

Strategic Environmental Assessment (SEA) Screening Opinion

**Redington and Frognal Neighbourhood Plan
'Pre-submission' version (revised Regulation 14, June 2019)**

Prepared by:

London Borough of Camden

December 2019

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1. Introduction

- 1.1. A neighbourhood plan may require a Strategic Environmental Assessment (SEA) to comply with European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”. The European Directive is transposed into law by the Environmental Assessment of Plans and Programmes Regulations 2004. Under Article 3(3) and 3(4) of the SEA Directive, SEA is required for plans and programmes which “determine the use of small areas at a local level and minor modifications to plans and programmes” where they are determined to be likely to have significant environmental effects.
- 1.2. It is the Council’s responsibility to identify whether an SEA should be undertaken on a neighbourhood plan. This is determined through an SEA screening exercise (see table below).
- 1.3. There is no legal requirement for a neighbourhood plan to have a Sustainability Appraisal (SA), as set out in section 19 of the Planning and Compulsory Purchase Act.
- 1.4. The screening process is based upon consideration of standard criteria in Annex II of the Directive to determine whether the plan is likely to have “significant environmental effects”. The result of the Camden’s screening process is detailed in this screening statement.
- 1.5. A draft Plan (Regulation 14) was produced by the Redington and Frognaal Neighbourhood Forum dated October 2018 (for public consultation in the neighbourhood area) and the Council undertook an SEA screening assessment of this Plan. The Council determined that that it was unlikely to have significant effects.
- 1.6. On considering the representations to this draft, the Neighbourhood Forum reviewed the structure and content of the Plan and decided to carry out a further six weeks consultation on a revised draft of the Plan. This version forms the basis of this updated screening assessment. This final screening report incorporates the views of the statutory consultation bodies (Historic England, Natural England and the Environment Agency). It should be noted that none of the statutory bodies identified that the Draft Plan would require an SEA.
- 1.7. The Council has determined that the revised draft Plan is also unlikely to lead to significant environmental effects.

2. Vision, objectives and policy priorities of the plan

2.1. The stated vision of the draft Redington Frognal Neighbourhood Development Plan is set out below:

“We seek a future for the Neighbourhood which preserves its green character and serves as an area available to a wide range of family types and ages who live here rather than invest here. We believe that the RedFrog neighbourhood should celebrate its heritage and history and should continue to be a delightful area for anyone to stroll and enjoy.”

The Plan's objectives are:

1. To preserve and enhance RedFrog's characteristics as a picturesque Edwardian suburb with a diverse population
2. Protecting and improving green space and bio-diversity
3. The enhancement of the environment of Finchley Road
4. Identifying areas for growth of new homes, with community facilities to support home working
5. Maintaining and promoting the area as Centre for Tertiary Education the Arts and Culture
6. Basement excavation – ensuring that basement development does not impact local hydrology or cause damage to neighbouring properties.

3. Assessment

3.1. The ‘responsible authority’ (London Borough of Camden or another delegated body) must determine whether a plan or programme, in this case the draft revised Redington Frognal Neighbourhood Development Plan, is likely to have significant environmental effects with reference to the criteria specified in Schedule 1 of the Regulations.

3.2. These criteria are set out in the table below, along with consideration of the likely impact of the Neighbourhood Plan against each.

| SEA Directive criteria | Comments | Likely Significant Effects? |
|---|--|-----------------------------|
| 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 | <p>The Neighbourhood Plan must have regard to national policy and be in general conformity with the strategic policies of the borough (one of the ‘Basic Conditions’ neighbourhood plans are tested against).</p> <p>The draft Neighbourhood Plan, if adopted, would form part of the statutory Development Plan for the borough and as such contribute to the framework for future projects and activities in the Neighbourhood Area.</p> | No |

| | | |
|---|--|----|
| allocating resources | The Plan does not allocate sites for development or address issues outside of those already assessed in the Council's Local Plan SA (which incorporated SEA) and as such is not considered to have significant effects in this regard. | |
| 1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy | <p>The Neighbourhood Plan must be consistent with the National Planning Policy Framework and in general conformity with the Council's strategic policies.</p> <p>The Neighbourhood Plan may form the context for, and influence, other documents for this area. However, it is considered the extent of impact is unlikely to be significant in this regard.</p> | No |
| 1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | The Neighbourhood Plan seeks to make a positive contribution to the three dimensions of sustainable development (social, economic and environmental). The Plan's policies have sought to achieve social, economic and environmental gains simultaneously. For example, through protecting community facilities, the provision of local workspaces, the identification of development aspirations and policies to safeguard the area's character and identity. | No |
| 1d) Environmental problems relevant to the plan or programme | <p>The Neighbourhood Plan identifies the importance of preserving the area's verdant character and supports retention of garden spaces and additional planting of trees and vegetation. It also seeks to deliver net gains in local biodiversity and manage the environmental impacts relating to basement development. This suggests that the Plan's policies will, on implementation, have beneficial effects.</p> <p>These effects are not considered to extend significantly beyond existing issues and policies in the Camden Local Plan and thus do not require testing through SEA.</p> | No |
| 1e) The relevance of the plan or | The neighbourhood plan is not directly relevant to the implementation of community legislation on the environment. | No |

| | | |
|--|--|----|
| programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). | | |
| 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 policy approaches are not considered to extend significantly beyond the Council's policies which have been subject to SEA. | No |
| 2b) The cumulative nature of the effects | Cumulative effects occur where the outcome of one or more policies, when put together, have a significant combined effect. The draft Plan does not allocate sites for development nor do the policies extend significantly beyond those already subject to SEA in the Council's Local Plan for the borough. | No |
| 2c) The trans-boundary nature of the effects | There are no trans-boundary effects arising from the Neighbourhood Plan. | No |
| 2d) The risks to human health or the environment (e.g. due to accidents) | There are unlikely to be risks to human health or the environment arising from the Plan. | No |
| 2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | The Plan will apply to new development in the neighbourhood plan area. The draft Redington Frogna Neighbourhood Plan noted the GLA 2015 round projections for the Frogna and Fitzjohn's ward 2016 (12,949 total). | No |
| 2f) The value and vulnerability of the area likely to be affected due to: | Camden Local Plan policies relating to design, cultural heritage and environmental protection will apply alongside the Neighbourhood Plan. The policies in the | No |

| | | |
|--|---|----|
| i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards or limit values iii) intensive land-use | draft Neighbourhood Plan are not considered to step significantly beyond the intentions of adopted local policy. The extent of possible effects are not considered sufficient to warrant SEA as these have already been subject to SEA in the Council's Local Plan. | |
| 2g) The effects on areas or landscapes which have a recognised national, Community or international protection status | There are no landscapes of national or international protection status in the Plan area. | No |

4. Final Screening outcome

- 4.1. The screening assessment has identified that the draft Plan is unlikely to give rise to significant environmental effects.
- 4.2. The Council's representation to the draft revised Plan highlighted instances of where Section 5: 'Aspirational Development Sites' uses terminology that would not normally be associated with an aspiration. "Specific requirements to be achieved" and "must" impose obligations that developers would have to meet. We have also raised concern about the use and status of appendices, in this case "Aspirational Development Site Briefs", where these contain more restrictive wording than the policies they support. The implication is that elements of the policy and appendix are read as formal site allocations.
- 4.3. While this creates some ambiguity (and the Council has suggested these references are amended), we understand that this section of the Plan is not intended to provide site allocations; indeed, this is spelt out in the first paragraph setting out the policy 'intent'. We also note that the Forum is continuing to make minor changes to the drafting of the Plan before it submits a final version of the document for examination. On this basis, no SEA needs to be undertaken.
- 4.4. The Council has consulted the following statutory consultation bodies, specified in the Environmental Assessment of Plans and Programmes Regulations 2004:
- Natural England
 - Historic England;
 - Environment Agency.

- 4.5. The responses received from the consultation bodies are attached to this opinion.
- 4.6. The consultation bodies and the Council both determine that the draft Redington Frogna! Neighbourhood Plan is unlikely to have significant environmental effects.

Triggs, Andrew

From: Parish, Richard <Richard.Parish@HistoricEngland.org.uk>
Sent: 19 November 2019 16:25
To: Triggs, Andrew
Subject: RE: SEA screening opinion : Redfrog NDP

Dear Mr Triggs

Thank you for consulting us in respect of the screening report for the SEA for the Revised Redington Fognal Neighbourhood Development Plan.

Having reviewed the documentation I can confirm that this does not alter our response in respect of the need for full SEA. I can therefore confirm that Neighbourhood Plan does not set out policies likely to have sufficient significant environmental impacts likely to require full SEA subject to modification of the reference to aspirational sites on para3 page 86 as recommended by the Council.

It must be noted that this advice does not affect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this request and which may have adverse effects on the environment.

Kind regards

Richard Parish
Historic Places Adviser
London & SE
Historic England



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From: Triggs, Andrew [mailto:Andrew.Triggs@camden.gov.uk]
Sent: 15 November 2019 16:10
To: LondonPlanningPolicy
Subject: SEA screening opinion
Importance: High

***** THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and know the content is safe *****

Dear Sir/Madam,

Please find attached a copy of the revised draft Redington Frogna! Neighbourhood Plan and Strategic Environmental Assessment (SEA) Screening report of the Plan prepared by the London Borough of Camden.

SEA regulations cite that these reports should be made available to the statutory bodies; Historic England, Natural England and the Environment Agency for comment before being finalised. The Council previously carried out a Screening Opinion on an earlier draft and considered that an SEA did not need to be undertaken. We shared this with Historic England at that time and I have attached your response. The Forum's revised Plan makes a number of changes to the structure of the document but most of the amendments to the text are considered to be minor.

The Council's opinion remains that it does not consider the Plan requires an SEA to be undertaken.

I would be grateful if you could come back to me to confirm if you have any comments on this latest screening opinion. Please can you respond by 20th December at the latest. If you are able to respond sooner than this date, it would be much appreciated.

Kind Regards

Andrew Triggs MRTPI
Principal Planner
Regeneration and Planning
Supporting Communities
London Borough of Camden

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Date: 17 December 2019
Our ref: 300865
Your ref: SEA Screening Opinion for the Redington Frogna! Neighbourhood Plan



Mr A Triggs MRTPI
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BY EMAIL ONLY

Andrew.Triggs@camden.gov.uk

Dear Mr Triggs

Revised draft Redington Frogna! Neighbourhood Plan and the Strategic Environmental Assessment (SEA) screening opinion

Thank you for your consultation request on the above dated and received by Natural England on 15th November, 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Natural England agree with the Council's view that the Plan does not require a Strategic Environmental Assessment (SEA).

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk

Yours sincerely

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Triggs, Andrew

From: Lyons, Demitry <Demitry.Lyons@environment-agency.gov.uk>
Sent: 11 December 2019 15:49
To: Triggs, Andrew
Subject: RE: SEA screening opinion

Dear Andrew

Thank you for consulting us on the Strategic Environmental Assessment screening report for the Redington Frognaal Neighbourhood Plan.

We apologise for not providing a response to your previous consultation. Unfortunately we cannot find any records of this consultation on our system. It is possible that the consultation could have been wrongly deleted. However, I am the Environment Agency planning lead for Camden so please feel free to contact in the unlikely situation that this occurs again and I would be happy to help. We have provided our comments on the current consultation below:

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses within the neighbourhood plan area. Therefore we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

The Lead Local Flood Authority's Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

We encourage the neighbourhood forum to seek out ways to improve the local environment through the neighbourhood plan. Together with Natural England, English Heritage and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: <https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

Please do not hesitate to contact us in case you have any further questions.

Kind regards,

Demitry Lyons

Planning Advisor | Sustainable Places | North London

Environment Agency | 2 Marsham Street London SW1P 4DF

✉ Team email account: HNLsustainableplaces@environment-agency.gov.uk

From: Triggs, Andrew [mailto:Andrew.Triggs@camden.gov.uk]
Sent: 15 November 2019 16:05
To: HNL Sustainable Places <HNLsustainablePlaces@environment-agency.gov.uk>
Subject: SEA screening opinion
Importance: High

Dear Sir/Madam,

Please find attached a copy of the revised draft Redington Frognaal Neighbourhood Plan and Strategic Environmental Assessment (SEA) Screening report of the Plan prepared by the London Borough of Camden.

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The Council's opinion remains that it does not consider the Plan requires an SEA to be undertaken.

I would be grateful if you could come back to me to confirm if you have any comments on this latest screening opinion. Please can you respond by 20th December at the latest. If you are able to respond sooner than this date, it would be much appreciated.

Kind Regards

Andrew Triggs MRTPI
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