

Draft Screening Assessment on the
determination of the need for Strategic
Environment Assessment and
Sustainability Appraisal for the Nuneaton
and Bedworth Affordable Housing
Supplementary Planning Document (SPD)

October 2019

1. Introduction

- 1.1 Nuneaton and Bedworth Borough Council has prepared an Affordable Housing Supplementary Planning Document (SPD) which provides advice and guidance in support of policies in the Nuneaton and Bedworth Borough Plan 2011-2031¹.
- 1.2 This document is a screening report to determine if the SPD will require a Strategic Environmental Assessment (SEA) in accordance with the 'European Directive 2001/42/EC'² and associated 'Environmental Assessment of Plans and Programmes Regulations 2004'³.

2. Background

- 2.1 The Nuneaton and Bedworth Borough Plan 2011-2031 was adopted July 2019. The policies to which the SPD refers have been subject of an integrated Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)⁴ produced in line with the requirements of 'The Environmental Assessment of Plans and Programmes Regulations 2004'
- 2.2 The details of the affordable housing policy are presented below:

Policy H2 – Affordable Housing

The council will seek to negotiate 25 % affordable housing where residential development proposals consist of 15 dwellings or more, and for two units where residential development proposals consist of between 11 to 14 dwellings, irrespective of any demolitions.

The tenure split and affordable housing mix sought will be based upon evidence provided by the council's Housing Register and the Strategic Housing Market Assessment (SHMA), which will be regularly updated.

¹ Nuneaton and Bedworth Borough Plan 2011-2031 <https://nuneatonbedworthboroughcouncil.sharefile.eu/d-s56969f3fadf4b108>

² European Directive 2001/42/EC <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

³ Environmental Assessment of Plans and Programmes Regulations 2004 <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

⁴ Nuneaton and Bedworth Borough Plan Sustainability Assessment August 2018 https://www.nuneatonandbedworth.gov.uk/download/downloads/id/2699/borough_plan_sustainability_appraisal_2018_v2.pdf

All development proposals are required to provide affordable housing on-site which is well integrated within the proposed development, unless off-site provision can be robustly justified.

Where developers consider applying the affordable housing policy is unviable, or where it is considered that a different mix would better suit local needs and site specific circumstances, a viability statement must be included with the planning application stating the reasons.

Proposals which boost affordable housing delivery will be considered constructively in line with any updates to national policy, including Starter Homes exception sites, and will be exempt from meeting the affordable housing requirements.

Proposals must consider how they accord with the Affordable Housing supplementary planning document.

2.3 Supplementary Planning Documents are produced to provide detailed advice and guidance on policies in Local Plans.

2.4 The National Planning Policy Framework⁵ (NPPF) 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 on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan”. (page, 72)

2.5 The Affordable Housing SPD produced to support the Nuneaton and Bedworth Borough Plan provides information and guidance on the following topics:

- Tenure mix
- Amount of affordable housing
- Design and location
- Timing of provision
- Accessible housing for people with disabilities and elderly people
- Car parking standards
- Viability
- Section 106 agreements
- Ongoing management
- Occupancy

⁵ National Planning Policy Framework

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf

- Affordability criteria for potential occupiers
- Perpetuity of the property for future occupiers

3. Strategic Environment Assessment

- 3.1 A Strategic Environmental Assessment (SEA) concerns the evaluation of the environmental impacts of a plan or programme. The requirement for an SEA is detailed in the 'European Directive 2001/42/EC' which is adopted into UK legislation as the 'Environmental Assessment of Plans or Programmes Regulations 2004'. Local Plans often comply with SEA requirements by being subject of a Sustainability Appraisal.
- 3.2 Planning Practice Guidance⁶ states Supplementary Planning Documents are not required to be accompanied by a Sustainability Appraisal. In exceptional circumstances an SPD may require a SEA if they are likely to have significant effects on the environment which have not been assessed as part of the Local Plan SA.
- 3.3 A screening process has been followed to assess if the SPD produced by Nuneaton and Bedworth Borough Council require a SEA

4. Screening Process

- 4.1 To determine if an SPD is likely to have significant environment effects, Planning Practice Guidance recommends local planning authorities consider the criteria specified in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#). Table 1 of this report presents the criteria in table form with a commentary on the SPD under consideration. Section 5 presents the conclusion and rationale for the decision.
- 4.1 Planning Practice Guidance also recommends consulting the consultation bodies cited in the Environmental Assessment of Plans and Programmes Regulations 2004; Historic England, Natural England and the Environment Agency will be consulted to determine if the SPD have a significant environment effect.

⁶ Planning Practice Guidance, Paragraph: 008 Reference ID: 11-008-20140306, Revision date: 06 03 2014
<https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

Table 1: Criteria for Likely Significant Environment Effect

SEA Directive Criteria	Response	Is there a likely significant environment effect?
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
<p>1a) 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.</p>	<p>The SPD acts in support of policies in the Local Plan, offering guidance on the requirements asked of developers in the borough. The SPD sets a framework for developments which are localised and will have a limited impact on resources. The Borough Plan determines land allocation and contains policies regarding the nature and size of development. The Borough Plan has been subject of an integrated SA/SEA.</p>	<p>No</p>
<p>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The National Planning Policy Framework is the top tier policy in the planning process. The Borough Plan is produced in alignment with the NPPF and contains the policies which the SPD supports. The SPD cannot produce new policy and are the lowest tier of the hierarchy, they cannot significantly influence policies at a higher tier.</p>	<p>No</p>
<p>1c) 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 SPD will help to promote sustainable development communities as it provides advice and guidance on tenure mix, design and location. The advice will help will help to create mixed and balanced communities in the borough.</p>	<p>No</p>

<p>1d) Environmental problems relevant to the plan or programme.</p>	<p>The SPD does not add to existing or create new environmental problems.</p>	<p>No</p>
<p>1e) 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).</p>	<p>The SPD contains advice and guidance regarding the provision of affordable housing. The Borough Plan contains other policies regarding this criteria.</p>	<p>No</p>
<p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>		
<p>2a) The probability, duration, frequency and reversibility of the effects.</p>	<p>The effects of the SPD are not expected to have any significant negative effects on the environment. The SPD will be used to help in determine planning applications and is expected to have positive effects on sustainable development in the borough. The frequency of the effects will depend upon planning applications received which will be judged on the merits of the application. The reversibility of the effects depend on future requests for planning permission and future land use requirements.</p>	<p>No</p>
<p>2b) The cumulative nature of the effects.</p>	<p>The SPD is not expected to have any significant cumulative effects on the environment.</p>	<p>No</p>
<p>2c) The trans-boundary nature of the effects.</p>	<p>The SPD is only concerned with guidance for the development of affordable housing in the Nuneaton and Bedworth area. Only indirect effects are likely to be trans-boundary, such as a greater availability of affordable housing for workers who</p>	<p>No</p>

	currently commute into the area.	
2d) The risks to human health or the environment (e.g. due to accidents).	The SPD offers guidance which should improve human health through high quality affordable accommodation and the reduction of inward commuting. There are no risks to human health or the environment anticipated from the SPD.	No
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The SPD will apply to planning applications made in the borough of Nuneaton and Bedworth. The effects of the SPD likely to be are more likely to be felt in a localised area in the vicinity of the area to which planning permission has been granted. The SPD will affect developer seeking planning permission and future occupants of affordable housing.	No
2f) The 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. iii) intensive land-use.	i and ii) The SPD offers guidance related to polices in the Borough Plan, they cannot supersede any national or local environmental/ cultural designation. The SPD does not directly refer to any natural or cultural asset. iii) The SPD does not set policy for land use.	No
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD does not refer directly to any protected areas. Planning applications will have to satisfy the requirements of relevant national and local polices before permission can be granted. The SPD cannot override any local or national designation.	No

5. Determination and Reasoning

- 5.1 The SPD is consistent with the Nuneaton and Bedworth Borough Plan which has already been subject of a Sustainability Appraisal. The appraisal found there would be no environmental effects which could not be mitigated and would have positive socio-economic benefits.
- 5.2 The SPD is a lower tier document which provides guidance on local policies. Compliance with the SPD cannot be used as justification for non-compliance with national environmental legislation and national and local environmental policy.
- 5.3 Applying the criteria of schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 Nuneaton and Bedworth Borough Council finds that with regards to the Sustainable Design and Construction Supplementary Planning Document (SPD): **there are no likely significant environmental effects and does not require a full SEA to be undertaken.**