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# Strategic Environmental Assessment Screening Report

## Draft Coastal Mitigation Supplementary Planning Document

North Tyneside Council  
March 2019



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## Quality Management

<b>Title</b>	Strategic Environmental Assessment Screening Report  Draft Coastal Mitigation Supplementary Planning Document	
<b>Date</b>	March 2019	
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## Introduction

A Draft Coastal Mitigation Supplementary Planning Document (SPD) has been prepared by North Tyneside Council, with the intention of being approved by North Tyneside Council's Cabinet in 2019.

The aim of the SPD is to enable North Tyneside Council to adequately protect European Sites and be compliant with its duties under the Conservation of Habitats and Species Regulations 2017, and the requirements of the Government's National Planning Policy Framework (NPPF). "European Sites" are habitats and species of European nature conservation importance.

The SPD has been prepared to provide additional guidance and information on the mitigation expected to be required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. It will supplement and provide further guidance on the implementation of North Tyneside Local Plan policy DM5.6 *Management of International Sites*.

The SPD will set out a recommended developer contribution that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats that arise from development within North Tyneside. The SPD will provide a simple and effective way of ensuring developer compliance with requirements relating to the protection of habitats and species.

## Purpose of this document

The purpose of this document is to outline North Tyneside Council's consideration of whether the SPD should be subject to a Strategic Environment Assessment (SEA) in accordance with the regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 ("the regulations").

## Strategic Environmental Assessment Screening Determination

The requirement for a SEA is set out in the government's practical guidance on applying European Directive 2001/42/EC ("the SEA Directive") and the regulations. These documents place an obligation on responsible authorities to undertake an SEA on any land use plan or programme that sets the framework for future development consent of projects.

North Tyneside Council's Local Plan was adopted in July 2017. The Local Plan was prepared in accordance with national guidance and the requirements of the SEA Directive and the Regulations. The Local Plan was subject to an integrated Sustainability Assessment (SA) and SEA and an Equality Impact Assessment (EIA).

The regulations exempt plans and programmes from assessment “when they determine the use of small areas at local level or are minor modifications to the above [existing] plans or programmes...” (Regulation 5(6)). This screening report assesses if the SPD would have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.

## The Screening Process

To assess whether an SEA is required the Responsible Authority (North Tyneside 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.

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 will be made available to the public.

Key to the screening decision is the determination of whether the SPD would be likely to have significant environmental effects, using the criteria set out in Annex II of the SEA Directive. These criteria can be used to determine the likely significance of effects and are set out in the following Figure 1, alongside North Tyneside Council’s response in relation to the SPD.

Figure 1

SEA Directive Criteria	Is there a significant effect?	Justification
<i>1) Characteristics of the Draft Coastal Mitigation SPD</i>		
(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.	No	The SPD would provide more detail to the policies established within the Local Plan, which has itself been subject to SA incorporating SEA and HRA, particularly policy DM5.6 <i>Management of International Sites</i> . The purpose of the SPD would be to set a framework for the preparation and determination of planning applications in the context of the adopted policies within the Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The SPD would be at the lower tier of the development plan hierarchy, as it sits below the Local Plan. The purpose of the document is to supplement the policies in the Local Plan, to guide the preparation

		and determination of planning applications.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The SPD would provide further detail to the policies within the Local Plan. Environmental and sustainability considerations underpin the SPD, through seeking avoidance or mitigation of impact upon environmentally significant sites whilst enabling appropriate sustainable development.
d) environmental problems relevant to the plan or programme.	No	The SPD would not create or exacerbate any environmental problems. It aims to avoid or mitigate adverse impact on European sites thus aims to prevent environmental problems. The effect would not differ significantly from that assessed as part of the SA/SEA of the Local Plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The SPD would not be directly relevant to implementation of Community (EC) legislation. The SPD would provide more detail to the policies established within the Local Plan, which complies with the legislation.
<b>2) Characteristics of the effects and of the area likely to be affected</b>		
(a) the probability, duration, frequency and reversibility of the effects.	No	The SPD would provide more detail to the policies established within the Local Plan, which has itself been subject to SA incorporating SEA and HRA, particularly policy DM5.6 <i>Management of International Sites</i> . The aims of the SPD would be delivered through planning obligations linked to planning decisions. The probability and frequency of planning applications being submitted and planning decisions being made would not be expected to change as a result of the SPD. The effects of the SPD would be the avoidance and mitigation of adverse impact upon European Sites. The intention is that as long as the SPD is in place, its positive effects would be permanent and non-reversible.

(b) the cumulative nature of the effects.	No	The relevant European Sites extend throughout North Tyneside's boundaries and beyond. Neighbouring authorities are pursuing similar mitigation strategies. It is expected that positive effect borne from the implementation of strategies in each locale would have a cumulative positive effect upon European Sites. The effect would not differ significantly from that assessed as part of the SA/SEA of the Local Plan.
(c) the trans-boundary nature of the effects.	No	The relevant European Sites extend throughout North Tyneside's boundaries and beyond into Northumberland and County Durham. It is understood that the qualifying species move throughout the European Sites. Positive effect as a result of implementing this SPD will therefore extend beyond North Tyneside's boundaries. The cross-boundary implications were considered as part of the Local Plan preparation and any positive effect arising from implementation of the SPD would not differ significantly from that assessed as part of the SA/SEA of the Local Plan.
(d) the risks to human health or the environment (for example, due to accidents).	No	There are no perceived risks to human health or the environment arising from the SPD.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	No	The relevant European Sites extend throughout North Tyneside's boundaries and beyond into Northumberland and County Durham. The SPD would be applied to all proposed residential and tourism accommodation proposals within the Borough, plus any other proposed development within the Borough that could increase recreational disturbance at the coast. The magnitude and spatial extent of the effects would not significantly differ from those considered and assessed as part of the SA/SEA of the Local Plan.
(f) the value and	No	The SPD aims to avoid or mitigate adverse

<p>vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>(i) special natural characteristics or cultural heritage;</li> <li>(ii) exceeded environmental quality standards or limit values; or</li> <li>(iii) intensive land-use.</li> </ul>		<p>impact on European Sites, that is, habitats and species of European nature importance. The SPD would provide more detail to the policies established within the Local Plan, which has itself been subject to SA incorporating SEA and HRA, particularly policy DM5.6 <i>Management of International Sites</i>.</p>
<p>g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>No</p>	<p>The SPD would not apply to landscapes of recognised national, Community or international protection status.</p>

## Statement of Reasons for Determination

On the basis of the screening process, it is North Tyneside Council's opinion that the impact of the SPD, through responses to the SEA Directive Criteria, would not result in any significant environmental effects beyond those already assessed as part of the preparation of the Local Plan.

The SPD would not be setting new policy; it would provide further guidance on policies contained within the Local Plan. Therefore the SPD would not require a SEA.