

Planning Obligations Supplementary Planning Document

Draft Strategic Environmental Assessment Screening Report

Date: June 2025

1. Introduction

This Strategic Environmental Assessment (SEA) Screening Report has been produced to determine the need for a SEA in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) for Bath & North East Somerset Council's Planning Obligations Supplementary Planning Document (SPD).

2 Planning Context

The current adopted Planning Obligations Supplementary Planning Document (SPD) supplements policy CP13 "Infrastructure Provision" and other policies in the B&NES development plan. The adopted development plan comprises the Core Strategy, adopted in 2015, the Placemaking Plan (2017) and the Local Plan Partial Update (2023). The SPD sets out the Council's requirements on developer contributions related to new development and is a material consideration in decision-making. The current SPD needs to be reviewed for a number of reasons as follows:

- a. Affordable housing – minor changes to align with new NPPF
- b. Education facilities - up to date costs are introduced for new build and extensions.
- c. Transport from home to school where a primary or secondary school is not within statutory distance is proposed to be introduced to the SPD
- d. Early years education and Special Education Needs and Disability (SEND) provision costs are proposed to be introduced to the SPD due to impact on these facilities
- e. Sustainable Construction – changes to the formula for residential development are proposed to reflect the Sustainable Construction Checklist SPD.
- f. GP surgery contributions - proposed contributions where there is a need to increase capacity to accommodate growth.
- g. Updates including to reflect indexation of costs in the SPD and implementation of policies.

3 SEA Screening Process

Sustainability Appraisals incorporated the requirement for SEA¹ but when these regulations were amended in 2009², the requirement for SA for SPDs was removed. However, SPDs are still subject to the requirements set out by the SEA.

The Planning Practice Guidance provides a checklist approach³ based on the SEA Regulations to help determine whether SEA is required. This screening report has been used as the basis on which to assess the need for SEA, as set out below.

The diagram below is taken from the UK Government's SEA Guidance⁴ and sets out the screening process for determining whether SEA is required for a plan or programme. Table 1 below uses the questions presented in the diagram below to establish whether there is a need for SEA for the Planning Obligations SPD.

¹ The Town and Country Planning (Local Development) (England) Regulations 2004

² The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009

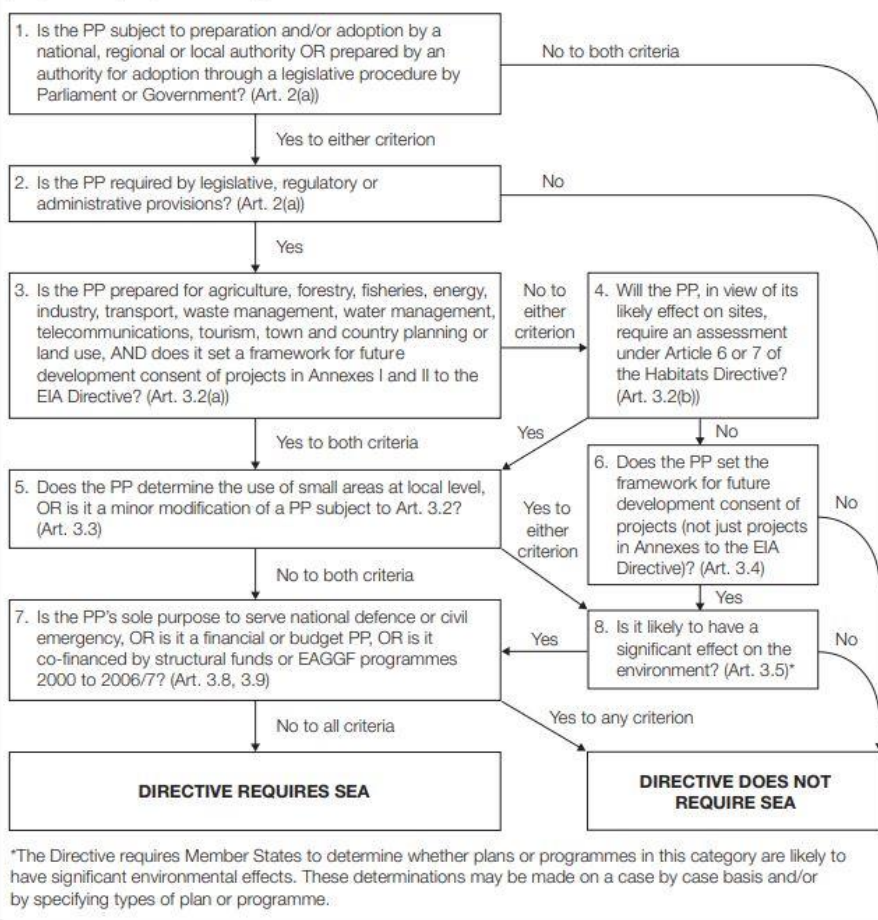
³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/580073/Strategic_Environmental_Assessment_Regulations_requirements_checklist.pdf

⁴ ODPM (2005) A Practical Guide to the Strategic Environmental Assessment Directive

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



4 Screening Assessment

This section sets out a screening assessment using Annex II of the SEA Directive.

Table 1 Establishing whether there is a need for SEA

Stage	Yes / No	Reason
1. Is the SPD 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 of Government? (Article 2(a))	Yes	The SPD is to be adopted by Bath & North East Somerset Council.
2. Is the SPD required by legislative, regulatory or	Yes	It is considered that the SPD is required to provide clarity and

administrative provisions? (Article 2(a))		guidance on the implementation of policies set out in the Local Plan.
3. Is the SPD 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))	No	The SPD is prepared for Town and Country Planning / land use. It does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive.
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	This SPD will not require an assessment under Article 6 or 7 of the Habitats Directive. The council's Local Plan has been subject to a full Habitat Regulation Assessment (HRA) which includes consideration of the Local Plan policies. The SPD supplements the Local Plan policies and provides clarity and guidance on implementation.
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	The SPD does not have Development Plan status but provides supplementary guidance to the council's Local Plan Policies. The SPD does not directly influence other plans and programmes, but it will be considered as a material planning consideration in the determination of planning applications. It does this by setting out the Council's requirements for developer contributions and planning obligations related to new development.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See Table 2 below to understand the determination of likely significant effects.

Question 8 within the ODPM guidance (see table 1) refers to whether the SPD would have a significant effect on the environment. The criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations (2004) can be used to consider the relevance of the SPD to the SEA Directive. The criteria are set out in table 2 below, along with discussion as to whether the SPD would have a significant impact on the environment.

Table 2 *Determining the Likely Significant Effects using SEA Directive Annex II (referred to in Article 3(5))*

The characteristics of plans and programmes, having regard, in particular, to:	Is there a significant environmental impact?	Justification
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	No	The framework for projects and other activities is primarily set by the Local Plan. The purpose of the SPD is to provide supplementary guidance to the Council's Local Plan policies. While the SPD is a material consideration in the determination of planning applications, it does not set a framework for projects and other activities.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The SPD does not have development plan status but provides supplementary guidance to the Local Plan policies. It will therefore not influence other plans or programmes, but it will be afforded significant weight as a material planning consideration in the determination of planning applications.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The Local Plan policies, which has been subject to a full Sustainability Appraisal, include environmental policies /considerations, with the aim of promoting sustainable development. The Local Plan integrates environmental considerations in order to

		promote sustainable development.
1d) Environmental problems relevant to the plan or programme	No	The SPD provides additional detail and guidance in relation to securing planning obligations and financial contributions, some of which seek to mitigate environmental impacts from development.
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).	No	The SPD will provide additional guidance on the implementation Local Plan policies which in turn conform with relevant environmental legislation. The SPD does not introduce new policies and therefore is not expected to have a significant effect on the environment.
2a) The probability, duration, frequency and reversibility of the effects	No	The SPD will provide additional guidance on the implementation of policies in the Local Plan which have been assessed as part of the full Sustainability Appraisal.
2b) The cumulative nature of the effects	No	The SPD will provide additional guidance on the implementation of policies in the Local Plan which have been assessed as part of the full Sustainability Appraisal.
2c) The trans-boundary nature of the effects	No	<p>The SPD will provide additional guidance on the implementation of policies in the Local Plan which relate to development proposals.</p> <p>The positive effects of some developer contributions may be felt more widely (for example, improvements in air quality or flood risk measures).</p>
2d) The risks to human health or the environment (e.g. due to accidents)	No	The SPD will provide additional guidance on the implementation of policies in the Local Plan. It does not contain policies, or

		measures that are likely to increase the risk of harm to human health or the environment.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	<p>The SPD will provide additional guidance on the implementation of policies in the Local Plan. The Local Plan and SPD is applicable to development that is located within Bath & North East Somerset.</p> <p>As the SPD provides guidance on Local Plan policy and does not introduce any new policy, the potential effects of the SPD are limited and are considered to fall within the scope of the Sustainability Appraisal that was prepared for the Local Plan.</p>
<p>2f) The value and vulnerability of the area likely to be affected due to:</p> <p>I. special natural characteristics or cultural heritage,</p> <p>II. exceeded environmental quality standards or limit values</p> <p>III. intensive land-use</p>	No	<p>The Local Plan details the characteristics of the area and policies to manage the development of land in the district and seek to protect special natural characteristics and cultural heritage. Planning obligations are sought where they are necessary to make a development acceptable in planning terms and mitigate against harmful impacts.</p>
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status	No	<p>The Local Plan details the landscapes and areas which have protected status and includes policies relating to recognised areas (eg Bath World Heritage Site) and landscape impacts. The SPD will provide additional guidance on the implementation of policies in the Local Plan. Planning obligations are sought where they are necessary to make a development acceptable in planning terms and mitigate against harmful impacts.</p>

5 Summary of initial findings from Screening Assessment

The draft Planning Obligations Supplementary Planning Document Interim Update provides guidance on the implementation of policies contained within the adopted B&NES Local Plan (Core Strategy 2015, Placemaking Plan 2017 and Local Plan Partial Update 2023). As such, the parent policies for which the draft SPD interim update provides guidance have been subject to sustainability appraisal as part of the Local Plans' processes. The conclusion of this screening process is that as the draft Planning Obligations Interim Update SPD does not make any changes to these parent policies. It will not give rise to significant environmental effects.

4.2. The draft Planning Obligations Interim Update SPD does not give rise to significant social and economic effects beyond those already identified as part of the appraisal of the parent policies within the B&NES Local Plan. As such it is not considered necessary to undertake a separate SA for this draft SPD.

6 Consultation

In accordance with the respective regulations the Council consults the following statutory consultation bodies on this screening report

- Environment Agency
- Historic England
- Natural England

7 Determination

TBC