

GUIDELINES FOR RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS SUPPLEMENTARY PLANNING DOCUMENT (Draft)

**Strategic Environmental Assessment
Screening Report**

**May 2017
(Revised March 2018)**



1. Introduction

- 1.1 South Norfolk Council is preparing a Supplementary Planning Document (SPD) entitled 'Guidelines for Recreation Provision in New Residential Developments'.
- 1.2 The purpose of the SPD is to supplement the Council's adopted Development Management Policy DM 3.15 '*Outdoor play facilities and recreational space*'. The SPD will not set new policy requirements but it will provide clear guidelines to developers as to the local requirements of South Norfolk Council when submitting planning applications for new housing developments and will also give information regarding the Council's approach to the adoption and maintenance of play facilities and recreational spaces. In effect, the SPD will update the existing Supplementary Planning Guidance document on Open Space Requirements for Residential Areas (https://www.south-norfolk.gov.uk/sites/default/files/Recreational_Open_Space_Requirements_for_Residential_Areas_3.pdf).
- 1.3 The purpose of this screening report is to test whether the SPD requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

2. Legislative Background

- 2.1 Under regulations 16 and 17 of the Planning and Compulsory Purchase Act 2004 local authorities were required to undertake a Sustainability Appraisal for each Supplementary Planning Document (SPD) they prepared. Regulations 2 (5) and (6) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009, removed previous requirements for local planning authorities to produce Sustainability Appraisal for SPDs. The explanatory memo which accompanied the 2009 Regulations states that "*Local Planning Authorities will still need to screen their SPDs to ensure the legal requirements for sustainability appraisal are met where there are impacts that have not been covered in the appraisal of the parent DPD or where an assessment is required by the SEA Directive*" (paragraph 8.29). As this SPD relies on the parent policy DM3.15 in the Council's Development Management Policies Document it has already undergone a full Sustainability Appraisal and Habitat Regulations Assessment.
- 2.2 SEA is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, also known as the SEA Directive. The Directive was transposed into UK law by The Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations. Detailed guidance on these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (September 2005).

- 2.3 The objective of Strategic Environmental Assessment (SEA) is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.5 Under Regulation 5(6) of the SEA Regulations (2004) a SEA need not be carried out for a plan or programme which determines the use of small areas at a local level and/or for minor modifications to a plan or programme, unless the plan or programme or modification is determined to have significant environmental effects. Regulation 5 (9) explains that to assist in this determination local authorities are required to undertake a screening process, based on a set of criteria specified in the Regulations, to assess whether the plan is likely to have significant environmental effects. Before making its determination, a local authority is required to consult on the screening process with the three statutory bodies (Historic England, Natural England and the Environment Agency). Once an authority has determined that there are unlikely to be significant environmental effects (and accordingly does not require an environmental assessment) it must prepare a statement setting out the reasons for the determination.
- 2.6 Government guidance on SEA (<https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>) states that SPDs “*may in exceptional circumstances require environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan*”.

3. SEA Screening Methodology

- 3.1 Using the criteria, detailed in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, for determining the likely significance of effects on the environment, the following assessment has been made regarding whether the SPD is likely to have significant environmental effects:

1. The characteristics of plans and programmes, having regard, in particular to:		
Criteria	Potential effects of the SPD	Likely Significant Effect
a) The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The SPD will provide guidance on how to apply Policy DM 3.15 '<i>Outdoor play facilities and recreational space</i>' from the Council's adopted Development Management Policies Document. It does not set new policy. The policy framework is set in the Local Plan, which has already been subject to SA/SEA.</p> <p>The SPD will also be the mechanism for the implementation of a new regime for the adoption and management of open space/play areas as agreed in the Council's Community Assets Strategy but is not the document that sets this policy</p>	No
b) The degree to which the plan influences other plans and programmes including those in a hierarchy	<p>The SPD sits in a hierarchy of documents underneath the Local Plan, providing detail on how to apply policy DM 3.15 from the Council's adopted Development Management Document, which has already been subject to SA/SEA. The SPD does not form part of the Local Plan and will not influence any other plans and programmes in the Local Plan.</p> <p>The SPD will also be the mechanism for the implementation of a new regime for the adoption and management of open space/play areas as agreed in the Council's Community</p>	No

	Assets Strategy but is not the document that sets this policy	
c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development in accordance with national and local planning policy. It will ensure the provision of new open spaces of the right type and in the right location to meet the needs of people living in new housing developments. For larger scheme the provision of open spaces will be integrated into the development to increase its sustainability. This should have positive impacts with regard to sustainable development	No
d) Environmental problems relevant to the plan or programme	The SPD will not lead to any environmental problems. A Sustainability Appraisal including social, economic and environmental effects has already been undertaken on the policies and proposals of the Local Plan. The provision of open space on new developments in accordance with local needs will have a positive environmental effect and the SPD recognises the importance of enhancing ecology and biodiversity through development	No
e) The relevance of the plan for the implementation of European Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The SPD has no relevance to the implementation of European Community legislation on the environment	No

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular to:		
Criteria	Potential effects of the SPD	Likely Significant Effect
a) The probability, duration, frequency and reversibility of the effects	The SPD should have positive effects through the delivery of good quality open spaces integrated with housing provision. There will be no adverse environmental effects, indeed local environments are likely to be improved somewhat, with the integration of ecology and biodiversity improvements. The effects of open space provision will be long term because the SPD requires formal recreation sites to be maintained in perpetuity	No
b) The cumulative nature of the effects	In the longer term, there should be some cumulative positive social and environmental effects through providing new recreational open space as part of new housing developments, in terms of building communities, encouraging healthy lifestyles and wellbeing, along with the integration of ecology and biodiversity	No
c) The transboundary nature of the effects	The SPD applies only to development within the administrative area of South Norfolk Council and will not impact on neighbouring authorities who have their own policies for addressing open space provision	No
d) The risk to human health or the environment (for example, due to accidents)	There are no significant or likely negative impacts to health or to the environment envisaged. The SPD seeks to ensure that all persons will have access to good quality open spaces, which is likely to make a positive contribution to	No

	health and wellbeing. The risk of accidents will be minimised by ensuring that all open spaces provided comply with prevailing health and safety legislation	
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD relates to the administrative area of South Norfolk Council. South Norfolk has an area of 909 sq. km and a population of 124,012 at the 2011 Census. The SPD only relates to recreation provision related to new housing developments so will not impact on the wider population of the district	No
f) The value and vulnerability of the area to be affected due to: i) Special nature characteristics ii) exceeded environmental quality standards iii) intensive land use	The area to which the SPD applies does not have any special characteristics which will be harmed by the guidance in the SPD. Open space proposals will still need to meet planning requirements and accord with any special character of an area	No
g) The effects on areas or landscapes which have a recognised national, community or international protection status	As the SPD only applies to recreation provision in new residential developments it is not envisaged that there will be any effects on areas or landscapes which have a recognised national, community or international protection status	No

4. Initial conclusion (April 2017)

- 4.1 As stated above, a plan or programme which determines the use of small areas at a local level and/or for minor modifications to a plan or programme will only require SEA in exceptional circumstances, and if the plan or programme or modification is determined to have potentially significant environmental effects. The Development Management Policies Document (under which the SPD sits) was subject to a process of Sustainability Appraisal. The intended Guidelines for Recreation Provision in New Residential Developments SPD will help determine the use of small areas at a local level (i.e. in relation to some new housing developments) and is considered unlikely to have significant environmental effects.

- 4.2 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.

5. Consultation

- 5.1 Consultation on this SEA Screening Report ran from 11 April to on 12 May 2017. Amongst the consultees were the three statutory consultees (Environment Agency, Historic England and Natural England).
- 5.2 Two consultation responses were received. **Natural England's** response was brief and simply said that "*Our view is that the SPD does not require an SEA*". **Historic England's** response stated that they could not provide detailed advice, but they referred the Council to Historic England's Advice Note on Sustainability Appraisal and Strategic Environmental Assessment.
- 5.3 Neither response therefore disagreed with the Council's initial conclusion that SEA of the SPD is not necessary.

6. Final conclusion (May 2017)

- 6.1 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.

7. Revised conclusion (March 2018)

- 7.1 In the light of preparing the revised draft SPD for a further round of public consultation in 2018, the Council considers that no changes of substance in relation to the matters listed in Table 2 has arisen.
- 7.2 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.