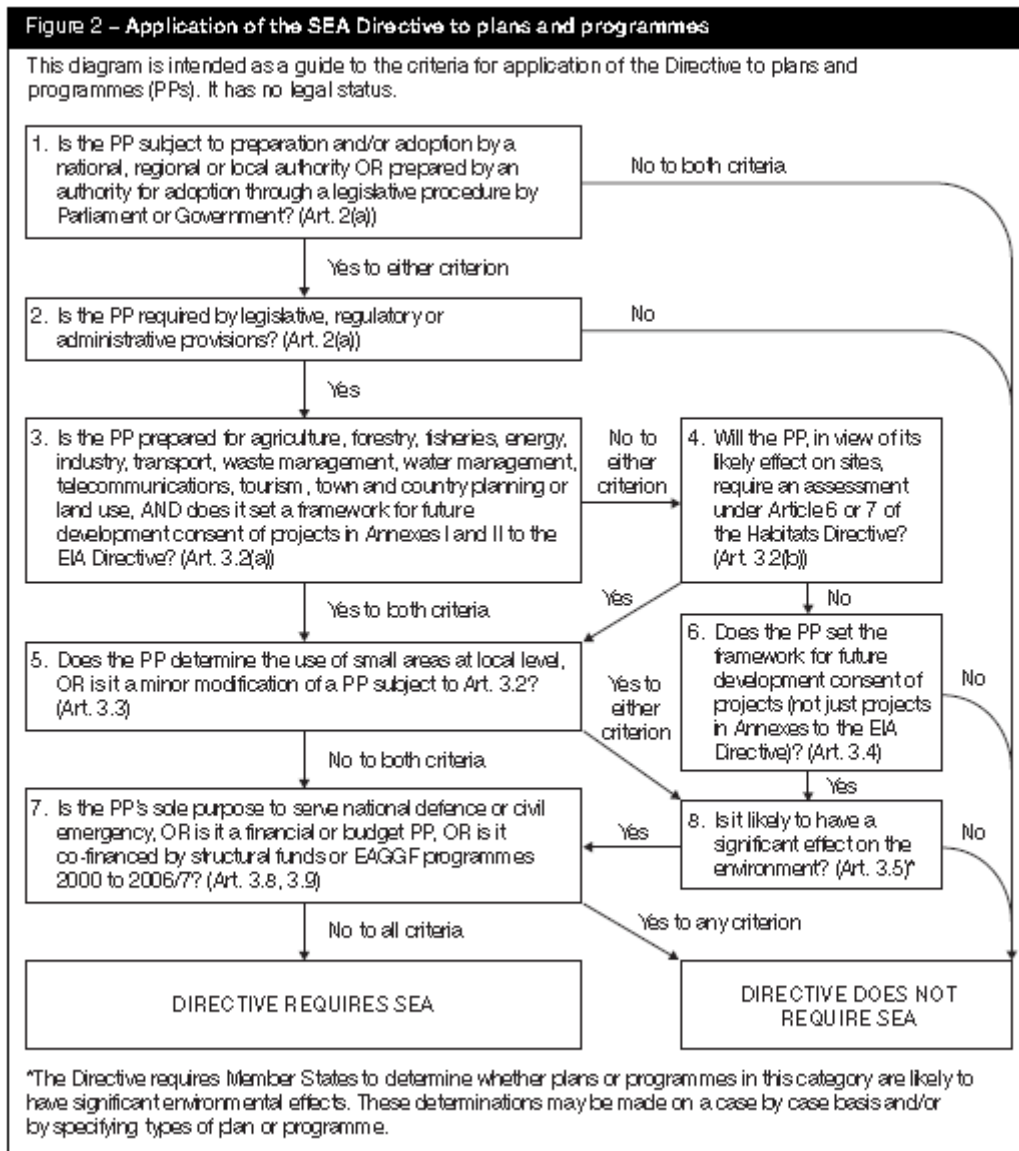
¹ Town and Country Planning (Local Planning) (England) Regulations 2012

4. Strategic Environmental Assessment (SEA)

- 4.1 Strategic Environmental Assessment (SEA) involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.
- 4.2 There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008- 20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the Local Plan .
- 4.3 To establish whether the Design Guide is thought to have significant environmental effects and therefore require SEA to be undertaken, a Screening Process has been followed and forms the main content of this report.

5. The Screening Process

- 5.1 The screening process is based upon consideration of standard criteria to determine whether the Design Guide is likely to have “significant environmental effects”. The result of the screening process is included in section 6 of this report.
- 5.2 The three consultation bodies (Historic England, Environment Agency and Natural England) have been consulted for 5 weeks from 2nd May – 7th June 2019 and either had no comments or agreed with the conclusion of this report that the Design Guide does not have a “significant environmental effect” and therefore does not require SEA.
- 5.3 The ODPM publication “A Practical Guide to the Strategic Environmental Assessment Directive” (2005) sets out the approach to be taken in order to determine whether SEA is required in Figure 2 below.



5.4 This approach has been followed in two parts, below. Part 1 follows the flow-chart outlined above, whilst Part 2 sets out whether it is considered that the Design Guide is likely to have a 'significant effect on the environment' (i.e. stage 8 of the above).

Assessment Part 1 – Establishing the Need for SEA		
Stage	Y/N	Justification
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by and authority for adoption through a legislative procedure by Parliament or Government (Art. 2(a))	Y	The Design Guide can be adopted by the local authorities with land in the High Weald AONB and will be a material consideration in planning decisions. PROCEED TO QUESTION 2
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Supplementary Planning Documents are optional; there is no legislative or regulatory requirement to prepare them. PROCEED TO QUESTION 3
3. Is the PP 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 Design Guide does not set policy but supplements existing policies that have been subject to SA/SEA. The Design Guide does not set a framework for future development consent of projects in Annexes I and II. PROCEED TO QUESTION 4
4. Will the PP, in view of its likely effect on sites, require and assessment for future development under Article 6 or 7 of the Habitats Directive (Art. 3.2(b))	N	The policies that the Design Guide is supplementing have themselves been subject to Habitats Regulations Assessment. PROCEED TO QUESTION 6
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)	N/A	Not Applicable
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)	Y	The Design Guide provides further guidance to supplement policies related to design. Whilst not allocating land for any particular use, the SPDs provide a framework for future development. PROCEED TO QUESTION 8
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 or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N/A	Not Applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The purpose of the Design Guide is to provide guidance to assist in the interpretation of design policies in the Local Plans of local authorities with land in the AONB. These policies were subject to SEA (incorporated within the Sustainability Appraisal) through the Local Plan process, and no significant effects were expected. Therefore the Design Guide itself will not have any significant effects on the environment.

Assessment Part 2 - Likely Significant Effects on the Environment		
SEA Directive Criteria	Response	Is there a likely significant environmental effect?
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
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 Design Guide will not set a framework for other projects or activities. They will provide additional guidance on existing policies that have been subject to SEA (concluding no significant effects expected)	No
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Design Guide will only be able to expand and provide more guidance on the design policies within the Local Plans, and will not be able to introduce new policy. SPDs are at the bottom of the hierarchy and have no influence on the documents above them..	No
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The Design Guide will contribute to sustainable development by providing more detail and guidance to support the design policies within the Local Plans. These policies are not expected to have any significant effects on the environment.	No
1d) Environmental problems relevant to the plan or programme.	The design policies within the Local Plans that the Design Guide supplement are not expected to have any significant effects on the environment.	No
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The Design Guide is not relevant to the implementation of EC legislation such as waste management or water protection.	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects.	The anticipated effects on the sustainability of the area are expected to be positive by providing guidance to support design policies. The duration of the effects is difficult to define; the effects will be linked to a planning permission which is (usually) permanent unless superseded by a	No

	subsequent permission on the same site.	
2b) The cumulative nature of the effects.	The cumulative effect of the Design Guide is likely to be positive.	No
2c) The trans boundary nature of the effects.	There are not likely to be any trans-boundary effects of the Design Guide.	No
2d) The risks to human health or the environment (e.g. due to accidents).	The Design Guide does not present any risks to human health or the environment.	No
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Design Guide will apply to the whole AONB, which is 1,461km ² and had a population of 127,000 in 2011. The effects of the Design Guide will be more likely felt at a more local scale (i.e. site or immediate surroundings).	No
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. iii) intensive land-use.	The Design Guide will not set policy related to specific land uses but will only affect the way in which housing development is designed.	No
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	None identified. Any applications for development will be required to satisfy the relevant policies for protection of such protected sites before permission is granted.	No
Part 2 Overall Conclusion:	NO LIKELY SIGNIFICANT ENVIRONMENTAL EFFECT	

6. Statement of Reasons for Determination

- 6.1 The policies that the Design Guide will supplement (listed in Appendix A) have themselves been subject to Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). As the Design Guide can only provide guidance to existing policies, it is not expected that it would alter the conclusions reached in the SA/SEA of those policies.
- 6.2 Applying the guidance set out in “A Practical Guide to the Strategic Environmental Assessment Directive”:
- Assessment Part 1 (table 2) concludes that the Directive Does Not Require SEA
 - Assessment Part 2 (table 3) concludes that there is No Significant Environmental Effect
- 6.3 **On this basis, and taking account of the SA/SEA undertaken at a higher level through preparation of the Local Plans and the effects expected, the local authorities concludes that the High Weald AONB Design Guide does not require a full SEA to be undertaken.**