



# Developer Contributions Supplementary Planning Document Strategic Environmental Assessment Screening Statement

## 1. The Purpose of this Report

1.1 This screening statement has been prepared to determine whether the proposed Developer Contributions Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

1.2 The purpose of the Developer Contributions SPD is to provide additional guidance on the policies in the Melton Local Plan (2011-2036) which relate to the provision of infrastructure needed due to the development. The relevant Melton Local Plan policies are:

Policy IN3	<a href="#">Infrastructure Contributions and Community Infrastructure Levy</a>
Policy IN1	<a href="#">Melton Mowbray Transport Strategy (MMTS)</a>
Policy IN2	<a href="#">Transport, Accessibility and Parking</a>
Policy C4	<a href="#">Affordable Housing Provision</a>
Policy C8	<a href="#">Self-Build and Custom Build Housing</a>
Policy C9	<a href="#">Healthy Communities</a>
Policy EN3	<a href="#">The Melton Green Infrastructure Network</a>
Policy EN7	<a href="#">Open Space, Sport and Recreation</a>
Policy SS4	<a href="#">South Melton Mowbray Sustainable Neighbourhood (Strategic Development Location)</a>
Policy SS5	<a href="#">Melton Mowbray North Sustainable Neighbourhood</a>

1.3 Once adopted, the SPD will be a material consideration in the determination of planning applications and will inform Development Management decisions. The SPD will provide practical advice to all parties seeking to comply with the Local Plan policies and will therefore be of particular use to developers and agents looking to bring forward development.

## 2. Strategic Environmental Assessment – Regulatory Requirements

2.1 The objective of a Strategic Environmental Assessment is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.

- 2.2 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. 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 found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005)
- 2.3 Paragraph 11-008 of the Planning Practice Guidance (PPG 2012, updated February 2015), which states that "supplementary planning documents do not require 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 been assessed during the preparation of the local plan".
- 2.4 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.

### **3. The Strategic Environmental Appraisal Process**

- 3.1 The first stage of the process is for the Council to determine whether or not the SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the SEA Regulations). The results of this are set out in Appendix A of this statement. The aim of this statement is therefore to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.
- 3.2 The Council also has to consult the Environment Agency, Historic England and Natural England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.3 Where the Council determines that a SEA is not required, Regulation 9(3) of the SEA Regulations states that the Council must prepare a statement setting out the reasons for this determination. This statement is Melton Borough Council's Draft Regulation 9(3) statement.

### **4. Other Regulatory Considerations - Sustainability Appraisal**

- 4.1 Whilst there is no statutory requirement to undertake a Sustainability Appraisal (SA) of the Developer Contributions SPD, the Council has considered whether an SA of the Developer Contributions SPD is required. The Council has determined that the Developer Contributions SPD is unlikely to have significant environmental, social or economic effects beyond those of the Local Plan policies it supplements. The Developer Contributions SPD does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the policies in the Local Plan,

which has been subject to a fully comprehensive SA process, incorporating SEA.

- 4.2 More information on the Sustainability Appraisal of the Melton Local Plan 2011-2036 can be viewed on the Council's website [meltonplan.co.uk](http://meltonplan.co.uk). The findings can be found in the documents on the following links:

[SA related to the Pre Submission Draft of the Melton Local Plan](#)

[SA related to local plan addendum of focused changes](#)

[SA Addendum relating to Local Plan Main Modifications](#)

[SA Post Adoption Statement](#)

## **5. Other Regulatory Considerations - Habitats Regulations Assessment**

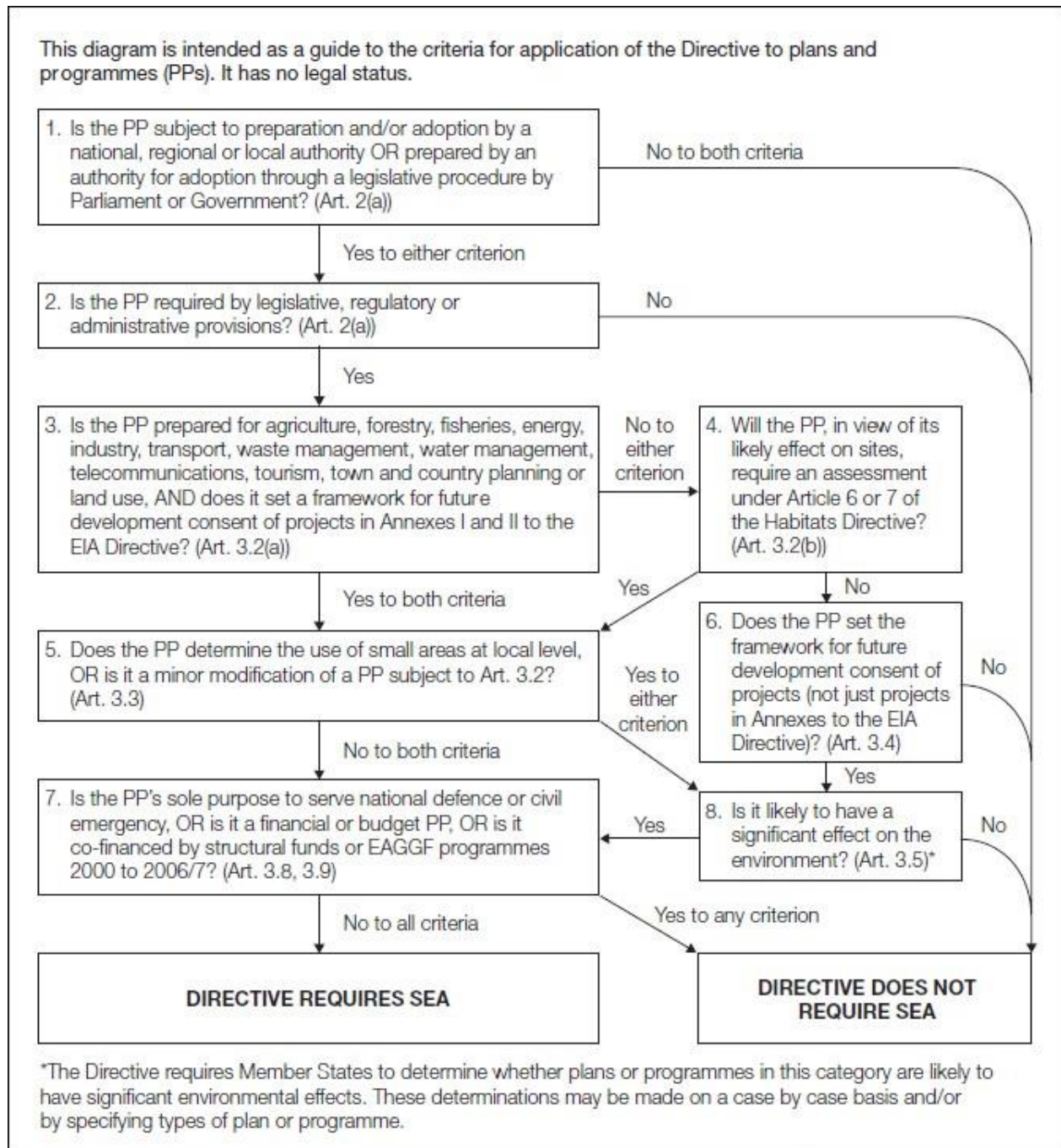
- 5.1 In addition to SEA and SA, the Council is required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether the plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.
- 5.2 As with the SA, the Local Plan was also subject to a comprehensive HRA. The HRA concluded that the Melton Local Plan policies that relate to implementing developer contributions were unlikely to have a significant effect on the integrity of European Sites because they are policies that will not result directly in development, most instead set out criteria relating to development proposed under other policies which have been subject to HRA screening separately. As the purpose of this SPD is to expand upon these policies, the Council has determined that a HRA is not required.
- 5.3 More information on the Habitats Regulations Assessments of the Melton Local Plan can be viewed on the Council's website;  
<https://www.meltonplan.co.uk/evidencebase>.

## **6. Conclusion**

- 6.1 On the basis of the screening process, it is the Council's opinion that the Developer Contributions SPD does not require a Strategic Environmental Assessment or Sustainability Appraisal. This is because there will be no significant environmental, social or economic effects arising from its implementation, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of Melton Local Plan policies.

## Appendix A: SEA Screening of the Developer Contributions SPD

Figure 1: Application of the SEA Directive to plans and programmes guide



*A Practical Guide to the Strategic Environmental Assessment Directive, ODPM 2005*

**Table 1: Application of SEA Directive for Screening of the Developer Contributions SPD**

Stage	Yes/ No	Assessment
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))	Yes	The SPD is being prepared for adoption by Melton Borough Council.
<i>If Yes to either criterion in Q1 proceed to question 2</i>		
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	No. The preparation of SPD is at the discretion of the Council as local planning authority. There is no specific commitment in the adopted Local Plan to prepare an approach to developer contributions as a SPD.  <b>Directive does not require a SEA</b>

**Table 2: Assessment of the SPD against Schedule 1 of the SEA Directive**

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
<b>1. Characteristic of the SPD having particular regard to:</b>	
(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 provides more detail on the policies and principles established in the Melton Local Plan 2011-2036, which has been subject to comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the effective and consistent implementation of the relevant infrastructure and contributions policies.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The purpose of the SPD is to supplement the Local Plan policies and sits below the Local Plan in terms of the Development Plan hierarchy. It will aid the negotiation of developer contributions.

<p>(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The Developer Contributions SPD is highly relevant in terms of promoting sustainable development as it seeks to ensure developments are delivered in a sustainable manner alongside the relevant infrastructure. The key aspect of developer contributions is to ensure that each of the large scale developments provide the necessary infrastructure to create sustainable communities.</p>
<p>(d) environmental problems relevant to the plan or programme; and</p>	<p>The Developer Contributions SPD will provide guidance on the consistent implementation of the relevant aspects of the infrastructure Melton Local Plan policies that most strongly relate to planning obligations. It will not however introduce any new policies. The Melton Local Plan and its policies have been subject to SEA assessment.</p>
<p>(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).</p>	<p>The SPD will provide guidance on the consistent implementation of the relevant aspects of the environmental Melton Local Plan policies that most strongly relate to infrastructure such as open space. It will not however introduce any new policies. The Melton Local Plan and its policies have been subject to SEA assessment. However Leicestershire County Council will require contributions towards civic amenity purposes which may result in waste management plans, their policies on this will have been subject to SEA assessments.</p>

**2. Characteristics of the effects and area likely to be affected having particular regard to:**

<p>(a) the probability, duration, frequency and reversibility of the effects;</p>	<p>The SPD is not expected to give rise to any significant environmental effects. The SPD seeks to ensure the effective and consistent implementation of infrastructure policies, which in themselves should ensure positive effects to the infrastructure contained within communities and the Borough for current and future generations.</p>
<p>(b) the cumulative nature of the effects;</p>	<p>The SPD is not considered to have any significant cumulative effects.</p>
<p>(c) the trans-boundary nature of the effects;</p>	<p>The SPD is not expected to give rise to any significant transboundary environmental effects. However, where strategic sites are in close proximity to neighbouring settlements, infrastructure implemented through developer contributions will benefit residents from a wider area as well as from within the Borough's communities.</p>
<p>(d) the risks to human health or the environment (for example, due to accidents);</p>	<p>There are no anticipated effects of the SPD on human health.</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 effective and consistent implementation of infrastructure policies will have positive benefits for all Melton Borough residents and those who wish to move to the Borough.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to; special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values; or intensive land-use;</p>	<p>The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. Nor would the SPD be expected to lead to the exceedance of environmental standards or promote intensive land use. Matters relating to environmental standards and land use are contained in the Melton Local Plan</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The SPD is not expected to have any adverse effect on areas with national, community or international protection.</p>