

Burpham Neighbourhood Plan

Strategic Environmental Assessment Screening opinion

Date: 24 June 2015

Introduction

This screening opinion has been prepared by Guildford Borough Council (the Council) to determine whether or not a full Strategic Environmental Assessment (SEA) is required. This is to ensure that the proposed Plan is in accordance with Regulations 5 and 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (the regulations) and to meet the 'Basic Conditions' for Neighbourhood Development Plans set out in the Town and Country Planning Act 1990 (amended).

Background

A screening report has been produced by JBA Consulting, attached at **Appendix 1**. Section 5 of the screening report concluded that a full SEA would not be required. In accordance with the regulations, Natural England, English Heritage (now Historic England) and the Environment Agency were consulted on the findings of the screening report on 28 May. The following responses were received (reproduced in full at **Appendix 2**).

Consultation body	Comment	Guildford Borough Council Response
Natural England 26 June 2014	Given the size of this particular Neighbourhood Plan and the location, which is on the edge of a large built up area – Guildford, Natural England would be agreeable with the conclusions drawn within the SEA screening document as provided. The plan should of course always be considering its sustainability options throughout its development and as such this should tie in with the thinking which concludes that no major issues are foreseen for Burpham as a result of this plan going ahead.	Noted
English Heritage 11 July 2014	<p>To help inform our response to a screening consultation we recommend that a consultation documentation includes:</p> <ul style="list-style-type: none">• A brief outline of the document subject to screening;• A map of the area if appropriate;• A screening statement using the Criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations to clearly justify the Council's screening decision;• Information on cultural heritage (i.e. designated and non designated heritage assets); and• Both potential positive and negative impacts. <p>In my view, the latter two bullet points have not been adequately addressed in the screening document. However, given the prevailing built environment character of the area, a post-war low-density suburb, there is limited heritage significance and any impacts of development are likely to be limited or inconsequential. The possible exception may be the potential for</p>	<p>The latter two bullet points are not generally included at the screening stage of the SEA process, but would usually be covered during SEA scoping, should that be required. In this case, the screening report has concluded that an SEA, and therefore scoping, will not be necessary.</p> <p>With regard to the last sentence, the</p>

	any new development to impact on the setting of Grade II listed parish church of St Luke, but without reference to the location of development sites within the screening document it is not possible for EH to comment on this matter. The Council should ensure it is satisfied that any development allocated by the NP would preserve and enhance the setting of the church.	neighbourhood plan does not allocate any land for development.
Environment Agency	No comment received.	

Conclusion

The screening report concludes that an SEA is not required. The consultation bodies have not objected to this conclusion. The Council agrees with the list of reasons given for the conclusion in section five of the screening report. Therefore, the Council determines that the plan does not require an SEA.

Appendix 1

SEA Screening Report



Burpham Neighbourhood Plan Strategic Environmental Assessment

Screening Report

May 2014

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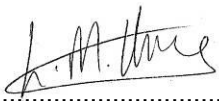
Revision History

Revision Ref / Date Issued	Amendments	Issued to
Final Report / May 2014		Dan Knowles, Guildford Borough Council

Contract

This report describes work commissioned by Dan Knowles, on behalf of Guildford Borough Council, by an email dated 19/5/14. Frances Tobin of JBA Consulting carried out this work.

Prepared by  Frances Tobin BSc Grad. CIEEM
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Reviewed by  Laura Thomas BA MRes MCIEEM
Senior Ecologist

Purpose

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Abbreviations

JBA	Jeremy Benn Associates
LNR.....	Local Nature Reserve
NCA	National Character Area
NP	Neighbourhood Plan
NPPF	National Planning and Policy Framework
ODPM	Office of the Deputy Prime Minister
PP	Plan or Programme
SAC.....	Special Areas of Conservation
SEA.....	Strategic Environmental Assessment
SPA.....	Special Protection Area

1 Introduction

The Localism Act 2011 changes the powers of local government in England. It puts forward measures to give local government more control, freedom and flexibility and gives communities and individuals new rights and powers. Furthermore, the Act contains provisions to make the planning system more democratic and effective.

Neighbourhood planning legislation came into effect in 2012 under The Neighbourhood Planning (General) Regulations April 2012. Neighbourhood planning aims to ensure that local people have more of a say on planning and development within the neighbourhood and how it affects the local community.

Following the enactment of these legislations The Burpham Neighbourhood Plan(NP) has been prepared by the Burpham Neighbourhood Forum to help guide and shape future development in Burpham Ward, Guildford (Figure 1-1). The NP contains policies that cover six development topics: Environment, Traffic & Transport, Community, Future development & action, Jobs Business & local economy, Schooling & Education. The NP will become part of the Development Plan for the Burpham Ward which will fall under the development plan for the whole Borough; namely, the Guildford Local Plan 2013 (in preparation). The policies in the NP should be read in conjunction with the Guildford Local Plan and the National Planning and Policy Framework (NPPF).

The primary aim of this screening report is to identify whether or not the Burpham Neighbourhood Plan requires a Strategic Environmental Assessment (SEA). This screening report provides the initial statement on the potential high-level environmental impacts that may arise from the Plan. The legislative regime driving the SEA process is also described, with the relevant specific regulations identified and the subsequent responses that the SEA will provide. Sections 3 and 4 provide the screening assessment of the potential significant environmental effects resulting from the NP and ultimately whether there exists a requirement for a full SEA. Section 5 confirms the conclusion of the screening process.

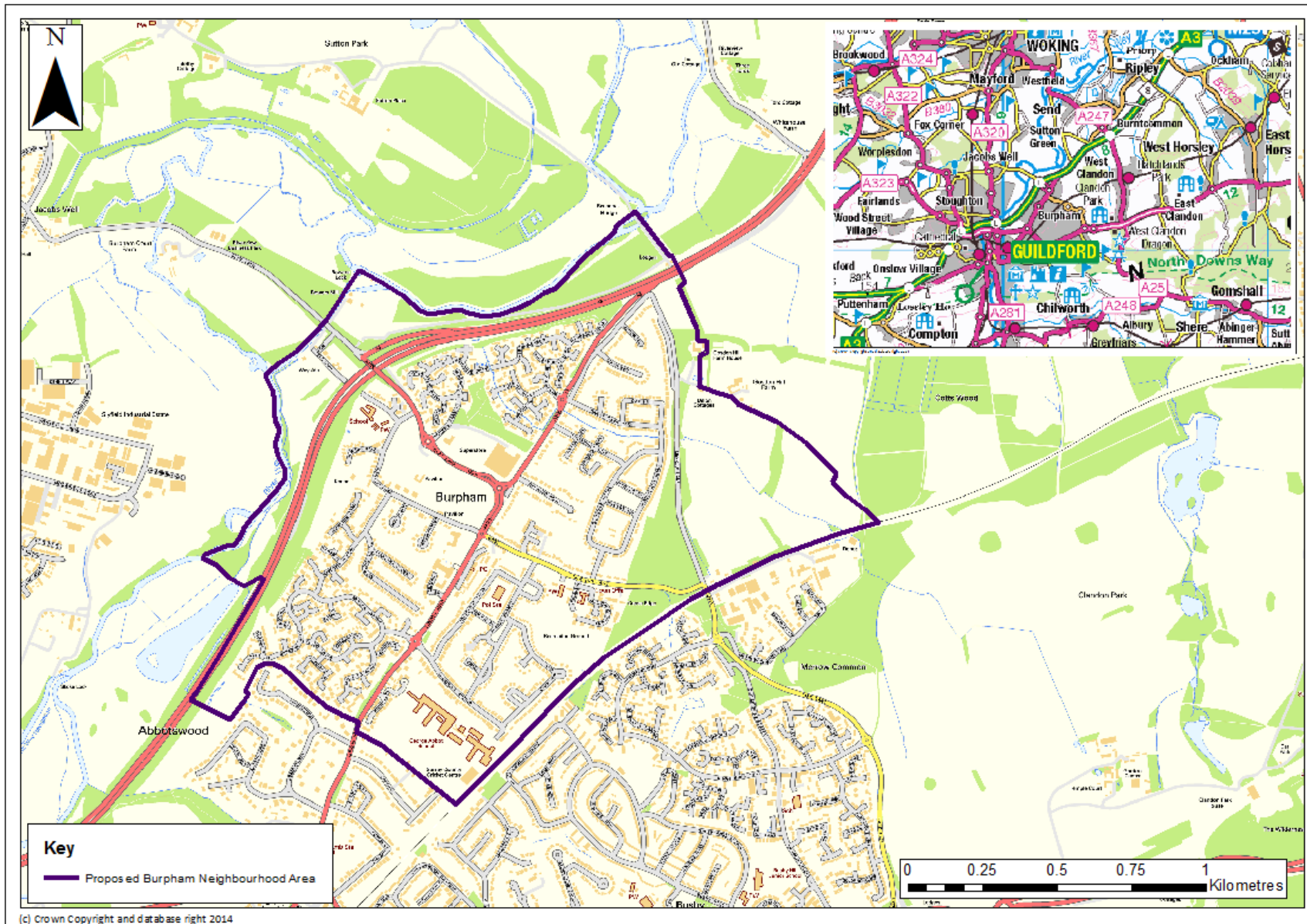


Figure 1-2: Proposed Burpham Neighbourhood Area

2 SEA Legislative Regime

The Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations, transpose in to English Law the European Directive 2001/42/EC (the SEA Directive). These regulations form the basis by which all SEAs are carried out to assess the effects and impacts of certain plans and programmes on the environment.

Detailed practical guidance on these regulations can be found in the Office of the Deputy Prime Minister (ODPM) Government publication, *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005). This document has been used as the basis of this screening report, in conjunction with the SEA Regulations.

3 Assessment Criteria

Article 3 of the SEA Directive describes and sets out the scope of application of the directive and makes SEA mandatory for plans or programmes that are likely to have significant effects on sites designated under the European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive), i.e. Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

Paragraph 5 of Article 3 of the Directive requires that the full criteria identified in Annex II are taken into account when considering the environmental effects of the Neighbourhood Plan and their significance. The implication from the text of Article 3 paragraph 5 and Annex II is that the whole set of Annex II criteria needs to be considered, but only the relevant criteria applied to the assessment.

The criteria for determining the likely significance of effects referred to in Article 3 Paragraph 5 of Directive 2001/42/EC, and laid in Annex II, are set out below:

The characteristics of plans or programmes, having regard, in particular, to:

- 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 degree to which the plan or programme influences other plans or programmes including those in a hierarchy.
- The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.
- Environmental problems relevant to the plan or programme.
- 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 characteristics of the effects and of the area likely to be affected, having regard, in particular to:

- The probability, duration, frequency and reversibility of the effects.
- The cumulative nature of the effects.
- The transboundary nature of the effects.
- The risks to human health or the environment (e.g. due to accidents).
- The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).
- The value and vulnerability of the area likely to be affected due to:
 - Special natural characteristics or cultural heritage,
 - Exceeded environmental quality standards or limit values,
 - Intensive Land-use,
 - The effects on areas or landscapes which have a recognised National, Community or International protection status.

These criteria and characteristics are developed further in the following section and are presented with reason and comment in the context of the Burpham Neighbourhood Plan.

4 Assessment Screening Process

The following section details the application of the SEA Directive to plans and programmes, and illustrates the screening process based on the flowchart presented in *A Practical Guide to the Strategic Environmental Assessment Directives* which is reproduced in Figure 4-1, below (ODPM, 2005). Table 1 provides responses to these questions as shown in Figure 4-1 and therefore also details the conclusion of the screening process.

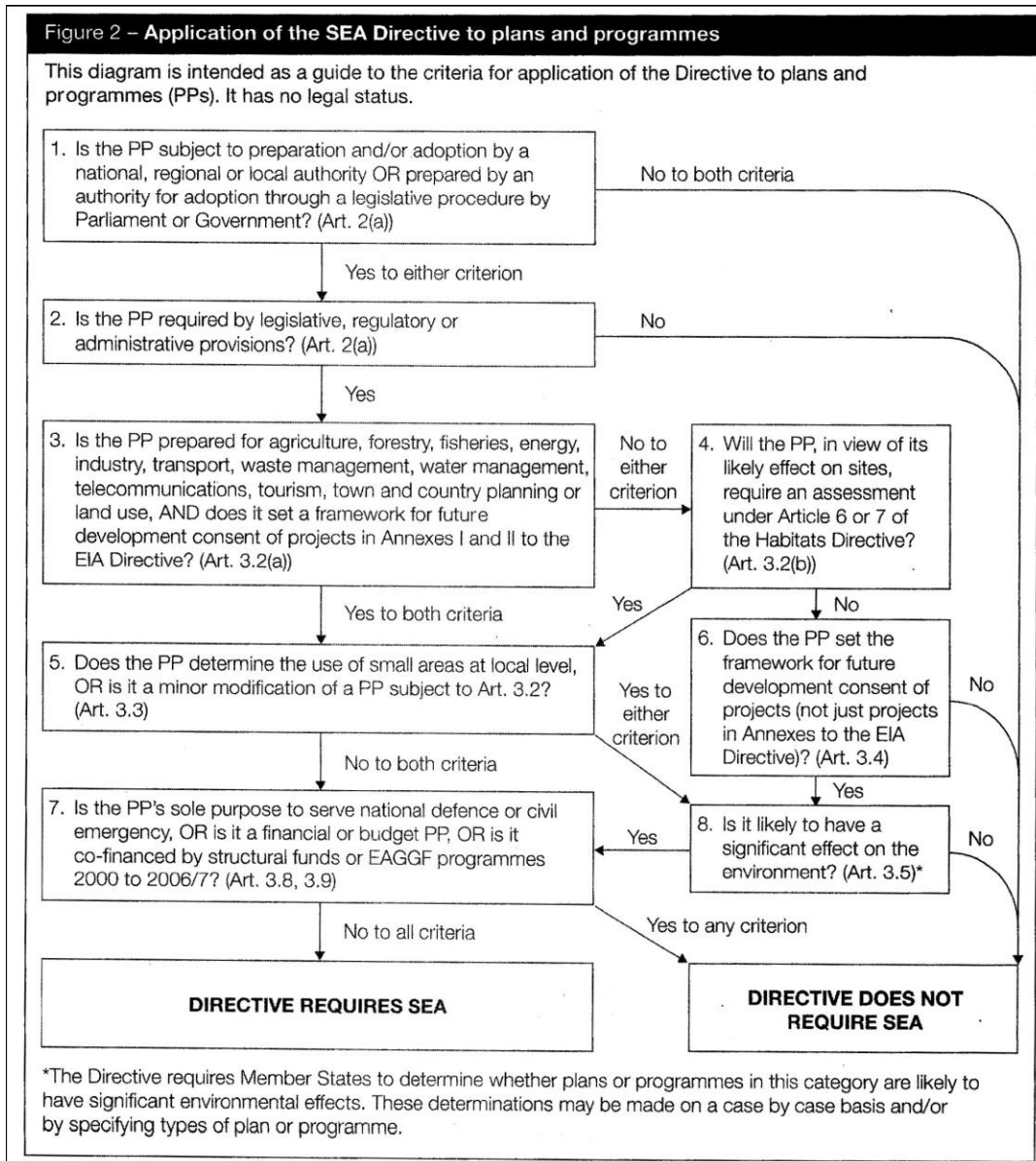


Figure 4-1: Application of the SEA Directive to Plans and Programmes (source: *A Practical Guide to the Strategic Environmental Assessment Directives*; ODPM, 2005).

Table 1: SEA Screening Process

Stage and Question	Answer	Explanation
<p>1. Is the plan or programme (PP) 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 or Government? (Art. 2(a))</p>	Yes	<p>The preparation of and adoption of the NP is allowed under the Localism Act 2011. The NP is prepared by Burpham Neighbourhood Forum and will be made by Guildford Borough Council as the Local Authority. The preparation of NP is subject to The Neighbourhood Planning (General) Regulations 2012 and the NPPF.</p>
<p>2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	Yes	<p>The NP is not compulsory but it will form part of the Development Plan for the Burpham Neighbourhood Area and will be read in conjunction with the Guildford Local Plan 2013 (in preparation) which is required under Local Planning Regulations 2012 under the NPPF.</p>
<p>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))</p>	Yes	<p>The NP contains policies that cover six development topics: and has been produced to help guide and shape future development in Burpham neighbourhood area.</p>
<p>4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))</p>	N/A	<p>Not applicable as both criterion to Q3 answered "Yes"</p>

Stage and Question	Answer	Explanation
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)	Yes	The Burpham NP considers planning and development at a local level.
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)	N/A	Not applicable as Q5 answered "Yes"
7. Is the PP's sole purpose to serve 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 as Q5 answered "Yes"
8. Is it likely to have a significant effect on the environment (Art 3.5)	No	The NP is unlikely to have a significant effect on environmental parameters. The neighbourhood area does not contain any European sites, the closest being Thames Basin Heaths SPA located approximately 1.5km from the boundary. Furthermore, due to the level of development proposed under the NP it is unlikely that any action implemented under the NP will have any impact on any landscape designations, including the Thames Basin Lowlands National Character Area (NCA) in which the neighbourhood area falls within. Riverside Local Nature Reserve (LNR) falls partly within the neighbourhood area; however, no adverse impacts are expected as the NP supports the maintenance and continued designation of this wildlife site. Furthermore, as part of the Plan, green space, visual amenities and natural features within Burpham are to be maintained where possible. Additionally, social and cultural environmental parameters are also considered under the Plan and the implementation of the Plan aims to enhance the existing provision.

5 Conclusion

The NP puts forward a sympathetic approach, with regards to the existing environment, to development within Burpham. Policies under the Plan, which should be read in conjunction with the NPPF and policies in the Guildford Borough Local Plan 2003 (and later, the new Local Plan currently being prepared), are focussed on maintaining the character of the area, including preserving visual and natural amenities, and enhancing the built and social environment. The assessment undertaken in Section 4 indicates that there are no foreseen significant impacts on the environment.

In conclusion, it is therefore considered that the Burpham Neighbourhood Plan does not require a Strategic Environmental Assessment.

6 Consultation

Guildford Borough Council is required to consult with the three statutory environmental consultees: English Heritage, the Environment Agency and Natural England at this screening stage. The bodies will be consulted for their opinions and comments on the conclusion outlined above. In addition, the information will be made available to the public through Guildford Borough Council's website.

References

ODPM, 2005. *A Practical Guide to the Strategic Environmental Assessment Directive*. Office of the Deputy Prime Minister. Available online: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/practicalguidesea.pdf>. Accessed on 21/5/14.

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Appendix 2

From: Byrne, Alan [<mailto:Alan.Byrne@english-heritage.org.uk>]

Sent: 11 July 2014 12:54

To: Frances Tobin

Subject: Guildford Borough Council - Burpham Neighbourhood Plan SEA Screening

Dear Ms Tobin

I note your request for English Heritage's view on the need to undertake an SEA for the Burpham Neighbourhood Plan, Guildford Borough.

English Heritage will only address “significant environmental effects” in respect of our area of concern, “cultural heritage, including architectural and archaeological heritage”.

To help inform our response to a screening consultation we recommend that a consultation documentation includes

- A brief outline of the document subject to screening;
- A map of the area if appropriate;
- A screening statement using the Criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations to clearly justify the Council's screening decision;
- Information on cultural heritage (i.e. designated and non designated heritage assets); and
- Both potential positive and negative impacts.

In my view, the latter two bullet points have not been adequately addressed in the screening document. However, given the prevailing built environment character of the area, a post-war low-density suburb, there is limited heritage significance and any impacts of development are likely to be limited or inconsequential. The possible exception may be the potential for any new development to impact on the setting of Grade II listed parish church of St Luke, but without reference to the location of development sites within the screening document it is not possible for EH to comment on this matter. The Council should ensure it is satisfied that any development allocated by the NP would preserve and enhance the setting of the church.

Alan Byrne | Historic Environment Planning Adviser

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Date: 26 June 2014
Our ref: 122089



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BY EMAIL ONLY

Dear Ms Tobin,

Planning consultation: Burpham Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening.
Location: Guildford.

Thank you for your consultation on the above dated 28 May 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Burpham Neighbourhood Plan SEA Screening:

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

Given the size of this particular Neighbourhood Plan and the location, which is on the edge of a large built up area – Guildford, Natural England would be agreeable with the conclusions drawn within the SEA screening document as provided. The plan should of course always be considering it's sustainability options throughout its development and as such this should tie in with the thinking which concludes that no major issues are foreseen for Burpham as a result of this plan going ahead.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Piotr Behnke on 0300 060 1963. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Page 1 of 2



Natural England is accredited to the Cabinet Office Service Excellence Standard

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