



# **Burpham Neighbourhood Plan Strategic Environmental Assessment**

**Screening Report**

**May 2014**

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## 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.

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# Contents

|          |                                          |          |
|----------|------------------------------------------|----------|
| <b>1</b> | <b>Introduction.....</b>                 | <b>1</b> |
| <b>2</b> | <b>SEA Legislative Regime.....</b>       | <b>3</b> |
| <b>3</b> | <b>Assessment Criteria.....</b>          | <b>3</b> |
| <b>4</b> | <b>Assessment Screening Process.....</b> | <b>4</b> |
| <b>5</b> | <b>Conclusion.....</b>                   | <b>7</b> |
| <b>6</b> | <b>Consultation.....</b>                 | <b>7</b> |
|          | <b>References.....</b>                   | <b>8</b> |

## List of Figures

|                                                                                                                                                                          |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Figure 1-2: Proposed Burpham Neighbourhood Area .....                                                                                                                    | 2 |
| Figure 4-1: Application of the SEA Directive to Plans and Programmes (source: A Practical Guide to the Strategic Environmental Assessment Directives; ODPM, 2005). ..... | 4 |

## List of Tables

|                                      |   |
|--------------------------------------|---|
| Table 1: SEA Screening Process ..... | 5 |
|--------------------------------------|---|

## 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.

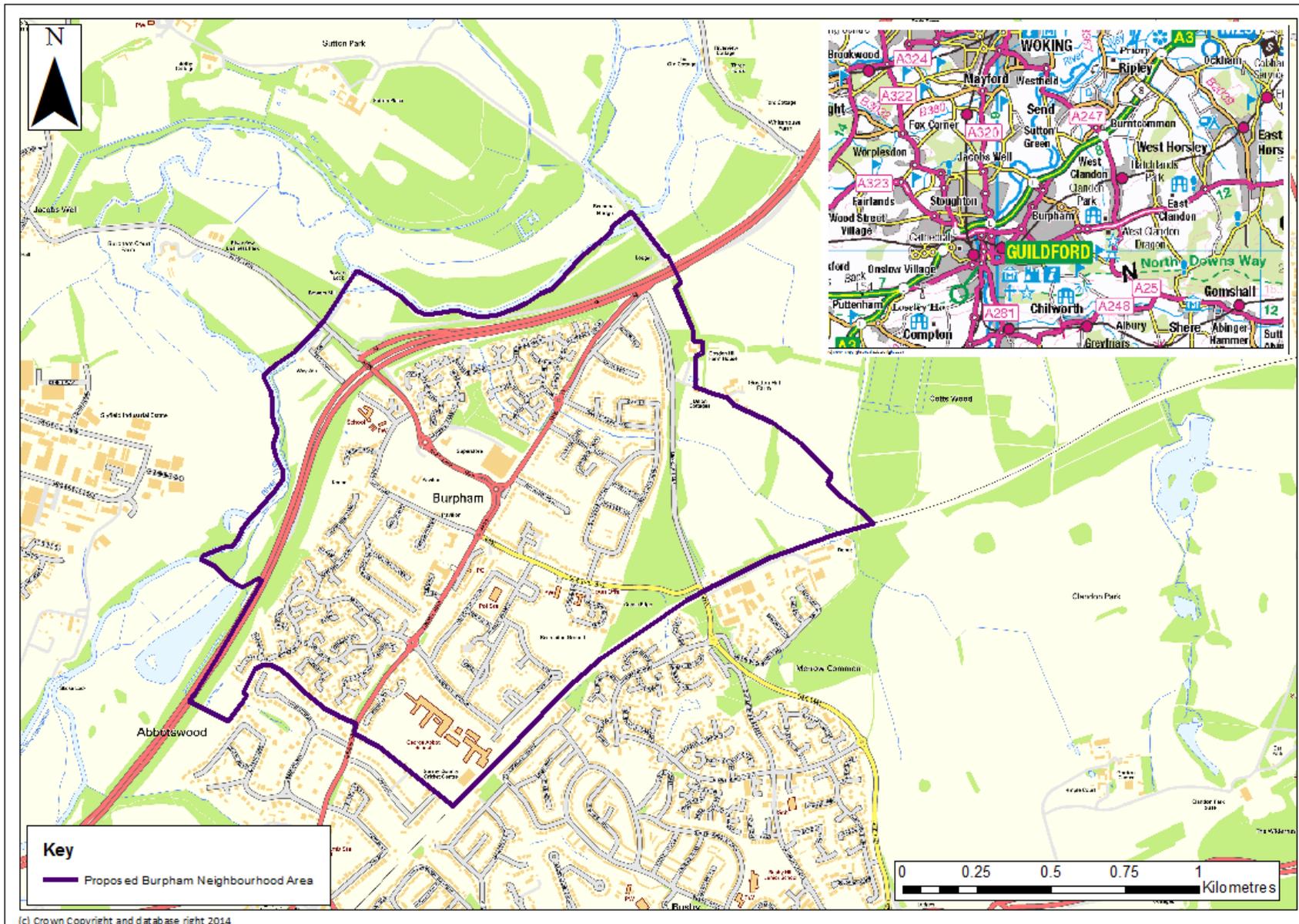


Figure 1-2: Proposed Burpham Neighbourhood Area

## 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.

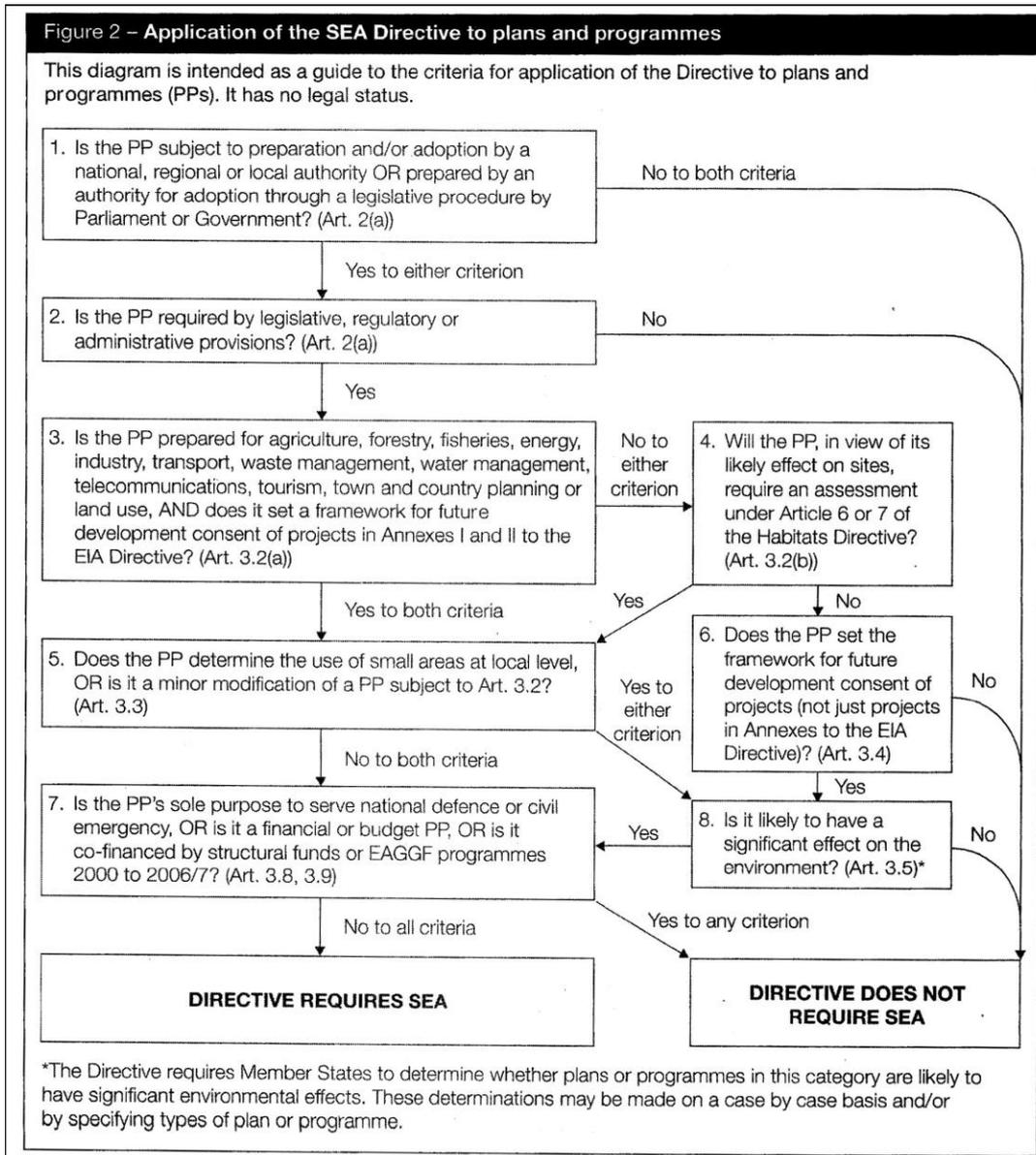


Figure 4-1: Application of the SEA Directive to Plans and Programmes (source: *A Practical Guide to the Strategic Environmental Assessment Directives*; ODPM, 2005).

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<br/>OR<br/>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<br/><br/>AND<br/><br/>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<br>OR<br>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,<br>OR<br>Is it a financial or budget PP<br>OR<br>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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