



ABRO Development Brief Supplementary Planning Document

Strategic Environmental Assessment (SEA) Screening Report

October 2021

Supplementary Planning Document Strategic Environmental Assessment (SEA)

1. Introduction

The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes requires an environmental assessment to be made of certain plans or programmes. The objective of SEA, as defined in the Government’s guidance on strategic environmental assessment, is *‘to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of plans....with a view to promoting sustainable development’* (Article 1). The SEA Directive has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

Planning Practice Guidance - Strategic environmental assessment and sustainability appraisal: Sustainability appraisal requirements for Supplementary Planning Documents (2014) states that *‘in some limited circumstances, where a Supplementary Planning Document could have significant environmental effects, it may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and so require a strategic environmental assessment.’*

2. The Screening Process

Colchester Borough Council, as the relevant Local Planning Authority (LPA), are required to provide a screening opinion on whether the proposed Supplementary Planning Document will require a Strategic Environmental Assessment. Whether a Supplementary Planning Document requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the Supplementary Planning Document.

This document sets out that screening opinion based on the scope of, and detail contained within the ABRO Development Brief Supplementary Planning Document.

Table 1: Establishing the Need for SEA

Environmental Regulations Paragraph	SEA Requirement	Comments
2	Is the plan: (a) subject to preparation or adoption by an authority at national, regional or local level; or (b) prepared by an authority for adoption, through a legislative	Yes, the plan is subject to preparation and adoption at local level. There are legislative and regulatory provisions in place for Supplementary Planning Documents

	procedure by Parliament or Government; and, in either case, (c) required by legislative, regulatory or administrative provisions?	
5(2)	Is the plan (a) prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and does it (b) sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC(9)?	Yes, the plan is prepared for town and country planning purposes and sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (urban development projects).
4(c)	Is the plan or programme likely to have significant environmental effects?	No the plan is not likely to have any significant environmental effects
6	Does the plan (a) determine the use of a small area at local level; or (b) is a minor modification to a plan or programme of the description set out in either of those paragraphs?	(a) Yes, the plan determines the use of a small area of land at local level. (b) The plan is a minor modification to the Colchester Borough Adopted Core Strategy and Site Allocations and emerging Local Plan. This is in as much as it provides further detailed guidance for a site allocated in those plans
5(3)	Has it been determined that the plan requires an assessment pursuant to Article 6 or 7 of the Habitats Directive?	No. The Development Plan in which the principle of the allocation of this site has been subject to an HRA.
<p>The local planning authority has concluded that the Supplementary Planning Document is not likely to have significant environmental effects and consequently a Strategic Environmental Assessment (SEA) is not required. The criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 has been taken into account in reaching this conclusion. Under regulation 9(2)(b) the consultation bodies must be consulted on this conclusion prior to the local planning authority making a formal determination. The consultation bodies have been consulted and they all confirm that they concur with the conclusion that the SPD is not likely to have significant effects and therefore a Strategic Environmental Assessment is not required.</p>		

3. Significance of effects on the environment

To decide whether a draft Supplementary Planning Document might have significant environmental effects, its potential scope should be assessed against the criteria set

out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004, or Annex II of the SEA Directive 2001/42/EC.

When deciding on whether the proposals are likely to have significant environmental effects, the local planning authority should consult the statutory consultation bodies. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it should prepare a statement of its reasons for the determination. Where a statement of reasons is provided in respect of a Supplementary Planning Document a copy of the statement should be provided on the Council's website.

Where a Supplementary Planning Document is likely to have a significant effect on the environment a strategic environmental assessment must be carried out.

The following table explores the potential scope of the Supplementary Planning Document against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004.

Table 2: Schedule 1 Criteria for Determining the Likely Significance of Effects on the Environment

SEA Requirement	Comments
1. The characteristics of plans and programmes, having regard, in particular, to -	
(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 plan sets the framework for development proposals within the Supplementary Planning Document area. Supplementary Planning Documents must be in conformity with the development plan, for Colchester in this case, and so whilst the Supplementary Planning Document provides a greater level of detail guiding development in the area it effectively supplements / compliments the Development Plan Policies
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The plan will support the development plan and provide greater specific guidance for the development in the area covered by the Supplementary Planning Document, however strategic policies of the Borough Council's adopted plans take priority.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The plan will promote sustainable development through addressing objectives including sustainable design and construction, development densities, biodiversity and tree planting / landscaping, retention and restoration of heritage buildings and assets and sustainable modes of travel within and to and from the site.

(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this plan.
(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).	This plan has no relevance to the implementation of Community legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -	
(a) the probability, duration, frequency and reversibility of the effects;	
(b) the cumulative nature of the effects;	The cumulative effect of this plan and the Borough's local plan will result in positive effects.
(c) the transboundary nature of the effects;	There are no transboundary effects; this plan applies to the Supplementary Planning Document area only.
(d) the risks to human health or the environment (for example, due to accidents);	The plan poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	Only the Supplementary Planning Document area will be affected by this plan.
(f) 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 (iii) intensive land-use; and	The ABRO Development Brief Supplementary Planning Document area is not an environmentally vulnerable area. There are no nationally designated nature conservation sites. The site lies in a historically sensitive area and is included in a recently extended Conservation area. There are no buildings listed for architectural merit or locally listed buildings on the site area itself, although there are 3 identified of historic / architectural value and a number listed buildings close by. None of these are likely to be affected by the proposals in the plan. The plan seeks to protect and enhance heritage assets within and near to the site area covered by the SPD.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The landscape surrounding the Supplementary Planning Document area is not recognised at national or international level.

4. Screening Outcome

The ABRO Development Brief Supplementary Planning Document determines more details around the use of a small area at local level and effectively provides further

detailed guidance to support to the Colchester Borough Local Plan. The plan will result in positive, long term effects. However, none of these effects will be significant. Therefore, the LPA has concluded that the ABRO Development Brief Supplementary Planning Document will not require an assessment of the significant environmental effects of the plan under the SEA Directive and Environmental Assessment Regulations based on the content of the ABRO Development Brief Supplementary Planning Document (December 2021).