



**Woking Borough Council  
Local Development Framework**

**Design Supplementary Planning Document (SPD)**

**Strategic Environmental Assessment  
DRAFT SCREENING STATEMENT**

**Determination under Regulation 9 of the Environmental Assessment of Plans  
and Programmes Regulations 2004**



May 2012

## Consultation procedure

Responses to this Draft Screening Statement should be sent to:

Christine Ellera  
Planning Policy  
Woking Borough Council  
Civic Office  
Gloucester Square  
Woking  
Surrey  
GU21 6YL

Or by Email: [planning.policy@woking.gov.uk](mailto:planning.policy@woking.gov.uk)

Responses should be received by the Council by 04 July 2012

This Draft Screening Statement has been issued to:

- The Environment Agency
- Natural England, and
- English Heritage.

## **1. Introduction**

1.1. This statement sets out the Council's determination under Regulation 9 (1) of The Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the Design Supplementary Planning Document (SPD).

### **Strategic Environmental Assessment**

1.2. Under the requirements of European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive)) and the Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment.

1.3. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.

1.4. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine if a plan requires an environmental assessment. Where the Borough Council determines that SEA is not required then under Regulation 9(3) the Council must prepare a statement setting out the reasons for this determination. This statement is the Borough Council's Draft Regulation 9(3) statement.

### **Sustainability Appraisal**

1.5. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), the Council is required to carry out a Sustainability Appraisal (SA) for all Development Plan Documents. This considers the social and economic impacts of a plan as well as the environmental impacts.

1.6. In accordance with current Regulations ((Town & Country Planning (Local Planning) (England) Regulations 2012)) SA is not required to be carried out for SPD. However, despite this, it is still necessary to determine the need for SEA.

### **Habitats Regulations Assessment**

1.7. Habitats Regulations Assessment (HRA) is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 102 of the Conservation of Habitats and Species Regulations 2010.

1.8. The Directive states that any plan or project not connected or necessary for a sites management, but likely to have significant effects thereon shall be subject to appropriate assessment. As the Design SPD will not set the framework for future plans or projects there is no pathway (either direct or indirect) for significant effects to arise. As such, it is considered that Appropriate Assessment of the Design SPD is not required. Moreover, it is for individual planning applications or plans that set the framework for those applications to undergo HRA.

## **The SEA Screening Process**

1.9. The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and English Heritage.

1.10. Within 28 days of making its determination the authority must publish a statement, such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

## **Background to the proposed SPD**

1.11 Core Strategy policy CS21: Design sets out the design criteria expected from all development. Policy CS21 states that the Council will prepare SPD to provide detailed information regarding this criteria in order to provide a clear framework for Council Officers, Elected Members, developers and the public to understand how matters relating to design. Importantly, policy CS21 has been subject to a comprehensive sustainability appraisal and HRA and any potential effects on the social, environmental and economic indicators have been addressed through the Core Strategy. The SPD will not introduce any additional requirements, but will expand and provide detail guidance on the design criteria set out in CS21.

1.12. Specifically, the SPD will set out:

- . Matters regarding plot forms, siting position and visual appearance of new development, the provision of a suitable residential environment, house extensions and shop fronts.
- . Neighbouring Amenity.
- . Accessible to all.
- . Provide adequate soft/ hard landscape (including boundary treatments).
- . Encourage green walls, brown roofs and the installation of bird and bat boxes.
- . Where necessary ensure Suitable Accessible Natural Greenspace, (SANG) is provided in accordance with the Council's SPA Avoidance Strategy (or any document which supersedes this).
- . Appropriate levels of private and public amenity space.
- . Designing out Crime.
- . Orientation and water consumption methods to improve sustainable development.
- . Provision for the storage of waste and recyclable materials, and sustainable drainage systems.
- . Life time homes and modern business needs.
- . Matters relating to noise, dust, vibrations, light or other releases, including hot food takeaways.

1.13. The SPD will not in itself set the level of development, provide space standards or allocate land.

## **Draft SEA Screening**

1.14. This Draft Screening Statement for consultation sets out the Council's determination under Regulation 9 (1) of the Environmental Assessment of Plans and

Programmes Regulations 2004 on whether or not a SEA is required for the Design SPD.

1.15. Appendix 1 sets out the process for determining if the SPD will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations.

1.16. On the basis of the Screening process **it is the Council's opinion that the Design SPD does not require an SEA** under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). This is because there will be no significant environmental effects arising from its implementation and that it supplements Core Strategy policy CS21: Design.

## Appendix 1 – Draft SEA Screening for the Design SPD

Criteria (Annex II of SEA Directive and Schedule I of Regulations)	Woking Borough Council response
<b>Characteristics of the plan or programme</b>	
(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 framework is guided by national policy and determined locally through Core Strategy policy CS21: Design. The SPD will supplement CS21 to provide further clarity regarding design matters of design at a local level. The SPD will not set the framework for the allocation or levels of development within the Borough over the plan period.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SPD will provide detailed information on the practical implementation of Core Strategy policy CS21, which has been prepared in accordance with national planning policy.
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The SPD has no significant relevance to the integration of environmental considerations. The SPD seeks the promotion of sustainable development in that it provides information required to ensure the provision of good design across the Borough.
(d) Environmental problems relevant to the plan or programme.	None.
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	None.
<b>Characteristics of the effects and of the area likely to be affected</b>	
(a) The probability, duration, frequency and reversibility of the effects.	The proposed SPD will not in itself set out or bring forward development. It will purely set out the mechanisms for interpreting Core Strategy policy CS21 in practice.
(b) The cumulative nature of the effects	Given the nature of the SPD, it is considered that no cumulative effects will arise.
(c) The transboundary nature of the effects	Given the nature of the SPD, it is considered that no transboundary effects will arise
(d) The risks to human health or the environment (for example, due to accidents)	None
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will form part of Woking's Local Development Framework. As such the SPD is a borough-wide document that will affect all planning applications for all forms of development, in accordance with policy CS21.
(f) The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural	Given the nature of the document: - i) None ii) None

Criteria (Annex II of SEA Directive and Schedule I of Regulations)	Woking Borough Council response
heritage; ii) Exceeded environmental quality standards or limit values; iii) Intensive land-use.	iii) None
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	None