



Lee Draft Neighbourhood Development Plan (Nov 2020)
Strategic Environmental Assessment Screening Report

June 2020

1. Introduction

1.1. Strategic Environmental Assessments (SEA) are used as a tool to provide 'for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of plans...with a view to promoting sustainable development' (EU Directive 2001/42/EC Article 1).

1.2. The legislative basis in respect of the need for Strategic Environmental Assessments is set out in the EU Directive 2001/42/EC (commonly referred to as the SEA Directive) and transposed into English Law by the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the SEA Regulations). Under the Directive, Neighbourhood Development Plans may require SEA but this will depend on the content of each Neighbourhood Development Plan (NDP).

1.3. This report will establish whether or not the NDP requires a full SEA in accordance with European Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations (2004). This is called a screening assessment. This assessment can be found in section 4 of this report.

2. SEA screening process

2.1. This screening report will establish whether the Lee NDP will require a SEA or not. If a full SEA is considered to be required, then Lee Neighbourhood Forum will be responsible for producing a SEA alongside their NDP for the submission of the plan to the council at Regulation 15. The SEA will then undergo a public consultation at (Regulation 16) (Town and Country Planning (General) Regulations 2012 as amended).

2.2. The screening assessment in this report is undertaken in two parts. The first is to assess if the need for a SEA is triggered and the second part assesses the likelihood of significant effects of the proposals contained within the plan on the environment.

2.3. The screening assessment is based on set criteria outlined in the SEA Directive and associated SEA Regulations. As per the SEA Regulations, the Council cannot issue a formal decision until the specified public bodies (Environment Agency, Historic England and English Heritage) are consulted on their view as to whether a SEA is required.

3. Summary of the draft NDP

3.1. The Lee Neighbourhood Forum and Neighbourhood Area were initially designated as such on 13th January 2016 with the Forum being re-designated after a 5 year period in June 2021 for a further 5 years. The Neighbourhood Area covers the Lee ward located in the London Borough of Lewisham and extends into the Royal Borough of Greenwich. The Neighbourhood Forum have been preparing their draft NDP and produced a pre-submission draft for comment in 2019.

3.2. This screening report is based on the pre submission (Regulation 14) draft of NDP dated May 2019 and revised subject to representations made through the Regulation 14 consultation dated November 2020. The draft NDP contains a comprehensive suite of policies that aim to deliver the vision for the area. The vision contained in the draft NDP was developed from community consultation events.

3.3. At the time that this screening report was prepared, the Lee draft NDP included policies relating to:

- Green and Blue Spaces
- Transport and Connectivity
- Building Homes and Amenities
- Local Retail, Leisure and Economy
- Heritage and Design
- Site Allocations

4. SEA screening assessment

4.1. The process of applying the SEA Directive to the draft NDP is found in figure 1 below. The assessment in applying the SEA Directive can be found in table 1 below.

Figure 1: Applications of the SEA Directive to plans and programmes (source: A practical guide to the SEA Directive 2004).

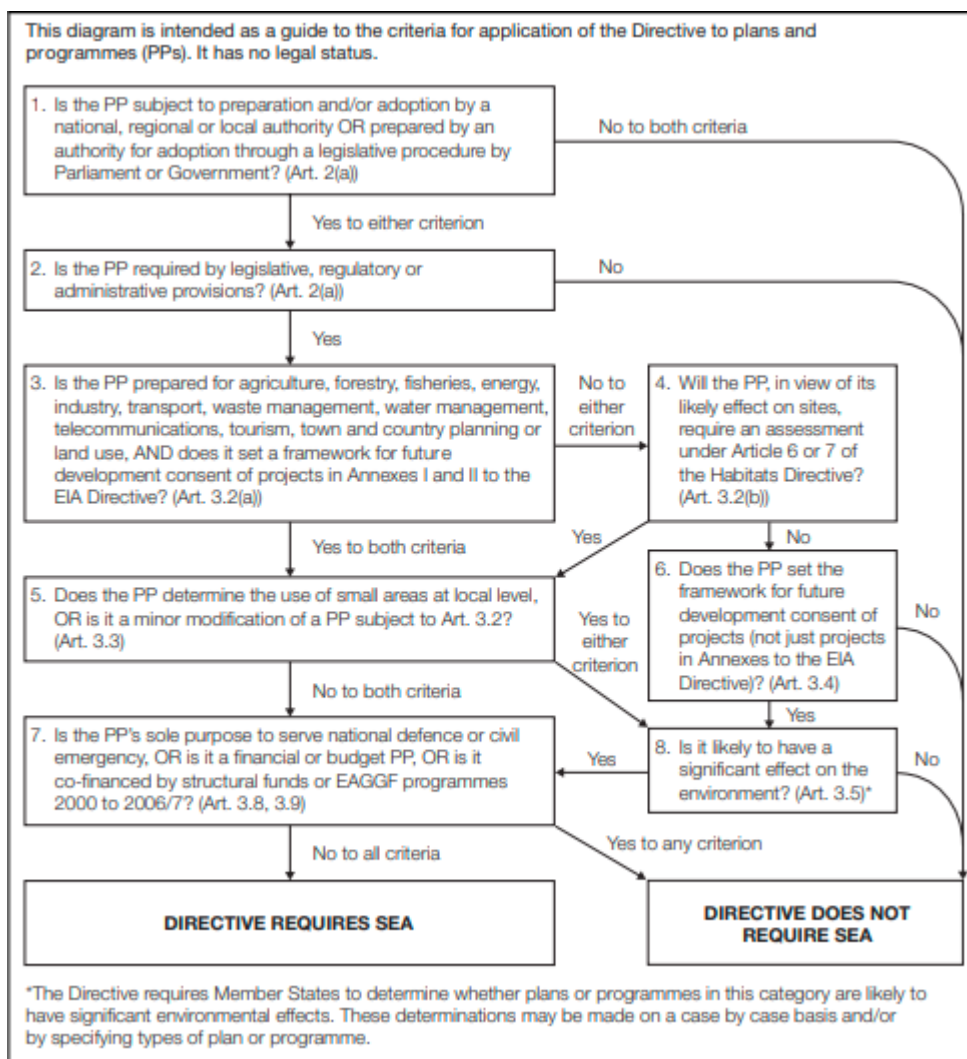


Table 1: Part 1 – Application of the SEA Directive to the draft NDP (source: Annex II of SEA Directive 2001/42/EC).

Stage	Y/N	Reason
Stage 1		
Is the NDP subject to preparation and/or adoption by a national, regional or local authority, OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art 2(a))	Y	<p>A NDP is prepared by a qualifying body (a neighbourhood form) under the Town and Country Planning Act 1990 (as amended)</p> <p>The preparation of a NDP is subject to the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (referendums) Regulations 2012 (as amended).</p> <p>A NDP is subject to independent examination and local referendum and if successful at those stages, will be 'made' by the Council.</p>
Stage 2		
Is the NP required by legislative, regulatory or administrative provisions? (Art 2(a))	Y	<p>The preparation of a NDP is optional. However, once 'made' it will form part of the statutory Development Plan for the neighbourhood area. Therefore, it is important to consider whether it is likely to have any significant environmental effects and hence, whether a SEA is required under the Directive.</p>
Stage 3		
Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND	Y	<p>The NDP is primarily prepared for the purpose of town and country planning and land use.</p> <p>The NDP also includes site allocations, additional to those found in the current borough Development Plan.</p>

does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))		Therefore, it is considered that the NDP contains a framework for future development consent of urban development projects (Listed 10(b) in Annex II of the EIA Directive).
Stage 4		
Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art 3.2 (b))	N/A	The NDP could potentially have an impact on sites covered by the Habitats Regulations. This is assessed separately in an accompanying report.
Stage 5		
Does the NP determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (Art 3.3)	Y	The NDP does determine the use of small areas at the local level through the site allocations and designation policies.
Stage 6		
Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	N/A	The NDP will set the framework for future developments at a local level once 'made'.
Stage 7		
Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	The NDP does not fall into any of the criteria listed
Stage 8		
Is it likely to have a significant effect on the environment? (Art. 3.5)	N/A	The NDP could potentially have a significant effect on the environment. Therefore, this will be assessed separately in table 2 of this report

4.2. The assessment in table 1 shows that a SEA may be required. Therefore, a specific assessment of Lee's draft NDP is required in order to establish whether the NDP might have significant environmental effects. This will be demonstrated by assessing the scope of the draft NDP against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations (2004). This assessment is set out in table 2 below.

Table 2: Criteria for determining the likely significance of effects. (Source SEA Directive criteria and schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)

1. The Characteristics of plans and programmes, having regard, in particular to:	Likely to have significant environmental effects? Y/N	Reason
<p>The degree to which the Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>Y</p>	<p>The NDP sets out a local policy framework for development proposals.</p> <p>The proposed NDP does allocate sites for development additional to those within Lewisham council's current development plan and the emerging draft local plan.</p> <p>The significant strategic sites of Leegate Shopping Centre and Sainsbury's and 321-341 Lee High Road have been identified in the emerging draft local plan as site allocations.</p> <p>The Plan area covers both part of Lewisham and Greenwich however</p>
<p>The degree to which the Plan influences other plans and programmes including those in a hierarchy.</p>	<p>N</p>	<p>The NDP must be in conformity with the NPPF and strategic policies in both Lewisham and Greenwich's Local Plan. It does not therefore, have a significant influence on other plans or programmes.</p> <p>Therefore the NDP would have a limited degree of influence over other plans and programmes</p>
<p>The relevance of the Plan for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Y</p>	<p>The NDP is expected to promote sustainable development. The NDP will undergo an independent examination and will not be found sound if it does not promote sustainable development.</p> <p>If passed at examination, the NDP will sit alongside the</p>

		<p>borough Development Plan. However, at this time there are draft policies and site allocations included that are additional to those in the borough's existing Development Plans and so would not have been subject to a SA/SEA previously. These include allocations for housing, employment and local green space designation.</p> <p>These policies and site allocations are required to undergo SEA in order to support the delivery of sustainable development.</p>
Environmental problems relevant to the Plan.	Y	The NDP does seek to address some environmental problems such as managing of flood risk but the NDP will need to consider the impact of the plan on designated SINC sites, the encouragement and protection of Employment land as well as the primary, secondary and cumulative impacts on the environment.
The relevance of the Plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	N	The draft NDP is not relevant for the implementation of Community legislation on the Environment. The NDP does contain a policy in respect of managing flood risk and managing air quality in new developments.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	Y/N	Reason
The probability, duration, frequency and reversibility of the effects.	Y	<p>The draft NDP contains site allocations for development that are not contained within the borough's current Development Plan.</p> <p>The draft NDP also contains policies that go beyond those contained in the Council's Development Plan</p>

The cumulative nature of the effects of the Plan.	Y	As the draft NDP contains allocations and policies that go beyond the requirements in the Council's current Development Plan there could be likely effects that arise
The trans-boundary nature of the plan	Y	The plan is local in nature however the plan is trans boundary as the designated plan area covers part of both the borough of Lewisham and Royal Borough of Greenwich
The risks to human health or the environment (e.g. due to accidents)	N	There are no significant risks to human health or the environment
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the Plan.	Y	The plan covers parts of the Blackheath and Lee ward in Lewisham and part of the Middle Park and Sutcliffe ward in Greenwich. The approx. population of the plan area is 20,650 (2011 census)
The value and vulnerability of the area likely to be affected by the Plan due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage • Exceeded environmental quality standards or limit values or • Intensive land use 	Y	<p>The NDP may have an impact on sites with special natural characteristics due to the proposed site allocations policy.</p> <ul style="list-style-type: none"> • The NDP has the potential to exceed the environmental quality standards although it is not expected to do so. • The NDP is not expected to result in over development of land but the NDP does encourage the protection and encouragement of Employment land and additional housing site allocations.
The effects of the Plan on areas or landscapes which have recognised national, community or international protection status.	Y	<p>Whilst there are no landscapes of national or international status, the draft NDP could have an impact on the Borough Grade 2 SINC site next to the River Quaggy</p> <p>The Council have undertaken a HRA Screening Assessment</p>

		<p>which should be read in conjunction with this report.</p> <p>There are a number of local green spaces that have been allocated for protection in the draft NDP</p>
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5. Screening Outcome

5.1. As a result of the screening assessment in section 4 of this report, the Council considers that Lee NDP is likely to have significant environmental effects by virtue of containing site allocation policies and policies that extend beyond the remit of the current development plan and the emerging draft Local Plan and therefore have not been already subject to a Sustainability Appraisal or SEA.

5.2 The Council's draft screening opinion is therefore that an SA/SEA of the NDP should be undertaken.

6. Next steps

6.1. The council will provide the following statutory consultees an opportunity to comment on the Lee NDP SEA screening report.

- Historic England
- Natural England
- Environment Agency

6.2. If the above statutory consultees agree with the council's conclusion, set out in Section 5 above, a Strategic Environmental Assessment and/or Sustainability Assessment will need to be undertaken for the Lee NDP to meet the basic conditions as set out in paragraph 8(2) of schedule 4B to the Town and Country Planning Act 1990 as applied by section 38A of the Planning and Compulsory Purchase Act 2004.

6.3 Responses from the statutory consultees will be made publicly available.