



Provision of Open Space and Village Halls Supplementary Planning Document (SPD)



**Strategic Environmental Assessment Screening
June 2021**

Provision of Open Space and Village Hall SPD SEA Screening Statement

1 Introduction

- 1.1** This screening report has been produced to determine whether the Provision of Open Space and Village Halls Supplementary Planning Document (the SPD) requires a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, as amended by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (the SEA Regs).

Legislative Background

- 1.2** The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) have been followed to produce this screening statement and the paragraph numbers for relevant regulations are identified within the assessment.
- 1.3** In addition, paragraph 008 of the Planning Practice Guidance (reference ID: 11-008-20140306) has been considered. This states that supplementary planning documents may, in exceptional circumstances, require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the relevant strategic policies. This screening statement considers impacts which are not already assessed within the Harrogate District Local Plan Sustainability Appraisal 2018 and Sustainability Appraisal Addendum 3 Main Modifications July 2019.

Purpose and Content of the SPD

- 1.4** The SPD provides more guidance on how policies TI4: Delivery of New Infrastructure and HP7: New Sports, Open Space and Recreational Development in the adopted Harrogate District Local Plan 2014-2035 are applied to secure provision of open space, including outdoor sports facilities, and village halls in connection with the development of new housing. This includes setting out the provision standards that are used to operate the policies.
- 1.5** The guidance has been prepared in order to help applicants make successful applications for planning permission. It explains:
- The types of development proposal that are relevant to the requirement to provide, or make a financial contribution towards, open space and/or village halls
 - How relevant proposals are assessed to determine whether provision is required, and the scale and nature of any provision required
 - The mechanisms used to secure the delivery of new infrastructure or the enhancement of existing infrastructure
- 1.6** The content of the SPD is set out as follows:
- Section 1: Explains the national and local policy background, including the requirements of policies TI4 and HP7 in relation to developer contributions for open space and village halls
 - Section 2: Deals with provision for open space. This includes setting out the types of open space that may be required and provision standards for each type. It also explains how proposals are assessed to identify whether open space provision is required, the scale and nature of any requirement and whether this should be delivered on the development site or at another location
 - Section 3: Deals with provision for village halls. This includes setting out where the requirements of policy TI4 in relation to village hall provision apply, the council's village hall vision and provision standards for village halls. It also explains how proposals are assessed to identify whether village hall provision is required, the scale and nature of

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any requirement and whether this should be delivered on the development site or at another location

- Section 4: Sets out the mechanisms the council uses to secure the delivery of open space and village hall provision
- Section 5: Identifies where further information on the operation of these policies can be sought
- Appendices: Sets out useful background information

2 Strategic Environmental Assessment (SEA) Screening

- 2.1 The screening opinion assessment is undertaken in two parts: the first part will assess whether the SPD requires SEA and the second part of the assessment will consider whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Regulations.

The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)

Environmental Regulations Paragraph	Comments
<p>Interpretation</p> <p>2. (1) In these Regulations—</p> <p>[...]</p> <p>“plans and programmes” means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which—</p> <p>(a) are subject to preparation or adoption by an authority at national, regional or local level; or</p> <p>(b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case,</p> <p>(c) are required by legislative, regulatory or administrative provisions;</p>	<p>Yes. The SPD is subject to preparation and adoption at local level.</p> <p>Whilst the SPD is not a requirement and is optional under the provisions of the Town and Country Planning Act it will, if adopted, support the development plan and be a material consideration in the assessment of planning applications.</p>
<p>Environmental assessments for plans and programmes: first formal preparatory act on or after 21st July 2004</p> <p>5. (2) The description is a plan or programme which—</p> <p>(a) is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and</p>	<p>Yes. The SPD is prepared for town and country planning purposes. It supplements the planning policy framework of the Harrogate District Local Plan 2014-2035 by providing detailed guidance as to how particular policies are interpreted for future consent of projects listed in Schedule II of Directive 2011/92/EU(4).</p>

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Environmental Regulations Paragraph	Comments
<p>(b) sets the framework for future development consent of projects listed in Annex I or II to Directive 2011/92/EU(4) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment.</p>	
<p>(3) The description is a plan or programme which, in view of the likely effect on sites, has been determined to require an assessment pursuant to any law that implemented Article 6 or 7 of the Habitats Directive.</p>	<p>No; a Habitat Regulations Assessment is not required. The Habitat Regulation Assessment for the Harrogate District Local Plan 204-2035 concludes that policy TI4 would not cause a negative effect alone or in combination with other plans. It also concludes that while policy HP7 could bring forward a small number of proposals which could have an impact, the likelihood is that there would be no significant negative effect alone or in combination with other plans; and in any case these impacts are not related to requirement to provide open space.</p> <p>The SPD does not provide any guidance which alters the impact of TI4 or HP7 on designated sites. The adopted Harrogate District Local Plan 2014-2035 has been subject to Habitat Regulation Assessment and other appropriate assessment; further information is available at: www.harrogate.gov.uk/localplan</p>
<p>(6) An environmental assessment need not be carried out—</p> <p>(a) for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level; or</p> <p>(b) for a minor modification to a plan or programme of the description set out in either of those paragraphs, unless it has been determined under regulation 9(1) that the plan, programme or modification, as the case may be, is likely to have significant environmental effects, or it is the subject of a direction under regulation 10(3)</p>	<p>The SPD provides further detail on the implementation of two policies within the Harrogate District Local Plan 2014-2035.</p> <p>Specifically guidance is provided on the operation of policy TI4 in relation to the provision of one particular type of infrastructure, namely village halls. Guidance also covers operation of criterion A of policy HP7, which introduces a requirement for open space provision.</p>
<p>Determinations of the responsible authority</p> <p>9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in—</p>	<p>This SEA screening has been prepared using the criteria specified in Schedule 1, as presented in the table in the following section.</p>

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Environmental Regulations Paragraph	Comments
<p>(a) paragraph (4)(a) and (b) of regulation 5;</p> <p>(b) paragraph (6)(a) of that regulation; or</p> <p>(c) paragraph (6)(b) of that regulation,</p> <p>is likely to have significant environmental effects.</p> <p>(2) Before making a determination under paragraph (1) the responsible authority shall—</p> <p>(a) take into account the criteria specified in Schedule 1 to these Regulations; and</p> <p>(b) consult the consultation bodies.</p>	<p>Natural England, the Environment Agency and Historic England were consulted on the conclusions of the draft SEA Screening between 30 April and 21 May 2021. Each organisation responded during this period, as follows:</p> <ul style="list-style-type: none"> • Natural England: Agree with the conclusions reached • Environment Agency: No comments to make • Historic England: No comments to make

Table 2.1 Assessing the need for a strategic environmental assessment (SEA)

Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004

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 SPD has a minor role in setting the framework for projects. It may, to a small degree have an influence on the nature and operating conditions of a small number of projects where the SPD identifies a need for on-site provision of open space. It may have the same degree of influence on an even smaller number of projects where it identifies a need for on-site provision of a village hall. It has no influence on the location or the physical extent of projects.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD does not set a framework to influence further policy development. Rather it sets guidance for the operation of policies in the Harrogate District Local Plan 2014-2035 and, as such, its content is influenced by the adopted policies. Development of any future local plan policies would be influenced by national legislation and policy and would need to be justified on their own merits.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to ensure that the needs for open space and village halls arising from housing developments are provided for by developers, as required by policies T14 and HP7. Through the provision of village halls (T14) and/or open space (HP7) to

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SEA Requirement	Comments
	support development the SPD promotes sustainable development. The Local Plan SA/SEA concluded no negative effects on European sites for TI4 and although it concluded that HP7 could bring forward a small number of projects with an impact, albeit not a significant negative impact, these are associated with other provisions of the policy and not the requirement for open space.
(d) environmental problems relevant to the plan or programme;	There are no environmental problems relevant to the SPD.
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD has no relevance to the implementation of retained EU law.
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;	In relation to village halls (policy TI4) the SPD does not allocate development sites and does not give rise to negative effects. In relation to open space (policy HP7) any effects of the SPD are likely to be positive as the open space provided may draw recreational pressure away from European sites. As the open space provided must be secured and maintained in perpetuity these positive effects would be permanent. Any proposal to reverse the effects through a change of use would be subject to planning approval where they would be assessed against policies aimed at protecting open space.
(b) the cumulative nature of the effects;	The effects of the SPD on European sites are positive, however, these benefits may only be relevant to a small proportion of proposals and the potential for cumulative effects will be limited.
(c) the transboundary nature of the effects;	There are no transboundary effects as the SPD relates to the Harrogate district only.
(d) the risks to human health or the environment (for example, due to accidents);	The SPD poses no risk to human health.

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SEA Requirement	Comments
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD relates to the Harrogate district only.
(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 SPD relates to the Harrogate district only. Within the district here are a number of nationally designated nature conservation sites, designated and non-designated heritage assets (listed buildings and conservation area etc.). As no development is proposed via the SPD, none of these are likely to be affected by the SPD. Potential impacts of a specific scheme would be considered as part of the planning application process where proposals are assessed against relevant policies.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The Harrogate district has areas of landscape recognised at international, national and local levels. As no development is proposed via the SPD, none of these are likely to be affected by the SPD. Proposals for development affecting the areas covered by these designations would be considered as part of the planning application process where proposals are assessed against relevant policies, which include protections for these areas consistent with their significance.

Table 2.2 Assessing the likely affects using Schedule 1 of the SEA Regulations

3 Conclusion

- 3.1** Table 2.2 identifies that the SPD, in some cases, will have a beneficial impact on protected sites in relation to the provision of open space. This would stem from reduced recreational pressure and disturbance through the provision of alternative publicly accessible open space for recreation in more appropriate areas. Where experienced these effects would endure over the longer-term and would be difficult to reverse since any proposal to change the use of these areas would need to be considered against local plan policies aimed at protecting open space.
- 3.2** Table 2.2 also identifies that, in relation to the provision of village halls, the SPD does not give rise to negative effects.
- 3.3** It is concluded that the SPD is not likely to have significant environmental effects.

