



Surrey Heath Borough Council Local Development Framework 2006-2026

**Validation of Planning Applications SPD**

**Strategic Environmental Assessment**

Draft Screening Statement - Determination under Article 9 of the SEA Regulations 2004

January 2008

## **Introduction**

- 1.1. This statement sets out the Council's determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the Validation of Planning Applications Supplementary Planning Document (SPD)

## **Strategic Environmental Assessment**

- 1.2. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 1.3. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.
- 1.4. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine if a plan requires an environmental assessment.

## **Sustainability Appraisal**

- 1.5. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), the Council is required to carry out a Sustainability Appraisal (SA) for all Local Development Documents (LDD). This considers the social and economic impacts of a plan as well as the environmental impacts.
- 1.6. In accordance with current Government advice, SA will incorporate all the environmental information that an SEA would require. In other words, the SA report will address the essential requirements of the SEA report, whether or not an SEA is required.
- 1.7. Despite this, it is still necessary to undertake a screening exercise on the need for an SEA.

## **The SEA Screening Process**

- 1.8. The process for determining whether or not a SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and English Heritage.
- 1.9. Within 28 days of making its determination, the authority must publish a statement, such as this one, setting out its decision. If it determines that a SEA is not required, the statement must include the reasons for this.

## **Background to the proposed SPD**

- 1.10. As of the 6<sup>th</sup> April 2008, the Government will introduce a standard application for the submission of planning applications across England, known as the 1 app form. The Government has produced guidelines for the validation of planning applications to accompany the change over to the 1 app form. The proposed Validation of Planning

Applications SPD will set out a local list of requirements that the Council will require for the validation of planning applications. The SPD will therefore supplement the requirements set out within national guidance.

### **Draft SEA Screening**

- 1.11. This Draft Screening Report for consultation sets out the Council's determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a SEA is required for the Validation of Planning Applications SPD.
- 1.12. Appendix 1 sets out the process for determining if the SPD will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations.
- 1.13. On the basis of the Screening process it is the Council's opinion that the Validation of Planning Applications SPD does not require an SEA under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). This is because there will be no significant environmental effects arising from its implementation and that it supplements national guidance.
- 1.14. This statement was issued for consultation to the three statutory consultation bodies: The Environment Agency, Natural England and English Heritage.
- 1.15. One response was received from Natural England which stated that "it is Natural England's view that under the requirement of the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004) that the Validation of Planning Applications SPD does not require an SEA".

## Appendix 1 – SEA Screening for Validation of Planning Applications SPD

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Surrey Heath Borough Council's Response
<b>Characteristics of the plan or programme</b>	
(a) 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 framework is set by national guidance on the validation of planning applications. The SPD will supplement the national guidance on the validation of planning applications and will help to ensure successful implementation at a local level. The SPD will not however set the framework for the allocation or levels of development within the Borough over the LDF period.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SPD will provide a detailed local context for those details required to be submitted as part of a valid planning application in addition to national guidance on the validation of planning applications.
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The SPD has relevance to the integration of environmental considerations and the promotion of sustainable development in the information required to be submitted alongside planning applications, but does not set guidance for their determination.
(d) Environmental problems relevant to the plan or programme.	The SPD will seek to protect and enhance the environment through requiring the submission of relevant information alongside planning applications.
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	None.
<b>Characteristics of the effects and of the area likely to be affected</b>	
(a) The probability, duration, frequency and reversibility of the effects.	The proposed SPD will not in itself set out, guide or bring forward development. It will purely set out a list of details that will be expected to be submitted with planning applications.
(b) The cumulative nature of the effects	The SPD will require a range of environmental information to be submitted alongside a planning application.
(c) The transboundary nature of the effects	Given the nature of the SPD, it is considered that no transboundary effects will arise
(d) The risks to human health or the environment (for example, due to accidents)	None

(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will form part of the Surrey Heath Local Development Framework. As such the SPD is a borough wide document that will affect all planning applications. However, this is only in terms of details to be submitted with planning applications and does not set policies or guidance for their determination.
(f) 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.	Given the nature of the document: -  i) None ii) None iii) None
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	None