

Strategic Environmental Assessment (SEA) Initial Screening Statement

For ***South Pennine Moors SPA/SAC Planning Framework***
(Supplementary Planning Document)

February 2021

1. Introduction

This Initial Screening Statement has been prepared to help determine the need for a Strategic Environmental Assessment for the following document:

'South Pennine Moors SPA/SAC Planning Framework' SPD – February 2021
Consultation Draft

Public consultation will take place on this document between **8th February 2021 and 24th March 2021**.

It is intended that the South Pennine Moors SPA/SAC Planning Framework will become a Supplementary Planning Document (SPD). Its purpose will be to provide the information necessary to enable planning officers and developers to understand necessary steps to ensure compliance with the Habitats Regulations 2017, as amended ('the Habitats Regulations'). The SPD also sets out a recommended developer contribution that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats that arise from

development within the Bradford District. The SPD is in support of policies in the adopted Local Plan Core Strategy / draft Local Plan.

2. Strategic Environmental Assessment (SEA)

The requirement for a **Strategic Environmental Assessment (SEA)** is set out in the Government's practical guidance on applying *European Directive 2001/42/EC*, and in the *Environmental Assessment of Plans and Programmes Regulations 2004*. These documents place an obligation on local planning authorities to undertake an SEA on any land use plan or programme "*which sets the framework for future development consent of projects*".

The Government's *Planning Practice Guidance (2014)* 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 Local Plan.*"

To determine whether significant environment effects are likely the local planning authority should take into account the criteria specified in *Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004* and they should consult the consultation bodies.

3. Sustainability Appraisal of the Local Plan

Sustainability Appraisal (SA) is the process by which the requirement for SEA Directive is applied to Local Plan documents. An SA is required under the Planning and Compulsory Purchase Act 2004 for all Development Plan Documents (DPDs).

The main difference between SEA and SA is that an SEA has more of an environmental focus, while an SA has a wider focus encompassing social, economic and environmental issues.

Although SEA and SA are distinct requirements, government guidance has recommended a single appraisal process and the guidance on undertaking SAs has been prepared so as to incorporate the requirements of the SEA Directive.

Relevant DPDs that have been subject to a Sustainability Appraisal are:

- Bradford Local Plan Core Strategy (adopted 2017)

In addition a Sustainability Appraisal has been undertaken of the Core Strategy Partial Review Scoping Report (January 2019) and the draft Preferred Options for the Local Plan (February 2021).

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 removed the previously automatic need for an SA of SPDs, and the Government's Planning Practice Guidance (2014) states that "Supplementary planning documents do not require a sustainability appraisal"

4. South Pennine Moors SPA/SAC Planning Framework SPD

The South Pennine Moors are designated in accordance with European legislation, The planning policy requirement for developer contributions and other checks are found within the adopted Bradford Core Strategy Policy SC8: Protecting the South Pennine Moors which was informed by the Habitat Regulations Assessment of the Core Strategy, and this document provides further detail as to why these are in place and how they should be implemented.

This guide has been created by collaborating with several key stakeholders in the District to ensure that it is supported by the parties and individuals who have an interest in the moors.

A workshop took place to inform the preparation of the draft guide including representatives from:

- Landowners and managers including Yorkshire Water
- Statutory consultees including Natural England, RSPB and Historic England
- Special interest local groups such as walking groups and friends of the moors
- Council officers from relevant departments including Planning, legal, Countryside, and Parks and Greenspaces.

The purpose of the guidance will be to provide the information necessary to enable planning officers and developers to understand necessary steps to ensure compliance with the Habitats Regulations 2017, as amended ('the Habitats Regulations'). This SPD also sets out a recommended developer contribution that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats that arise from development within the Bradford District.

5. Screening Process

To assess whether an SEA is required the Responsible Authority (Bradford Council) must undertake a screening process based on a standard set of criteria, and this must be subject to consultation with Historic England, the Environment Agency and Natural England.

Where the Responsible Authority determines that the plan or programme is unlikely to have significant environmental effects, and therefore does not need to be subject to full Strategic Environmental Assessment, it must prepare a statement showing the reasons for this determination.

The Council has undertaken a screening process using the criteria set out in Annex II of the SEA Directive. These criteria are set out in Appendix 1 of this document, along with the Council's response in relation to the SPD.

The initial screening finds that the draft South Pennine Moors SPA/SAC Planning Framework SPD is unlikely to have significant effects on the environment, and as such it will not be necessary to carry out an SEA on this document.

6. Conclusion

The Council believes that the draft SPD will have positive environmental impacts in Bradford District based on the screening against the SEA Directive Criteria – see Appendix 1.

Furthermore the draft SPD is not setting new policy, it is supplementing and providing further guidance on existing policies set out in adopted DPDs which have been subjected to SEA as part of full Sustainability Appraisals.

Therefore it is not considered that a full SEA is required for the draft South Pennine Moors SPA/SAC Planning Framework SPD.

Appendix 1 – Response to the SEA Directive Criteria

SEA Directive Criteria (as specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Bradford's Response	Is there a likely significant effect?
1. Characteristics of the draft South Pennine Moors SPA/SAC Planning Framework SPD having particular regard to:		
(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.	The SPD will provide support to policy SP8 of the adopted Core Strategy (SP11 of the emerging Local Plan). This will provide the strategic framework for development in Bradford District. The SPD will allocate resources as it sets out a recommended developer contribution that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats that arise from development within the Bradford District through a strategic mitigation strategy.	No
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The guidance provided in the SPD will be supplementary and in conformity with policies in the above stated DPDs which have been subject to full Sustainability Appraisals. The SPD sits in a hierarchy of documents but does not directly affect any other plans or programmes. It is influenced by higher tier planning policy including the National Planning Policy Framework (NPPF).	No
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development	<p>The primary aim of the SPD is to ensure that sustainable outcomes can be forthcoming in the form of the provision of strategic mitigation for recreational disturbance on Habitats sites related to the South Pennine Moors.</p> <p>The SPD provides developers, agents and planning officers with a</p>	No

SEA Directive Criteria (as specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Bradford's Response	Is there a likely significant effect?
	<p>comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes is provided in an effective and timely manner. The SPD provides greater detail and clarity on the level of developer contributions being sought for strategic mitigation and how and when applicants should make contributions. The SPD is therefore relevant to the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	
<p>(d) Environmental problems relevant to the SPD.</p>	<p>The SPD serves to address environmental issues. The policy content of adopted and emerging Local Plan will additionally apply to forthcoming development proposals which include numerous thematic policies related to environmental protection. All Local Plan policies have been subject to Sustainability Appraisal within the context of the preparation of Local Plans, as well as HRA/AA that also incorporates in-combination effects. This Screening Report focuses on those (direct / indirect) environmental problems or sources of potential problems relevant to the SPD specifically:</p> <ul style="list-style-type: none"> • The South Pennine Moors SPA/SAC is designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') as part of the European Natura 2000 network a series of these sites across Europe. • The South Pennine Moors also provide opportunities for recreation. Housing and consequent population growth in Bradford is likely to increase the number of visitors to these sensitive moorland areas, creating the potential for impacts from 	<p>No</p>

SEA Directive Criteria (as specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Bradford's Response	Is there a likely significant effect?
	<p>increased recreational disturbance of the breeding birds and their habitats, unless adequately managed.</p> <ul style="list-style-type: none"> • The adopted Core Strategy provides for 42,100 houses over the plan period which represents an approximate 20% increase in dwellings over the plan period (the SPD will be updated once the new Local Plan is adopted). • Recreational pressure adds to the stresses of SPA birds although effects are all-year-round, levels of public access to breeding areas can rise in the summer months. • Walkers and dogs as well as other recreational activities can have a major impact on breeding birds. • Functionally Linked Land within a 2.5km distance also needs to be protected from disturbance. 	
(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).	The SPD will not impact on the implementation of community legislation on the environment.	No
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 overall impact of the SPD will likely be positive. It will seek to maximise the positive environmental effects of development and minimise or avoid negative impacts.	No
(b) The cumulative nature of the effects.	As the likely effects of this SPD will be largely positive any cumulative impacts will also be positive.	No
(c) The transboundary nature of	The guidance in the SPD will be limited to developments within	No

SEA Directive Criteria (as specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Bradford's Response	Is there a likely significant effect?
<p>the effects.</p>	<p>Bradford District.</p>	
<p>(d) The risks to human health or the environment (for example, due to accidents).</p>	<p>It is not envisaged that the guidance contained within the SPD will pose risks to human health or the environment.</p>	<p>No</p>
<p>(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).</p>	<p>The SPD will be applicable to all new housing developments within 7km of the SPA/SAC boundary and all development within 2.5km of the SPA/SAC boundary.</p>	<p>No</p>
<p>(f) The value and vulnerability of the area likely to be affected due to —</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use 	<p>The SPD is applicable to developments across a large portion of Bradford District (within 7km of the SPA), which includes a large amount of heritage including many conservation areas and listed buildings and natural environment designations.</p> <p>These are protected by separate policies in the Core Strategy and new draft Local Plan which has been subject to assessment through a full Sustainability Appraisal. The SPD supports and is in line with these policies.</p>	<p>No</p>
<p>(g) The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The SPD will provide support to SP8 of the adopted Core Strategy (SP11 of the emerging Local Plan) which has been subject to assessment through a full Sustainability Appraisal.</p> <p>Bradford District also includes the Saltaire World Heritage Site. This is protected by separate policies in the Local Plan.</p>	<p>No</p>