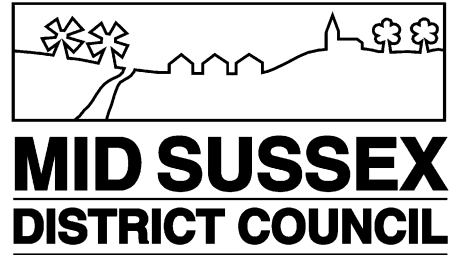


Mid Sussex



Haywards Heath Town Centre Masterplan SPD

Strategic Environmental Assessment Screening Report

October 2020

1. Introduction

Mid Sussex District Council has prepared a Haywards Heath Town Centre Masterplan Supplementary Planning Document (SPD). The document sets out principles and potential improvements within the Town Centre. As it is SPD, it does not set policy or allocate sites for any particular use.

This document comprises the Screening Report to determine whether or not the SPD being prepared within the Mid Sussex District will require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

2. Background

Supplementary Planning Documents (SPDs) can be prepared to build upon and provide more detailed advice or guidance on the policies within the development plan.

The Mid Sussex District Plan 2014-2031 (the District Plan) was adopted on 28th March 2018. These policies have already been subject to Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA).

The Haywards Heath Town Centre Masterplan SPD provides additional advice and guidance that would apply within the defined town centre boundary. This supplements adopted District Plan policy DP2: Town Centre Development [extract below].

DP2: Town Centre Development

Strategic Objectives: 9) To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community.

Evidence Base: Mid Sussex Retail Study Update 2014; Neighbourhood Plans; Town Centre Masterplans and accompanying work.

Town Centres

These are defined as the town centres of Burgess Hill, East Grinstead and Haywards Heath which meet the needs of their communities and those of the surrounding large and small villages and countryside areas.

To support the regeneration and renewal and environmental enhancement of the town centres as defined on the Policies Map – development, including mixed use and tourism related development, will be permitted providing it:

- **is appropriate in scale and function to its location including the character and amenities of the surrounding area;**
- **has regard to the relevant Town Centre Masterplans and is in accordance with the relevant Neighbourhood Plan.**

[...]

Policy **DP2: Town Centre Development** is supportive of the regeneration, renewal and environmental enhancement of town centres. The Haywards Heath Town Centre Masterplan SPD provides additional guidance and principles for development, including the principles that would apply on an individual site/area basis, and identifies opportunity areas for enhancement within the

town centre boundary. All of these would assist an applicant in making a planning application, for them to demonstrate that proposed schemes are compliant with DP2.

The adopted District Plan was accompanied by Sustainability Appraisal (incorporating Strategic Environmental Assessment) which fully appraised the social, environmental and economic impacts of policy DP2. It was concluded that no negative impacts would arise on any of the objectives, and that the policy was likely to lead to positive impacts overall – particularly in relation to making efficient use of land, providing access to community facilities, stimulating economic growth and encouraging sustainable transport.

3. Strategic Environmental Assessment (SEA)

Strategic Environmental Assessment (SEA) involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.

There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008-20140306).

Planning Practice Guidance notes that “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.” The Town Centre boundary is a small area at a local level.

However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the Local Plan (District Plan). As noted in section 3, SEA/SA was carried out on the policy that this SPD will supplement.

To establish whether the SPD is thought to have significant environmental effects and therefore require SEA to be undertaken, a Screening Process has been followed and forms the main content of this report.

4. The Screening Process

The screening process is based upon consideration of standard criteria to determine whether the plan or programme (in this case the Haywards Heath Town Centre Masterplan SPD) is likely to have “significant environmental effects”. The result of the screening process is included in section 5 of this report.

The three consultation bodies (Historic England, Environment Agency and Natural England) have been consulted to determine whether they agree with the conclusion of this report, in determining whether the SPD has a “significant environmental effect” and therefore requires SEA. Should it be determined by the local authority and consultation bodies that SEA does need to be undertaken, the District Council will need to undertake the Scoping stage of SEA.

The ODPM publication “A Practical Guide to the Strategic Environmental Assessment Directive” (2005) sets out a useful approach to be taken in order to determine whether SEA is required (figure 1).

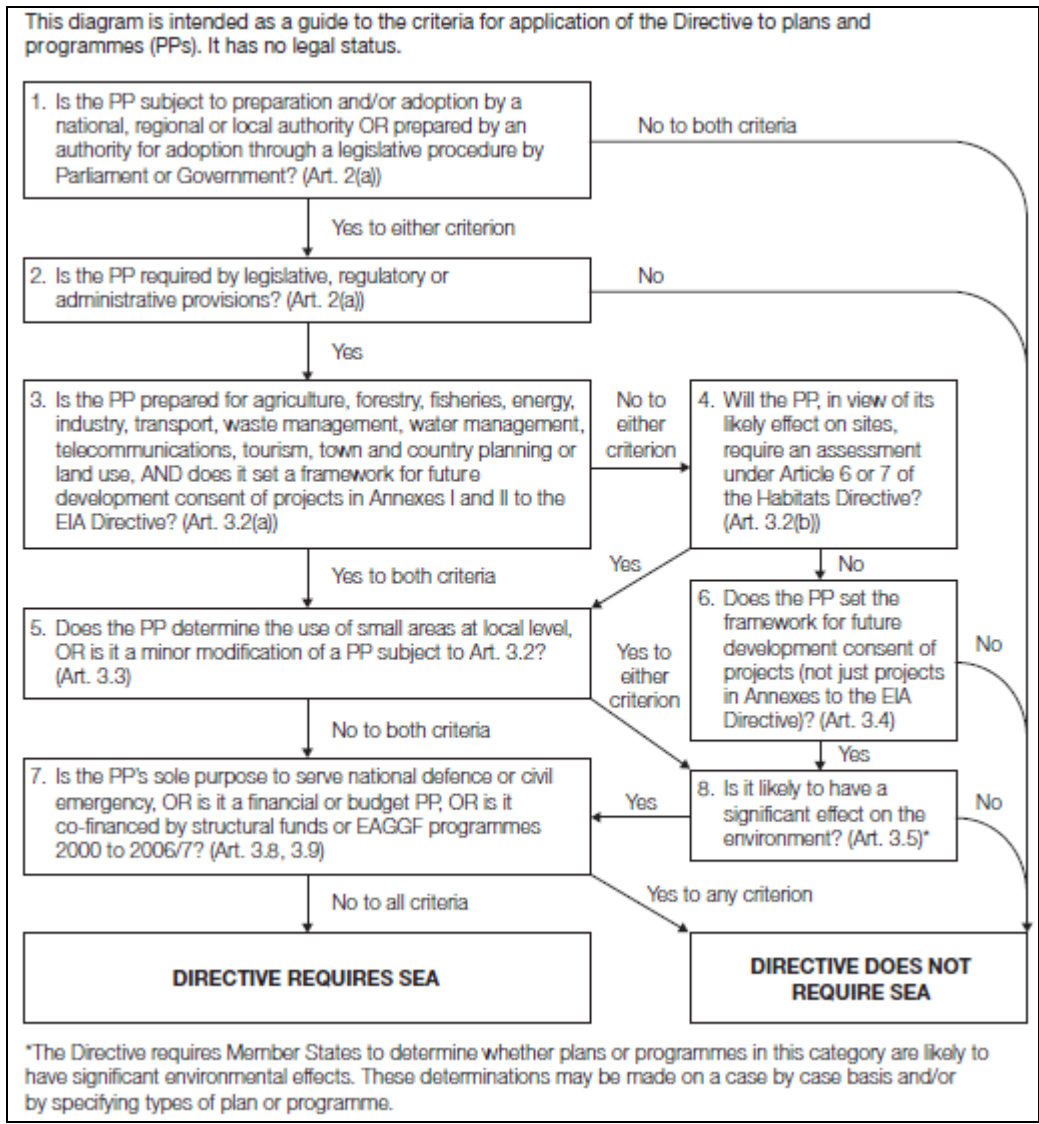


Figure 1: Application of the SEA Directive (from “A Practical Guide to the Strategic Environmental Assessment Directive”)

This approach has been followed in two parts, below. Part 1 follows the flow-chart outlined above, whilst Part 2 sets out whether it is considered that the SPD is likely to have a ‘significant effect on the environment’ (i.e. stage 8 of the above).

Assessment Part 1 – Establishing the Need for SEA

Table 1 - Establishing the Need for SEA		
Stage	Y/N	Justification
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by and authority for adoption through a legislative procedure by Parliament or Government (Art. 2(a))	Y	The Supplementary Planning Document (SPD) will be adopted by Mid Sussex District Council. It will be a material consideration in planning decisions. PROCEED TO QUESTION 2
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	SPDs are optional; there is no legislative or regulatory requirement to prepare them. This particular SPD has been produced to supplement the statutory Local Plan (the District Plan). PROCEED TO QUESTION 3
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, 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? (Art 3.2(a))	Y	Whilst the SPD has been prepared for town and country planning purposes, they do not set policy. The policies that the SPD supplement have been subject to SA/SEA. The Masterplan will contain a framework for future development consent for urban development projects (including shopping centres and car parks) which is listed as 10b in Annex II of the EIA Directive. PROCEED TO QUESTION 5
4. Will the PP, in view of its likely effect on sites, require and assessment for future development under Article 6 or 7 of the Habitats Directive (Art. 3.2(b))	N/A	Not applicable.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Haywards Heath Town Centre Masterplan boundary is a small area in relation to the town and district as a whole. PROCEED TO QUESTION 8
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)	N/A	Not applicable.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N/A	Not applicable.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the District Plan. The policies to which the SPD relates were subject to SEA (incorporated within the Sustainability Appraisal) through the District Plan process, and no significant effects were expected. Therefore the SPD will not itself have any significant effects

		on the environment. (Assessment Part 2 provides details)
Conclusion:		DIRECTIVE DOES NOT REQUIRE SEA

Assessment Part 2 - Likely Significant Effects on the Environment

Table 2 – Assessment of the Likely Significant Effects of Neighbourhood Plans

SEA Directive Criteria	Response	Is there a likely significant environmental effect?
1. The Characteristics of Plans and Programmes, having regard, in particular, to:		
1a) 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 SPD will not set a framework for other projects or activities. It will provide additional guidance on existing policies within the District Plan that have been subject to SEA (concluding no significant effects expected).	N
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The District Plan provides the adopted policies to which the SPD will supplement. The SPD will only be able to expand and provide more guidance on the policies within the District Plan, and will not be able to introduce new policy. The SPD will be at the bottom of the hierarchy and will have no influence on the documents above it.	N
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD will contribute to sustainable development by providing more detail and guidance to support the policies within the District Plan. The Masterplan recognises the dominance of the private car within the Town Centre and seeks to reclaim car-dominant areas by removing unnecessary traffic and proposals for improved public realm (including walking and cycling routes). It encourages efficient use of urban land for retail, leisure and residential which reduces the need on which reliance is placed on greenfield sites. It provides guidance for improving public open space, including parks.	N
1d) Environmental problems relevant to the plan or programme.	The policies within the District Plan that the SPD supplements are not expected to have any likely significant effects on the environment. There are no environmental designations (either national or local) within the SPD boundary.	N
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is not relevant to the implementation of EC legislation such as waste management or water protection.	N

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects.	The anticipated effects on the sustainability of the district are expected to be positive by providing guidance to support policies designed to create mixed sustainable communities. The duration and frequency of the effects is difficult to define; the effects will be linked to a planning permission which is (usually) permanent unless superseded by a subsequent permission on the same site.	N
2b) The cumulative nature of the effects.	The District Plan SA/SEA expects overall positive impacts to arise from the specific policy (DP2: Town Centre Development) that the SPD relates to.	N
2c) The trans boundary nature of the effects.	The SPD is related to a specific boundary within the district, it is not expected that any cross-boundary impacts will arise.	N
2d) The risks to human health or the environment (e.g. due to accidents).	The SPD does not present any risks to human health or the environment; conversely they aim to encourage improvements in these areas.	N
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The SPD will be applied to all relevant planning applications in the Town Centre Masterplan SPD boundary.	N
2f) The value and vulnerability of the area likely to be affected due to: i) special natural characteristics or cultural heritage. ii) exceeded environmental quality standards or limit values. iii) intensive land-use.	The SPD itself will not be able to set policy related to specific land uses. The SPD supports an existing policy (DP2: Town Centre Development). There are no effects expected for i), ii) or iii).	N
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	None identified. Any applications for development will be required to satisfy the relevant policies for protection of the character of the area before permission is granted.	N
Part 2 Overall Conclusion: NO LIKELY SIGNIFICANT ENVIRONMENTAL EFFECT		

5. Statement of Reasons for Determination

The policy that the SPD will supplement (listed in section 2) has itself been subject to Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). In particular, the appraisal for DP2: Town Centre Development, the specific policy to which the SPD relates, concludes there will be no significant environmental effects. The appraisal concluded that positive impacts could be expected for social and economic objectives, and that largely neutral or possible positive impacts could be expected for environmental objectives.

As the SPD is only entitled to provide guidance to existing policies, it is not expected that it would alter the conclusions reached in the District Plan SA/SEA.

The SPD cannot set new policy. It has been prepared to build upon the District Plan policies and provide guidance for development proposals within the Town Centre boundary.

Applying the guidance set out in “A Practical Guide to the Strategic Environmental Assessment Directive”:

- Assessment Part 1 (table 2) concludes that the **Directive Does Not Require SEA**
- Assessment Part 2 (table 3) concludes that there is **No Significant Environmental Effect**

On this basis, and taking account of the SA/SEA undertaken at a higher level through preparation of the District Plan and the effects expected, Mid Sussex District Council concludes that the Haywards Heath Town Centre Masterplan SPD does not require a full SEA to be undertaken.

A draft of this screening report was subject to consultation with the three statutory bodies (Historic England, Environment Agency and Natural England) between Wednesday 8 July 2020 and Wednesday 29 July, 2020. All three bodies agreed with the conclusion that the Haywards Heath Town Centre Masterplan SPD does not require a full SEA to be undertaken.