

Strategic Environmental Assessment Screening Statement

Planning Obligations Supplementary Planning Guidance

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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 'Planning Obligations' 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 Planning Obligations SPG

- 3.1 The 'Planning Obligations' 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 New development will often require new or rely on existing infrastructure, services and facilities to make proposals acceptable in land use planning terms. The infrastructure need generated by a proposed development is a material consideration in the determination of a planning application. The capacity of existing infrastructure may be exceeded as a consequence of new development, generating a need for new infrastructure or facilities. The use of planning obligations may be appropriate to require developers to make contributions for the provision of infrastructure to support proposed development. The SPG provides guidance relating to what types of obligations developers may be expected to enter into, their content and the thresholds at which different obligations are triggered.

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.

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 the provision of an appropriate level of infrastructure in sustainable locations in the Plan Area;
 - 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 planning obligations;
 - 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 guidance aims to ensure that appropriate planning obligations are negotiated in order to ensure that new development makes a positive and sustainable contribution to the communities of Anglesey and Gwynedd.
- 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 Planning Obligations SPG will not require full appropriate assessment under the Habitats Regulations.

6. Statement of Reasons for Determination

- 6.1 It is considered that the Planning Obligations 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 Planning Obligations 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 primarily a guidance document and is not considered to 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 planning obligations. 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 planning obligations within the context set out in Policies PS2 and ISA1.	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 further 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 guidance relating to what type of obligations developers may be expected to enter into, their content and the thresholds at which different obligations are triggered. The SPG helps applicants to understand and be aware of the type of obligations that are required in appropriate circumstances. The Guidance ensures that appropriate planning obligations are negotiated in order to ensure that new development makes	No

	a positive and sustainable contribution to the communities of Anglesey and Gwynedd.	
1.4 Environmental problems relevant to the plan or programme.	The SPG itself will not have any adverse impacts on the environment. The Guidance ensures that environmental and landscape considerations are taken into account by ensuring that environmental capacities are not compromised by development. Relevant JLDP policies, which ensure that the environment is not adversely affected by developments are highlighted in the SPG.	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.	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.	It is considered that the effects of implementing the SPG will be positive as it will help mitigate against any adverse social/environmental effects associated with developments.	No
2.2 The cumulative nature of the effects.	Not applicable.	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).	It is not considered that the SPG would present a risk to human health or the environment. The SPG will ensure that the provision of infrastructure for a development site is located and designed in such a way as to minimise the impact on the natural and built environment and subsequently human health and well-being.	No

<p>2.5 The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).</p>	<p>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.</p>	<p>No</p>
<p>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</p>	<p>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.</p>	<p>No</p>
<p>2.7 The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>No effect. Planning obligations secure measures or contributions to address the likely impact of the proposed development on the physical or social infrastructure of the area. Planning obligations can both improve a development and help it go ahead and in addressing the impacts of the new development on the infrastructure of the area, can be viewed as being locally beneficial. It is also noted that the SPG does not directly allocate land for particular development.</p>	<p>No</p>