

Strategic Environmental Assessment Screening Statement

Maintaining and Creating Distinctive Sustainable Communities

Supplementary Planning Guidance

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YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

1. Introduction

- 1.1 In accordance with European Directive 2001/42/EC which is implemented in the UK via the Environmental Assessment of Plans and Programmes Regulations 2004, this document is the Screening Determination of the need to undertake a Strategic Environmental Assessment (SEA) for the "Maintaining and Creating Sustainable Communities" Supplementary Planning Guidance.

2. Strategic Environmental Assessment

- 2.1 The objective of Strategic Environmental Assessment is to provide 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 SEA Regulations 2004 place an obligation on local authorities to undertake a SEA on plans or projects:
- That are required for town and country planning or land use; and
 - Set the framework for future development consent of projects listed in Annex I or II to European Council Directive 85/337/EEC
- 2.3 The SPG sets the framework for development in the future, which means it could be considered a 'plan' or 'programme' within the meaning of the SEA Directive and could therefore require an 'environmental assessment'. The regulations advise that a specified set of criteria (set out in Schedule 1 of the regulations) should be used to demonstrate whether a plan should be subject of an SEA. These criteria have been considered in determining whether the SPG should be the subject of a SEA.

3. Background to the Maintaining and Creating Sustainable Communities SPG

- 3.1 The 'Maintaining and Creating Sustainable Communities' SPG applies to the Isle of Anglesey and Gwynedd Local Planning Authority areas, and supports and supplements the relevant policies contained within the adopted Anglesey and Gwynedd Joint Local Development Plan (JLDP), 31 July 2017.
- 3.2 The SPG provides further guidance relating to Policies PS1, PS5 and PS6. Policies PS1, PS5 and PS6 provide the overarching framework to integrate 'sustainable development' into the development process, in order to maintain and create distinctive and sustainable communities. The main purpose of this Supplementary Planning Guidance (along with other Supplementary Planning Guidance) is to help applicants for planning permission to ascertain the information that should inform the development of their proposals. This will ensure that legislative and policy requirements are met and that best practice standards are achieved. In terms of undertaking assessments of the effect of development on the Welsh language and culture, it provides a standardised methodology that all relevant applicants should follow.

4. The Screening Process

- 4.1 Though not part of the statutory Development Plan, Supplementary Planning Guidance cover a range of issues, which generally interpret policies in the Development Plan. If an SPG is considered unlikely to have significant

environmental effects through the screening process, then the conclusion will be that the SEA is not necessary.

- 4.2 To assess whether an SEA was required, the Responsible Authority (Anglesey County Council and Gwynedd Council) undertook a screening process based on a standard set of criteria as set out in Annex II of the SEA Directive. These criteria are set out in the table in Appendix 1 of this report, alongside the Council's response in relation to the SPG.
- 4.3 The SEA Regulations require that the consultation bodies (namely Natural Resources Wales and CADW) be consulted upon the screening assessment undertaken. No responses were received from CADW whilst Natural Resources Wales were satisfied that a SEA of the Guidance was not required.
- 4.4 The Maintaining and Creating Distinctive and Sustainable Communities SPG was subject to public consultation between 13 December 2018 and 31 January 2019. Due consideration was given to all of the representations received and amendments to the Guidance were made accordingly. These amendments essentially provided further interpretation of the policy to ensure it would be applied consistently, and did not lead to significant changes in the SPG. Consequently, it was deemed that they did not affect the conclusions of the Screening Assessment.

5. Habitats Regulations Assessment

- 5.1 In addition to SEA, the council is also required to consider undertaking a Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, known as European sites or European offshore marine 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).
- 5.2 A HRA screening of the SPG was undertaken in accordance with the Habitats Regulations with the following conclusions made:
 - The SPG is primarily a guidance document and is not considered to alter the strategic policy framework;
 - It does not present new policies or proposals and serves only to expand on the existing policies in the JLDP relating to developing sustainable communities.
 - The relevant policies of the JLDP in the SPG have already been subject to HRA;
 - The SPG is not a rigid land use allocation but sets the broad planning context and development principles associated with creating distinctive and sustainable communities.
 - The SPG does not introduce new proposals of a type and/or scale outside the parameters of the JLDP, or amend any of the proposed mitigation measures agreed;
 - the primary effect or impact of the SPG will be facilitating sustainable development throughout the Plan Area. The SPG itself will not have any adverse impacts on the environment. Rather it will help to address environmental problems by ensuring possible negative impacts of development are identified and that mitigation measures are put in place.

- 5.3 The Council concluded that there will be no significant adverse impact on the integrity of Natura 2000 sites as a direct result of the SPG, and therefore, considers that the Maintaining and Creating Distinctive and Sustainable Communities SPG will not require full appropriate assessment under the Habitats Regulations.

6. Statement of Reasons for Determination

- 6.1 It is considered that the Maintaining and creating Distinctive and Sustainable Communities SPG is unlikely to have significant effects on the environment. The SPG is not setting any new policies or allocations or amending policies in the adopted JLDP. Rather it is providing further guidance on existing policies contained within the Anglesey and Gwynedd JLDP, which has been subject to SEA.
- 6.2 It is determined that as a result of the screening undertaken by the Councils, along with the responses received from the statutory consultation bodies, a Strategic Environmental Assessment is not required for the Maintaining and Creating Distinctive and Sustainable Communities Supplementary Planning Guidance.

APPENDIX 1

The table below uses criteria taken from Schedule 1 of the Environmental Assessment of Plans and programmes Regulations 2004 to determine if the SPG is likely to have a significant effect on the environment

SA Directive Criteria	Potential Effects of SPG	Is there a likely significant effect?
1. The characteristics of plans and programmes, having regard, in particular to:		
1.1 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 allocation resources.	The SPG is a non statutory guidance document and does not alter the strategic policy framework. It does not present new policies or proposals or amend existing policies in the JLDP, and serves only to expand on the existing policies in the JLDP relating to sustainable development in the Plan Area. The framework has already been set by the adopted JLDP policies, which have already been subject to SEA. The SPG is not a rigid land use allocation but sets the broad planning context and development principles associated with the provision of sustainable development, within the context set out in Policies PS1, PS5 and PS6.	No
1.2 The degree with which the plan or programme influences other plans and programme including those in a hierarchy.	The purpose of this SPG is to provide guidance on adopted JLDP policies. As such it will not influence other plans and programmes. It will only provide additional details and will not introduce new policies or amend existing adopted policies.	No
1.3 The relevance of the plan or programme for the integration of environmental consideration in particular with a view to promoting sustainable development.	The SPG provides additional detail on the implementation of Policies PS 1, PS5 and PS6 which were subject to SEA. The SPG describes the information required to be submitted with relevant planning applications, demonstrating how the information has informed the proposal and how different types of developments can contribute to achieving sustainable development in the Plan area.	No

	The SPG will help promote the aim for sustainable development by explaining the various assessment methods to be used in relation to the Welsh language.	
1.4 Environmental problems relevant to the plan or programme.	The SPG itself will not have any adverse impacts on the environment. Rather it will help to address environmental problems by ensuring possible negative impacts of development are identified and that mitigation measures are put in place.	No
1.5 The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. waste management or water protection)	Not relevant. The SPG supplements adopted planning policies and is not relevant to the implementation of community legislation on the environment. The principle of development is considered through the JLDP which has been subject to SEA.	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2.1 The probability, duration, frequency and reversibility of the effects.	The overall impact of the SPG will be positive by ensuring sustainable development is promoted throughout the Plan Area and the benefits that this brings (e.g. promoting the protection and enhancement of the Welsh language), as set out in the JLDP.	No
2.2 The cumulative nature of the effects.	The cumulative impact of the effects of the Guidance should be positive with regard to the principles of sustainable development.	No
2.3 The trans-boundary nature of the effects.	The SPG will be limited for use within the Anglesey and Gwynedd Local Planning Authority Areas.	No
2.4 The risks to human health or the environment (e.g. due to accidents).	The SPG would not present a risk to human health or the environment. It is considered that there are likely to be improvements to human health due to the mitigation of potential negative impacts of development on environmental, economic and social aspects. By providing advice about applying relevant policies in the	No

	Plan, which were subject to SEA, there will be a positive contribution to well-being.	
2.5 The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	Since the SPG supports policies in the adopted JLDP the SPG covers the Anglesey and Gwynedd Local Planning Authority areas and will primarily assist the LPAs to have a positive effect on the resident population in these areas.	No
2.6 The value and vulnerability of the area likely to be affected due to: i) the special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit value; iii) Intensive land use	It is considered that the SPG will not have any effect on areas which have value/are vulnerable. Any planning application will be assessed against the relevant policies before planning permission is granted.	No
2.7 The effects on areas or landscapes which have a recognised national, community or international protection status.	The SPG has no effect on areas or landscapes which have a recognised national, community or protection status. To the contrary, it draws attention to assessment required to determine impacts on the landscape. Impacts on such areas will be considered through the application of JLDP policies which have been subject to SEA. It is also noted that the SPG does not directly allocate land for particular development.	No