

Horsham District Council

**Draft Heath Common Design Statement
Supplementary Planning Document**

**Strategic Environmental Assessment Screening
Opinion**

March 2018

Strategic Environmental Assessment Screening Opinion

Heath Common Design Statement - March 2018

1. Introduction

The Strategic Environmental Assessment (SEA) Screening Procedure requires the Responsible Council [in this case Horsham District Council (HDC)] to determine whether the plan or programme under assessment is likely to have significant environmental effects. This assessment must be made taking account of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and in consultation with the Environment Agency, Historic England and Natural England.

The purpose of this screening report is to test whether or not the contents of the Heath Common Design Statement requires a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA).

The aim of the document is to provide guidance to enable that development which takes place in Heath Common is designed in a manner to retain the unique and largely rural nature of the area.

The SDP provides planning guidance on a number of matters, including:

- 1) Scale of dwellings – including design;
- 2) Impact on the land and biodiversity – including layout of development and infrastructure;
- 3) Impact on neighbouring amenity;
- 4) The Lanes and lighting;

2. Legislative Background

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC 'on the Assessment of the Effects of Certain Plans and Programmes on the Environment'. This document is commonly referred to as the Strategic Environmental Assessment or SEA Directive. This directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.

This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

3. Criteria for determination and Assessment of likely significant environmental effects

The Environmental Assessment of Plans and Programmes 2004 sets out a number of criteria which if some or all are met, require consideration as to whether the plan will have significant environmental effects. The tables below set out the questions set out in the legislation, together with the response in relation to the Draft Heath Common Design Statement

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| 1 | <p>Is the Plan or Programme subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government?</p> | <p>This document has been prepared by Heath Common residents in consultation with Washington Parish Council and HDC. Following consultation it will be formally adopted as a Supplementary Planning Document (SPD) to help deliver the policies in the Local Plan [the Horsham District Planning Framework (HDPF) and the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan].</p> |
| 2 | <p>Is the Plan or Programme required by legislative, regulatory or administrative provisions?</p> | <p>Supplementary Planning Documents are not a requirement of Government Policy, but they can be used where they can 'help applicants or aid infrastructure delivery. (NPPF, para153) 'They can also be used to provide 'further guidance for development on specific sites, or on particular issues such as design' (NPPF, Appendix 2)</p> |
| 3 | <p>Is the Plan or Programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, and does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive 85/337/EEC as amended by Council Directive 97/11/EC(a).?</p> | <p>The SPD provides guidance for emerging proposals in Heath Common. Depending on the precise scale and nature of the proposal there is some potential that an EIA may be required.</p> |
| 4 | <p>Will the Plan or Programme, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive?</p> | <p>Heath Common is inside the Bat Sustenance Zone identified in the HDPF. However, due to the nature and content of the SPD, the possibility of negative effects on this species resulting from this SPD can be discounted. The SPD is consistent with the policies in the HDPF which was subject to a Habitats Regulations Assessments (HRA). A separate HRA for the SPD is not considered necessary because it does not change the circumstances in the area or the nature of the plan sufficiently to</p> |

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| | | require a fresh assessment. The possibility of negative effects on any protected site resulting from the SPD can be discounted. |
| 5 | Does the Plan or Programme set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? | The SPD provides additional guidance for future proposals in Heath Common. |
| 6 | Does the Plan or Programme determine the use of small areas at local level, or is it a minor modification of an existing Plan or Programme covered by the above criteria? | Yes. This SPD is focussed on providing guidance for future applications within Heath Common rather than Horsham District as a whole. |
| 7 | Is the Plan or Programmes sole purpose to serve the national defence or civil emergency, or is it a financial or budget PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? | No |
| 8 | Is the Plan or Programme likely to have a significant effect on the environment? | In order to assess whether a Plan or Programme will have a significant effect on the environment, the criteria set out in Schedule 1 – The Environmental Assessment of Plans and Programmes 2004 should be considered. These are set out below: |
| 1 | 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 overall development framework is set out in the HDPF and the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan. These policies were subject to a full SA/SEA as part of the preparation of the HDPF and the Neighbourhood Plan and these issues have already been given consideration. The SPD provides further guidance on how developments in the Heath Common area should be designed but will not change the overall quantum, nature or scale of development and does not allocate specific resources. |
| b | the degree to which the plan or programme influences other plans and programmes including those in a hierarchy | The SPD informs policies in the HDPF or neighbourhood plans, and does not set policy. It helps provide advice to developers as they prepare schemes in the Heath Common area which lies within the Parish of Washington. |

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| c | the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | As part of the SA/SEA of the HDPF, it was noted that further detail on policies would be needed to ensure that development is sustainable. This is also true of Neighbourhood Plan policies. Such SPDs form part of this mitigation. This SPD will help to ensure that development enhances the character and design of development. All aspects will therefore contribute to achieving sustainable development. |
| d | environmental problems relevant to the plan or programme | The SPD does not add additional requirements or worsen an existing problem. |
| e | the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection) | No additional relevance in addition to the HDPF and the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan which address these issues as appropriate. |
| 2 | Characteristics of the effects and of the area likely to be affected | |
| a | the probability, duration, frequency and reversibility of the effects | The SPD provides additional guidance and opportunities but does not have new policies, and the probability, duration, frequency or reversibility of effects cannot be specified. It is a matter for the detailed planning applications to consider these issues, if necessary through an EIA. |
| b | the cumulative nature of the effects | The SPD provides additional guidance but does not have new policies, and the cumulative impacts cannot be identified. It is a matter for the detailed planning applications to consider these issues, if necessary through an EIA. |
| c | the trans-boundary nature of the effects | N/A – SPD focuses on an area within a parish in the District of Horsham. |
| d | the risks to human health or the environment (for example, due to accidents) | No direct impacts arising from this SPD. Impacts arising from construction are dealt with through standard health and safety working practices /hours of operation. |
| e | the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | The SPD focusses on the Heath Common area within Washington Parish. According to the 2011 Census the Parish had a population of 1,867. The overall scale and impact is small. |
| f | the value and vulnerability of the area to which the plan or programme relates likely to be affected due to: i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards or limit values; or iii) intensive land-use | i) The SPD provides additional guidance in addition to the HDPF and the emerging Neighbourhood Plan policies to ensure character of the Heath Common area is maintained and enhanced. The SPD does not therefore have any additional impacts |

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| | | <p>on the value or vulnerability of these assets</p> <p>ii) There are no specific environmental quality standards or limits that are directly relevant to the Heath Common area.</p> <p>iii) N/A</p> |
| g | The effects on areas or landscapes which have a recognised national, community or international protection status | The SPD provides additional guidance in addition to the HDPF and the emerging Neighbourhood Plan policies to ensure that the character of the Heath Common area is protected and enhanced. There are no additional impacts on areas or landscapes which have a recognised national, community or international protection status that have already been identified through the preparation of the HDPF or the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan. |

4. Conclusion

The SPD does not introduce new policies; these are already set out in the Horsham District Planning Framework and the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan. The social, economic and environmental impacts of these policies were assessed as part of the SA/SEA that was undertaken alongside the preparation of these documents.

The SPD provides additional guidance for developers who are proposing new development schemes in Heath Common. This will ensure that specific issues on design and character are correctly addressed as schemes are devised. The SPD does not however have any additional impacts on the value or vulnerability of social, economic or environmental features that have been previously considered.

It is therefore the council's opinion that the draft Heath Common Design Statement does not require an SEA under the Assessment of Environmental Plans and Programmes Regulation (2004). This is because there will be no significant environmental effects arising from its implementation, it supplements national guidance and the Horsham District Planning Framework and the emerging Storrington & Sullington and Washington Parishes Neighbourhood Plan, and does not introduce any new policy requirements.