

Strategic Environmental Assessment (SEA) Screening Opinion

Somers Town Neighbourhood Plan

Following Regulation 14 consultation

May 2016

Prepared by:

London Borough of Camden

Including consultation with:

Historic England, Environment Agency and Natural England

Contents

- 1.0 Introduction
- 2.0 Vision, objectives & priorities of the Plan
- 3.0 Assessment
- 4.0 Screening outcome
- 5.0 Next steps

1. Introduction

- 1.1. A neighbourhood plan may require a Strategic Environmental Assessment (SEA) to comply with European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”. The European Directive is transposed into law by the Environmental Assessment of Plans and Programmes Regulations 2004. However, there is no legal requirement for a neighbourhood plan to have a Sustainability Appraisal (SA), as set out in section 19 of the Planning and Compulsory Purchase Act. Neighbourhood plans are not defined as Local Plans, having their own designation and are produced by qualifying bodies under the Localism Act.
- 1.2. Under Article 3(3) and 3(4) of the SEA Directive, SEA is required for plans and programmes which “determine the use of small areas at a local level and minor modifications to plans and programmes” where they are determined to be likely to have significant environmental effects.
- 1.3. A neighbourhood plan will be capable of being a material consideration in the assessment of future planning applications. It is the Council’s responsibility to identify whether an SEA should be undertaken. This is determined through an SEA screening exercise (table below).
- 1.4. The screening process is based upon consideration of standard criteria in Annex II of the Directive to determine whether the plan is likely to have “significant environmental effects”. The result of the Camden’s screening process is detailed in this screening statement.
- 1.5. The draft Somers Town Neighbourhood Plan was screened for SEA in August 2015. The SEA screening determined positive – the plan included site allocations which extended beyond the scope of the Council’s adopted plans which may give rise to significant environmental effects.
- 1.6. The Somers Town Neighbourhood Plan has undergone its Regulation 14 consultation, a number of changes have been made since August 2015 and as such the Council has undertaken a further screening to determine whether SEA is required. The council has determined that the plan will not give rise to significant environmental effects that have not already been tested in the Council’s own adopted plans. The Council has consulted once again with the consultation bodies and their response is noted within this Screening Opinion.

2. Vision, objectives & policy priorities of the plan

2.1. The stated vision of the Somers Town Neighbourhood Plan is to “provide a framework to ensure a Sustainable Community Development. Thereby enabling as many of the existing Somers Town community as want to, to stay and get a slice of the action”.

2.2. The Neighbourhood Plan’s key policy areas include:

- Local economy and employment
- Meanwhile use
- Movement
- Housing and building
- Environment, green space and air quality
- Community, cultural facilities and services.

2.3. The plan also contains a number of recommendations and projects relating to these issues. These are not considered as policies within the plan and therefore do not require testing for SEA.

3. Assessment

3.1. The ‘responsible authority’ must determine whether a plan or programme, in this case the draft Somers Town Neighbourhood Plan, is likely to have significant environmental effects with reference to the criteria specified in Schedule 1 of the Regulations.

3.2. These criteria are set out in the table below, along with consideration of the likely impact of the neighbourhood plan against each.

SEA Directive criteria	Comments	Likely Significant Effects?
Characteristics of plans and programmes, having regard, in particular to:		
1a) 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	<p>The Neighbourhood Plan must have regard to National Policy and be in general conformity with the strategic policies of the borough.</p> <p>The Neighbourhood Plan, if adopted, would form part of the statutory Development Plan for the borough and as such contribute to the framework for future projects and activities in the Neighbourhood Area.</p> <p>The neighbourhood plan does not allocate sites for development nor do the policies extend significantly beyond those already tested for SEA in the Council’s Development Plan for the borough.</p>	No

1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The Neighbourhood Plan must be consistent with the National Planning Policy Framework and in general conformity with the Council's strategic policies.</p> <p>The Neighbourhood Plan may form the context for and influence other documents for this area. However, it is considered the extent of impact is unlikely to be significant in this regard.</p>	No
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	If passed at referendum, the plan will sit alongside the Council's current development plan documents which have undergone SA (incorporating SEA).	No
1d) Environmental problems relevant to the plan or programme	The draft neighbourhood plan seeks to address some environmental problems within Somers Town, such as increasing/protecting open/green space. It is however not considered that there is a requirement for an SEA under this criterion.	No
1e) 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 neighbourhood plan is not directly relevant to the implementation of community legislation on the environment.	No
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects	The neighbourhood plan does not allocate sites for development nor do the policies extend significantly beyond those already tested for SEA in the Council's Development Plan for the borough.	No
2b) The cumulative nature of the	Cumulative effects occur where several site allocations, when put together, have a significant combined effect.	No

effects	The neighbourhood plan does not allocate sites for development nor do the policies extend significantly beyond those already tested for SEA in the Council's Development Plan for the borough.	
2c) The trans-boundary nature of the effects	There are no trans-boundary effects arising from the Neighbourhood Plan.	No
2d) The risks to human health or the environment (e.g. due to accidents)	There are unlikely to be risks to human health or the environment arising from the Plan in respect of this criterion.	No
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The plan will apply to new development in the neighbourhood area (to population of circa 7,000 people). A population of this size is considered may be considered significant however - the neighbourhood plan does not allocate sites for development nor do the policies extend significantly beyond those already tested for SEA in the Council's Development Plan for the borough.	No
2f) 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	The neighbourhood plan does not allocate sites for development nor do the policies on heritage or environmental quality extend significantly beyond those already tested for SEA in the Council's Development Plan for the borough.	No
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status	There are no landscapes of national or international protection status in the Plan area.	No

4. Screening outcome

4.1. Having reviewed the Somers Town Neighbourhood Plan against the above criteria, as written, it is concluded that the plan is not likely to have significant environmental effects.

4.2. The site allocations that formed part of an earlier draft of the Plan have been amended to sites for development that the forum would 'support' and therefore not considered as designations. Other policy areas are not considered to extend significantly beyond those in the Council's Development Plan for the borough (which have been subject to SA/SEA and as such are not considered to need further assessment).

5. Consultation

5.1. This draft SEA screening determination has been subject to consultation with the statutory consultation bodies, specified in the Environmental Assessment of Plans and Programmes Regulations 2004:

- Historic England
- Environment Agency; and
- Natural England

5.2. The Environment Agency had no further comments to make. Natural England confirmed that an SEA was not required. No further comment was received from Historic England.

5.3. For reference, a summary of the responses received following the previous SEA screening determination August 2015 are set out below:

Natural England

Having checked the SEA screening and the reasons given by the council for wanting an assessment to be carried out, Natural England wouldn't see any reason to disagree with this. Given the allocations put forward in the plan haven't been assessed under the SEA regulations for impacts it is vital that they are and any impacts foreseen should be mitigated for in order to minimise environmental and other impacts as identified by the assessment.

Historic England

On the basis of this information provided we agree that, as the proposed Neighbourhood Plan introduces the allocation of new sites not included within the Council's Site Allocations document, strategic environmental assessment is required as set out under the criteria specified in Schedule 1 of the SEA regulations.

Environment Agency

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk, Source Protection Zones for groundwater or watercourses affected by the neighbourhood plan area. Therefore we do not consider there to be potential significant environmental effects relating to these environmental constraints.