



High Peak Borough Council
working for our community

wood.

High Peak Borough Council

Strategic Environmental Assessment Screening Report

Water in Buxton: Supplementary Planning Document





Report for

Nicola de Bruin
High Peak Borough Council
Market Place
Buxton, Derbyshire
SK17 6EL

Main contributors

Andrew Williamson

Issued by

.....
Andrew Williamson

Approved by

.....
David Kenyon

Wood

Canon Court
Abbey Lawn
Abbey Foregate
Shrewsbury SY2 5DE
United Kingdom
Tel +44 (0) 1743 342 000

Doc Ref. 42531-WOOD-XX-XX-RP-J-0002_A_P01.1

H:\Projects\42531 High Peak SPD\Deliver Stage\D
Design_Technical\Reports\SEA Screening Water in Buxton SPD

Copyright and non-disclosure notice

The contents and layout of this report are subject to copyright owned by Wood (© Wood Environment & Infrastructure Solutions UK Limited 2020) save to the extent that copyright has been legally assigned by us to another party or is used by Wood under licence. To the extent that we own the copyright in this report, it may not be copied or used without our prior written agreement for any purpose other than the purpose indicated in this report. The methodology (if any) contained in this report is provided to you in confidence and must not be disclosed or copied to third parties without the prior written agreement of Wood. Disclosure of that information may constitute an actionable breach of confidence or may otherwise prejudice our commercial interests. Any third party who obtains access to this report by any means will, in any event, be subject to the Third Party Disclaimer set out below.

Third party disclaimer

Any disclosure of this report to a third party is subject to this disclaimer. The report was prepared by Wood at the instruction of, and for use by, our client named on the front of the report. It does not in any way constitute advice to any third party who is able to access it by any means. Wood excludes to the fullest extent lawfully permitted all liability whatsoever for any loss or damage howsoever arising from reliance on the contents of this report. We do not however exclude our liability (if any) for personal injury or death resulting from our negligence, for fraud or any other matter in relation to which we cannot legally exclude liability.

Management systems

This document has been produced by Wood Group UK Limited in full compliance with our management systems, which have been certified to ISO 9001, ISO 14001 and ISO 45001 by Lloyd's Register.

Document revisions

No.	Details	Date
1.	Draft	23/04/2020
2.	Final	29/10/2020



Contents

1.	Introduction	2
1.1	Purpose of the Screening Report	2
1.2	The screening process and its outcomes	2
1.3	The Water in Buxton Supplementary Planning Document	2
2.	Screening	4
2.1	The SEA process	4
2.2	Screening against the SEA Directive	5
2.3	Screening conclusion	8
<hr/>		
Table 2.1	Screening against the SEA Directive	5
Table 2.2	Assessment of the SPD against Schedule 1 of the SEA Regulations	6
<hr/>		
Figure 2.1	Application of the SEA Directive to plans and programmes	4
<hr/>		

1. Introduction

1.1 Purpose of the Screening Report

- 1.1.1 This screening report has been prepared to determine whether the draft Water in Buxton Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

1.2 The screening process and its outcomes

- 1.2.1 The purpose of SEA is 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. Planning Practice Guidance (para. 11-008)¹ 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.”
- 1.2.2 The process for determining whether a SEA of the SPD is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. It is also necessary to consult with the consultation bodies (Environment Agency, Historic England and Natural England).
- 1.2.3 Once the consultation has been undertaken, the responsible authority, which for the purposes of this screening exercise is High Peak Borough Council (the Council) can determine whether a SEA is required. Within 28 days of its determination, the Council as the responsible authority must publish a statement, setting out its decision. If it is determined that a SEA is not required, the statement must include the reasons for this.

1.3 The Water in Buxton Supplementary Planning Document

- 1.3.1 The Water in Buxton SPD expands on the policies contained in the High Peak Local Plan (the Local Plan) adopted in April 2016 which sets out the vision, objectives, policies and site allocations to guide development in the borough up to 2031.
- 1.3.2 The purpose of the SPD is to add further detail to the Local Plan policies regarding water resources and quality in the Buxton Sub-area, specifically policies *EQ1: Climate Change* and *S7: Buxton Sub-area Strategy*. The SPD does not introduce new policy.
- 1.3.3 The SPD provides guidance to raise awareness of the vital importance of water sources in Buxton when preparing development proposals and submitting planning applications. This guidance sets out:
- The importance of the policies and why their objectives need to be met;

¹ Available via: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

- The different types of protection afforded to Buxton waters;
- The potential risk factors;
- Types of development that may be particularly sensitive; and
- guidance that could be helpful to applicants when considering development proposals.

1.3.4

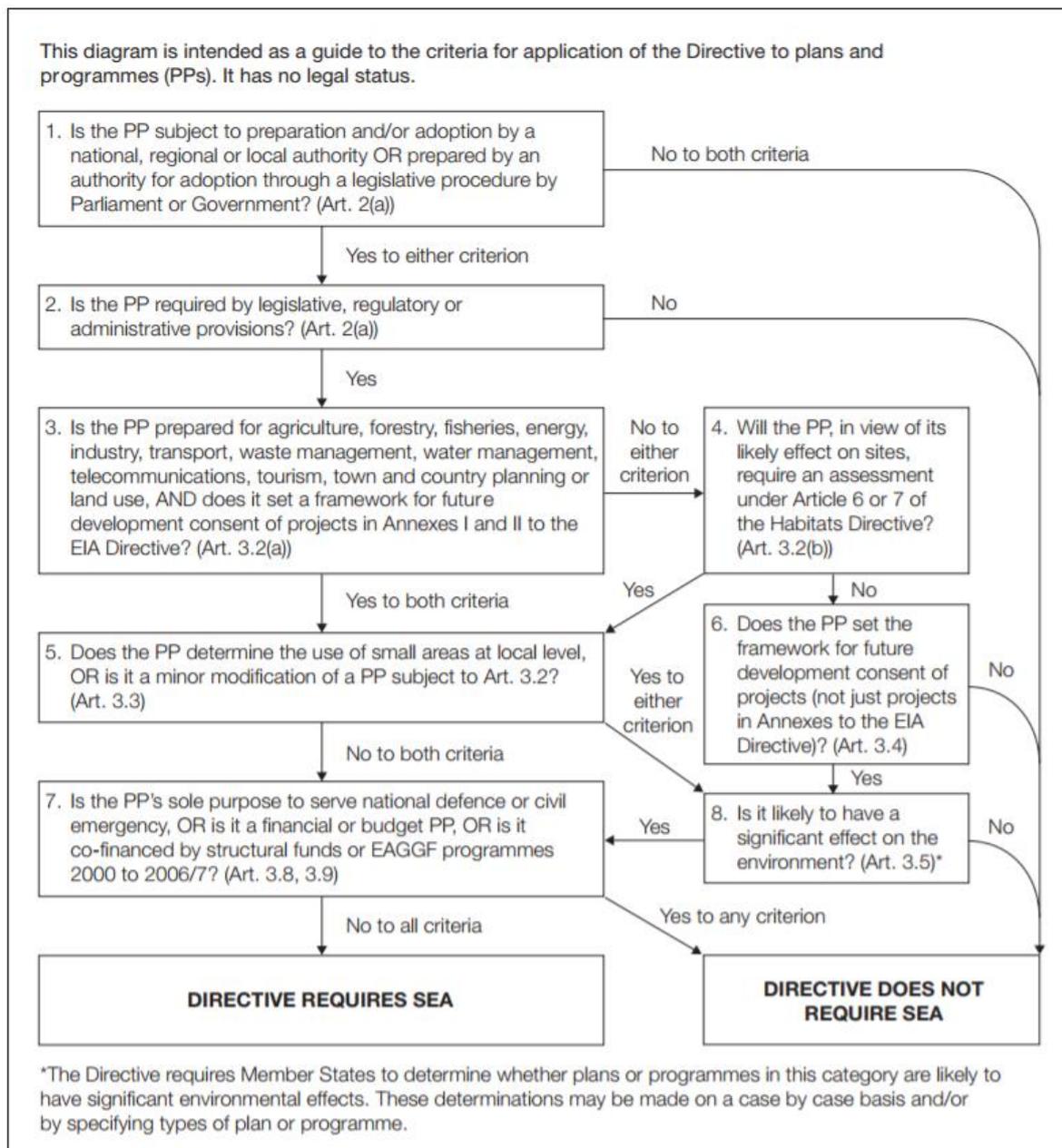
On adoption, the SPD will form part of the suite of Council planning documents and will be a material consideration when considering planning applications or planning appeals.

2. Screening

2.1 The SEA process

2.1.1 The process by which screening is used to determine whether a SEA is required is demonstrated in **Figure 2.1**². This step-by-step process has been used to screen the Water in Buxton SPD.

Figure 2.1 Application of the SEA Directive to plans and programmes



² Office for the Deputy Prime Minister (2005) *A Practical Guide to the SEA Directive*. Available via: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

2.2 Screening against the SEA Directive

2.2.1 **Table 2.1** shows the outcomes of each of these steps and how they have been followed to identify whether a SEA of the SPD is necessary.

Table 2.1 Screening against the SEA Directive

Stage	Y/N	Reason
1. Is the PP (plan or programme) 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	The plan will be adopted by High Peak Borough Council as an SPD. The SPD will be a material consideration in the determination of planning decisions.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Whilst not a legislative requirement, the SPD will support implementation of the adopted High Peak Local Plan (when the SPD is adopted under the Town and Country Planning (Local Planning) (England) Regulations 2012 regulations). When adopted, the SPD will become part of the Council's suite of planning documents.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water 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	The SPD is a town and country planning/land use document. It provides guidance to help implement the policies of the Local Plan but does not itself set out new policy. The SPD sets out guidance to support the implementation of policies EQ1 and S7 which include policy provisions for water management, amongst other matters.
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 SPD sets out further guidance to supplement Local Plan policies in the Buxton Sub-area related to water resource, quality and water efficiency. It is the Local Plan that determines the use at the local level whilst the SPD will also become a material consideration when determining planning applications in the area.
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 Local Plan policies which were subject to SEA (incorporated within the Sustainability Appraisal (SA)). The guidance flows from the policy objectives and wording within the Local Plan. Therefore, it is considered that the SPD will not have any significant effects on the environment and therefore does not require SEA.

2.2.2 **Table 2.2** sets out the assessment of the draft SPD against the requirements in Schedule 1.

Table 2.2 Assessment of the SPD against Schedule 1 of the SEA Regulations

Criteria from Schedule 1 of the Regulations	Relationship to the SPD
The characteristics of plans and programmes	
<p>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;</p>	<p>The SPD provide more detail and guidance on the policies contained in the Local Plan which was subject to SA (incorporating the requirements of SEA).</p> <p>The SPD specifically expands upon the policies relating to water resource, quality and efficiency in the Buxton sub-area contained within the Local Plan. The SPD does not seek to change the Local Plan’s spatial strategy, nor does it seek to allocate land or resources.</p>
<p>B. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The SPD provides further guidance on the policies in the Local Plan and sits below the Local Plan in the hierarchy of planning documents at the local level. It also accords with relevant national planning policy guidance in the National Planning Policy Framework and Planning Practice Guidance. The SPD does not directly influence any other plans or programmes.</p>
<p>C. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The SPD forms part of the Council’s approach to ensuring the protection of water quality, resources and efficiency in the Buxton sub-area as part of the overall Local Plan approach to ensuring sustainable development in the Borough.</p> <p>The SPD expands upon development plan policy contained within the Local Plan which seeks to integrate environmental considerations and has been the subject of SA (and SEA) which seeks to ensure sustainable development.</p>
<p>D. environmental problems relevant to the plan or programme; and</p>	<p>The Local Plan recognises the importance of the water environment in Buxton because of the natural intrinsic environmental qualities and the wider economic importance of natural mineral water and thermal spring to the town. Additionally, the Local Plan policies recognise the issue of phosphate loading in the River Wye and require higher levels of water efficiency in new development.</p> <p>The SPD supports the implementation of Local Plan policies by providing guidance on how the policy objectives can be achieved to ensure that these important natural resources are protected.</p>
<p>E. 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).</p>	<p>The SPD expands upon development plan policy regarding the protection of water quality and resources. Although the SPD includes guidance on these matters it does not introduce new policy.</p> <p>The SPD is relevant to community legislation on water protection and could support measures to protect water</p>



Criteria from Schedule 1 of the Regulations	Relationship to the SPD
	quality and resource, in line with the Local Plan policy it supports.
Characteristics of the effects and of the area likely to be affected by the SPD	
A. Probability, duration, frequency and reversibility of the effects	The SPD is likely to remain relevant for the duration of the plan period (subject to any review of Local Plan in that time). The anticipated effects on the sustainability of the Borough are expected to be positive by providing guidance to support the implementation of policies designed to protect water quality and resource in the Buxton Sub-area.
B. Cumulative nature of the effects;	The SPD expands upon Local Plan policy relevant to the Buxton Sub-area and any significant cumulative effects will therefore be consistent with those identified for the Local Plan, as assessed through the Local Plan SA/SEA.
C. Transboundary nature of the effects;	The SPD does not have any significant transboundary effects. The River Wye Valley Site of Special Scientific Interest (SSSI) and Peak District Dale Special Area of Conservation (SAC) extends beyond the boundary. The consideration of such effects was considered during preparation of the Local Plan through the SA and Habitats Regulations Assessment (HRA). The SPD provides guidance for the implementation of the adopted policies.
D. Risks to human health or the environment	The SPD does not present any risks to human health or the environment. The guidance supports implementation of Local Plan policies which seek to protect the quality and supply of natural mineral water sources in Buxton (S7) and minimise phosphate load in the River Wye to protect water quality (EQ1 and S7).
E. Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The effects are expected in the Buxton Sub-area established through the adopted Local Plan. However, the implementation may positively affect designated conservation sites that partially lie outside the boundary (SSSI and SAC).
F. 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; or (iii) intensive land-use	The SPD is not expected to adversely affect special natural characteristics or cultural heritage. It expands upon the policies contained within the adopted Local Plan and it establishes guidance which seeks to protect the natural characteristics of the water environment (with no reference to cultural heritage protection which is considered through other Local Plan policies). The SPD does not set policy related to specific land uses. The SPD provides guidance on policies which seek to protect and conserve water quality and resource. It is not expected to lead to the exceedance of environmental standards or promote intensive land use.

Criteria from Schedule 1 of the Regulations	Relationship to the SPD
G. Effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD is not expected to have an adverse effect on areas or landscapes with recognised national, community or international protection status. The guidance supplements Local Plan policies EQ1 and S7 with regard to water quality in the River Wye Valley, which is a designated SSSI and forms part of the Peak District Dales SAC.

2.3 Screening conclusion

- 2.3.1 This screening report has considered whether the Water in Buxton SPD should be subject to a SEA under the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.3.2 Based on the screening process, it is considered that the SPD does not require a SEA. This is because no significant environmental, social or economic effects arising from its implementation have been identified, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of Local Plan policies.

wood.

