



Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document (SPD)

**Strategic Environmental Assessment (SEA) –
Screening Statement**

**Habitats Regulations Assessment (HRA) –
Screening Statement**

Draft Determination Statement

I. INTRODUCTION

- I.1** This statement sets out the Authority's determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the consultation draft Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document (SPD) hereafter referred to as the Parking SPD.
- I.2** This statement also sets out the Authority's determination as to whether Appropriate Assessment is required under the Conservation of Habitats & Species Regulations 2017 (as amended).

Strategic Environmental Assessment

- I.3** Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans that set out the framework for future development consent of projects must be subject to an environmental assessment.
- I.4** There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.
- I.5** In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Authority must determine if a plan requires an environmental assessment. Where the Authority determines that SEA is not required then under Regulation 9(3) the Authority must prepare a statement setting out the reasons for this determination. The need for SEA is considered under Section 3 of this report.

Sustainability Appraisal

- I.6** Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), the Authority is required to carry out a Sustainability Appraisal (SA) for all Development Plan Documents. This considers the social and economic impacts of a plan as well as the environmental impacts.
- I.7** In accordance with current Regulations (Town & Country Planning (Local Development) (England) (Amendment) Regulations 2012) SA is not required to be carried out for SPD. However, despite this, it is still necessary to determine the need for SEA.

Habitats Regulations Assessment

- I.8** Habitats Regulations Assessment is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. The need for HRA is set out within the EC Habitats Directive 92/43/EC and transposed into British Law by the Conservation of Habitats and Species Regulations 2017 (as amended). Section 4 of this report deals with the need for Habitats Regulation Assessment.

2. SCOPE OF THE PARKING SPD

2.1 The scope of the SPD is to provide further guidance to support the implementation of the parking policy of the South Downs Local Plan (SDLP). The SPD will elaborate upon policy SD22: Parking Provision of the SDLP (adopted July 2019) and applies to the whole of the South Downs National Park. The SPD provides further detail on the following matters:

- Sets out a standard for parking at residential development based on principles and a calculator tool
- Sets out a standard for parking at non-residential development based on principles and a table showing provision of spaces by type of development
- Provides examples of how the principles will be used to determine parking provision
- Explains how the calculator tool is used as part of the standard for parking

3. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

The SEA Screening Process

- 3.1** The process for determining whether or not an SEA 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 Directive and Schedule I of the Regulations. Table I sets out the Authority's screening for the Parking SPD using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.
- 3.2** Within 28 days of making its determination the authority must publish a statement such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

SEA Determination and Reasons for Determination

Table I – SEA Screening for the Parking SPD

Criteria (from Annex II) of the SEA Directive and Schedule I of the Regulations	SDNPA Comments
Characteristics of the plan or programme	
a) The degree to which the plan or programme sets a framework for projects and other activities, either with regards to the location, nature, size and operating conditions or by allocating resources.	The Parking SPD sits at the lowest tier of the development plan system. It offers specific guidance to implement policy SD22: Parking Provision of the South Downs Local Plan (SDLP).
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SPD is an implementation tool for delivering the already adopted development plan policies at a higher tier (the SDLP) which have already been subject to SA/SEA. It is influenced by other higher tier plans rather than influencing other plans itself.
c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The SPD provides further guidance to support the implementation of the parking policy in the context of the other policies of the adopted SDLP which have already been subject to SA/SEA and therefore does not have a significant environmental impact on environmental considerations. As the SPD is

	an implementation tool for the SDLP parking policy it does have social economic and environmental considerations in respect to sustainable development by providing clear and consistent guidance on the provision of parking within new development.
d) Environmental problems relevant to the plan or programme.	The SPD is an implementation tool for delivering already adopted development plan policies at a higher tier which have already been subject to SA/SEA. The SPD expands on higher level policy requirements (SD22) that parking for vehicles and cycles is appropriately provided within new development to minimise landscape impact and maximise ecosystem services.
e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example plans and programmes linked to waste management or water protection).	The nature of the Parking SPD has no direct impact on the implementation of Community legislation. The principle of development is considered through the SDLP which has been subject to SA/SEA and HRA.
Characteristics of the effects and of the area likely to be affected	
a) The probability, duration, frequency and reversibility of the effects.	<p>The SPD will not in itself set out or bring forward development plans or projects. It sets out a standard for parking in accordance with policy SD22 of the SDLP and guidance for how the Authority will use the standard and interpret the policy.</p> <p>The SPD should provide positive effects in regards to social, economic and environmental considerations.</p>
b) The cumulative nature of the effects	The SPD is not anticipated to have any significant cumulative effects. Cumulative effects are addressed in the SDLP SA/SEA and HRA.
c) The transboundary nature of the effects	The SPD applies within the South Downs National Park area only. It is not expected to have any negative effects outside of the SDNP. Transboundary effects have been addressed in the SDLP SA/SEA and HRA.
d) The risks to human health or the environment (for example, due to accidents)	The SPD presents no direct risks to human health or the environment. It is considered there may be improvements to human health and environment due to parking being

	provided to meet local needs, including being of the appropriate location, scale and design. This could indirectly support improved health outcomes and reduced health inequalities
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the whole of the South Downs National Park area.
f) The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage; ii) Exceeding environmental quality standards or limit values; ii) Intensive land-use	The South Downs National Park covers an area with a wide variety of characteristics. The SPD itself does not direct or establish the principle of development. This is covered by higher tier policies in the SDLP which have been subject to SA/SEA. In any case, development proposals will need to be consistent with SDLP policies SD4 to SD18 and where appropriate tested through the Habitats Regulations.
g) The effects on areas or landscapes which have recognised national, community or international protection status.	The SPD will cover the whole of the South Downs National Park which has been designated for its special landscape, wildlife and cultural value. The SPD should provide positive effects by guiding the provision of appropriate levels of vehicle and cycle parking in the National Park. In line with SDLP policies SD4 to SD18, development proposals will need to be tested through the Habitats Regulations where appropriate.

Other Considerations

2.1 In reviewing these criteria and coming to a conclusion, the Authority has also had regard to the following:

- The SPD does not present new policies but seeks to clarify the Authority's approach to implementing the SDLP parking policy.

SEA Conclusion

2.2 Having regard to the considerations above, the Authority considers that the Parking SPD is unlikely to have any significant environmental effects and therefore does not require a Strategic Environmental Assessment.

4. HABITATS REGULATIONS ASSESSMENT SCREENING STATEMENT

- 2.3** This part of the report seeks to determine whether the Authority's policies and proposals set out in the Parking SPD will have any significant impacts on Natura 2000 sites.
- 2.4** This SPD will support policy SD22: Parking Provision in the adopted South Downs Local Plan (SDLP). The SDLP was subject to a Habitats Regulation Assessment which was prepared in consultation with Natural England. The purpose of HRA is to assess the impacts of plans and/or projects against the conservation objectives of a European protected site. The assessment must determine whether the plan and/ or project would adversely affect the integrity of the site in terms of its conservation objectives. Where adverse effects are identified these effects should be avoided or mitigated.
- 2.5** The Appropriate Assessment stage of HRA is only required should the preliminary screening assessment not be able to rule out likely significant effects.
- 2.6** The Directive states that any plan or project not connected to or necessary for a sites management, but likely to have significant effect thereon shall be subject to appropriate assessment. There are 4 distinct stages in HRA namely:
- Step 1: Screening - Identification of likely impacts on a European site either alone or in combination with other plans/projects and consideration of whether these are significant.
 - Step 2: Appropriate Assessment - consideration of the impact on the integrity of the European Site whether alone or in combination with other plans or projects with respect to the sites structure, function and conservation objectives. Where there are significant effects, step 2 should consider potential mitigation measures.
 - Step 3: Assessment of Alternative Solutions - Assessing alternative ways of achieving the objectives of the plan/project which avoid impacts; and
 - Step 4: Assessment of Compensatory Measures - Identification of compensatory measures should impact not be avoided and no alternative solutions exist and an assessment of imperative reasons of overriding public interest (IROPI) deems that a project should proceed.
- 2.7** Should screening (step 1) reveal that significant effects are likely or effect cannot be discounted because of uncertainty, then it is necessary to move onto step 2: Appropriate Assessment. If step 2 cannot rule out significant effect even with mitigation, then the process moves onto step 3 and finally step 4 if no alternative solutions arise.

Step 1 - Screening

- 2.8** There are four stages to consider in a screening exercise:
- Stage 1: Determining whether the plan/project is directly connected with or necessary to the management of the site;

- Stage 2: Describing the plan/project and description of other plan/projects that have the potential for in-combination impacts;
- Stage 3: Identifying potential effects on the European site(s); and
- Stage 4: Assessing the significance of any effects

Stage 1

- 2.9** It can be determined that the Parking SPD is not directly connected with, or necessary to the management of a site.

Stage 2 to 4

- 2.10** Information about the scope of the SPD can be found in Section 2 of this document. The SPD supports SDLP policies, which are already subject to a full HRA, including of any in-combination effects with other plans and / or projects. The SDLP HRA considered the potential effects on the following European sites:

- Calcareous grassland sites: Lewes Downs SAC, Castle Hill SAC and Butser Hill SAC
- Woodland sites: Duncton to Bignor Escarpment SAC, Kingley Vale SAC, East Hampshire Hangers SAC and Rook Cliff SAC
- Heathland bog sites: Thursley, Ash, Pirbright and Chobham SAC, Woolmer Forest SAC, Ashdown Forest and Shortheath Common SAC
- Bat sites: The Mens SAC, Singleton and Cocking Tunnels SAC, and Ebernoe Common SAC
- Heathland bird sites: Wealden Heaths Phase II SPA, Ashdown Forest SPA and Woolmer Forest SAC
- Riverine sites: River Itchen SAC, Arun Valley SAC/SPA/Ramsar
- Estuarine sites: Chichester and Langstone Harbours SPA / Ramsar, Solent Maritime SAC, Dorset and Solent potential SPA
- Wetland sites: Pevensey Levels SAC/ Ramsar site

- 2.11** The following impact pathways were identified as relevant to the SDLP HRA:

- Recreation pressure
- Air Quality
- Water quantity and changes in hydrological cycles
- Water quality
- Loss of supporting habitat
- Urbanisation

- 2.12** The SDLP HRA undertook a test of likely significant effects for policies and site allocations contained in the Local Plan. Policies / allocations assessed as having no potential impact pathways linking to European Designated Sites were screened out from further consideration. The following assessment was made of SDLP policy SD22:

Policy	Description	HRA Implications
	SD22 sets out the requirements for new public and private parking. The policy permits development proposals where they provide an appropriate level of parking to serve the needs of the development in accordance with the relevant adopted parking standards for the locality.	<p>“No HRA implications.</p> <p>This is a development management policy relating to parking provision. It is a positive policy as it provides for connections to allow vehicle charging, thus encouraging the use of electric vehicles which has the potential to reduce atmospheric pollution contributions.</p> <p>There are no linking impact pathways present.”</p>

HRA screening conclusion

2.13 The Parking SPD provides further guidance to support the implementation of Policy SD22. The SPD does not set the principle of development nor does it direct development to a specific location. Therefore, as with the assessment of Policy SD22 there are no linking impact pathways present and there are no HRA implications. A full appropriate assessment is not required.