

Strategic Environment Assessment Screening Report

**Prepared in relation to the adoption of the
Flood Risk & Water Management Supplementary Planning Document
of Craven District Council**

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Note for readers:

The author as named has prepared this report for the use of Craven District Council. The report conclusions are based on the best available information, including information that is publicly available. This information is assumed to be accurate as published and no attempt has been made to verify these secondary data sources. The first iteration of this report was prepared in March 2022, with this version completed in May 2022. It is subject to and limited by the information available during this time. This report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the client. The author accepts no responsibility to third parties of any matters outside the scope of the report. Third parties to whom this report or any part thereof is made known rely upon the report at their own risk.

1. SEA Purpose and Legislative Background

1.1 Purpose of the SEA Screening Report

1.1.1 This screening report has been prepared to determine whether the Flood Risk & Water Management Supplementary Planning Document (SPD) prepared by Craven District Council should be subject to a Strategic Environmental Assessment (SEA).

1.2 Legislative Background

1.2.1 The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC (SEA Directive). 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 obtained via in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005).

1.2.2 The Planning Practice Guidance (PPG) discusses SEA requirements in relation to supplementary planning documents in paragraph 11-008. Here, the PPG states that: *'Supplementary planning documents do not require a 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 have been assessed during the preparation of the relevant strategic policies'* and later in the same section: *"Before deciding whether significant environment effects are likely, the local planning authority will need to take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies."*

1.2.3 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.

2. Overview of the Flood Risk & Water Management SPD

2.1 Relationship with the Local Plan

2.1.1 Under the Planning & Compulsory Purchase Act 2004, policy guidance can be provided in Supplementary Planning Documents (SPDs). In line with the National Planning Policy Framework (NPPF), this SPD provides further guidance on flood risk and water management in proposed development within the Craven Local Plan area, and provides further detail to help explain the objectives relating to the following policies of the Craven Local Plan (2012 – 2032), which was adopted in November 2019:

- Policy ENV6: Flood Risk
- Policy ENV8: Water Resources, Water Quality and Groundwater
- Policy SD1: Presumption in favour of sustainable development
- Policy SD2: Meeting the challenge of climate change

- Policy SP2: Economic activity and business growth
- Policy SP4: Spatial strategy and housing growth

The SPD hence supports the local plan and is produced in accordance with the procedures introduced by the 2004 Act.

2.1.2 Unlike the local plan itself, the SPD is not examined by an inspector, but it is subject to a public consultation process before being formally adopted by elected Council Members in a Council resolution. The SPD will be a material consideration in planning decisions.

2.2 The content of the Flood Risk & Water Management SPD

2.2.1 Policies ENV6 and ENV8 of the Craven Local Plan are the focus of the SPD. The aims of these policies are to set out how flood risk can be reduced and mitigated when planning for new developments, and also how water can be most effectively used within existing and future development sites. These policies are set out in full within Appendix A of the SPD.

2.2.2 Policy ENV6: Flood Risk describes a number of ways of how development growth in the Craven local plan area can help to avoid and alleviate flood risk. Policy ENV8: Water Resources, Water Quality and Groundwater sets out how development growth in Craven can assist to safeguard and improve water resources. The policy content of ENV8 is divided into the subjects of water resources, water quality, and groundwater.

3. The Screening Process and Conclusions

3.1 SEA Screening

3.1.1 Screening is the process for determining whether or not an SEA is required. For this process, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A full determination cannot be made until the three statutory consultation bodies have been consulted; these bodies are Natural England, the Environment Agency, and Historic England.

3.1.2 The SEA Directive requires plans and programmes to be in general conformity with the strategic policies of the adopted development plan for the relevant area. Within 28 days of its determination, the plan makers must publish a statement, setting out its decision. If they determine that an SEA is not required, the statement must include the reasons for this. The table included in Appendix I uses questions based on content of the SEA Directive to establish whether there is a requirement for SEA for the Flood Risk & Water Management SPD. The table included in Appendix II analyses the Flood Risk & Water Management SPD using criteria set out in Annex II of the SEA Directive and Schedule I of the Regulations.

3.2 Determination of significant effects

3.2.1 Paragraph 9 of the SEA Directive states that: *“This Directive is of a procedural nature, and its requirements should either be integrated into existing procedures in Member States or incorporated in specifically established procedures. With a view to avoiding duplication of the assessment, Member*

States should take account, where appropriate, of the fact that assessments will be carried out at different levels of a hierarchy of plans and programmes.” The policies of the Craven Local Plan have been subject to a full [Sustainability Appraisal](#) (SA). The SEA requirements are included under the approach to sustainability appraisal.

3.2.2 Therefore it is considered that the potential significant effects of the Flood Risk & Water Management SPD, either individually or in combination with other plans and projects, have already been assessed in the SA of the local plan. A summary analysis of the potential effects of the SPD based on the key subject areas is shown in the following paragraphs to ensure that the SPD does not give rise to any new significant environmental effects. This analysis relates to that contained within the SA of the local plan.

3.2.3 Population and human health: The aim of Policy ENV6 is to ensure that development growth in Craven will help to avoid and alleviate flood risk in a number of described ways in the policy. This is an important social, environmental and economic objective, particularly in a county such as Yorkshire which has experienced numerous significant flooding episodes in the 2000s. The objective of Policy ENV8 is that development growth in Craven will help to safeguard and improve water resources in a number of described ways. The abundance and quality of water supply is fundamental to human health and well-being, and hence this SPD can have positive impacts.

3.2.4 Biodiversity, flora and fauna: Policy ENV4 of the local plan focuses on biodiversity, and states that growth in housing, business, and other land uses on allocated and non-allocated sites will be accompanied by improvements in biodiversity. Conformity with the policies covered in this SPD can help improve biodiversity. Policy ENV6 can reduce the risk of flooding, and Policy ENV8 aims to safeguard water abundance and improve water quality by reducing the risk of pollution and deterioration of water resources. There should hence be a positive impact in terms of the flora and fauna in the local plan area, resulting from development in the plan area taking into account the objectives of both of these policies.

3.2.5 Climatic factors: Development in the Craven local plan area that effectively takes into account the objectives of both Policy ENV6: Flood Risk, and Policy ENV8: Water Resources, Water Quality and Groundwater, can greatly assist in the mitigation of climate change impacts. This is through reducing the risk of flooding through carefully planned development, and also the safeguarding of water resources, including groundwater. Protecting and improving water quality means greater water resources are available for consumption.

3.2.6 Cultural heritage: Proposed development must display the need for conformity to the local plan's Policy ENV2 on heritage and Policy ENV3 on good design. Conformity with the policies covered in this SPD, namely Policy ENV6 can help avoid and alleviate flooding in the Craven local plan area and hence better protect existing buildings of heritage value and Policy ENV8 means that rivers, streams, lakes, and canals throughout the Craven local plan area can be kept in better condition and free of pollution which is important for visible cultural heritage.

3.2.7 Soil, water and air: It is clear that adherence to policies ENV6 and ENV8 and the further detail provided in this SPD can have a direct positive impact on soil, water and air. New development must confirm with Policy ENV6 and ENV8. There is not anticipated to be any significant effects on soil as

proposed developments will need to meet the criteria of such policies in order to gain planning permission.

3.2.8 Landscape: All proposed development in the Craven local plan area must conform to more sustainable construction and design practices promoted in Policies ENV3 and ENV7. Conformity with the policies covered in this SPD, namely Policies ENV6 and ENV8, can help ensure that the landscapes of Craven are better protected through avoiding and alleviating flood risk and an improvement in water quality.

3.2.9 Material assets: The material assets topic considers social, physical and environmental infrastructure, and hence this paragraph should be read alongside the previous subjects in this section. Policies in the local plan are likely to help ensure that arrangements are put in place to upgrade existing off-site infrastructure in line with new developments coming forward, where appropriate. Critical existing infrastructure and services will be likely to have the capacity to deal with increased demands for their services, in part supported by the implementation of the Community Infrastructure Levy (CIL), if adopted by the Council.

3.3 Screening outcome

3.3.1 Proposals in the draft Flood Risk & Water Management SPD, including requirements for development, refer to policies set out in the district's local plan which have been through sustainability appraisal, which included SEA requirements. An Appropriate Assessment of the local plan was undertaken and it concluded that the plan's contents would not likely have any significant impacts on the integrity of any designated European site or SEA objective. Therefore, it was not necessary to move to the Stage 2 Appropriate Assessment.

3.3.2 The SPD provides further guidance to relevant policies in the Craven Local Plan, principally Policies ENV6 and ENV8, therefore it is closely related to the local plan. The SPD is not likely to have any significant effects on an internationally designated site such as a Special Protection Area (SPA) or Special Area of Conservation (SAC), above and beyond any significant effects that the local plan is likely to have, either individually or in combination with other plans and projects. Therefore, the SPD will not trigger the need for a SEA in this regard. Further analysis and more information on these designated European sites relevant to Craven are available in the HRA Screening Report for the Flood Risk & Water Management SPD. This SPD is not likely to have any significant negative social impacts, and indeed as previously explained, working with good design principles for proposed development in relation to flood risk and water management should have overall positive impacts for the population of Craven.

3.3.3 This screening report has assessed the potential effects of the Craven District Council Flood Risk & Water Management SPD, with a view to determining whether an environmental assessment is required under the SEA Directive. In accordance with topics cited in Annex 1(f) of the SEA Directive, significant effects on the environment are not expected to occur as a result of the SPD. It is recommended that the Flood Risk & Water Management SPD should be screened out of the SEA process.

3.4 Consultation with Strategic Bodies

3.4.1 This SEA screening report is subject to consultation with the three statutory consultees of the Environment Agency, Historic England, and Natural England. Responses from these statutory bodies are presented in Appendix III.

Appendix I: Establishing whether there is a need for SEA

Stage	Discussion	Answer
1. Is the 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? (Article 2(a))	The Flood Risk & Water Management SPD has been prepared by and will be adopted by Craven District Council to give detail and guidance on local plan contents which are relevant to this SPD, predominately Policy ENV6 on flood risk and Policy ENV8 on water resources, water quality, and groundwater.	Yes
2. Is the plan or programme required by legislative, regulatory or administrative provisions? (Article 2(a))	Paragraph 6.3 of the adopted Craven Local Plan refers to the intended production of SPDs. When the Flood Risk & Water Management SPD is adopted, it will be a material consideration, but it will not be part of the adopted Local Plan.	Yes
3. Is the plan or programme 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 Directives? (Article 3.2(a))	It is a SPD prepared for town and country planning and land use, and provides detail to the local plan policy framework for future consent of projects listed in Schedule II of the EIA Directive.	Yes
4. Will the plan or programme, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	The Flood Risk & Water Management SPD is not anticipated to have an adverse effect on any designated European sites relevant to the Craven local plan area, in terms of their ecological integrity.	No
5. Does the plan or programme determine the use of small areas at local level, or is it a minor modification of a plan or programme subject to Article 3.2? (Article 3.3)	The SPD will be a material consideration in the consideration of planning applications for new developments. It provides detailed guidance to adopted local plan policy.	Yes
6. Is it likely to have a significant effect on the environment? (Article 3.5)	The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the local plan. The policies to which the SPD relates were subject to SEA (incorporated within the SA) through the local plan preparation	No

	<p>process. Therefore, the SPD is not likely itself have any significant effects on the environment, and may assist in addressing potential negative effects identified in the SEA of the relevant adopted policies.</p> <p>See Section 3.2 and appendix II detailed assessment.</p>	
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Appendix II: Flood Risk & Water Management SPD and the SEA Directive

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Response
The characteristics of plans and programmes	
(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 Flood Risk & Water Management SPD sets a framework for projects by providing detail and guidance on adopted policies of the Craven Local Plan, particularly Policy ENV6 and Policy ENV8. The SPD forms a material consideration in planning application decisions.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The Flood Risk & Water Management SPD does not create new policies, but instead it provides further guidance to relevant adopted Craven Local Plan policies, which have been subject to SEA (incorporated within the SA). It sits below 'higher tier' documents and does not set new policies.
(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD provides guidance on the interpretation of adopted local policy along with national guidance, all of which promote sustainable development. The SPD does not introduce new policy.
(d) Environmental problems relevant to the plan or programme	As explained in the local plan, there are a number of environmental issues to be considered in the Craven Local Plan area including: potential impacts of development on natural and historic landscapes, high private vehicle dependency, climate change impacts including fluvial flooding risk, and potential loss of biodiversity. There are no negative environmental issues associated with this SPD, moreover the SPD seeks where possible to achieve environmental improvements via flood risk mitigation, reducing water resource and groundwater demand, and protecting water quality.
(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)	This is directly applicable in the case of Flood Risk & Water Management SPD, and there are policies in the Craven Local Plan which address water protection, particularly Policy ENV8, which this SPD focuses on alongside Policy ENV6: Flood Risk. North Yorkshire County Council is the relevant authority who addresses waste management issues for this region.

Characteristics of the effects and of the area likely to be affected	
(a) The probability, duration, frequency and reversibility of the effects	The Flood Risk & Water Management SPD is not expected to give rise to any significant environmental effects.
(b) The cumulative nature of the effects	The Flood Risk & Water Management SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Craven Local Plan.
(c) The transboundary nature of the effects	The Flood Risk & Water Management SPD is not expected to give rise to any significant transboundary environmental effects. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
(d) The risks to human health or the environment (for example, due to accidents)	There are no anticipated effects of the Flood Risk & Water Management SPD on human health or the environment due to accidents or other related subjects, given that policies ENV6 aims to avoid and alleviate flood risk and ENV8 aims to help safeguard and improve water resources.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will be applied to all relevant planning applications in the plan area.
(f) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> - Special nature characteristics or cultural heritage; - Exceeded environmental quality standards or limit values - Intensive land-use 	The Flood Risk & Water Management SPD is not likely to have significant effects on any special natural characteristics or cultural heritage in the Craven local plan area or beyond its borders. The Flood Risk & Water Management SPD is also not expected to lead to the exceedance of environmental standards or promote intensive land use. The SPD covers areas protected for their special natural characteristics and cultural heritage including the Forest of Bowland AONB, SACs, SPAs and Conservation Areas. However, it provides further guidance on the implementation of existing local plan policies, which have been subject to SEA, to provide further positive

	effects. The SPD does not introduce new policy nor does it propose any new development over and above that assessed within the Craven Local Plan.
(g) The effects on areas or landscapes which have a recognised national, community or international protection status.	As has been outlined in previous paragraphs of this document, the Flood Risk & Water Management SPD is not likely to have any significant effects on areas with national, community or international protection. The SPD covers areas protected for their special natural characteristics and cultural heritage including the Forest of Bowland AONB, SACs, SPAs and Conservation Areas. However, it provides further guidance on the implementation of existing local plan policies, which have been subject to SEA, to provide further positive effects. The SPD does not introduce new policy nor does it propose any new development over and above that assessed within the Craven Local Plan.

Appendix III: Responses from Statutory Bodies

The three statutory bodies were consulted over a time period of 04 April to 29 April 2022. The following responses from the Environment Agency, Historic England, and Natural England were received on 27 April, 28 April, and 29 April 2022 respectively. The text extracts related to the SEA Screening Report for this SPD are shown below.

Environment Agency:

“We have considered these draft SPDs (draft Green Infrastructure & Biodiversity SPD and Flood Risk & Water Management SPD) against those environmental characteristics that fall within our remit and area of interest. Having considered the guidance in the SPDs, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. We have no further comments to make in this instance.”

Historic England:

“In terms of our area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within an Adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority’s conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD. We would nevertheless like to point out that the potential impact of proposals on historic landscapes are also an important consideration in relation to the theme of cultural heritage. These considerations are however sufficiently covered under the provisions of Local Plan Policy ENV1 which has itself been subject to Sustainability Appraisal/SEA. The views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.”

Natural England:

“We have reviewed the Strategic Environmental Assessment and Habitats Regulations Assessment screening reports and are in agreement with the conclusions. It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.”

Appendix IV: Acronyms

CDC	Craven District Council
EIA	Environmental Impact Assessment
NPPF	National Planning Policy Framework
PP	Policy or Programme
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
SPD	Supplementary Planning Document