

APPENDIX C

Strategic Environmental Assessment (SEA) Screening Statement

Green Infrastructure Supplementary Planning Document (SPD) – September 2017

Introduction

1. The Responsible Authority (Barnet Council) must 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 (see Appendix 1), and in consultation with the Environment Agency, Historic England and Natural England. Prior to SPD adoption each statutory consultees will have been consulted and their responses recorded.
2. This screening assessment helps determine whether the contents of the draft Green Infrastructure SPD requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. SEA is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan before it is made.
3. The assessment in this report is based on the Council's understanding of the current scope of the draft SPD. SPDs cover a range of issues, which generally provide guidance on the implementation of policies in the Local Plan. If a SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that the SEA is not necessary.
4. The legislative background set out below outlines the requirement for undertaking this screening exercise as well as the process for undertaking a screening assessment of the likely significant environmental effects of the draft SPD and whether there is a need for a full SEA. The Council consulted the prescribed statutory bodies¹ on its initial screening assessment of the Draft SPD. The initial screening determination has been reviewed and updated to reflect the outcome of that consultation.

Legislative Background

5. Section 19 of the Planning and Compulsory Purchase Act 2004 requires that local planning authorities carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation. Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a local plan. SA ensures

¹ Regulation 12 of the Town & Country Planning (Local Development) (England) Regulations 2012 and Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004

that potential environmental effects are given full consideration alongside social and economic issues. SA and SEA are tools used at the plan-making stage; used to promote sustainable development, the SA assesses the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. This process provides an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have.

6. The basis for SEA and SA legislation is European Directive 2001/42/EC, (the 'Strategic Environmental Assessment Directive'), on the assessment of the effects of certain plans and programmes on the environment which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, (commonly referred to as the 'Strategic Environmental Assessment Regulations'). Integrated into the SA are the requirements of the Strategic Environmental Assessment (SEA) Directive so a separate SEA should not be required. However, SA covers wider social and economic effects of plans, as well as the more environmentally-focused considerations in the SEA Directive.
7. Clause (10) of the SEA Directive requires SEA for plans which "determine the use of small areas at a local level" or, which are, "minor modifications" to plans, only when these are determined to be likely to cause significant environmental effects. This is transposed into the 2004 Regulations. Where the Council can demonstrate that any land-use or spatial plan is unlikely to have significant environmental effects (Regulation 9(3)), or where the proposed development is less than 0.5 hectares in area, a SEA will not be required.
8. The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 (Regulations 2(5) and (6)) removed the automatic need for a SA of SPDs. This is because SPDs do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal. The Office of Public Sector Information (2009) Explanatory Memorandum to The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 however, confirms that an SA will still be required if an SPD requires an SEA. The note states: "LPAs will still need to screen their SPDs to ensure that legal requirements for SA are met where their impacts that have not been covered in the appraisal of the parent DPD or where an assessment is required by the SEA Directive."
9. The Government's online Planning Practice Guidance also advises that SPDs do not require a SA but may in exceptional circumstances require a SEA if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan. This is usually only where either

neighbourhood plans or SPDs could have significant environmental effects². The Council must therefore still determine whether the SPD is likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. 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, English Heritage and Natural England. The results of this screening assessment process for the draft SPD are set out in this statement.

Content and Purpose of the Green Infrastructure SPD

10. The Green Infrastructure SPD outlines the capacity of green infrastructure to deliver a wide range of benefits and how these might be promoted and delivered through Barnet Council's existing policies and processes. In accordance and consistent with existing policy and guidance, the SPD seeks to provide a clear vision for delivering a range of benefits including:

- enhancing the physical, social wellbeing and mental health of residents;
- making Barnet a better place to live, work, invest, learn and play;
- joining communities together by creating new green links between different parts of the borough;
- preparing the Borough for the impacts of climate change by controlling flooding, reducing pollution and moderating temperatures;
- making rivers more hydro-morphologically diverse, natural and of value to wildlife and people in a recreational and aesthetic way; and
- protecting and enhancing the Borough's trees and their contribution to cultural and natural heritage.

11. The purpose of this SPD is to provide advice and guidance to the public and developers regarding implementation of and compliance with the policies relating to green infrastructure contained in the Core Strategy and the Development Management Policies DPDs (both adopted September 2012); also the Mill Hill East Area Action Plan (January 2009) and Colindale Area Action Plan (March 2010) DPDs. As stated above, these documents – and therefore the policies within them relating to green infrastructure – have already been subject to SA. The application of the guidance contained in the SPD will, once adopted, neither add to or change statutory policy set out in the above mentioned DPDs, nor will the SPD guidance change the sustainability and environmental significant effects already identified through the SAs undertaken in respect of the DPDs.

12. Whilst not containing policies, the Green Infrastructure SPD sets out the current situation in terms of the provision of various types of green infrastructure across the

²Paragraph: 001 Reference ID: 11-001-20140306

Borough. The SPD provides the context for elaborating and adding greater detail to the parent policies to ensure the satisfactory provision of green infrastructure and offset the relevant adverse impacts on the environment, local economic conditions, education, health, social, recreational and community facilities that may arise from development. It provides a vision and objectives to ensure open spaces and features are protected, and wherever possible enhanced, for the benefit of the environment, residents and visitors to the Borough.

Screening Assessment Outcome

13. The SEA Directive requires an SEA for plans which (i) “determine the use of small areas at a local level” or which are (ii) “minor modifications” to plans, only when these are determined to be likely to cause significant environmental effects. The Draft Green Infrastructure SPD has not been subject to a SA because the SPD does not introduce new policies, nor is it site specific in the allocation of land.
14. The SPD provides guidance on policies contained in the Core Strategy, Development Management and Area Action Plan policies that relate to green infrastructure. These policies have been sufficiently appraised in the SAs of the relevant DPDs. The SPD does not determine the use of land or constitute a minor modification to a plan. It is therefore unlikely there will be any significant environmental effects arising from the SPD not already covered in the SAs of the parent DPDs.
15. Based on the assessment in Appendix 1, the Council considers that the green infrastructure initiatives promoted through the SPD would not have a significant negative impact on the environment but would in fact see significant improvements to both informal and formal open space and green infrastructure features across the Borough. Further, that the SPD does not give rise to any significant environmental effects additional to those already identified. Consequently, the Council concludes that it is not necessary to carry out a SEA on the basis that the Green Infrastructure SPD provides guidance to existing plan policies which have been subject to a full SA and is unlikely to have significant effects on the environment to those already assessed through the SAs previously undertaken for the higher-level adopted Local Plan documents.
16. Before finalising its screening determination the Council consulted the prescribed statutory organisations on its initial screening assessment.
 - Natural England, in their letter of 18th August responding to the consultation Draft Green Infrastructure SPD, stated that “Natural England does not feel that an SEA is necessary at this time”.
 - The Environment Agency, in an email dated 18th September stated, “The only comment they had regarding the SEA Screening Assessment

Statement was that they would like to see reference under 'Content and Purpose of the Green Infrastructure SPD - Page 3, paragraph 10' to the borough's Blue infrastructure, with mention of making the rivers more hydro-morphologically diverse, natural and of value to wildlife and people in a recreational/aesthetic way. With regards to whether a Strategic Environmental Assessment is required, I am informed that we are not in a position to agree/disagree on this."

- Historic England in an email dated 19th September stated, "Having now considered the SEA assessment I confirm that we have no reason to disagree with your opinion that SEA is not required for the Green Infrastructure SPD."

17. This SEA Screening Statement will be published on the Council's website alongside the Green Infrastructure SPD once adopted.

Appendix 1: Criteria for determining the likely significance of effects on the environment

<p>SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004</p>	<p>London Borough of Barnet Response</p>
<p>1. Characteristics of the Green Infrastructure SPD</p>	
<p>a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>Green Infrastructure relates to a network of green spaces, and features such as street trees and green roofs, that is planned, designed and managed to provide a range of benefits, including: recreation and amenity, healthy living, helping to control and manage flood risk, cooling the urban environment and thereby mitigate the risk of climate change, improving air quality, encouraging walking and cycling, and enhancing biodiversity and ecological resilience.</p> <p>The SPD provides supplementary guidance on the provision of green infrastructure giving more detail to the policies and principles established and contained in adopted Development Plan Documents which have been subject to full SA incorporating SEA. Whilst citing examples, this SPD does not seek to set a prescriptive framework for projects and other activities with regards to the specific location, nature, size and operating conditions. Although not allocating resources, the SPD promotes sustainable development through obtaining contributions and provisions from developers via planning obligations to fund green infrastructure projects and related positive activities.</p>
<p>b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.</p>	<p>The document does not influence any other plans or programmes; the guidance it provides helps support the delivery of the Council’s policies as well as the delivery of infrastructure for the Council and other service providers. The guidance given in this SPD will be supplementary to the Core Strategy, Development Management</p>

	Policies DPDs and to the Colindale and Mill Hill East Area Action Plan Local Plan documents.
c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	<p>Green infrastructure plays a vital role in improving people's quality of life. The green infrastructure network is a multi-functional resource that includes a range of types number of open spaces including Green Belt and Metropolitan Open Land, Sites of Importance for Nature Conservation, parks, paths, walkways, waterways and SuDS features. It links places within and beyond the Borough and encourages walking, cycling and access to nature whilst also providing biodiversity benefits.</p> <p>Aligned to adopted environmental, sustainability and heritage policies set out within the Local Plan documents identified above, in promoting sustainable development the SPD provides guidance on the implementation of, and compliance with, Local Plan policies. This will help ensure that new developments provide the appropriate level and type of green infrastructure needed across the Borough.</p>
d) Environmental problems relevant to the SPD.	The SPD will not introduce or exacerbate any environmental problems. Rather, it will have a positive impact helping to address environmental problems by ensuring developer participation in, or contributions towards, positive schemes that for example seek to improve air quality and mitigate adverse effects of climate change.
e) The relevance of the SPD for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	Through the provision of supplementary guidance, the SPD will help support the implementation of other plans and programmes related to community legislation on the environment through the delivery of the Local Plan policies.
2. Characteristics of the effects, and of the area likely to be affected, having particular regard to:	
a) The probability, duration, frequency and reversibility of the effects.	The SPD provides guidance on the implementation of adopted Development Plan policies whose potential effects have

	previously been subject to full Sustainability Appraisal. It is therefore likely to have a positive effect on environmental quality by helping to deliver the Local Plan policies, and through promoting efforts and behaviors which seek to avoid, minimise or offset negative environmental impacts.
b) The cumulative nature of the effects of the SPD.	The SPD has borough-wide application, providing guidance to support the implementation of adopted Local Plan policies regarding how the provision of green infrastructure is addressed through the planning process. The effect of this SPD will be beneficial – therefore any cumulative impacts will also be beneficial.
c) The trans-boundary nature of the effects of the SPD.	The direct effects of this SPD are limited to land and developments within Barnet. Therefore, the effects of the SPD are unlikely to result in any significant environmental effects of a transboundary nature.
d) The risks to human health or the environment (e.g. due to accidents)	It is not envisaged that there will be any risks to human health or the environment arising from the implementation of this SPD. Rather, that the provision of green infrastructure promoted through this SPD will improve levels of human health.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the SPD.	The SPD will be applicable borough-wide to developments within Barnet. Similarly, the size of population that may potentially be affected by the SPD would be the population of the borough. Green infrastructure provision could have positive effects on communities in specific parts of the Borough. However, the benefits could also be felt more widely across the borough.
f) The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage; • Exceeded environmental quality standards or limit values; or • Intensive land use. 	Comprising a mix of urban and rural areas, Barnet has a high population density, with areas of intensive land use, exceeded air pollution targets as well as having a rich nature conservation, biodiversity and historic environment. The SPD is applicable to the whole Borough which contains a number of protect areas with special natural characteristics and cultural heritage. Policies in the adopted Local Plan seek to ensure

	<p>the sustainable development of the Borough through the provision of green infrastructure, environmental measures and the protection and enhancement of natural and historic assets. The SPD supports this protection.</p>
<p>g) The effects of the SPD on areas or landscapes which have recognised national, community or international protection status.</p>	<p>Policies in the adopted Local Plan seek to protect areas and landscapes with recognised protection status (e.g. heritage assets). The SPD assists with implementation of these policies through ensuring that appropriate consideration is given to green infrastructure provision during the planning application process. The SPD supports these policies by helping to guide and secure enhancements to open space/green infrastructure, biodiversity and flood risk. In some instances, this could have a positive impact on protected areas. However, the SPD does not set out the policy framework for protecting and enhancing these areas; it provides guidance on delivery mechanisms.</p>