

# **Strategic Environmental Assessment Screening Opinion Cherwell Design Guide Supplementary Planning Document (SPD)**

**Cherwell District Council, November 2017**

## **1. The need for SEA**

- 1.1. The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) requires an environmental assessment to be made of certain plans or programmes. The SEA Directive has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2. The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 1.3. Subsequently, the 2008 Planning Act removed the requirement to undertake a Sustainability Appraisal for a Supplementary Planning Document, but not the requirement for a Strategic Environmental Assessment. This is because SPD's do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal.
- 1.4. Government advice in Paragraph: 008 Reference ID: 11-008-20140306 of the Planning Practice Guidance (PPG) makes clear that supplementary planning documents do not require a sustainability appraisal but they may require a strategic environmental assessment if they are likely to have significant environmental effects that have not been assessed during the preparation of the Local Plan.
- 1.5. This screening report is designed to determine whether or not the contents of the emerging Cherwell Design Guide Supplementary Planning Document (SPD) require a Strategic Environmental Assessment (SEA).

## **2. Purpose of the Cherwell Design Guide SPD**

- 2.1. Cherwell Local Plan Part 1 (July 2015) identifies high quality and local distinctive design as being a key priority for new development. Local Plan Policy ESD15 sets out the Council's principles for the character of the build and historic environment in Cherwell.
- 2.2. Cherwell District Council has prepared the emerging Design Guide to support the submission and determination of planning applications and housing delivery for new residential development, including strategic allocations. The Design Guide does not allocate sites nor introduce new policy, it guides the implementation of adopted Local Plan policy ESD15, providing clear guidance on the approach to design and master planning of residential sites in Cherwell.

## **3. SEA Screening criteria and procedure**

- 3.1 To assess whether an SEA is required, Cherwell District Council must undertake a screening process to determine whether the SPD is likely to have significant environmental effects. The screening must be subject to consultation with Historic England, the Environment Agency and Natural England. Following consultation, the

results of the screening process must be detailed in a Screening Statement, which is required to be made available to the public.

3.2 The criteria for determining the significance of effects are listed in Schedule 1 (9(2)(a) and 10(4)(a)) of the Environmental Assessment of Plans and Programmes Regulations 2004. They relate to:

- the scope and influence of the document and
- the type of impact and area likely to be affected

3.3 The screening assessment of the draft Cherwell Design Guide has been undertaken following the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and it is contained in **Appendix 1** of this screening opinion.

#### **4. Screening Outcome**

4.1 The SPD intends to supplement the Cherwell Local Plan Policy ESD15 and provide guidance on the design of the built environment to ensure that development is delivered in accordance with the policies in the adopted Local Plan Part1 (July 2015).

4.2 It is considered that Cherwell Design Guide SPD is unlikely to result in any significant environmental effects that have not been covered in the Sustainability Appraisal and Habitats Regulations (HRA) screening of the adopted Cherwell Local Plan (July 2015). As such, the SPD does not require a Strategic Environmental Assessment (SEA) or HRA screening.

**Draft Cherwell Design Guide SPD: Likely significant effects on the environment**

Cherwell District Council, November 2017

SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the SPD likely to have a significant environmental effect? Y/N
<b>1. Characteristics of the Cherwell Design Guide SPD having particular regard to:</b>		
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	The SPD intends to guide the implementation of Cherwell Local Plan Policy ESD15, providing design guidance to ensure that development is delivered in accordance with Local Plan policy. The SPD does not allocate land nor provides site specific guidance.	<b>N</b>
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD provides design guidance only and will support the delivery of sites allocated in the Cherwell Local Plan in accordance to the adopted Plan policies. As such it will guide the preparation and determination of planning applications but will not set new policy.	<b>N</b>
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD promotes sustainable development in accordance with the NPPF and local plan policies. The LP policies have been subject to sustainability appraisal including SEA and HRA screening.	<b>N</b>
(d) Environmental problems relevant to the SPD.	The SPD promotes sustainable development in accordance with the NPPF and local plan policies. The Design Guide provides design guidance on green infrastructure, SUDS and sustainable transport in accordance with adopted policy.	<b>N</b>
(e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	These are not directly relevant to the Draft SPD although it has been prepared in consultation with relevant organisations which would have to take into account of such legislation in the preparation of their own plans or programmes.	<b>N</b>

<b>2. Characteristics of the effects and area likely to be affected having particular regard to:</b>		
(a)The probability, duration, frequency and reversibility of the effects.	The SPD guides the delivery of adopted Local Plan Policy ESD15. The Local Plan has been subject to a full Sustainability Appraisal, including SEA and HRA screening.	<b>N</b>
(b)The cumulative nature of the effects of the SPD.	The SPD seeks to ensure the design quality principles in Local Plan Policy ESD 15 are met. The SPD promotes the development of robust and sustainable communities.	<b>N</b>
(c)The trans boundary nature of the effects of the SPD.	The SPD applies to Cherwell DCs administrative area. There are no known likely significant effects on other districts.	<b>N</b>
(d)The risks to human health or the environment (e.g. due to accident).	<p>No significant risks to human health or the environment have been identified in the preparation of this SPD.</p> <p>The SPD promotes sustainable development, provides further guidance on the implementation of LP Policy ESD 15 on matters such as: green infrastructure, SUDS, sustainable transport and development patterns that improve health and wellbeing. This is likely to have a positive effect on residents' health.</p>	<b>N</b>
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD.	The SPD covers Cherwell's administrative area with a population of 141,900 people according to the 2011 Census.	<b>N</b>
(f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li> <li>• Exceeded environmental quality standards or limit values</li> <li>• Intensive land use.</li> </ul>	<p>There is one European site within the district: Oxford Meadows Special Area of Conservation (SAC). It is located in the south-western corner of the district and designated due to the lowland meadow habitats it supports. There are 18 Sites of Special Scientific Interest (SSSI) covering 1.03 % of the district, 13 Local Geological Sites, 2 Local Nature Reserves and 81 Local Wildlife sites.</p> <p>The Oxford Canal runs the length of the district and was designated a conservation area in 2012. It is an important feature of historic, biodiversity and recreational value.</p> <p>There are over 2,200 listed buildings in the district, 60 conservation areas (at the time</p>	<b>N</b>

	<p>of the Local Plan adoption), 36 Schedules Ancient Monuments (SAMs), 5 Registered Historic Parks and Gardens and 6 Historic Parks and Gardens. In 2012 Cherwell District Council identified 28 assets at risk in the Local Heritage at Risk Register.</p> <p>The adopted Local Plan (July 2015) guides the development of significant new housing and business in Cherwell.</p> <p>The Local Plan proposes 22,840 new homes in the District to 2031, with further growth being promoted as part of an emerging plan in the south of the District to address Oxford's unmet housing needs.</p> <p>This draft SPD will help ensure that heritage, cultural and environmental assets across the District are sensitively considered and protected as part of the provision of new housing growth.</p> <p>The SPD provides a list of topics which should be included in the analysis of development proposals, together with likely sources of information. These include: views and sightlines, townscape character, landscape and topography, movement network, physical constraints. The SPD aims to guide development proposals on how to understand and respond positively to site characteristics and the surrounding context.</p> <p>The SPD does not allocate land or create new policies but guides and provides further advice on the implementation of Policy ESD 15 of the adopted Cherwell Local Plan (July 2015).</p>	
<p>(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status.</p>	<p>Cherwell's Landscape Assessment (1995), the Oxfordshire Wildlife and Landscape Study (OWLS) and the more recent Landscape Sensitivity and Capacity Assessments supporting the adopted Cherwell Local Plan identify key land forms and specific features of value including: Agricultural setting and identity of outlying villages surrounding Banbury and Bicester, Ironstone ridges and valleys, the setting of the River Cherwell and Oxford canal, Former RAF Bicester and the Wretchwick deserted medieval village.</p> <p>Only a small part of the district is in the</p>	<p><b>N</b></p>

	<p>Cotswolds AONB, straddling the boundary of Sibford and Wroxtton wards.</p> <p>The World Heritage Site of Blenheim Palace, with its Grade I Registered Park is outside Cherwell but close to the district's boundary to the west of Ship ton on Cherwell and Thrupp ward.</p> <p>The SPD is unlikely to have a significant effect on any national or internationally recognised area or landscape. It does however require a robust analysis of any future housing site, and their effect on significant landscape areas which then will ensure the protection of landscape assets. The SPD includes principles designed to enhance development and as such it is likely to have a positive effect on the surrounding area and landscape.</p> <p>The SPD guides the implementation of adopted plan policy ESD 15, which has been subject to a Sustainability Appraisal including SEA and HRA screening. This SPD does not allocate new sites or bring new policy.</p>	
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<b>Name of officer producing the screening opinion</b>	<b>Maria Garcia Dopazo Principal Planning Policy Officer Cherwell District Council</b>
<b>Date of assessment</b>	20.11.17
<b>Person requesting Screening Opinion</b>	<b>Clare Mitchell Design and Conservation Team Leader Cherwell and South Northamptonshire District Councils</b>
<b>Conclusion of screening opinion</b>	It is considered unlikely there will be any significant environmental effects arising from the Cherwell Design Guide SPD that were not covered/ addressed in the Sustainability Appraisal of the Cherwell Local Plan. As such, it is considered that the Cherwell Design Guide SPD does not require a full SEA to be undertaken.