



Surrey Heath Borough Council Local Development Framework 2006-2028

Western Urban Area Character & Design Supplementary Planning Document (SPD)

Strategic Environmental Assessment

Determination under Article 9 of the SEA Regulations 2004

February 2012

Introduction

- 1.1. This statement sets out the Council's screening assessment 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 Western Urban Area Character & Design 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 Development Plan Documents. This considers the social and economic impacts of a plan as well as the environmental impacts.
- 1.6. In accordance with current Regulations (Town & Country Planning (Local Development)(England)(Amendment) Regulations 2009) SA is no longer required to be carried out for SPD. However, despite this, it is still necessary to undertake a screening exercise on the need for an SEA.

Habitats Regulations Assessment

- 1.7. Habitats Regulations Assessment is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 102 of the Conservation of Habitats and Species Regulations 2010.
- 1.8. The Directive states that any plan or project not connected or necessary for a sites management, but likely to have significant effects thereon shall be subject to appropriate assessment. As the Western Urban Area Character & Design SPD will not set the framework for future plans or projects there is no pathway (either direct or indirect) for significant effects to arise. As such, it is considered that Appropriate Assessment of the Western Urban Area Character & Design SPD is not required. Moreover, it is for individual planning applications or plans that set the framework for those applications to undergo Habitats Regulations Assessment.

The SEA Screening Process

- 1.9. The process for determining whether or not an 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.
- 1.10. Within 28 days of making its determination, the authority must publish a statement, such as this, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

Background to the proposed SPD

- 1.11 The Surrey Heath Local Plan 2000 contains policies to guide the design of new development with consideration given to character of urban areas. Policy G4 of the Local Plan states that in considering proposals for new development account will be taken of the scale, mass, density, quality, character, materials and landscape design of the development. G5 sets out that due regard will be had to the Surrey Design Guide in residential development and G6 takes account of design and crime.
- 1.12 Proposed policy DM9 of the Core Strategy and Development Management Policies DPD (as submitted) will replace Policies G4, G5 and G6 upon adoption. Policy DM9 states that development should achieve high quality design, respect and enhance the local, natural or historic character and have regard to scale, materials, massing, bulk and density.
- 1.13 The purpose of the Western Urban Area Character & Design SPD is to set out guidance on character and design issues for development within the western urban areas of Surrey Heath.
- 1.14 The SPD will set out and describe a range of character areas within the urban conurbations of Camberley, Frimley, Frimley Green and Mytchett. It will also give guidance in terms of character issues and design features to take into account when considering developments within these areas. The SPD is intended to be used by those seeking planning permission and planning staff at Surrey Heath Borough Council. Further SPD details are set out in Table 1-1

Table 1-1: SPD Details

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| Responsible Authority | Surrey Heath Borough Council |
| Title of Plan/Programme | Western Urban Character & Design SPD |
| Plan Purpose | To describe the characteristics of areas within the western settlements of Surrey Heath and set out guidance for the design of developments therein. |
| Plan Period | Until superseded |
| Frequency of update | On change of local or national policy |
| Plan Area | Camberley, Frimley, Frimley Green and Mytchett only. |

SEA Screening Determination

- 1.15 Before making a determination under Regulation 9 the three consultation bodies were consulted between 18th May 2011 and 15th June 2011. The responses received are set out in Table 1-2.

Table 1-2 Comments Received by Consultation Bodies

| Consultation Body | Comments |
|--------------------------|---|
| English Heritage | No comments received |
| Environment Agency | No comments received |
| Natural England | Thank you for your letter dated 18th May 2011 consulting Natural England on the above documents. Natural England concurs with the Council's conclusion that neither of the above SPDs requires a Strategic Environmental Assessment (SEA) or a Habitats Regulations Assessment (HRA). |

- 1.16 This Screening Report sets out the Council's determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not an SEA is required for the Western Urban Area Character & Design SPD.
- 1.17 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.
- 1.18 On the basis of the Screening process it is the Council's opinion that the Western Urban Area Character & Design 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, it is for guidance purposes only being an elaboration of existing policy and does not set a framework for future development consent.
- 1.19 This determination was made on 1st February 2012

Appendix 1 – SEA Screening for the Developer Contributions SPD

| Criteria (from Annex II of SEA Directive and Schedule I of the SEA Regulations) | Surrey Heath Borough Council's Response |
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| Characteristics of the plan or programme | |
| (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 higher level policies in the Surrey Heath Local Plan 2000 (G4, G5 & G6) and policies in the Core Strategy & Development Management Policies DPD (DM9). The SPD will be used to take account of character issues in new development and guide its design and elaborates existing policy. The SPD will not set the framework for the allocation or levels of development within the Borough over the LDF period or set the framework for individual projects. |
| (b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | The SPD will provide local guidance on the character of the western urban areas of the Borough and the design of development therein. It is influenced by other higher tier plans rather than influencing other plans itself. |
| (c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development. | Some relevance. Whilst the SPD sets out guidance on the design of development, it does so with respect to character issues. A separate SPD is proposed which will deal specifically with sustainable design issues. |
| (d) Environmental problems relevant to the plan or programme. | None. |
| (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. |
| Characteristics of the effects and of the area likely to be affected | |
| (a) The probability, duration, frequency and reversibility of the effects. | The proposed SPD will not in itself set out or bring forward development plans or projects. It will purely set out guidance for considering the characteristics of western settlements of Surrey Heath in the design of new development. |
| (b) The cumulative nature of the effects | It is likely that the SPD will help to maintain and enhance local distinctiveness. |
| (c) The transboundary nature of the effects | Given the nature of the SPD and being local to Surrey Heath, 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 | The SPD will form part of the Surrey Heath Local Development Framework. The SPD only covers the |

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| of the population likely to be affected) | western urban settlements of Camberley, Frimley, Frimley Green and Mytchett and no other areas in Surrey Heath. However, this is only in terms of guidance for taking into account character and design issues in new development. |
| (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. |