

## **Shopfronts Supplementary Planning Document (SPD3) Strategic Environmental Assessment Screening (SEA) Opinion**

**June 2018**

### **Legislative Background**

Strategic Environmental Assessment (SEA) is a way of ensuring the environmental implications of a plan or programme for 'town or country planning or 'land use' are taken into account. The need for environmental assessments is set out in the EU Directive 2001/42/EC (hereafter referred to as the SEA Directive). This has subsequently been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (hereafter referred to as the SEA Regulations).

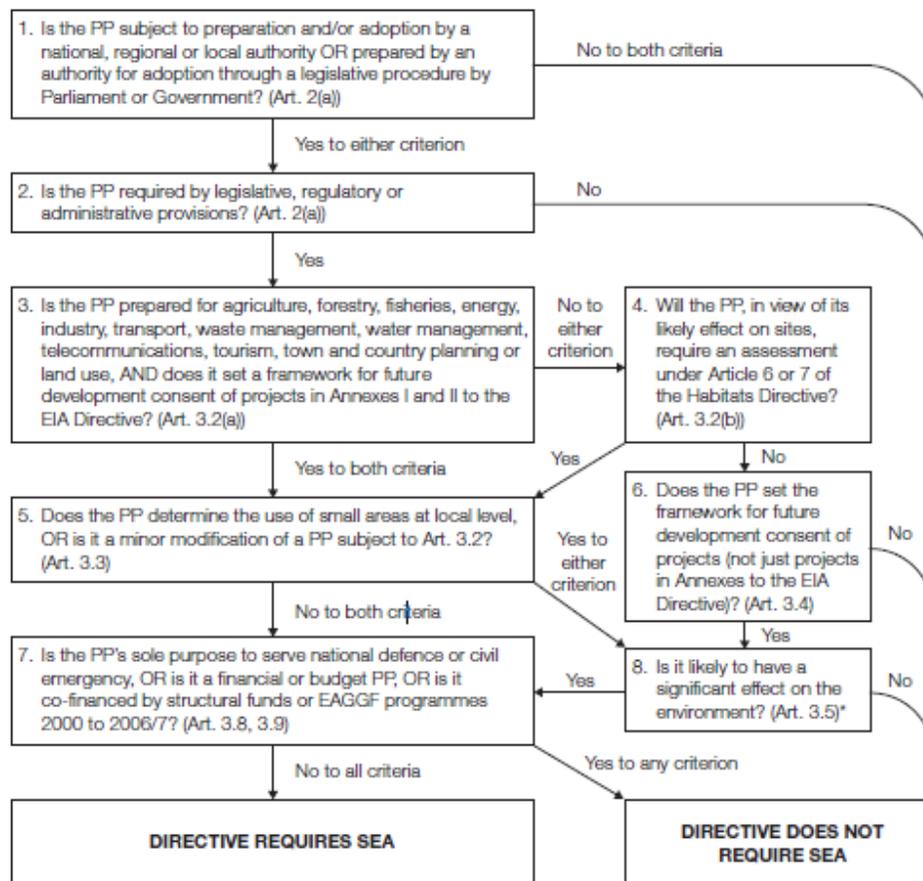
The Government's Planning Practice Guidance states in some limited circumstances, where a Supplementary Planning Document (SPD) could have significant environmental effects, it may fall within the scope of the SEA Regulations and so require an SEA. To determine whether the draft Shopfronts Supplementary Planning Document might have significant environmental effects, its potential scope has been assessed against the criteria set out in Schedule 1 to the SEA Regulations.

### **Screening Process**

The screening opinion assessment is undertaken in two parts: the first part will assess whether the SPD requires SEA (as per the flow chart which follows); and the second part of the assessment will consider whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Directive and the SEA Regulations.

**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.



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

(Extracted from A practical Guide to the SEA Directive, DCLG, 2005)

## Summary of the SPD

| <b>Details of SPD</b> |  |
|-----------------------|--|
| Name of SPD           | Draft Shopfronts Supplementary Planning Document   |
| Geographic Coverage   | The whole of the LB Brent with the exception of the area where the Old Oak and Park Royal Development Corporation is the Local Planning Authority.   |
| Purpose               | The document amplifies national, London and Brent planning policies particularly relevant to design to provide clarity on how LB Brent will encourage high quality design in shopfronts and conversions of shops to residential use. When adopted it will replace the Shopfronts and Shop Signs Supplementary Planning Guidance adopted in 2003.   |
| Summary of content    | <p>The key aspects covered in the SPD are as follows:</p> <p><u>Introduction</u></p> <p>1.1 The importance of shopfronts<br/>           1.2 Background to document<br/>           1.3 Permissions and consents</p> <p><u>Shopfronts - design principles</u></p> <p>2.1 Principle 1: Positive shopfront character<br/>           2.2 Principle 2: Attractive display windows<br/>           2.3 Principle 3: Uncluttered shop signage and advertisements<br/>           2.4 Principle 4: Relating to the building and streetscene<br/>           2.5 Principle 5: Equal access for all users<br/>           2.6 Principle 6: High quality materials<br/>           2.7 Principle 7: Integrating fixtures, services and entrances<br/>           2.8 Principle 8: Avoiding light pollution<br/>           2.9 Checklist: Shopfront design</p> <p><u>Converting shops to residential - design principles</u></p> <p>3.1 Principle 1: Positive shopfront character<br/>           3.2 Principle 2: Relating to scale, proportion and style<br/>           3.3 Principle 3: Ensuring privacy<br/>           3.4 Principle 4: Suitable access and servicing<br/>           3.5 Principle 5: High quality materials<br/>           3.6 Checklist: Converting shops to residential</p> <p>Appendix: Examples of shopfronts that Brent would resist the loss of</p> |

## Summary of Screening Opinion

| <b>Local Authority Details</b>                              |  |
|---|--|
| Name and job title of officer undertaking screening opinion | Joris van der Starre, Principal Urban Designer   |
| Date of assessment  | 22 November 2017, updated 6 June 2018  |
| Conclusion of assessment                                    | SEA is not required  |
| Reason for conclusion                                       | It is concluded that the Draft Shopfronts Supplementary Planning Document reflects and is consistent with existing Brent Core Strategy, Site Specific Allocations, Development Management Policies and London Plan policies. These policies have been subject to Strategic Environmental Assessment in their own right. The document does not create new policy as this is not the role of SPD, therefore there is not a need for SEA to be undertaken in this case. |
| Response of statutory bodies consulted                      | <ul style="list-style-type: none"> <li>- Heritage England agrees no SEA is required</li> <li>- Natural England did not wish to comment</li> <li>- The Environment Agency did not respond</li> </ul>  |

### Assessment 1: Screening Assessment Establishing the Need for SEA Stage

| <b>Stage</b>   | <b>Y/N</b> | <b>Reason</b>  |
|--|------------|--|
| 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 or Government? (Art. 2(a)) | <b>Y</b>   | The preparation and adoption of the SPD is allowed under the Planning and Compulsory Purchase Act 2004. The process in preparing the SPD accords with The Town and Country Planning (Local Planning) Regulations 2012.<br><b>GO TO STAGE 2</b> |
| 2. Is the SPD required by legislative, regulatory or administrative provisions? (Art. 2(a))  | <b>N</b>   | The SPD is not a requirement and is optional under the provisions of the Planning and Compulsory Purchase Act 2004.<br><b>DIRECTIVE DOES NOT REQUIRE SEA</b>   |

## Assessment 2: Likely Significant Effects on the Environment

| SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004  | Brent Council assessment  | Likely significant environmental effect? |
|---|---|--|
| <b>Characteristics of the SPD, having regard to:</b>  |   |  |
| The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources. | The SPD would, if adopted, form part of the Local Plan suite and as such would contribute to the framework for future development consent in relation to the regeneration of LB Brent. The developments for which it helps to set a framework are essentially localised in nature and have limited resource implications, whilst larger sites have already been allocated in Plans that have been subject to SEA. | <b>N</b>                                 |
| The degree to which the SPD influences other plans and programmes including those in a hierarchy.   | The SPD is in conformity with the National Planning Policy Framework, London Plan and the Brent Local Plan policies. The SPD will not significantly influence other plans and programmes. It supplements existing London Plan and Local Plan policy which has been subject to SEA.  | <b>N</b>                                 |
| The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.  | The SPD seeks to provide high quality shops and housing at a human scale based on sound urban design principles. It seeks to (re)develop buildings of high environmental quality in their appearance and long term durability. It reduces the environmental impact by encouraging re-use of underused buildings, instead of building new dwellings and shops elsewhere.   | <b>N</b>                                 |
| Environmental problems relevant to the SPD.   | The SPD seeks to not increase use of the private vehicle by supporting re-use of existing shops, which are typically easily accessible by public transport and other sustainable  | <b>N</b>                                 |

|   |  |          |
|---|--|----------|
|   | modes of transport.  |          |
| The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.  | <b>N</b> |
| <b>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>  |  |          |
| The probability, duration, frequency and reversibility of the effects.  | The SPD seeks to ensure the continued regeneration of LB Brent is of an appropriate scale, suitably designed with consideration of impact on amenity, character of area and environmental impact. Therefore positive social and environmental impacts are predicted. It is not anticipated the SPD will result in significant long-term adverse effects.   | <b>N</b> |
| The cumulative nature of the effects of the SPD.  | The SPD is in general conformity with the strategic policies. It is intended that the effects will have a positive cumulative benefit for the area.  | <b>N</b> |
| The trans-boundary nature of the effects of the SPD.  | No screened European Sites are within or adjacent to the borough, the closest site being Richmond Park 8km away from the southern boundary, and subsequently distance limits the potential impacts of development in the neighbourhood area on the screened European Sites. There are not expected to be any significant trans-boundary effects.   | <b>N</b> |
| The risks to human health or the environment (e.g. due to accidents).   | There are no significant risks to human health. Indeed, the SPD is likely to have a positive impact on human health by seeking to replace existing poor quality accommodation with high quality development.   | <b>N</b> |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the SPD.  | The sites the SPD is intended to guide development for are likely to be relatively small with a limited but positive effect on the local population within the catchment area.   | <b>N</b> |
| The value and vulnerability of the area likely to be affected by the SPD due to:<br>- Special natural characteristics or cultural heritage;                                     | In relation the vulnerability of a particular site, applications will be assessed against relevant development policy in relation to sites of importance for cultural heritage. Brent has statutorily and non-statutorily designated heritage assets across the area. These are covered by separate Local Plan policies and legislation. The SPD seeks a positive approach to seeking to maintain, or improve the setting of these assets. | <b>N</b> |

|  |   |                          |
|--|---|--------------------------|
|  |   |                          |
| <ul style="list-style-type: none"> <li>- Exceeded environmental quality standards or limit values; or</li> <li>- Intensive land use</li> </ul> | The SPD seeks to guide development in keeping with the principles of national, regional and local policy and seeks to prevent over intensive development. | <b>N</b><br><br><b>N</b> |
| The effects of the SPD on areas or landscapes which have recognised national, community or international protection status.                    | There are no Areas of Outstanding Natural Beauty (AONB) or Areas of Great Landscape Value (AGLV) located adjacent to or within the borough.               | <b>N</b>                 |
| <b>Assessment 2 Conclusion</b>   | <b>The draft Shopfronts Supplementary Planning Document (SPD3) is unlikely to have a significant effect on the environment.</b>                           |                          |

### Conclusion

As a result of the Screening Assessment, it is concluded that draft Shopfronts Supplementary Planning Document (SPD3) in its current form is unlikely to have significant environmental effects. The SPD accords with Brent's strategic policies which have undergone full SEA, as well as national and regional policies. As such the SPD does not require a full SEA to be undertaken.