

Strategic Environment Assessment
Screening Report
Prepared in relation to the adoption of the
Affordable Housing Supplementary Planning Document
of Craven District Council
February 2021

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Prepared for: Craven District Council (and reviewed by RP)

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Notes for readers

The author as named has prepared this report for the use of Craven District Council. The report conclusions are based on the best available information, including information that is publicly available. This information is assumed to be accurate as published and no attempt has been made to verify these secondary data sources. This report was prepared in November 2020 and updated in December 2020. It is subject to and limited by the information available during this time. This report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the client. The author accepts no responsibility to third parties of any matters outside the scope of the report. Third parties to whom this report or any part thereof is made known rely upon the report at their own risk.

1. SEA Purpose and Legislative Background

1.1 Purpose of the SEA Screening Report

1.1.1 This screening report has been prepared to determine whether the Affordable Housing Supplementary Planning Document (SPD) prepared by Craven District Council should be subject to a Strategic Environmental Assessment (SEA).

1.2 Legislative Background

1.2.1 The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC (SEA Directive). This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of these regulations can be obtained via in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005).

1.2.2 The Planning Practice Guidance (PPG) discusses SEA requirements in relation to supplementary planning documents in paragraph 11-008. Here, the PPG states that: *'Supplementary planning documents do not require a sustainability appraisal but 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'* and later in the same section: *"Before deciding whether significant environment effects are likely, the local planning authority will need to take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies."*

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

1.2.4 As of 01 January 2021, to reflect the fact that the UK's departure from the EU was finalised from that date, EU directives have been amended in the UK so that they continue to operate effectively. For example, in terms of habitat regulations assessment, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) have both been altered. The changes ensure that the strict protections afforded to sites, habitats and species, as derived from the EU Habitats and Wild Birds directives, continue in the UK. There is more information available on these legislation changes at: www.legislation.gov.uk/eu-legislation-and-uk-law.

2. Overview of the Affordable Housing SPD

2.1 Relationship with the Local Plan

2.1.1 Under the Planning & Compulsory Purchase Act 2004, policy guidance can be provided in Supplementary Planning Documents (SPDs). In line with the National Planning Policy Framework (NPPF), this SPD provides further guidance on the delivery of affordable housing in the Craven Local

Plan area and provides further detail to help explain the objectives relating to the following policies of the Craven Local Plan (2012 – 2032), which was adopted in November 2019:

- Policy H1: Specialist Housing for older people
- Policy H2: Affordable Housing
- Policy SP4: Spatial Strategy and Housing Growth
- Policy ENV3: Good Design
- Policy SD1: Presumption in favour of sustainable development
- Policy SD2: Meeting the challenge of climate change

The SPD hence supports the local plan and is produced in accordance with the procedures introduced by the 2004 Act.

2.1.2 Unlike the local plan itself, the SPD is not examined by an inspector, but it is subject to a public consultation process before being formally adopted by elected Council Members in a Council resolution. The SPD will be a material consideration in planning decisions.

2.2 The content of the Affordable Housing SPD

2.2.1 The NPPF defines affordable housing as social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market.

2.2.2 Policy H2 of the Craven Local Plan states that affordable housing will be provided as part of general market housing developments, in ways specified within the policy. Paragraph 6.3 of the local plan (page 178) states that the provision of affordable housing for local needs is an important objective of the plan. The policy ensures that affordable housing, once provided, is occupied by those in affordable housing need in perpetuity (or any subsidy is recycled). The aforementioned paragraph 6.3 indicates that this SPD will be produced to set out in more detail how Policy H2 will operate and be administered.

3. The Screening Process and Conclusions

3.1 SEA Screening

3.1.1 Screening is the process for determining whether or not an SEA is required. For this process, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A full determination cannot be made until the three statutory consultation bodies have been consulted, in this case these bodies are Natural England, the Environment Agency, and Historic England.

3.1.2 The SEA Directive requires plans and programmes to be in general conformity with the strategic policies of the adopted development plan for the relevant area. Within 28 days of its determination, the plan makers must publish a statement, setting out its decision. If they determine that an SEA is not required, the statement must include the reasons for this. The table of Appendix I uses questions based on content of the SEA Directive to establish whether there is a requirement for

SEA for the Affordable Housing SPD. The table of Appendix II analyses the Affordable Housing SPD using criteria set out in Annex II of the SEA Directive and Schedule I of the Regulations.

3.2 Determination of significant effects

3.2.1 Paragraph 9 of the SEA Directive that: *“This Directive is of a procedural nature, and its requirements should either be integrated into existing procedures in Member States or incorporated in specifically established procedures. With a view to avoiding duplication of the assessment, Member States should take account, where appropriate, of the fact that assessments will be carried out at different levels of a hierarchy of plans and programmes.”* The policies of the Craven Local Plan have been subject to a full Sustainability Appraisal (SA).

3.2.2 Therefore it is considered that the potential significant effects of the Affordable Housing SPD, either individually or in combination with other plans and projects, have already been assessed in the SA of the local plan. A summary analysis of the potential effects of the SPD based on the key subject areas is shown in the following paragraphs to ensure that the SPD does not give rise to any new significant environmental effects. This analysis relates to that contained within the SA of the local plan.

3.2.3 Population and human health: The provision of affordable housing is an important social objective, in that the provision of affordable housing for local needs in the plan area is a significant aspect of social cohesion within the population of a local plan area. Affordable housing provision helps those people in Craven on or below the median household income to obtain a suitable home, and thus has benefits for the physical and mental health for such individuals.

3.2.4 Biodiversity, flora and fauna: Policy ENV4 of the local plan focuses on biodiversity, and states that growth in housing on allocated and non-allocated sites will be accompanied by improvements in biodiversity. Specifically, development will then make a positive contribution towards achieving a net gain in biodiversity. There should hence be a positive impact in terms of the flora and fauna in the local plan area, resulting from the development of affordable housing in the plan area.

3.2.5 Climatic factors: Preserving and expanding the supply of affordable housing is important and advantageous in both reducing carbon emissions. All proposed housing in the Craven local plan area must conform to more sustainable construction and design practices promoted in Policies ENV3 and ENV7. Affordable housing units also tend to be located within existing towns and villages, and hence tend to give more opportunities to utilise public transport rather than encouraging private vehicle use.

3.2.6 Cultural heritage: There is not anticipated to be any significant effects on cultural heritage due to the need for conformity to the local plan’s Policy ENV2 on heritage and Policy ENV3 on good design. Such policies set out and advise on architectural style, construction and materials requirements for development, and also principles for design. These policies will help to ensure new developments of affordable housing are not discordant with the existing setting.

3.2.7 Soil, water and air: Similarly to all housing proposals, new developments of affordable housing units must conform with Policy ENV6: Flood Risk, Policy ENV7: Land and Air Quality, and Policy ENV8: Water Resources, Water Quality and Groundwater. There is not anticipated to be any significant effects on soil, water and air as proposed developments will need to meet with the criteria of such policies in order to gain planning permission.

3.2.8 Landscape: As noted, all proposed housing in the Craven local plan area must conform to more sustainable construction and design practices promoted in Policies ENV3 and ENV7. Hence, there should be significant mitigation of landscape impacts in place when planning for new developments.

3.2.9 Material assets: The material assets topic considers social, physical and environmental infrastructure, and hence this paragraph should be read alongside the previous subjects in this section. Policies in the local plan are likely to help ensure that arrangements are put in place to upgrade existing off-site infrastructure in line with new developments coming forward, where appropriate. Critical existing infrastructure and services will be likely to have the capacity to deal with increased demands for their services, in part supported by the implementation of the Community Infrastructure Levy (CIL).

3.3 Screening outcome

3.3.1 Proposals in the SPD, including requirements for development, refer to policies set out in the district's local plan which have been through sustainability appraisal. An Appropriate Assessment of the local plan was undertaken and it concluded that the plan's contents would not have any adverse impacts on the integrity of any designated European site or SEA objective. Therefore it was not necessary to move to the Stage 2 Appropriate Assessment.

3.3.2 The SPD provides further guidance to relevant policies in the Craven Local Plan, therefore it is closely related. The SPD will not have any adverse effects on an internationally designated site such as a Special Protection Area (SPA) or Special Area of Conservation (SAC), above and beyond any significant effects that the local plan is likely to have, either individually or in combination with other plans and projects. Therefore the SPD will not trigger the need for a SEA in this regard. Further analysis and more information on these designated European sites relevant to Craven are available in the HRA Screening Report for the Affordable Housing SPD. This SPD will not have any adverse social impacts, and indeed as previously explained, affordable housing should have overall positive impacts for the population of Craven.

3.3.3 This screening report has assessed the potential effects of the Craven District Council Affordable Housing SPD, with a view to determining whether an environmental assessment is required under the SEA Directive. In accordance with topics cited in Annex 1(f) of the SEA Directive, significant effects on the environment are not expected to occur as a result of the SPD. It is recommended that the Affordable Housing SPD should be screened out of the SEA process.

3.4 Consultation with Strategic Bodies

3.4.1 This SEA screening report is subject to consultation with the statutory consultees of Natural England, Environment Agency, and Historic England. This document was sent from the Planning Policy team of Craven District Council to the relevant statutory bodies of Historic England, the Environment Agency, and Natural England for consultation from Thursday, 07 to Monday, 18 January.

3.4.2 In Historic England’s response, they say that in terms of their area of interest, and given the nature of the SPD, they would concur with the assessment that the document is unlikely to result in any significant environmental effects. They state it will simply provide additional guidance on existing policies contained within an Adopted Development Plan Document, which has already been subject to a Sustainability Appraisal/SEA. As a result, Historic England would endorse the Authority’s conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD.

3.4.3 The Environment Agency provided a response which included the following text of relevance to here: *“Although we are a statutory consultee on scoping, we do not normally provide a response for screening reports”*. Upon receiving this position update from the Environment Agency regarding screening reports, Craven District Council hence does not expect a further response from the agency on this document.

3.4.4 In Natural England’s response, there is agreement with the conclusions of the Habitat Regulations Assessment Screening report and they broadly welcomed the assessment. They advise that references to EU directives should be amended to reflect the post transition period legislative framework for Strategic Environmental Assessment, related to the UK’s departure from the European Union on 01 January 2021. This document was first prepared in November 2020 before the departure was finalised, and so these amendments have now being included in the text. Whilst Natural England welcomes this opportunity to give their views, they state that the topic of the Supplementary Planning Document does not appear to relate to their interests to any significant extent. Natural England therefore does not wish to comment further.

Appendix I: Establishing whether there is a need for SEA

Stage	Discussion	Answer
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<p>1. Is the plan or programme subject to preparation and/or adoption by a national, regional or local authority or prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Article 2(a))</p>	<p>The Affordable Housing SPD has been prepared by and will be adopted by Craven District Council to give detail and guidance on local plan contents which are relevant to this SPD, predominately Policy H2 on affordable housing provision in the local plan area.</p>	<p>Yes</p>
<p>2. Is the plan or programme required by legislative, regulatory or administrative provisions? (Article 2(a))</p>	<p>When the Affordable Housing SPD is adopted, it will become a material consideration element of the statutory Craven Local Plan.</p>	<p>Yes</p>
<p>3. Is the plan or programme prepared for agriculture, forestry, fisheries, energy industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and does it set a framework for future development consent of projects in Annexes I and II to the EIA Directives? (Article 3.2(a))</p>	<p>It is a SPD prepared for town and country planning and land use and provides detail to the local plan policy framework for future consent of projects listed in Schedule II of the EIA Directive.</p>	<p>Yes</p>
<p>4. Will the plan or programme, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))</p>	<p>The Affordable Housing SPD is not anticipated to have an adverse effect on any designated European sites relevant to the Craven local plan area, in terms of their ecological integrity.</p>	<p>No</p>
<p>5. Does the plan or programme determine the use of small areas at local level, or is it a minor modification of a plan or programme subject to Article 3.2? (Article 3.3)</p>	<p>The SPD will be a material consideration in the consideration of planning applications for new developments. It provides detailed guidance to adopted local plan policy.</p>	<p>Yes</p>
<p>6. Is it likely to have a significant effect on the environment? (Article 3.5)</p>	<p>The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the local plan (Part 1). The policies to which the SPD relates were subject to SEA (incorporated within the SA) through the local plan preparation process. Therefore, the SPD will not itself have any significant effects on the environment, and may assist in addressing potential negative effects identified in the SEA of the relevant adopted policies.</p>	<p>No</p>

	See Section 3.2 and appendix II detailed assessment.	
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Appendix II: Affordable Housing SPD and the SEA Directive

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Response
The characteristics of plans and programmes	
(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 Affordable Housing SPD sets a framework for projects by providing detail and guidance on adopted policies of the Craven Local Plan, particularly Policy H2. The SPD forms a material consideration in planning application decisions.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The Affordable Housing SPD does not create new policies, but instead it provides further guidance to relevant adopted Craven Local Plan policies, which have been subject to SEA (incorporated within the SA). It sits below 'higher tier' documents and does not set new policies.
(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 provides guidance on the interpretation of adopted local policy along with national guidance, all of which promote sustainable development. The SPD does not introduce new policy.
(d) Environmental problems relevant to the plan or programme	As explained in the local plan, there are a number of environmental issues to be considered in the Craven Local Plan area including: potential impacts of development on natural and historic landscapes, high private vehicle dependency, climate change impacts including fluvial flooding risk, and potential loss of biodiversity. There are no negative environmental issues associated with this SPD, moreover the SPD seeks where possible to achieve environmental improvements via good quality, sustainable design.
(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 is not directly applicable in the case of the Affordable Housing SPD, and there are other policies in the Craven Local Plan which address water protection (particularly Policy ENV8). North Yorkshire County Council is the relevant authority who addresses waste management issues for this region.
Characteristics of the effects and of the area likely to be affected	
(a) The probability, duration, frequency and reversibility of the effects	The Affordable Housing SPD is not expected to give rise to any significant environmental effects.

(b) The cumulative nature of the effects	The Affordable Housing SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Craven Local Plan.
(c) The transboundary nature of the effects	The Affordable Housing SPD is not expected to give rise to any significant transboundary environmental effects. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
(d) The risks to human health or the environment (for example, due to accidents)	There are no anticipated effects of the Affordable Housing SPD on human health or the environment due to accidents or other related subjects.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will be applied to all relevant planning applications in the plan area.
(f) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> - Special nature characteristics or cultural heritage; - Exceeded environmental quality standards or limit values - Intensive land-use 	The Affordable Housing SPD is not anticipated to adversely affect any special natural characteristics or cultural heritage in the Craven local plan area or beyond its borders. The Affordable Housing SPD is also not expected to lead to the exceedance of environmental standards or promote intensive land use. The SPD covers areas protected for their special natural characteristics and cultural heritage including the Forest of Bowland AONB, SACs, SPAs and Conservation Areas. However, it provides further guidance on the implementation of existing local plan policies, which have been subject to SEA, to provide further positive effects. The SPD does not introduce new policy nor does it propose any new development over and above that assessed within the Craven Local Plan.
(g) The effects on areas or landscapes which have a recognised national, community or international protection status.	As has been outlined in previous paragraphs of this document, the Affordable Housing SPD is not expected to have any adverse effect on areas with national, community or international protection. The SPD covers areas protected for their special natural characteristics and cultural heritage including

	<p>the Forest of Bowland AONB, SACs, SPAs and Conservation Areas. However, it provides further guidance on the implementation of existing local plan policies, which have been subject to SEA, to provide further positive effects. The SPD does not introduce new policy nor does it propose any new development over and above that assessed within the Craven Local Plan.</p>
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Appendix III: Response from Statutory Bodies

This document was sent from the Planning Policy team of Craven District Council to the three statutory bodies of Historic England, the Environment Agency and Natural England for consultation from Thursday, 07 January to Monday, 18 January.

Historic England provided the following response to Craven District Council on 18 January:

Dear Sir/Madam,

DRAFT AFFORDABLE HOUSING SPD – STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) SCREENING REPORT

Thank you for consulting Historic England about the above Screening Report.

In terms of our area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within an Adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD.

The views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

James Langler

James Langler

Historic Environment Planning Adviser

(North East and Yorkshire Region)

e-mail: james.langler@HistoricEngland.org.uk

Note on highlighted section of HE response: For the avoidance of doubt, there are only three statutory bodies involved in SEA consultation, and not four as this response infers.

The Environment Agency provided a response on 28 January, which included the following text of relevance to here: *“Although we are a statutory consultee on scoping, we do not normally provide a response for screening reports”*. Upon receiving this position update from the Environment Agency regarding screening reports, Craven District Council hence does not expect a further response from the agency on this document.

Natural England provided the following response to Craven District Council on 29 January:

Affordable Housing Supplementary Planning Document (SPD) SEA and HRA Screening

Thank you for your consultation on the above dated 7 January 2021

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Habitat Regulations Assessment Screening Report

Natural England agrees with the conclusions of the Habitat Regulations Assessment Screening report and broadly welcomes the assessment. However Natural England advises that, as of 01 January 2021, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) have both been amended so that they continue to operate effectively now that the transition period has ended and the UK has completed its exit from the EU.

The changes that are now in force have been made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The changes ensure the strict protections afforded to sites, habitats and species as derived from the EU Habitats and Wild Birds directives continue. Most of these involve transferring functions from the European Commission to the appropriate authorities in England and Wales.

Defra has now published further information about these changes made to the Habitats Regulations as introduced by these amending regulations. This is now available on gov.uk at:

<https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017>

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

Strategic Environmental Assessment Screening Report

As with the Habitats Regulations Assessment Screening report we advise that references to EU directives should be amended to reflect the post transition period legislative framework for Strategic Environmental Assessment. Notwithstanding this we agree with the conclusions reached.

Draft Affordable Housing SPD

Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.

Should the plan be amended in a way which significantly affects its impact on the natural environment, then please consult Natural England again.

*Please send all planning consultations electronically to the consultation hub at:
consultations@naturalengland.org.uk.*

Yours sincerely

Merlin Ash

Yorkshire and Northern Lincolnshire Team

Natural England

Appendix IV: Acronyms

CDC	Craven District Council
CIL	Community Infrastructure Levy
EIA	Environmental Impact Assessment
NPPF	National Planning Policy Framework
PP	Policy or Programme
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
SPD	Supplementary Planning Document