

SEA Screening Assessment - Developer Contributions SPD

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Introduction

1 Introduction

1.1 Staffordshire Moorlands District Council has prepared a draft Developer Contributions Supplementary Planning Document (SPD). The Council has prepared this screening assessment to determine whether the draft SPD should be subject to a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

1.2 The following sections set out the legislative background, details regarding the Developer Contributions SPD, a screening assessment and the screening conclusions.

Legislative Background

2 Legislative Background

2.1 The Environmental Assessment of Plans and Programmes Regulations 2004 explain the process to be followed in undertaking a Strategic Environmental Assessment (SEA) in respect of plans and programmes. They require an SEA to be undertaken on any land use plan or programme "which sets the framework for future development consent of projects".

2.2 A strategic environmental assessment is unlikely to be required where a planning document deals only with a small area at a local level (regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects. Screening is used to determine whether significant environmental effects are likely.

2.3 The [Planning Practice Guidance](#) (para. 11-008) offers further guidance and 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."

2.4 In order to screen, 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. It is also necessary to consult with the consultation bodies (Environment Agency, Historic England and Natural England).

2.5 Once the consultation has been undertaken, the responsible authority, which for the purposes of this screening exercise is Staffordshire Moorlands District Council (the Council) can determine whether a SEA is required. Within 28 days of its determination, the Council as the responsible authority must publish a statement, setting out its decision. If it is determined that a SEA is not required, the statement must include the reasons for this.

Developer Contributions SPD

3 Developer Contributions SPD

3.1 The Staffordshire Moorlands Local Plan was adopted in September 2020 and sets out the vision, objectives, policies and site allocations to guide development in the district up to 2033. The Local Plan was subject to Sustainability Appraisal and Habitats Regulations Assessment (HRA). The Plan and its assessments can be viewed [here](#).

3.2 The HRA assessed the Local Plan during its preparation process for potential effects on the integrity of the following European designated sites which were agreed with Natural England.

- Peak District Moors (South Pennine Moors Phase 1) SPA
- South Pennine Moors SAC
- Peak District Dales SAC
- Cannock Chase SAC

3.3 There were three HRA reports published during the preparation of the Local Plan. The HRA addendum concluded that the Local Plan policies either alone or in combination will not result in an adverse effect on the integrity of any of the European sites. This was reviewed by Natural England who agreed with the HRA conclusions.

3.4 The National Planning Policy Framework describes SPDs as documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development and are capable of being a material consideration in planning decisions but are not part of the development plan.

The Draft SPD

3.5 Policy SS12 identifies the need for a Developer Contributions SPD to provide guidance for affordable housing, open space, education, health and other forms of infrastructure required to address the impact of development and how contributions will be calculated. The SPD will help ensure that the development proposals make a positive contribution to sustainable development by providing social, economic and environmental benefits to the community as a whole that is in line with current local plan policies. In addition, it will also help to increase understanding of Planning Obligations and provide greater transparency in how they are applied, thereby enabling developers to take potential costs of proposed development into account at the earliest opportunity.

3.6 The purpose of the draft SPD is to add further detail to the Local Plan policies and it is not the intention to introduce new policy. The draft SPD is split into two parts. The first section sets out the Council's approach to developer contributions and covers administrative and procedural matters such as:

- Pre-application stage
- Planning Applications
- Triggers and payments of contributions
- Indexation
- Prioritisation of Contributions
- Viability
- Monitoring Fees

3.7 The second section covers key areas of infrastructure such as:

- Affordable housing (H3) which provides further detail regarding tenure split, commuted sums, space standards, vacant building credit and rural exception sites.
- Employment skills and training (E1)
- Development Principles (SS1) outlines the requirement to provide necessary local services such as healthcare and education
- Sustainable use of resources & renewable/low-carbon energy (SD1 & SD2)
- Sustainable measures in development, pollution and flood risk (SD3 - SD5)
- Heritage Assets (DC2)
- Sustainable Travel (T1)
- Mitigation of retail impact on town centres (TCR3)
- Open space, sport and recreation (C2) which covers local standards and contributions for the different typologies.
- Biodiversity and green infrastructure (C3 & NE1)

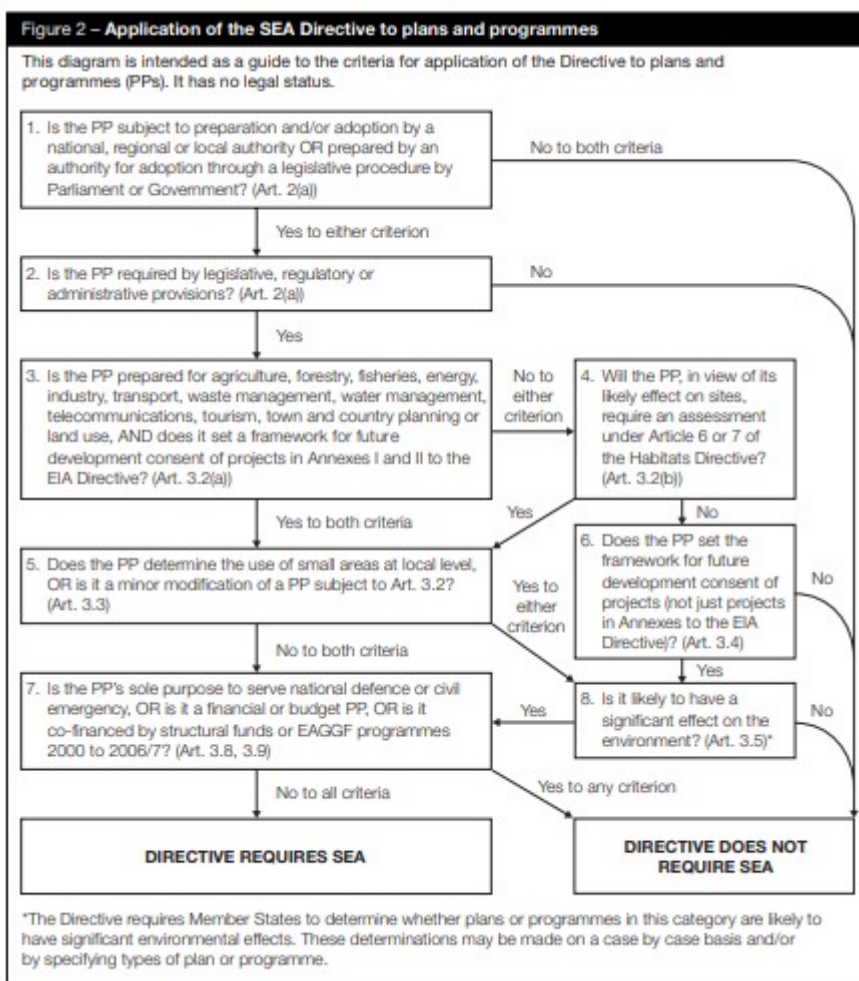
3.8 On adoption, the SPD will form part of the suite of Council planning documents and will be a material consideration when considering planning applications or planning appeals.

Assessment

4 Assessment

Methodology

4.1 To decide whether the SPD might have significant environmental effects, its potential scope should be assessed at an early stage against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. This step by step process is set out in the [Office of the Deputy Prime Minister \(2005\) A Practical Guide to the SEA Directive](#) and can be seen below in Figure 2.



Screening Assessment

4.2 Table 1 below shows the outcomes of each of these steps and how they have been followed to identify whether a SEA of the SPD is necessary.

Stage	Y/N	Reason
1. Is the PP (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? (Art. 2(a))	Y	The document will be adopted by Staffordshire Moorlands District Council as an SPD. The SPD will be a material consideration in the determination of planning decisions.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	SPDs are optional; there is no legislative or regulatory requirement to prepare them. This draft SPD has been produced to supplement the statutory Local Plan. When adopted, the SPD will become part of the Council's suite of planning documents.
3. Is the PP 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 Directive? (Art 3.2(a))	Y	The SPD is a town and country planning/land use document. It provides guidance to help implement the policies of the Local Plan but does not itself set out new policy. The policies that the SPDs supplement have been subject to SA/SEA.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The draft SPD sets out further guidance to supplement Local Plan policies which apply at a local level whilst the SPD will become a material consideration when determining planning applications in the area.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The purpose of the draft SPD is to provide guidance to assist in the interpretation of adopted policies in the Local Plan. The policies to which the SPD relates were subject to SEA (incorporated within the Sustainability Appraisal) through the Local Plan process and no significant negative effects were predicted.

Table 1 Screening against the SEA Directive

4.3 The criteria set out in Schedule 1 of the Regulations are shown in the table below alongside the assessment finding in relation to the SPD.

CRITERIA FROM SCHEDULE 1 OF THE REGULATIONS	RELATIONSHIP TO THE SPD
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 SPD will not set a framework for other projects or activities. It will provide additional guidance on existing policies within the Local Plan that have been subject to SEA concluding no significant negative effects are expected.
b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Local Plan includes the adopted policies on which the SPD will supplement. The SPD will only be able to expand and provide more guidance on the policies within the Local Plan, and will not be able to introduce

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CRITERIA FROM SCHEDULE 1 OF THE REGULATIONS	RELATIONSHIP TO THE SPD
	new policy. The SPD will be at the bottom of the hierarchy and will have no influence on the documents above it.
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 will contribute to sustainable development by providing more detail and guidance to support the policies within the Local Plan. The Local Plan seeks to integrate environmental considerations and has been the subject of SA (and SEA) which seeks to ensure sustainable development.
d) environmental problems relevant to the plan or programme; and	The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the Local Plan. The policies to which the SPD relates were subject to SEA (incorporated within the Sustainability Appraisal) through the Local Plan process. The SPD will help to mitigate the impact of development.
e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is not proposing development specifically related to waste management or water management.
CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED BY THE SPD	
a) probability, duration, frequency and reversibility of the effects;	The SPD is likely to remain relevant for the duration of the plan period (subject to any review of Local Plan in that time). The anticipated effects on the sustainability of the district are expected to be positive by providing guidance to support the implementation of policies.
b) cumulative nature of the effects;	The draft SPD expands upon Local Plan policy and any significant cumulative effects will therefore be consistent with those identified for the Local Plan, as assessed through the Local Plan SA/SEA.
c) trans boundary nature of the effects;	Developer contributions will be local to Staffordshire Moorlands district and such effects were considered during the preparation of the Local Plan through the SA and Habitats Regulations Assessment (HRA).
d) risks to human health or the environment	The draft PD does not present any risks to human health or the environment and aim to encourage improvements in these areas.
e) 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 district, although the effects of the SPD will be more likely felt at a more local scale (i.e. site or neighbourhood).
f) 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.	The SPD will not be able to set policy related to specific land uses. It will only affect the way in which infrastructure is funded or provided.

CRITERIA FROM SCHEDULE 1 OF THE REGULATIONS	RELATIONSHIP TO THE SPD
g) effects on areas or landscapes which have a recognised national, Community or international protection status.	None identified. Any applications for development will be required to satisfy the relevant policies for protection of the character of the area before permission is granted.

Table 2 Determination of the likely significance of environmental effects

Conclusions

5 Conclusions

5.1 Having taken into account the assessment above it is considered that the draft Developer Contributions SPD is unlikely to lead to any significant environmental effects beyond those already assessed through the environmental assessments (SEA/SA and HRA) of the Staffordshire Moorlands Local Plan. In line with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, it is considered that no further environmental assessment is required.

