



# Public Notice



As required by European Directive 2001/42/EC (Strategic Environmental Assessment) and the UK Environmental Assessment of Plans and Programmes Regulations (Statutory Instrument 2004 No. 1633)

## **Broadland District Council**

Hereby gives notice of its decision not to undertake a Strategic Environmental Assessment for the Landscape Character Assessment (Draft) Supplementary Planning Document (LCA).

The Landscape Character Assessment (Draft) Supplementary Planning Document is not likely to cause significant environmental effects. This determination is based on the SEA criteria for determining the likely significance of effects on the environment as part of screening report.

The decision has been taken by the Interim Spatial Policy Manager following consideration of a detailed screening report and has been subject to formal consultation with the Environment Agency, English Heritage, and Natural England. Members of the public wishing to find out more should telephone Broadland District Council (01603) 430567 or email [LDF@broadland.gov.uk](mailto:LDF@broadland.gov.uk)

# THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004 REGULATION 9 SCREENING STATEMENT

## Landscape Character Assessment (Draft) Supplementary Planning Document (SPD)

### 1. INTRODUCTION

- 1.1 Broadland District Council is currently producing a Landscape Character Assessment Supplementary Planning Document as part its Local Development Framework (LDF). Planning Authorities are required to produce a Sustainability Appraisal (SA) in parallel with the development of these LDF documents. There is also a requirement to undertake Habitat Regulations Assessment to consider potential impacts on sites of European importance for Nature Conservation; this is being carried out separately. This report provides screening statement of the SA/SEA processes.

### 2. SUSTAINABILITY APPRAISAL SCREENING STATEMENT:

- 2.1 Sustainability Appraisal is a tool that is used to improve the sustainability of LDF documents. It uses a range of sustainability objectives and indicators to test whether the plans, policies and proposals are the best possible ones for delivering sustainable development. SA is a yardstick against which the social, environmental and economic effects of the plan can be tested.
- 2.2 Sustainability Appraisal (SA) is mandatory under the Planning & Compulsory Purchase Act 2004 for all Development Plan Documents and Supplementary Planning Documents. These SA's also need to fulfil the requirements of the Strategic Environmental Assessment (SEA) Directive.
- 2.3 There are however exceptions to these requirements. It is the view of Broadland District Council – Policy Unit that the Landscape Character Assessment SPD, is such an exception. To reach this conclusion the Council screened the draft Landscape Character Assessment SPD against the requirements as set out in the SEA / SA regulations and guidance. This Sustainability Appraisal report documents this screening process and sets out the reasoning behind the 'Screening Opinion'.

### 3. KEY FACTS

<b>Responsible Authority</b>	Broadland District council
<b>Title of the Plan / Programme</b>	Landscape Character Assessment Supplementary Planning Document (SPD)
<b>Plan Purpose</b>	This document is supplementary to Planning Policy 1: Addressing Climate Change and protecting environmental Assets. It covers the Broadland District and the main built up areas

	including an up to date integrated assessment of the landscape character guidance and practice updating the previous LCA 1999 in accordance with the latest guidance and practice. Specific interpretation of
<b>What Prompt the Plan</b>	Update in accordance with the current guidance and practice.
<b>Plan Subject</b>	Policies and legislation in relation to Landscape Character Assessment SPD.
<b>Period Covered by Plan</b>	Until Superseded
<b>Frequency of Plan Updates</b>	On Change of Local or National Policy
<b>Plan Area</b>	Broadland District
<b>Summary of Content</b>	<ul style="list-style-type: none"> <li>• An Up-to-Date Integrated Assessment of the Landscape Character of the District, in accordance with current guidance and practice, updating the previous Landscape Character Assessment (LCA) (1999), which assessed Landscape Character and also identified areas of particular landscape quality for inclusion in the Local Plan.</li> <li>• A 'factual' evidence base of the landscape character of the District, as such it is useful in the consideration of planning proposals,</li> <li>• Specific interpretation of Management Guidelines, Landscape Sensitivities and Landscape Planning Guidelines to be addressed, which add to its value for considering planning proposals.</li> </ul>

#### 4. GUIDANCE ON THE REQUIREMENT FOR STRATEGIC ENVIRONMENTAL ASSESSMENT:

- 4.1 Planning Authorities must conduct a Strategic Environmental Assessment of all DPDs & SPDs in accordance with the SEA directive (2001/42/EC). But there are circumstances when a SEA / SA is not required. The publications A Practical Guide to the Strategic Environmental Assessment Directive (2005) ODPM & Sustainability Appraisal Of Regional Spatial Strategies and Local Development Documents (2005) ODPM outline how plans should be 'screened' to determine whether the exceptions may apply.
- 4.2 The SEA Directive requires SEA for plans which (i) "determine the use of small areas at a local level" or which are (ii) "minor modifications" to plans, only when these are determined to be likely to cause significant environmental effects.

- 4.3 In the past, SA was required for SPDs, but due to changes made to the planning system by the Planning Act 2008 they no longer require SA. However, this does not remove the requirement for SEA. If an SPD is likely to have significant effects on the environment, an SEA will need to be carried out.
- 4.4 Broadland District Council considers that the Landscape Character Assessment SPD represents one of the cases to which the amended guidance refers. In coming to this conclusion the Planning Policy Unit has reviewed the criteria for determining the likely significance of effects as listed in SEA directive (2001/42/EC) Annex I (see below).

## 5. CONSIDERING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT:

- 5.1 Our determination regarding the likely significance of effects on the environment of Broadland District Council Landscape Character Assessment Supplementary Planning Document are set out in table 1 (below) .

**Table 1 – likely significance of effects on the environment**

<b>Criteria</b>	<b>Assessment</b>
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.	The SPD is intended to be supplementary to the Local Development Framework
b) The degree to which the plan influences other plans and programmes including those in a hierarchy	It is intended that the scope of the SPD will be to provide additional practical guidance to policies that have already been scrutinised and consulted upon through the plan making process including SA/ SEA.
c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD is intended to provide an up-to date integrated assessment of the landscape character of the district in accordance with the current guidance and best practice.
(d) Environmental problems relevant to the plan	The intended SPD is primarily concerned with protecting and enhancing the landscape character areas. There are no expected environmental problems.
e) The relevance of the plan for the implementation of [European] Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	There are no direct linkages with the implementation of European Community legislation.

<p><b>Characteristics of Landscape Character Area SPD's Effects and the Area Likely to be Affected</b></p>
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<b>Criteria</b>	<b>Assessment</b>
<b>(a)</b> The probability, duration, frequency and reversibility of the effects	The probable effect of the intended SPD will be to protect and enhance landscape character areas within the District. Once adopted as part of the Local Development Framework (LDF), the short to medium term effects of the intended SPD could be incremental.
<b>(b)</b> The cumulative nature of the effects	The likely cumulative nature of the effects from the intended SPD is minimal.
<b>(c)</b> The transboundary nature of the effects	There are no transboundary effects from the SPD due to the intended scope of its purpose and the geographical coverage it will have.
<b>(d)</b> The risks to human health or the environment (for example, due to accidents)	There are no significant or likely risks to health or to the environment.
<b>(e)</b> The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The intended SPD is specific to assess the landscape character types for the district. This poses no negative effects to the population in the district.
<b>(f)</b> 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; or	The intended SPD is purely an assessment of the landscape character. Therefore, it is unlikely to cause an effect on areas of value or vulnerability as identified in i -iii. The SPD will provide guidance to future existing planning policies to form part of the LDF.
<b>(g)</b> the effects on areas or landscapes which have a recognised national, community or international protection status.	The intended SPD is purely an assessment of the landscape character. Therefore, it is unlikely to cause an effect on areas which have a recognised national, community or international protection status.

## 6. SUMMARY

The draft Landscape Character SPD has not been subject to Sustainability Appraisal or Strategic Environmental Assessment because:

The SPD is a guidance document that summarises the main guidelines and principles, as set out by the Joint core Strategy Policy 1

The SPD does not present policies or proposals, and serves only to expand on existing policies within Broadland LDF Joint Core Strategy. These policies have already been subject to SEA / SA and Appropriate Assessment.

It is therefore the Broadland District Council - Policy Unit's Screening Opinion that the LCA SPD does not generate a risk of significant environmental, social or economic effects.



ENGLISH HERITAGE

EAST OF ENGLAND REGION

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Broadland District Council  
Thorpe Lodge  
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NR7 ODU

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Direct Fax: 01223 582701

Our Ref: HD/P 5317  
Your Ref: PLA 33

18 July 2011

Dear Mr Walchester

**SUSTAINABILITY APPRAISAL/STRATEGIC ENVIRONMENTAL ASSESSMENT  
SCREENING FOR LANDSCAPE CHARACTER ASSESSMENT SPD**

Thank you for consulting English Heritage on the above SEA screening report.

This is to confirm that we concur with your conclusion that Strategic Environmental Assessment is not required for this document.

Yours sincerely

Katharine Fletcher  
Regional Planner, East of England

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*The National Monuments Record is the public archive of English Heritage*

F.A.O. Mr J Walchester  
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Norfolk  
NR7 0DU

**Our ref:** AE/2006/000198/SE-03/SC1-L01  
**Your ref:** PLA 33  
**Date:** 01 July 2011

Dear Sir/Madam

**Sustainability Appraisal/Strategic Environmental Assessment Screening for  
Landscape Character Assessment Supplementary Planning Document (SPD)  
(DRAFT)**

Thank you for your consultation on the above screening report.

After careful consideration of the submitted information, we are able to confirm that we have no comments to make.

Yours faithfully

**Miss Jessica Bowden  
Planning Liaison Officer**

Direct dial 01473 706008  
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Direct e-mail [jessica.bowden@environment-agency.gov.uk](mailto:jessica.bowden@environment-agency.gov.uk)



11 July 2011

Our ref: 26706

Your ref: PLA 33



Isabel Appleyard  
Broadland District Council

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**BY EMAIL ONLY**

Dear Isabel

**Planning consultation:** Screening report for sustainability appraisal/strategic environmental assessment

**Location:** Broadland District Council – Landscape Character Assessment Supplementary Planning Document

Thank you for your consultation dated 13 June 2011, which we received in this office on 20 June 2011.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Having reviewed the screening report, we concur with your conclusions that the Landscape Character Assessment Supplementary Planning Document is unlikely to have any significant environmental effects and therefore does not require a Strategic Environmental Assessment or separate Sustainability Appraisal under the *Environmental Assessment of Plans and Programmes Regulations 2004*.

Thank you for consulting with Natural England.

Yours sincerely

A handwritten signature in black ink, appearing to read "Helen Ward", written over a faint circular stamp.

Helen Ward  
Land Use Operations