

**Final screening statement on the determination of the need for
Strategic Environmental Assessment for Brighton & Hove City Council's
Parking Standards SPD – September 2013**

1. Introduction

- 1.1 This screening report is designed to determine whether or not the contents of the Parking Standards 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. In addition, it also provides the screening opinion of whether the SPD also requires further Sustainability Appraisal (SA).
- 1.2 The purpose of the Parking Standards SPD is to set out the standards that will be applied by Brighton & Hove City Council when considering development proposals. It will provide guidance on parking standards, including numbers of spaces permitted by type of development for car, cycle, motorcycle and disabled parking. It will also set criteria for car-free housing. Standards for motor vehicle parking will be based on maximum standards, and standards for cycle and disabled parking will be based on minimum standards.
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 3 provides a screening assessment of the likelihood of significant environmental effects of the SPD and whether it requires a SEA.

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 The Planning and Compulsory Purchase Act 2004 first required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents. It is considered best practice to incorporate requirements of the SEA Directive into an SA when required.
- 2.3 The Planning Act 2008 removed the requirement to undertake a Sustainability Appraisal for all Supplementary Planning Document, as SPDs do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal. However, the council is still required to screen its SPDs to ensure that the legal requirements for SA are still met where there are impacts that are not covered in the appraisal of an adopted parent DPD, or where an assessment is required by the SEA Regulations.

2.4 It should be noted that Brighton & Hove City Council has taken the approach that until the new Development Plan for the City (the City Plan Part 1) is formally adopted, that all SPDs will be subject to SA, as until this takes place, there is no adopted over-arching Development Plan that has been subject to the Sustainability Appraisal process.

3. Strategic Environmental Assessment Screening Process

3.1 The first stage of the SEA screening process is to determine whether or not the SPD requires SEA and this is shown in the following table. As can be seen by the table there are clear situations for when SEA is not required. This table is drawn from the Appendix 1 of the Strategic Environmental Assessment Directive: Guidance for Local Planning Authorities (ODPM 2003).

Table 1: Requirement for SEA

Decision making criteria	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)) If no, SEA not required. If yes, go to Q.2.	Y	The SPD is prepared by the local authority.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) If no, SEA not required. If yes, go to Q.3.	Y	The SPD is required for administrative purposes and will be used when assessing planning applications.
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)) If no, go to Q.4. If yes, go to Q5.	N	Although the SPD is prepared for transport and town and country planning purposes, it does not set a framework for future development consent of projects that are required to undergo an Environmental Impact Assessment.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) If no, go to Q.6 If yes, go to Q.5	N	The SPD builds upon policy CP9 Sustainable Transport of the Brighton & Hove City Plan Part 1. The Submission City Plan Part 1 as a whole has been subject to a screening assessment under the Habitats Regulations where all possible impacts on European sites were discounted.
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) If no, go to 7. If yes, go to 8.		N/A

Decision making criteria	Y/N	Reason
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) If no, SEA not required. If yes, go to 8.	Y	The SPD sits at the lowest tier of the Development Plan system and builds upon policy CP9 of the Submission Brighton & Hove City Plan. However the SPD will be a material consideration when assessing planning applications and the policy requirements will need to be met in order for consent to be granted.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) If no, SEA required. If yes, SEA not required.		N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5) If no, SEA not required. If yes, SEA required.	N	See Tables 2 and 3 for full details.

3.2 The second stage of the SEA screening process only needs to be undertaken if question 8 is reached and is used to determine whether the policy is likely to have significant adverse environmental effects. This stage involves assessing the aims of the SPD against a set of criteria that are set out in Schedule 1 of the SEA Regulations 2004 and as set out in following two tables.

Table 2: The Characteristics of the Plan or Programme

Criteria	Response
(a) Does the Parking Standards SPD set a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD expands further on existing policy in the submission City Plan Part 1. It does not itself set a framework for projects or other activities. However it will set out site specific guidance and criteria for certain types of development including car free housing, the impacts of which are anticipated to be small-scale and localised in nature.
(b) Does the Parking Standards SPD influence other plans including those in a hierarchy;	No. The SPD expands upon other policies in higher level documents and sits at the lowest tier of the development plan system.
(c) Does the Parking Standards SPD relate to	Yes. The SPD will set out the maximum

<p>the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>amounts of motor vehicle parking and minimum amounts of cycle parking that may be provided at various types of new developments throughout the city. It will also set out criteria for car-free housing. The contents of the SPD will directly influence the amount of parking provided at new developments, and this will have some implications for land use, drainage and runoff, having positive environmental implications.</p> <p>Also, as the Parking Standards SPD is likely to restrict parking in accessible locations, there is a possibility that it will indirectly influence choice of travel mode and the environmental impact of trips to/from new developments. This impact is also likely to be positive.</p>
<p>(d) What environmental problems are relevant to the SPD;</p>	<p>The main environmental problems that are relevant to this SPD are those related to transport. Parking availability has a major influence on choice of mode of travel and this SPD may encourage more sustainable modes of travel. Modal shift has various positive environmental implications including reducing carbon emissions, reducing air pollutants, reducing noise, as well as having positive economic and social implications.</p>
<p>(e) Will the SPD aid the implementation of EC legislation on the environment?</p>	<p>Yes. The SPD may aid the implementation of EC legislation, in particular that relating to air quality and climate change.</p>

Table 3: The characteristics of the effects and of the area likely to be effected

Criteria	Response	Is the effect significant?
(a) What are the probability, duration, frequency and reversibility of the effects of the SPD;	The Parking Standards SPD provides supplementary guidance to policy CP9 Sustainable Transport in the Brighton & Hove City Plan Part 1 which sets planning policy up to 2030. The SPD will influence the nature of parking at new developments following its adoption and the effects are considered to be localised in nature, although could influence wider travel mode choice. The effects of the SPD will be apparent for the duration of the development, which would presumably be long-term, and irreversible without alteration to the actual development. The City Plan is likely to undergo review during its lifetime, at which point supplementary guidance will also undergo review.	No
(b) What are the cumulative nature of the effects of the SPD;	There are not anticipated to be any cumulative effects arising from implementation of the SPD.	No
(c) What is the transboundary nature of the effects of the SPD;	There are no anticipated transboundary effects.	No
(d) Are there any risks to human health or the environment from the SPD;	There are not considered to be any risks to human health or the environment that will result from implementation of the SPD. As the SPD may influence modal choice and encourage sustainable travel, the SPD may have positive implications for health, through potential improvements to air quality, and positive implications for the environment through potential reduction in air pollutants and carbon emissions.	No
(e) What is the magnitude and spatial extent of the effects	The SPD will be applicable to the entire city. The city has a population of	No

<p>(geographical area and size of the population likely to be effected) of the SPD;</p>	<p>273,400 (Census 2011) and covers a total area of 8,267 hectares. The built up area covers approximately half this area and will be where the vast majority of new development will be situated. Although this is a large area, any anticipated effects arising from the SPD would be small scale and confined to the site and the immediate area and population surrounding a development.</p>	
<p>(f) Is 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 city contains numerous heritage assets, including Conservation Areas and Listed Buildings which are dispersed throughout the built up area and contains numerous natural sites that have either a locally or national designation. However it is not anticipated that the Parking Standards SPD will have any adverse effects on any of the listed considerations.</p>	<p>No</p>
<p>(g) Will the SPD have effects on areas of landscape which have a recognised national, EC or international protection status</p>	<p>The South Downs National Park covers an area of over 1,600km² between Winchester in the west and Eastbourne in the east. Approximately 40% of Brighton & Hove's administrative area is within the National Park. Any development proposal that is within the National Park's boundary is determined by the National Park Authority. The Parking Standards SPD will therefore not be applicable to planning applications within the National Park and is not considered to have any effect on the National Park. Although development that is adjacent to the National Park could impact on its setting, any impacts arising from the SPD are considered to be small scale and localised in nature.</p>	<p>No</p>

4. Consultation

4.1 In accordance with Regulation 9 (2) (b), the screening opinion was sent to the three statutory consultees for consideration. A response was received from Natural England who agreed with the council's opinion.

5. Conclusion

5.1 On the basis of this screening process, although Table 1 shows that SEA may be required, the results from Tables 2 and 3 show it to be unlikely that there will be any significant environmental effects arising and as such, it is the council's opinion, in liaison with the statutory bodies, that no SEA is required to be undertaken. However, for the reasons as outlined in Section 2.4 a Sustainability Appraisal of the SPD will still be undertaken.

5.2 This statement meets the requirements of Regulation 9(3) which sets out the reasons for this determination.