



SEA Screening report for the Eden Housing SPD

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Housing Supplementary Planning Document (SPD)

Title: Housing SPD

Subject: Guide to understanding the mechanisms and implementation of the housing policies in the Core Strategy DPD

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Introduction

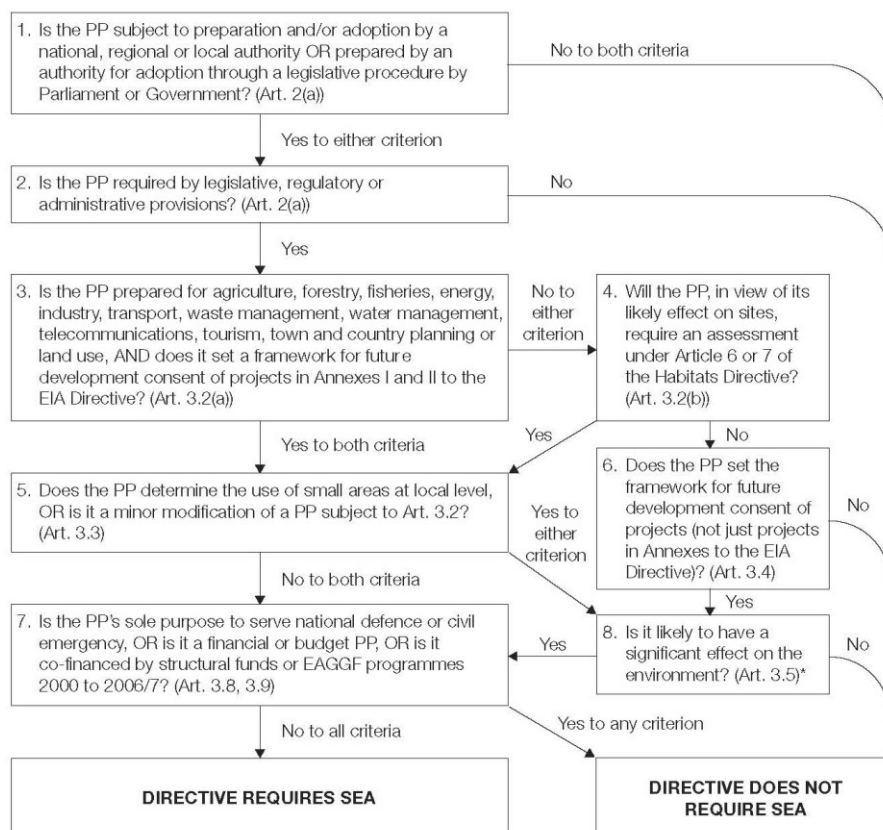
1.1 The European Directive 2001/42/EC, is commonly known as the Strategic Environmental Assessment, or SEA Directive. Articles 2 and 3 of the Directive require that all plans and programmes associated with Town & Country Planning/Land Use undertake an environmental assessment to consider if they are deemed to have significant environmental effects.

1.2 The SEA directive was transposed into UK legislation through the *Environmental Assessment of Plans and Programmes Regulations* (ODPM 2004). Article 9(3) of the regulations determines that where effects are unlikely, the responsible authority shall prepare a statement outlining the reasons for determination. The following screening report has been completed to comply with this action.

1.3 Figure 1 depicts the process for determining likely effects of a plan on the natural environment.

Figure 1

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.

Source: ODPM Guidance (2005)¹

¹ ODPM, 2005: "A Practical Guide to the Strategic Environmental Assessment Directive", Practical guidance on applying European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, P13

1.4 Through a set of criteria² the screening statement will determine and clearly state whether a full assessment is required. The criterion has been imported directly from the SEA Directive, which ensures that the correct areas are investigated, and consistency is met with the Eden LDF and neighbouring authorities. It is mandatory that the statutory bodies are consulted on the SEA screening; therefore the anticipated potential effects of the Housing SPD will be shared with Natural England, the Environment Agency and English Heritage.

Housing SPD and the Eden LDF

1.5 The Housing SPD will outline a set of clear guidance that will assist developers, landowners and the general public in understanding the principles to which new residential developments must comply. This is particularly important for the District as it offers clarity and certainty, which will in turn allow us to better deliver the right kinds of housing in the district. Affordable housing is a particular issue that is given priority within the SPD. Building upon the Council's corporate objectives, the delivery of affordable housing is paramount in ensuring mixed sustainable communities in Eden. Another issue that the SPD has given particular weight in the document is rural exceptions. The document has tightened the definition of an exception to ensure that inappropriate development is not permitted in the open countryside, whilst allowing development to areas of genuine need.

1.6 The role of the Housing SPD is not to set out new policies. Each of the subjects will be linked to a policy in a higher tier development document. The primary role of the Housing SPD will be to develop policy detail surrounding affordable housing, self build, residential design and conversion of existing buildings.

1.7 Within the structure of the Eden Local Development Framework (LDF), the Housing SPD is hinged upon policies in the Core Strategy DPD, adopted in March 2010. This document outlines the 15 year spatial plan for the District and offers general principles for determining planning applications. The Core Strategy DPD sets out the main housing policies which the Housing SPD develops further. This assists developers and individuals in understanding the standards the Council would expect in forthcoming planning proposals.

1.8 Subsequent to publishing the Housing SPD, the Council will be advancing both the Housing Allocations DPD and the Development Management Policies DPD. The 2004 Planning & Compulsory Act requires that DPDs undertake Sustainability Appraisals' to assess the social, environmental and economic implications of the policies/proposals. In both instances the requirements of the SEA directive will be incorporated into the Sustainability Appraisal process.

² Criterion transposed from "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". Annex 2.

Relationship to other Plans

1.9 The 2008 Planning Act (Section 18(5)) has removed the need for an SPD to undertake a Sustainability Appraisal. This action has been taken to speed the delivery of SPDs. The need to produce a screening statement will, under the relaxed powers, ensure that our plans fully consider the potential cumulative impact of future development.

2.0 A Habitats Regulations screening report was undertaken for the Core Strategy DPD which concluded that there would be no significant effects on the status of the Natura 2000 sites within and adjacent to the plan area. The Housing SPD will not be required to undertake a Habitats Regulations Assessment (HRA). Any emerging issues which allocate spatial development, or include issues which may affect the integrity of Natura 2000 sites will undertake separate assessments. For the purposes of the Housing SPD, it should be read in conjunction with the 2008 HRA screening report for the Core Strategy DPD, which Natural England determined that a full assessment was not required.

Figure 2: Characteristics regarding the Housing SPD

Criterion	Is there a significant effect?	Justification	Can the document be enhanced?
The degree to which The Housing SPD sets a framework for projects and other activities, either with regard to The location, nature, size and operating conditions or by allocating resources.	No	Anticipated effect on existing buildings for conversion and new self build, though location and scale of development unknown. New developments are required to take the natural and historic environment into account to ensure proposals do not erode the natural capital.	No
The degree to which the Housing SPD influences other plans and programmes including those in a hierarchy	No	SPD represents guidance, influenced by Core Strategy DPD. SPDs sit at the lower tier of development documents and are designed to add detail and clarity to issues discussed in previous documents.	No
The relevance of the Housing SPD for the integration of environmental considerations in particular with a view to promoting sustainable development	No	Document influenced from Core Strategy DPD, which is embedded with the principles of sustainable development. Caveat to reuse of buildings to promote strong policies that will protect potential species in existing buildings.	No
Environmental problems relevant to the Housing SPD	No	Possible issue with the reuse of existing buildings. Suggestion made to section to ensure that protected species are a consideration from the start of the planning process.	Suggestion to Section 4 of Housing DPD, see paragraph 1.7 of screening report.

The relevance of the Housing SPD for the implementation of community legislation on the environment (e.g. linked to waste management or water protection)	No	Issue more likely to be tied to a higher level policy – such as a DPD.	No
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Figure 3: Characteristics of the effects and of the area likely to be affected

Criterion	Is there a significant effect?	Justification	Can the document be enhanced?
The probability, duration, frequency and reversibility of the effects.	No	Higher level spatial plan subjected to full Strategic Environmental Assessment. The SPD will follow the plan period of the Core Strategy, which will be in place until 2025. If significant negative effects are consistently recorded through the monitoring of the plan, the flexibility of the LDF system will allow for changes to the plan.	No
The cumulative nature of the effects	No	Caveats in the policy to ensure each proposal meets required level of environmental protection.	No
The transboundary nature of the effects	No	None anticipated. Location of development appraised through Sustainability Appraisal of Core Strategy DPD. Any proposals that may influence the status of Natura 2000 sites in neighbouring districts will be required to screen for an Appropriate Assessment and a Strategic Environmental Assessment.	No

Criterion	Is there a significant effect?	Justification	Can the document be enhanced?
The risks to human health or the environment (due to accidents)	No	There are no risks perceived to either the environment or humans as a result of the SPD. Acknowledgement that there may be unknown risks associated during developmental construction phase.	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	Unknown extent of development though will not involve isolated examples. Document does not allocate sites for development; it instead outlines the principles for development. Development will have to accord with the higher tier plan of the Core Strategy DPD.	No
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> * Special natural characteristics or cultural heritage * Exceeded environmental quality standards or limit values <ul style="list-style-type: none"> *Intensive land use * The effects on areas or landscapes which have a recognised national, community or international protection status. 	No	<p>Proposals that would be sited on areas of interest or value will not be permitted.</p> <p>Design criteria submitted as appendices of document. This will ensure sympathetic design of buildings in sensitive locations.</p> <p>Should a development fall into the North Pennines AONB, it would be advisable to also consult the North Pennines AONB Design Guide for guidance on particular landscapes and considerations.</p>	<p>Recommendation to Section 4 of the document in relation to location of development on exception sites. Suggested amendment to ensure harm to Natura 2000 sites is avoided.</p>

Recommendations for enhancements to Housing SPD

2.1 – Appendix – Suitability Criteria for reuse of buildings - ‘ All rural buildings that are to be redeveloped should, prior to submission of application, undertake an ecological assessment of potential species associated with the development that may need to be accounted for. This will ensure a duty towards local biodiversity and conformity with the Local Development Framework. For further guidance please contact the LPA.’

2.2 - Section 4 – reuse of buildings – ‘Proposals will not be permitted which are detrimental to habitats and species, particularly in relation to Natura 2000 sites.’ This represents an update to the policy which ensures that there is a strong relationship between the planning document and the Habitats/Birds Directive.

Conclusions

2.3 Using the criteria outlined in the Annex of the SEA Directive, the predicted effects of the Housing SPD have been tested to determine whether the plan will incur any significant environmental effects. The Housing SPD does not seek to allocate specific areas for development, and has to therefore rely on the spatial distribution of developments set in the Core Strategy DPD.

2.4 An area which remains difficult to quantify is rural exceptions and self build development. The extent to which we can expect development is unknown, but strong criteria for suitability ensures that inappropriate development does not take place. The overarching policy which these issues are tied to is Core Strategy policy CS9. This policy has undertaken 2 stages of Sustainability Appraisal, both of which were awarded positive scores as the policy allows rural communities to develop much needed affordable housing to enable healthy vibrant communities. Many of the environmental objectives were afforded unknown scores, and will therefore be assessed on an individual basis.

2.5 As the Core Strategy DPD has successfully undertaken a report to meet the requirements of the SEA Directive, it can be considered that the strategic decisions discussed in the SPD are sub issues of the overarching strategy. It is therefore the decision of the Council that a separate SEA report is not required.