



# **Strategic Environmental Assessment Determination Statement for the Highway Design Guide Supplementary Planning Document (SPD)**

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## 1. **Determination**

### **Determination Statement on the need for a Strategic Environmental Assessment (SEA) for the Highway Design Guide Supplementary Planning Document**

- 1.1 This document constitutes the determination statement as to the need for a full SEA under Regulation 9(3) of the Environmental Assessment of Plans and Programmes Regulations 2004. It sets out the results of the SEA screening process for the Council's proposed Highway Design Guide Supplementary Planning Document along with the reasoning behind the determination that a SEA is not required.

### **Consultation with 'Consultation Bodies'**

- 1.2 In accordance with the Regulations and national Planning Practice Guidance, the Council has consulted with specified environmental organisations (Natural England, Historic England and the Environment Agency) to determine the need or otherwise for a SEA of the proposed Highway Design Guide Supplementary Planning Document. The Council has determined that a SEA is not required in this instance and the reasons for reaching this conclusion are set out in paragraphs 6.1 to 6.3 of the Strategic Environmental Assessment Screening Statement for the Highway Design Guide Supplementary Planning Document.
- 1.3 The conclusion states: *'In considering the scope of the Highway Design Guide SPD against the eight criteria from the guidance document "A Practical Guide to the Strategic Environmental Assessment Directive" (ODPM, 2005), it is concluded that the SPD will not change or introduce new planning policy over and above the Local Plan. Whilst there may be some environmental effects, these have already been covered in principle in the SA of the Local Plan. Therefore, it is considered that the SPD does not need to be subject to further SEA. The key areas where the SPD adds to the Local Plan policy is in terms of guidance for Highway Design with respect to infrastructure, masterplanning, sustainable travel, access, parking, design, drainage, walking/cycling networks, flood risk, green infrastructure, trees, and water management. To conclude, it is not considered that SEA or SA is a formal requirement given that the principles within the SPD have already been covered in the Local Plan SA.'*
- 1.4 The SEA Screening Statement was sent to the following organisations:
- Historic England
  - Natural England
  - Environment Agency
- 1.5 Their comments are summarised overleaf.

## **2. Summary of Responses from Consultation Bodies**

### **Historic England:**

- 2.1 The Kirklees Highways Design Guide Supplementary Document indicates that within the plan area there is a wide range and number of designated cultural heritage assets. On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.
- 2.2 Historic England strongly advises that the conservation and archaeological staff of the Kirklees Council and the West Yorkshire Archaeology Service are closely involved throughout the preparation of the document and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

### **Natural England:**

- 2.3 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), that there are unlikely to be significant environmental effects from the proposed Supplementary Planning Document. We therefore do not wish to provide specific comments, but advise you to consider the following issues:

### **Green Infrastructure**

- 2.4 There may be significant opportunities to retrofit green infrastructure in urban environments.
- 2.5 You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans. Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".

### **Biodiversity enhancement**

- 2.6 This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity

in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.

### **Landscape enhancement**

- 2.7 The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

### **Other design considerations**

- 2.8 The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 125).

### **Strategic Environmental Assessment/Habitats Regulations Assessment**

- 2.9 While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.
- 2.10 We note that the Local Plan has not yet been adopted and should the Highway Design Guide SPD come forward ahead of the Local Plan you may need to reassess whether further assessment is needed.

### **Environment Agency:**

- 2.11 I can confirm that we agree with the council's conclusion that the SPD is unlikely to have any significant environmental impacts and therefore that SEA is not required in this instance. This is based on the SPD not proposing to introduce new policy, but provides the detail required to implement the policies within the Local Plan which has already been subject to SEA/SA.

### **3. Conclusion**

#### **Reasoning**

- 3.1 The Highway Design Guide SPD will supplement adopted policy in the Local Plan once adopted, focusing on implementation and evidence requirements. A screening of this document has led to the conclusion that the SPD is unlikely to have any significant environmental impacts and, therefore, that a SEA is not required. This conclusion has been verified through a consultation with the 'Consultation Bodies'.
- 3.2 This document therefore constitutes the Council's 'Determination Statement' outlining the process that has led to the conclusion that a SEA is not required.

#### **Statement of Determination**

- 3.3 It is considered that a Strategic Environmental Assessment is NOT required for the Highway Design Guide SPD for the reasons set out above.