



Bromley Town Centre Supplementary Planning Document

Strategic Environmental Assessment Screening
Statement – July 2022

1. Purpose of Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

- 1.1. This Strategic Environmental Assessment (SEA) screening is being prepared in accordance with the requirements of European Directive 2001/42/EC (“the Directive”); and the Environmental Assessment of Plans and Programmes Regulations 2004 (“the Regulations”). The following guidance has also been taken into account:
- The National Planning Policy Framework (NPPF) (July 2021)¹.
 - The National Planning Practice Guidance (PPG) in relation to SEA/SA².
 - A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005)³.
- 1.2. Sustainability Appraisal (SA) is the process by which the Directive is applied to Local Plan documents. An SA is required under the Planning and Compulsory Purchase Act 2004 for all Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The Directive also requires a SEA to be carried out on certain types of plans with significant environmental effects.
- 1.3. Both SA and SEA processes are undertaken during the preparation of a plan or strategy to aid the implementation of sustainable development. The main difference between them is that while an SEA has more of an environmental focus, the SA should focus on social, economic and environmental issues.
- 1.4. Although SA and SEA are distinct requirements, government guidance has recommended a single appraisal process. The SA process for planning documents translates the requirements of the Directive, and Government guidance on undertaking SAs has been prepared so as to incorporate the requirements of the SEA Directive.
- 1.5. Bromley’s Development Plan consists of the Bromley Local Plan and the London Plan. The Bromley Local Plan and the London Plan have both been subject to a SA/SEA
- 1.6. The PPG⁴ 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.

A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects.”

¹ Available from:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

² Available from: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

³ Available from:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

⁴ Paragraph: 008 Reference ID: 11-008-20140306, available from:

<https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

2. Bromley Town Centre SPD

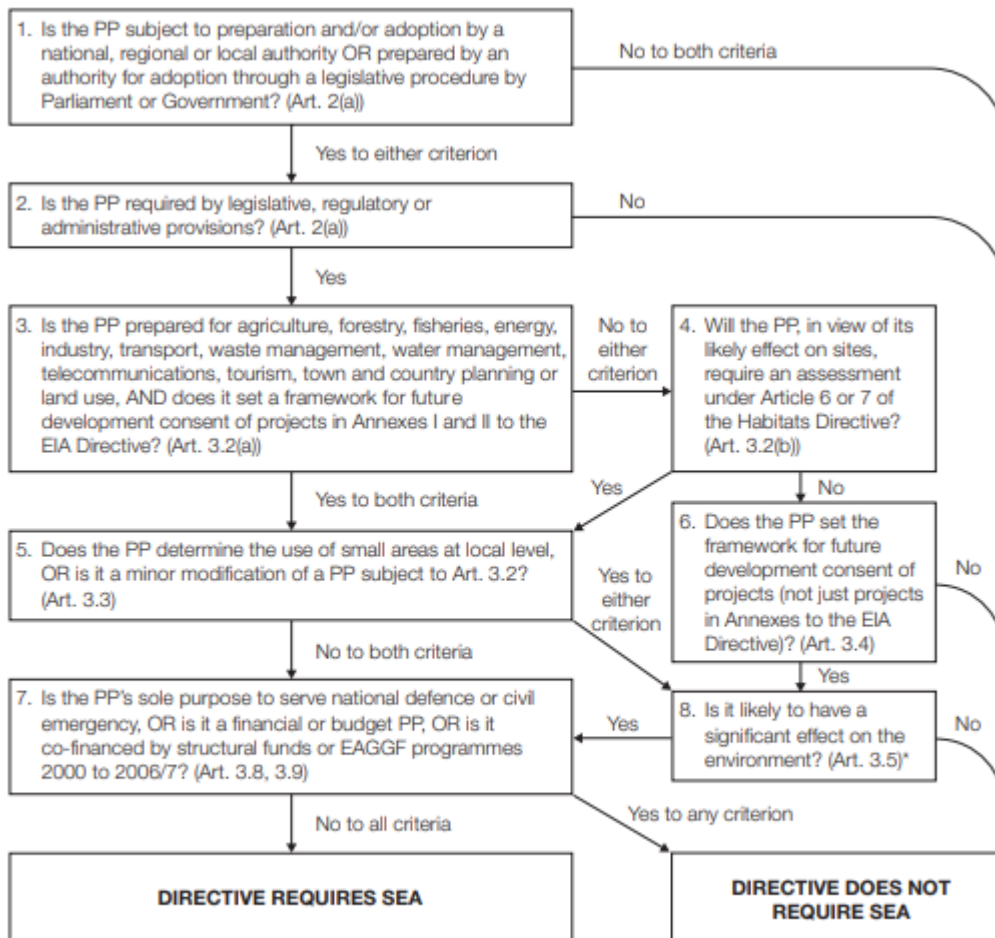
- 2.1. The Bromley Town Centre SPD provides guidance on the interpretation of adopted planning policies as they relate to the Bromley Town Centre area.
- 2.2. The SPD sets out a number of design principles derived from existing Development Plan policies and national policy:
 - Contextual (Character and Identity)
 - Responsive (Architecture and Landscape)
 - Connected (Movement and Connectivity)
 - Inclusive (Access and Inclusion)
 - Healthy (Health and Well-being)
 - Sustainable (Sustainable Design, Adaptability and Resilience)
- 2.3. These design principles are considered essential components in delivering good quality design, and which are widely documented as being among the key characteristics of successful well-designed places:
- 2.4. The SPD divides the Bromley Town Centre area into a series of character areas, which have been derived through consideration of the context of the wider area and represent those parts of the area which are considered to have similar characteristics. Guidance is provided for each character area, derived from existing planning policies, including guidance on existing site allocations and some further potential development opportunities. General guidance is also provided which applies across all character areas, covering topics such as heritage and conservation, green infrastructure and biodiversity and sustainability.

3. The Screening Process

- 3.1. Though not part of the statutory Development Plan, SPDs can cover a range of issues, which generally interpret policies in the Development Plan. If an SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that the SEA is not necessary.
- 3.2. To assess whether an SEA is required the Responsible Authority (Bromley Council) must undertake a screening process based on a standard set of criteria. Where the Responsible Authority determines that the plan or programme is unlikely to have significant environmental effects, and therefore does not need to be subject to full SEA, it must prepare a statement showing the reasons for this determination.
- 3.3. This must be subject to consultation with Historic England, the Environment Agency and Natural England. Following consultation, the results of the screening process must be detailed in a Screening Statement, which is required to be made available to the public. The three consultation bodies have been consulted during the preparation of this SEA screening statement; details of their responses are provided at Appendix 1. As of 14 July 2022, a response had been received Natural England, who agreed with the Council that an SEA would not be required for the proposed SPD.
- 3.4. Key to the screening decision is the determination of whether the SPD is likely to have significant environmental effects. To assess this, the Council has taken a two-step approach:

- First, to assess the plan against the guidance set out in ‘A Practical Guide to the Strategic Environmental Assessment Directive’⁵. The guidance sets out a flow chart to guide application of the Directive to plans and programmes (shown in Figure 1); the screening questions from the guidance are set out in Table 1, alongside the Council’s response in relation to the Bromley Town Centre SPD.
- Second, using the criteria set out in Schedule 1 of the Regulations to determine whether the SPD will have significant environmental effects. These criteria are set out in Table 2, alongside the Council’s response in relation to the Bromley Town Centre SPD.

Figure 1: flow chart to assist with the application of the SEA Directive to plans and programmes



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

⁵ Ibid

4. Screening assessment

Table 1: assessment against criteria in A Practical Guide to the Strategic Environmental Assessment Directive

	Screening Question	Screening Assessment
1	Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through legislative procedure by Parliament or Government?	Yes. The SPD will be prepared and adopted by the London Borough of Bromley in its role as Local Planning Authority.
2	Is the SPD required by legislative, regulatory or administrative provisions?	No. The preparation of a SPD is optional. However, once adopted by the London Borough of Bromley, it will be a material consideration in the determination of planning applications.
3	Is the SPD prepared for agricultural, forestry, fisheries, energy, industry, transport or waste 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 Directive?	Yes. The SPD will not create new policy or land use designations, but it will provide further guidance to support the Local Plan and London Plan, which is the town planning policy framework for its area and includes policies for land-use. However, the Local Plan and London Plan has been subject to full SA (including SEA). The SPD does set out character areas within Bromley Town Centre, but these are not land use designations; they are broad areas which share similar characteristics, which have been identified for the purposes of providing further guidance in relation to land use and design.
4	Will the SPD, in view of its likely effects on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	No. The Local Plan and London Plan were subject to screening for the need for assessment under the requirements of the Habitats Directive and it was concluded that such assessment was unnecessary. As the SPD will not change or add to policy, proposals or designations within the Core Strategy it is not considered that further screening for such assessment is necessary as there would be no likely effects on European Sites.
5	Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan subject to Article 3.2?	No. The SPD will complement the policies that have already been set within the Local Plan and London Plan. No aspects of the SPD will modify existing adopted policies nor seek to change existing site allocations, nor add new ones. The SPD will provide guidance on interpreting a number of Development Plan policies in relation to Bromley Town Centre, particularly land use and design guidance. This includes guidance for development opportunities on unallocated sites, but these will not constitute site allocations – they will apply relevant Development Plan policy to these sites to guide potential development.

	Screening Question	Screening Assessment
6	Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)?	No. This framework is already set within the Development Plan. The SPD will provide further guidance on the implementation of these policies.
7	Is the SPD's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan, OR is it co-financed by structural funds or EAGGF programmes 2000-2006/7?	No. The SPD does not fall into any of the criteria listed.
8	Is it likely to have a significant effect on the environment?	It is not likely that the SPD will have any significant effect on the borough, beyond those effects that have already been assessed through the SA (including SEA) of the Local Plan and London Plan.

Table 2: assessment against SEA Directive criteria

SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	London Borough of Bromley Response
1. Characteristics of the draft Bromley Town Centre SPD having particular regard to:	
The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD will provide supplementary guidance to the Local Plan and London Plan which provide the overarching framework for assessing development in the Borough (and which were both subject to an SA/SEA)
The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD is a non-statutory document, subsidiary to policies in the adopted Local Plan and London Plan, and therefore will have limited (if any) influence over other plans and programmes, including national policy in the NPPF.
The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD provides guidance on environmental issues, derived from policies in the adopted Development Plan, including open space and green infrastructure, transport, and energy infrastructure.
Environmental problems relevant to the SPD.	The SPD will provide further guidance on environmental Development Plan policies, with reference to Bromley Town Centre.
The relevance of the SPD for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD will not impact on the implementation of community legislation on the environment.
2. Characteristics of the effects and of the area likely to be affected, having particular regard to:	
The probability, duration, frequency and reversibility of the effects.	The overall impact of the SPD will be positive, by ensuring that development in Bromley Town Centre addresses key policy requirements and delivers sustainable development.
The cumulative nature of the effects of the SPD.	Cumulative effects have been assessed through the Local Plan and London Plan SA/SEAs. The SPD is unlikely to have specific cumulative effects which differ from those assessed as part of the Local Plan and London Plan; the effect of the SPD will therefore be neutral.
The trans-boundary nature of the effects of the SPD.	The SPD will apply to developments in Bromley Town Centre, and will therefore have limited, if any, transboundary impacts.
The risks to human health or the environment (e.g. due to accidents)	No significant risks to human health are envisaged through the application of this SPD.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the SPD.	The likely minor positive effects of the SPD will be localised to the Bromley Town Centre area, through the interpretation of relevant adopted policies.

SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	London Borough of Bromley Response
<p>The value and vulnerability of the area likely to be affected by the SPD due to:</p> <ul style="list-style-type: none"> i. Special natural characteristics or cultural heritage; ii. Exceeded environmental quality standards or limit values; or iii. Intensive land use. 	<p>The SPD will be consistent with the Development Plan approach that seeks to conserve and enhance the borough's heritage assets in a manner appropriate to their significance. This includes the Bromley Town Centre Conservation Area.</p> <p>Bromley Town Centre includes SINC designations at Church House Gardens and the Old Palace grounds. The Development Plan has policies which protect SINC's; the SPD will assist with the implementation of these policies.</p> <p>Bromley Town Centre is within an Air Quality Management Area and part of the Town Centre is identified as an Air Quality Focus Area. The SPD provides guidance on how air quality policy requirements will be delivered.</p> <p>The SPD will interpret the policies within the adopted Development Plan to set out appropriate land uses for the Bromley Town Centre area. The SPD will not result in a significantly more intensive land use than that expected via application of the adopted Development Plan policies.</p> <p>The overall likely effect of the SPD will be positive by securing the positive environmental effects of development and minimising or avoiding negative impacts.</p>
<p>The effects of the SPD on areas or landscapes which have recognised national, community or international protection status.</p>	<p>There are no areas or landscapes in or around Bromley Town Centre which have recognised national, community or international protection status.</p>

5. Statement of Reasons for Determination

- 5.1. The Council believes that the impact of the draft SPD, through responses to the Criteria identified in Tables 1 and 2, will not have significant environmental effects (positive or negative) on Bromley, further to the effects that have already been assessed during the preparation of the Local Plan and the London Plan. In addition, the draft SPD is not setting new policy; it is supplementing and providing further guidance on existing policies. Therefore, it is considered that an SEA will not be required for the draft Bromley Town Centre SPD.

Appendix 1: responses to draft SEA screening statement from Historic England, the Environment Agency and Natural England

Consultee	Response	LBB comment
Environment Agency	No response as of 14 July 2022.	
Historic England	No response as of 14 July 2022.	
Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p><u>Screening Request: Strategic Environmental Assessment</u></p> <p>It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (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.</p> <p>Natural England is in agreement that “as the SPD does not formulate new policy and the effects of the SPD are likely minor in nature, an SEA will not be necessary”.</p> <p>We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.</p> <p>We are not aware of <u>significant</u> populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.</p> <p>Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be</p>	Noted

Consultee	Response	LBB comment
	<p>affected by this plan, before determining whether an SA/SEA is necessary.</p> <p>Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages.</p> <p>This includes any third party appeal against any screening decision you may make.</p>	