

**Broomhill, Broomfield,
Endcliffe, Summerfield and
Tapton Neighbourhood Plan**



**Strategic Environmental
Assessment**

**Screening Report on Regulation 14
Pre-submission Version of this
Neighbourhood Plan and Statement of
Reasons**

April 2019

Planning Services, City Growth Department

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3 April 2019

BBEST Neighbourhood Forum
c/o Anne Daw
129 Harcourt Road
Sheffield
S10 1DJ

Reference: FAP/ShSh

Dear BBEST Neighbourhood Forum Steering Group

Please see enclosed the Strategic Environmental Assessment Screening Report produced by Sheffield City Council based on the BBEST Pre-submission Neighbourhood Plan that was consulted upon by the BBEST Neighbourhood Forum until 11 November 2018.

Sheffield City Council has undertaken a statutory consultation with its Statutory Consultees, details of the comments received and subsequent responses are outlined within the Screening Report. This Screening Report also comprises the Statement of Reasons for this determination in accordance with Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004. This Screening Report will be published and brought to the attention of the public and statutory consultees in line with Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

This Screening Report is being issued on the basis of it being a snapshot in time based on your pre-submission Neighbourhood Plan. If you make significant **or material** changes to your Neighbourhood Plan in response to your consultations comments and/or further work on developing it further, then this Screening may need to be reviewed.

Yours sincerely

Colin Walker
Interim Head of Planning

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1. Introduction

The making of a neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into UK law, in order to be legally compliant. Compliance with these obligations is one of the basic conditions that will be tested by an independent examiner when a neighbourhood plan is submitted for examination.

The Broomhill, Broomfield, Endcliffe, Summerfield and Tapton Neighbourhood Plan (hereafter known as 'BBEST NP') covers an area that is entirely within the Sheffield LPA boundary. Sheffield City Council (SCC) has led on the statutory process associated with the SEA as part of fulfilling its duty to give appropriate assistance to BBEST Neighbourhood Forum in connection with the neighbourhood planning process, pursuant to the National Planning Practice Guidance and paragraph 3 of Schedule 4B of the Town and Country Planning Act 1990. Alongside this, SCC will also be assessing whether BBEST NP requires Habitats Regulations Assessment (HRA) under European Directive 92/43/EEC on the 'conservation of natural habitats and wild fauna and flora', which is interpreted into British law by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018. The HRA Screening report is a separate document.

This screening report is designed to summarise the screening exercise that has been carried out to determine whether or not the Reg 14 Pre-Submission version (October 2018) of the BBEST NP requires a Strategic Environmental Assessment (SEA) pursuant to the European Directive 2001/42/EC. This report is the screening exercise, following statutory consultation on the draft screening exercise to the statutory consultation bodies and legal advice.

The consultation responses received from statutory consultation bodies are included at Appendix 1 of this Final Screening Report, with a brief summary of how the Screening Opinion has been updated as a result.

SCC must decide whether the BBEST NP is compatible with the above Directive:

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to 'make' the neighbourhood plan (which brings it into force)

The Reg 14 Pre-Submission version of the BBEST NP can be viewed at <http://bbest.org.uk/the-plan/>. There are 5 themes in the BBEST NP with associated objectives as follows:

THEME	OBJECTIVES
Environment and Green Spaces	<ul style="list-style-type: none"> • Protect urban wildlife, their habitats and ecological networks • Enhance access to and use of public space • Maintain and enhance trees • Enhance the quality of urban gardens • Maintain and improve blue infrastructure
Sustainable and Balanced Communities	<ul style="list-style-type: none"> • Maintain limits on shared housing • Increase variety of housing available for key workers, first time buyers and newly forming households • Maintain sensible density for quality of life • Improve quality of Housing, especially rental • Increase longevity of occupation
Broomhill Centre	<ul style="list-style-type: none"> • Encourage economic activity and growth • Encourage the retention and expansion of independent retailers • Enhance the public realm • Improve the function of pedestrianized areas • Lift the quality of design more generally amongst the building stock • Protect and enhance features of townscape interest and heritage significance • Protect and enhance areas of open space, which are considered to be of value to the wider community • Improve the environment (including air quality and noise) for visitors • Improve connections with the wider community • Reduce dependence on travel to/from and through the area by car • Restructure the function and distribution of car parking
Active Travel	<ul style="list-style-type: none"> • Improve pedestrian and cycle Routes • Decrease the impact of traffic • Restructure car parking • Improve air quality • Improve public transportation
Design, Development & Heritage Management	<ul style="list-style-type: none"> • Promote heritage management • Promote the contents of the BBEST Design Guide • Preserve and enhance townscape character • Conserve community assets • Promote master planning for key development sites

2. Legislative Background

The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC (the Directive), which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).

Article 3(2) of the Directive and regulation 5(2) of the Regulations makes SEA mandatory for certain plans and programmes 'which are prepared for . . . town and country planning or land use and which set the framework for future development consent for certain projects'.

However an SEA is not always required. For plans which 'determine the use of a small area at local level' or are 'minor modifications' to existing plans, the Directive and regulation 5(6) of the Regulations only requires SEA where those plans are **likely to have significant environmental effects**. Annex 1(f) sets out that the assessment of whether there are likely significant effects on the environment should include issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. The expressions 'small area' and 'local level' are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan.

In order to determine whether the BBEST NP is likely to have significant environmental effects, and therefore require an SEA, and (if so) the level of detail needed, the relevant planning authority should:

- assess the draft neighbourhood plan's potential scope against the criteria set out in Schedule 1 to the Regulations at an early stage (as stated in the National Planning Practice Guidance); and
- in so doing, should consult the statutory consultation bodies, in this case, Historic England, Natural England and the Environment Agency (as required by regulation 4 of the Regulations and reiterated in the National Planning Practice Guidance); and
- where a plan is determined to be unlikely to have significant environmental effects, prepare a statement of its reasons for that determination (as required by regulation 9(3) of the Regulations).

Regulation 9 deals with the making of determinations by the responsible authority as to whether a plan or programme is likely to have significant environmental effects. The criteria to be applied are set out in Schedule 1 to the Regulations.

The characteristics of the plan must be considered having regard to :-

- 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 degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- environmental problems relevant to the plan or programme; and

- the relevance of the plan or programme for the implementation of EU legislation on the environment (for example, plans and programmes linked to waste management or water protection)

In addition, the characteristics of the effects and area likely to be affected must be considered having regard to:

- the probability, duration, frequency and reversibility of the effects;
- the cumulative nature of the effects;
- the transboundary nature of the effects;
- the risks to human health or the environment (for example, due to accidents);
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- the value and vulnerability of the area likely to be affected due to—
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values; or
 - intensive land-use; and
- the effects on areas or landscapes which have a recognised national EU or international protection status.

Section 3 of this report summarises the exercise that has been carried out to assess the BBEST NP for the likeliness of significant environmental effects in accordance with the relevant legislation and guidance. Such an assessment is commonly referred to as “screening”.

3. Determination of the likeliness of significant environmental effects of BBEST Neighbourhood Plan

Table 1: Comparison of BBEST Neighbourhood Plan against Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004		
Significance Criteria set out in SEA Directive (Annex ii) and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Impact of the draft BBEST Neighbourhood Plan	Likelihood of significant environmental effects
1. The characteristics of plans and programmes, having regard, in particular, to:		
(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	<p>Sheffield City Council's (SCC) current development plan comprises the Core Strategy and saved Unitary Development Plan policies.</p> <p>The Core Strategy was subject to a full Sustainability Appraisal which included an SEA assessment. This ensured that there were no likely significant negative effects which would be produced from the implementation of it and if so, ensured mitigation measures were in place. The SEA of the Core Strategy did identify significant positive effects.</p> <p>A new Sheffield Plan is being prepared to replace the currently adopted planning documents, particularly because some of the housing policies in the Core Strategy are out of date and the 2013 Pre-Submission City Policies and Sites Document did not identify sufficient land for new homes. Only a Citywide Options for Growth to 2034 document has so far been consulted on (undertaken in 2015). This consulted on options relating to housing and employment land requirements, and distribution of housing, employment and retail land. The Plan will be subject to SEA.</p> <p>In contrast to the above plans, BBEST NP does not propose to allocate specific sites for future development, and promotes criteria based policies that seek to shape future development proposals, on a small/ medium scale basis, that reduce and manage impact on the environment (both natural and built). It is considered that the environmental impact of these policies is therefore limited as they do not set a framework for major development projects.</p> <p>The BBEST NP would, if made, form part of the statutory development plan for the BBEST neighbourhood area. The BBEST NP sits within the wider framework set by the National Planning Policy Framework, and the adopted Local Plan.</p>	Not likely

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<p>(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The BBEST NP has been produced in the context of the current development plan policies including adopted Core Strategy and saved Unitary Development Plan policies. In the opinion of SCC it is in general conformity with those policies.</p> <p>Some joint working has taken place to align the BBEST NP with the emerging Local Plan and the emerging Sheffield Transport Strategy. However, BBEST NP does not propose to allocate specific sites for future development, and promotes criteria based policies that seek to shape future development proposals, therefore, there is very limited scope to influence other plans/ programmes.</p> <p>The BBEST NP policies, once made, will inform planning decisions. Should any current or future policy be in conflict with the BBEST NP, Section 38(5) of the Planning & Compulsory Purchase Act 2004 provides that a decision maker must resolve the conflict in favour of the most recently adopted plan document.</p> <p>The BBEST NP also includes aspirational projects which do not appear to be 'required by legislative, regulatory or administrative provisions' and therefore do not fall within the definition of 'plans or programmes' which require SEA., and it is supplemented by a Design Guide that should be read in conjunction with the plan but will not influence other plans or programmes. BBEST Neighbourhood Forum will use the Community Actions and Projects to try to influence other Council non-planning programmes.</p>	<p>Not likely</p>
<p>(c) 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 BBEST NP is relevant for the integration of environmental considerations at a local level (a population of 12,770 (Disaggregated from 2016 ONS estimates by Output Area)). One of the 'basic conditions' that the plan in law must meet is that it will contribute to improvements in environmental, economic and social conditions with a view to promoting sustainable development, or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset.</p> <p>The five themes of the BBEST NP have a vision and associated objectives that all promote an aspect of sustainable development. They seek the protection and enhancement of the area to ensure long term social, economic, cultural, and environmental sustainability. Taking into account the needs of the various communities in the BBEST NP area, it seeks to promote mixed and balanced communities via promoting a mix of house types/ tenures, to strengthen the District Shopping Centre, safeguard and enhance open spaces, tree coverage and biodiversity, promote walking and cycling, and create an improved transport network on the main spinal route (A57).</p> <p>The largely strategic conformity of the Plan to the Core Strategy ensures that the BBEST NP plays its part in promoting sustainable development. [However, whilst it will play its part in promoting sustainable development, this will be at a local level.] .</p>	<p>Not likely</p>

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(d) environmental problems relevant to the plan or programme	The BBEST NP is relevant for the consideration of environmental problems but at a purely local level. The existing environmental concerns addressed by BBEST NP are: lack of open space, air quality and public health, biodiversity, cultural and architectural heritage, economic sustainability and transport related issues. Due to there being no proposed allocations for development, the impact of BBEST NP on environmental problems will be relatively limited, where it has the ability to shape future development it is considered there will be a minor positive impact on the environment in line with the aims/ objectives of the plan.	Not likely
(e) the relevance of the plan or programme for the implementation of Community legislation (for example plans and programmes linked to waste management or water protection.)	The BBEST NP is restricted to local land use planning and is not directly relevant to the implementation of European legislation.	N/A
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular to :		
(a) the probability, duration, frequency and reversibility of the effects.	The BBEST Neighbourhood Area is heavily built up with limited scope for major new development (that do not already have current planning permissions), it comprises of Conservation Areas, Listed Buildings and Historic Parks. BBEST NP is likely to have a minor, positive impact on the environment in that it provides a local context to the implementation of a number of planning policies in the hierarchy. Where proposals are received to develop small/medium scale sites within the BBEST NP area and they conform with the NP policies, such proposals will also be subject to national and local policies in regard to environmental protection and mitigation of impacts.	Not likely
(b) the cumulative nature of the effects	The BBEST NP does not propose or allocate land for development, but proactively encourages development that creates balanced and mixed communities, protecting the environment and area's heritage. Overall, the cumulative nature of the environmental effects is likely to be generally positive but at a small scale and at a local level. .	Not likely
(c) the transboundary nature of the effects	There will be no transboundary effects	Not likely
(d) the risks to human health or the environment	There are no significant risks to human health or the environment. The BBEST NP minimises risks to the environment and human health by promoting any development in the area to be locally sensitive and appropriate	Not likely
(e) the magnitude and spatial extent of the effects.	BBEST Neighbourhood Area has a population of about 12,770. Sheffield's population is 575,400. The BBEST NP does not propose or allocate land for development.	Not likely
(f i) the value and vulnerability of the area likely to be affected	The neighbourhood area has environmental, natural and cultural assets both within and in close proximity to the BBEST NP area. However there are no development allocations proposed and if	Not likely

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<p>due to special natural characteristics or cultural heritage.</p>	<p>development does occur, any impacts would be mitigated through the application of national and local planning policies including those in the adopted development plan.</p> <p>The majority of the BBEST NP area is covered by 3 Conservation Areas and a significant part of the plan area is on the boundary of 3 other Conservation Areas. There are no Scheduled Monuments, but 4 Grade II* Listed Buildings in the area, plus 54 Grade II. There is 1 Registered Park in the plan area and 2 more Registered Parks and Gardens on the boundary. In addition, there are six other local historic park and gardens, which are not significant within the context of a potential SEA even though they are to BBEST and Sheffield. See Appendix 2 for Map</p> <p>The Conservation Areas have their own Character Appraisals and management plans. The BBEST NP policies seek to protect the special characteristics and cultural heritage of the area. The effects of the BBEST NP have been assessed as being likely to be a minor positive impact, and limited to the Neighbourhood Area.</p> <p>This area falls within Floodrisk zone 1 and surface water run-off would be assessed and mitigated through a planning application process in accordance to the adopted local plan. There is no history of significant flood risk, and no areas that could present future problems (according to information held on surface water flooding). The sewer system is not highlighted as area presenting problems from Yorkshire Water.</p>	
<p>(f ii) the value and vulnerability of the area likely to be affected due to exceeded environmental quality standards or limit values.</p>	<p>The BBEST NP is within an Air Quality Management Area covering the whole of Sheffield, however, there are only a few locations where traffic is recorded as moderate (around 17000 Annual Average Daily Traffic Movements). These are in locations around the University and Children’s Hospital, the Hallamshire Hospital, the schools and Botanical Gardens and a small section of the Broomhill District Shopping Centre (at the main junctions). BBEST NP does not propose or allocate land for development and promotes transport improvements where any development is proposed. Accordingly, any environmental effects associated with BBEST policies in this context will be minor and at a local level.</p>	<p>Not likely</p>
<p>(f iii) the value and vulnerability of the area likely to be affected due to intensive land use</p>	<p>Intensive land use is not proposed by the BBEST NP as there are no development allocations.</p>	<p>Not likely</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The BBEST NP does not allocate land for development, but proactively encourages any proposed development to contribute towards the creation of balanced and mixed communities, and to protect the environment and area’s heritage. This includes promoting green links, safeguarding historic open space and influencing developments to be sensitive and responsive to the Conservation Areas and Listed Buildings. .[Accordingly, any environmental effects associated with BBEST policies in this context will be minor and at a local level.]</p>	<p>Not likely</p>

4. Conclusion of Screening Process

It is demonstrated, through assessment against the significance criteria in the SEA Directive and the Regulations, as set out together with reasoning in Section 3 above, that the impact of the Regulation 14 Pre-Submission version of the BBEST Neighbourhood Plan would not be likely to result in significant environmental effects and therefore a SEA is not required. This Screening Report also comprises the Statement of Reasons for this determination in accordance with Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004. This Screening Report will be published and brought to the attention of the public and statutory consultees in line with Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

In the event that significant and material changes are made to the BBEST Neighbourhood Plan between the Pre-Submission and the Submission versions, an updated Screening Report together with an updated Statement of Reasons may be required to be issued in relation to the proposed Submission version.

Appendix 1 Statutory Consultation Responses

Statutory Consultees consulted	Comments	Update to Screening Opinion as a result
Historic England,	Historic England concurs with the conclusion that the preparation of an SEA is not required for the BBEST NP. This is based on the information supplied within the BBEST NP October 2018.	No change to screening opinion
Natural England	Natural England are in agreement with the conclusion based on the material supplied with the consultation.	No change to screening opinion
Environment Agency	No Comments received from initial consultation and subsequent email sent requesting a response.	No change to screening opinion – The Environment Agency were notified that under the circumstance of not receiving a response, SCC would assume that there are no issues to report and the Environment Agency agree with the screening opinion

Copies of the responses can be seen overleaf.

Historic England



Historic England

YORKSHIRE

Ms. Shanza Shahzad,
Forward and Area Planning Team,
Planning Service,
Sheffield City Council,
Howden House,
1 Union Street,
Sheffield
S1 2SH

Our ref: PL00515042
Your ref:
Telephone 01904 601 879
Mobile 0755 719 0988

10 December 2018

Dear Ms. Shahzad,

**Broomhill, Broomfield, Endcliffe, Summerfield & Tapton (BBEST) Neighbourhood Development Plan, October 2018
Strategic Environmental Assessment and Habitat Regulations Assessments Screening Opinion Consultations**

We write in response to your e-mail of Monday 26 November 2018, seeking Screening Opinions for the BBEST Neighbourhood Plan, October 2018.

We should point out that Habitat Regulations Assessments (HRA's) falls outside our remit, and we will not therefore be commenting upon the HRA Screening Opinion.

For the purposes of this consultation, Historic England will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the BBEST Neighbourhood Plan, October 2018.

The Draft Neighbourhood Plan indicates that within the plan area there is a wide range and number of designated cultural heritage assets. There are also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

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 your conclusion that the preparation of a Strategic Environmental Assessment is not required for the BBEST Neighbourhood Plan.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the BBEST Neighbourhood Plan.

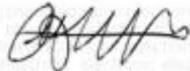
To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the Sheffield City Council and the South Yorkshire Archaeological Advisory Service are closely involved throughout the preparation of the plan 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.

We look forward to being consulted on the Submission Draft of the BBEST Neighbourhood Development Plan in due course.

Yours sincerely



Craig Broadwith
Historic Places Adviser
E-mail: Craig.Broadwith@HistoricEngland.org.uk

Natural England

From: Forecast, Lauren (NE) [mailto:Lauren.Forecast@naturalengland.org.uk]
Sent: 17 December 2018 14:46
To: Shahzad Shanza
Subject: RE: 265787 Draft SEA and HRA Screening Statements on BBEST Neighbourhood Plan

Dear Shanza,

Please see Natural England's comment below on the Draft SEA and HRA Screening Statements on BBEST Neighbourhood Plan

Screening Request: Strategic Environmental Assessment and Habitats Regulations Assessment on BBEST Neighbourhood Plan

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.

Kind Regards,

Lauren

Lauren Forecast (née Garside)
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Central Delivery Team
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Foss House,
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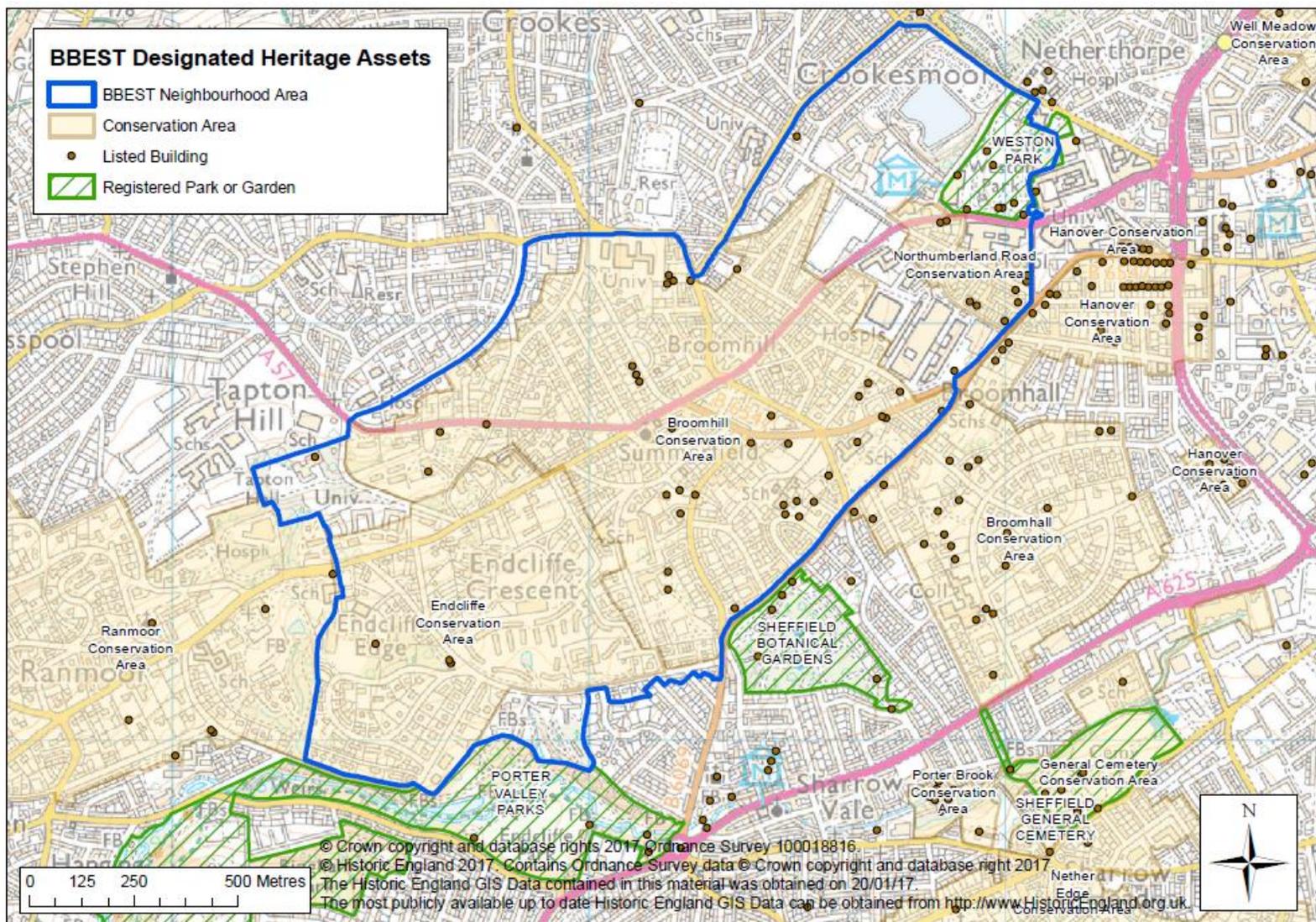
www.gov.uk/natural-england

Follow us on Twitter: @NEYorksNLincs

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Appendix 2 Designated Heritage Assets



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