

Draft Environmental Protection Supplementary  
Planning Document (SPD)

Strategic Environment Assessment (SEA)

**Screening Determination Statement**

December 2023

## **1. Strategic Environmental Assessment Introduction**

- 1.1 This statement sets out Warrington Borough Council's determination of the need for a Strategic Environmental Assessment (SEA) in accordance with Regulation 9 (3) of the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Draft Environmental Protection Supplementary Planning Document (SPD) currently being prepared.

## **2. Strategic Environmental Assessment Context**

- 2.1 The requirement for a SEA is set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations), which implements the requirements of the European Directive 2001/42/EC.
- 2.2 The SEA Directive (2001/42/EC) identifies the purpose of SEA as "to provide for 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".
- 2.3 The Responsible Authority (Warrington Borough Council) must determine whether the plan or program under assessment is likely to have significant environmental effects, taking account of the criteria set out in Schedule 1 of the Regulations. The Regulations require that the results of this process are set out in a Screening Determination Statement (this document), which must be publicly available.
- 2.4 Before the Responsible Authority makes a formal determination in relation to SEA, there is a requirement to consult the three statutory consultation bodies designated in the Regulations (the Environment Agency, Historic England, and Natural England) on whether an environmental assessment is required.
- 2.5 The Planning Practice Guidance (Paragraph: 008 Reference ID: 11-008-20140306) 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 been assessed during the preparation of the relevant strategic policies".

## **3. Draft Environmental Protection Supplementary Planning Document (SPD)**

- 3.1 The National Planning Policy Framework (NPPF) defines SPDs as documents, which add further detail to the policies in the Development Plan. As SPDs do not have the same status as policies contained within the Development Plan, they are not subject to independent examination.
- 3.2 The Council adopted its latest Environmental Protection SPD in May 2013. The SPD sets out the requirements for planning applicants to enable them to be assessed for

impacts from, and to, any relevant development with respect to air quality; contaminated land; external lighting; and noise. Since its adoption in 2013, several local key documents have come forward, including other new SPDs and the new Local Plan. National planning guidance, the building regulations and other technical guidance have also been updated.

- 3.3 To address these changes in statutory regulations and technical guidance, the Environmental Protection SPD requires a thorough review and revision. It is proposed to carry out an update to the 2013 SPD to include new areas the SPD now needs to address as a result of changes in national and local policy, legislation, technical guidance, and different mitigation requirements now required.
- 3.4 The aims of the updated Environmental Protection SPD are to:
- Ensure that advice is consistent with the latest Government regulations and associated Planning Practice Guidance;
  - Ensure that new development is consistent with the provisions of the emerging Local Plan and other Council policies;
  - Provide a robust basis upon which to ensure that the impacts of schemes are appropriately mitigated and to ensure that infrastructure is delivered in a timely manner; and
  - Provide clear advice to developers as to what is expected in applications to ensure an efficient process for consultation and determination.
- 3.5 The Warrington Local Plan 2021/22-2038/39 is the “parent DPD”, which has already been subject to Sustainability Appraisal incorporating Strategic Environmental Assessment, prior to its adoption on 04<sup>th</sup> December 2023.
- 3.6 The Draft Environmental Protection SPD will supplement the following Local Plan (2021/22-2038/39) Policies:
- INF1 (Sustainable Travel and Transport)
  - DC1 (Warrington’s Places)
  - DC3 (Green Infrastructure)
  - ENV3 (Safeguarding of Minerals Resources)
  - ENV8 (Environmental and Amenity Protection)
- 3.7 The information and guidance in the SPD will be of particular use to developers, architects and agents looking to submit planning applications to Warrington Borough Council. It will provide practical advice to help applicants comply with Local Plan policy requirements. It also sets out the procedure for determining planning applications, what information will be required and when it will be required.
- 3.8 Importantly, it will assist local communities, Parish and Town Councils and Ward Councillors in responding to planning applications, to ensure the required environmental protection mitigation measures are considered and delivered in their areas.

#### **4. Initial Screening Determination**

- 4.1 The Draft Environmental Protection SPD is not setting new policy; it will supplement policies of the adopted Local Plan 2021/22–2038/39 (adopted by Full Council on 04<sup>th</sup> December 2023), which have already been subject to SA/SEA and HRA, through the Local Plan process. Initial screening of the Draft Environmental Protection SPD was undertaken in September 2023, and led to the Council concluding that it is not likely that the SPD will result in any significant environmental impacts and, therefore, SEA is not required.
- 4.2 This Council’s initial Screening determination findings were then subject to consultation with the Environment Agency, Historic England, and Natural England, as required by the Regulations. All three statutory consultees have raised no objections with the Council’s initial conclusions that the Draft SPD is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal.
- 4.3 The consultation responses received by the Council from the Environment Agency, Historic England, and Natural England are contained in Appendix 2 of this statement.

#### **5. Final Screening Determination**

- 5.1 As part of the iterative screening process, taking into account the initial screening determination responses from the Environment Agency, Historic England, and Natural England, and further assessment of the SPD as it progressed; the results of the Council’s final screening process for the Draft SPD are set out in Appendix 1 of this statement.

## Appendix 1: SEA Screening Assessment of the Draft Environmental Protection SPD

### Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004 (Criteria for determining the likely significance of effects on the environment)

SEA Directive Criteria	Summary of Environments effects	Likely Significant Effects?
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<b>1. Characteristics of the Draft Environmental Protection SPD having particular regard to:</b>		
a) The degree to which the plan or programme sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	<p>The draft SPD will provide supplementary guidance to the adopted Warrington Local Plan 2021/22-2038/39 policies which provides the overarching framework for development in Warrington. These policies have been scrutinised through the Sustainability Appraisal processes and have been found to be sound.</p> <p>The Draft Environmental Protection SPD will not set a new framework for projects or other activities and does not introduce new policies, and will not itself allocate resources.</p>	No
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<p>The SPD is at the lower tier of the Development Plan hierarchy. The purpose of the SPD is to support the delivery of policies in the adopted Warrington Local Plan 2021/22–2038/39 and to guide the preparation and determination of planning applications.</p> <p>Therefore, the SPD will not influence other plans or programmes as it forms a lower tier of the existing planning hierarchy, and consequently will not likely cause any significant environmental effects.</p>	No
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	<p>The aim of the SPD is to assist mitigating the impacts from development in relation to air quality, land contamination, noise, odour and light pollution. As such, it aligns with the promotion of sustainable development, but it is the Local Plan, which provides the policy basis for promoting sustainable development.</p>	No

d) Environmental problems relevant to the plan or programme.	<p>The Local Plan SEA and HRA both identified environmental constraints within the Borough and assessed the policies of the Local Plan in this regard.</p> <p>The SPD will not introduce or exacerbate any environmental problems but is a mechanism for ensuring that any environmental problems that may arise from the Local Plan can be mitigated.</p>	No
e) The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes related to waste management or water).	<p>The SPD will help support the implementation of other plans and programmes related to legislation on the environment through the delivery of the Local Plan 2021/22-2038/39 policies.</p> <p>It is the Local Plan however that provides the policy framework in this regard.</p>	No

<b>2. Characteristics of the effects and area likely to be affected having particular regard to:</b>		<b>Likely Significant Effect?</b>
a) The probability, duration, frequency and reversibility of the effects	<p>The SEA of the Local Plan identified potential effects and the basis for required mitigation.</p> <p>The SPD is a mechanism to ensure that mitigation is delivered.</p>	No
b) The cumulative nature of the effects	<p>The SEA of the Local Plan identified potential cumulative impacts and their effects, together with the basis for required mitigation.</p> <p>The SPD is a mechanism to ensure that mitigation is delivered.</p>	No
c) The trans-boundary nature of the effects	<p>The application of the SPD will be limited to providing additional detail regarding mitigation measures required by policies in the Warrington Local Plan 2021/22-2038/39, which has already been through the SA/SEA process.</p> <p>The SPD does not, in itself, influence the location of development, Therefore, the effects of the SPD will not result in any</p>	No

	significant environmental effects of a trans-boundary nature.	
d) The risks to human health or the environment (e.g. due to accident)	<p>It is not envisaged that there will be any risks to human health or the environment arising from the implementation of this SPD.</p> <p>It is only adding detail to existing policies in the adopted Warrington Local Plan 2021/22-2038/39, which has already been through the SEA process.</p>	No
e) The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected)	The SPD is applicable Borough wide, but does not allocate land, prescribe land uses or identify sites for development that have not already been considered within the adopted Warrington Local Plan 2021/22-2038/39, which has already been through the SA/SEA process.	No
<p>f) The value and vulnerability of the area likely to be affected due to:</p> <p>i) Special natural characteristics or cultural heritage</p> <p>ii) Exceeded environmental quality standards or limit values</p> <p>iii) Intensive land use</p>	<p>There are policies in the adopted Warrington Local Plan 2021/22-2038/39, already assessed through the SA/SEA process that seek to protect these areas / address these impacts.</p> <p>The SPD, in itself, does not influence the location of development and hence will not lead to significant effects on the value or vulnerability of the area.</p> <p>Any planning applications for development will be required to satisfy the relevant policies for protection of the character of the area, as set out in Warrington Local Plan 2021/22–2038/39, before permission is granted.</p>	No
g) The effects on areas or landscapes which have recognised national, Community or international protected status	<p>The SPD does not influence the location of development, so will not cause effects on protected landscape sites.</p> <p>The effects on areas or landscapes which have recognised national, community or international protected status have already been assessed and addressed through SEA as part of the Local Plan process.</p>	No

	Any planning applications for development will be required to satisfy the relevant policies for protection of the character of the area, as set out in Warrington Local Plan 2021/22–2038/39, before permission is granted.	
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**Appendix 2: Initial Screening Determination responses from the Environment Agency,  
Historic England, and Natural England**

**From:** [Blythin, India](#)  
**To:** [Usher, Kevin](#)  
**Subject:** RE: WBC Environmental Protection SPD – SA/SEA Scoping Consultation  
**Date:** 04 October 2023 11:16:18

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You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Kevin,

Thank you for consulting us on the Draft Environmental Protection Supplementary Planning Document (SPD) Initial Screening Determination Statement.

We can confirm that we agree with the conclusions it makes and we look forward to receiving the full draft of the document at a later date.

Yours sincerely,

**India Blythin**

Pronouns: she/her

**Planning Advisor** | Sustainable Places | Greater Manchester, Merseyside, Cheshire

**Environment Agency** | Richard Fairclough House, Knutsford Road, Latchford, Warrington WA4 1HT

Email: [REDACTED]

Mobile: [REDACTED]

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**From:** Usher, Kevin <[REDACTED]>  
**Sent:** 15 September 2023 10:28  
**To:** Hewitt, Dawn <[REDACTED]>  
**Subject:** WBC Environmental Protection SPD – SA/SEA Scoping Consultation

Dear Sir/madam,

The Council are currently preparing an update to our existing [Environmental Protection Supplementary Planning Document \(SPD\)](#).

The purpose of the Environmental Protection SPD is to supplement a range of policies in the new Warrington Local Plan (2021/22 to 2038/39) and will be used to inform Development Management decisions. It will set out the Council's approach when considering planning applications for a range of environmental issues. The objective of the document is to help applicants through the planning process when applying for development by providing clarification on how new/existing policies of relevance will be applied and should be interpreted.

Please find attached a copy of the Draft Screening Statement that includes a copy of the Draft structure of the SPD.

Having undertaken the screening based on Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has concluded that it is not likely that the SPD will have any significant environmental impacts and therefore a SA/SEA is not required.

I would be grateful if you could confirm, by **20th October 2023** that your organisation agree with



Historic England

FAO: [REDACTED]

Our ref: PL00794046,4047,4049

Your ref:

Date: 17 October 2023

Dear Planning Team

**Warrington Screening Statements (Design Guide – PL00794046, Environmental Protection SPD – 4047 and Planning Obligations 4049)**

Thank you for your email dated 15 September regarding the proposed SPD screening statements.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

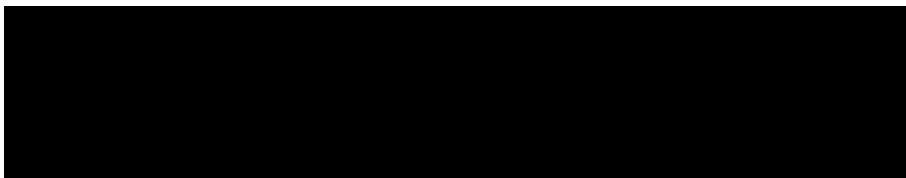
Historic England has produced a document, which you might find helpful in providing guidance on the effective assessment of the historic environment in Strategic Environmental Assessments. This can be found at <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>.

In terms of our area of interest, 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 which have already been subject to a Sustainability Appraisal. As a result, we would endorse the conclusions that it is not necessary to undertake a Strategic Environmental Assessment of the document.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

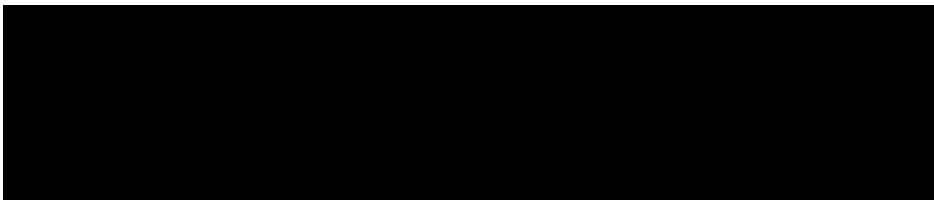
**Emily Hrycan**  
**Historic Environment Planning Adviser (North West)**



Historic England

Telephone: [REDACTED]

e-mail: [REDACTED]



**From:** [Usher, Kevin](#)  
**To:** [Baguley, Janet](#)  
**Subject:** WBC Environmental Protection SPD – SA/SEA Scoping Consultation  
**Date:** 15 September 2023 10:13:00  
**Attachments:** [DRAFT Environmental Protection SPD - SEA Screening Statement.docx](#)

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Dear Sir/madam,

The Council are currently preparing an update to our existing [Environmental Protection Supplementary Planning Document \(SPD\)](#).

The purpose of the Environmental Protection SPD is to supplement a range of policies in the new Warrington Local Plan (2021/22 to 2038/39) and will be used to inform Development Management decisions. It will set out the Council's approach when considering planning applications for a range of environmental issues. The objective of the document is to help applicants through the planning process when applying for development by providing clarification on how new/existing policies of relevance will be applied and should be interpreted.

Please find attached a copy of the Draft Screening Statement that includes a copy of the Draft structure of the SPD.

Having undertaken the screening based on Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has concluded that it is not likely that the SPD will have any significant environmental impacts and therefore a SA/SEA is not required.

I would be grateful if you could confirm, by **20th October 2023** that your organisation agree with this conclusion at this stage. Obviously we will consult you again on the full draft of the document when this has been produced. It is anticipated that this will be before the end of the calendar year.

If you require any further information, please do not hesitate to contact me.

Regards

**Kevin Usher**

**Principal Planning Policy Officer**

Planning Policy & Programmes

Warrington Borough Council

Growth Directorate

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