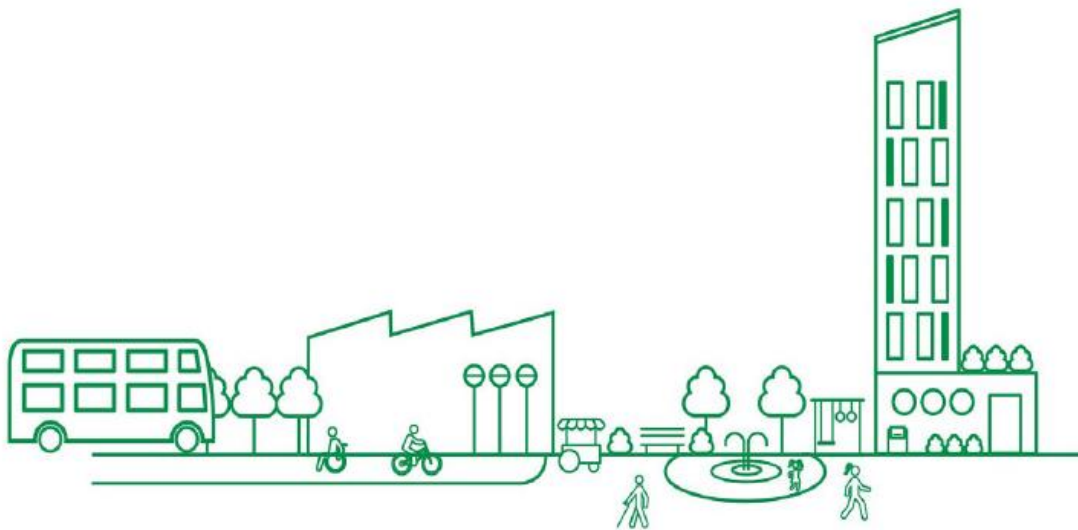


# Public Realm and Green Infrastructure

## Supplementary Planning Document

### Strategic Environmental Assessment Screening and Determination Statement

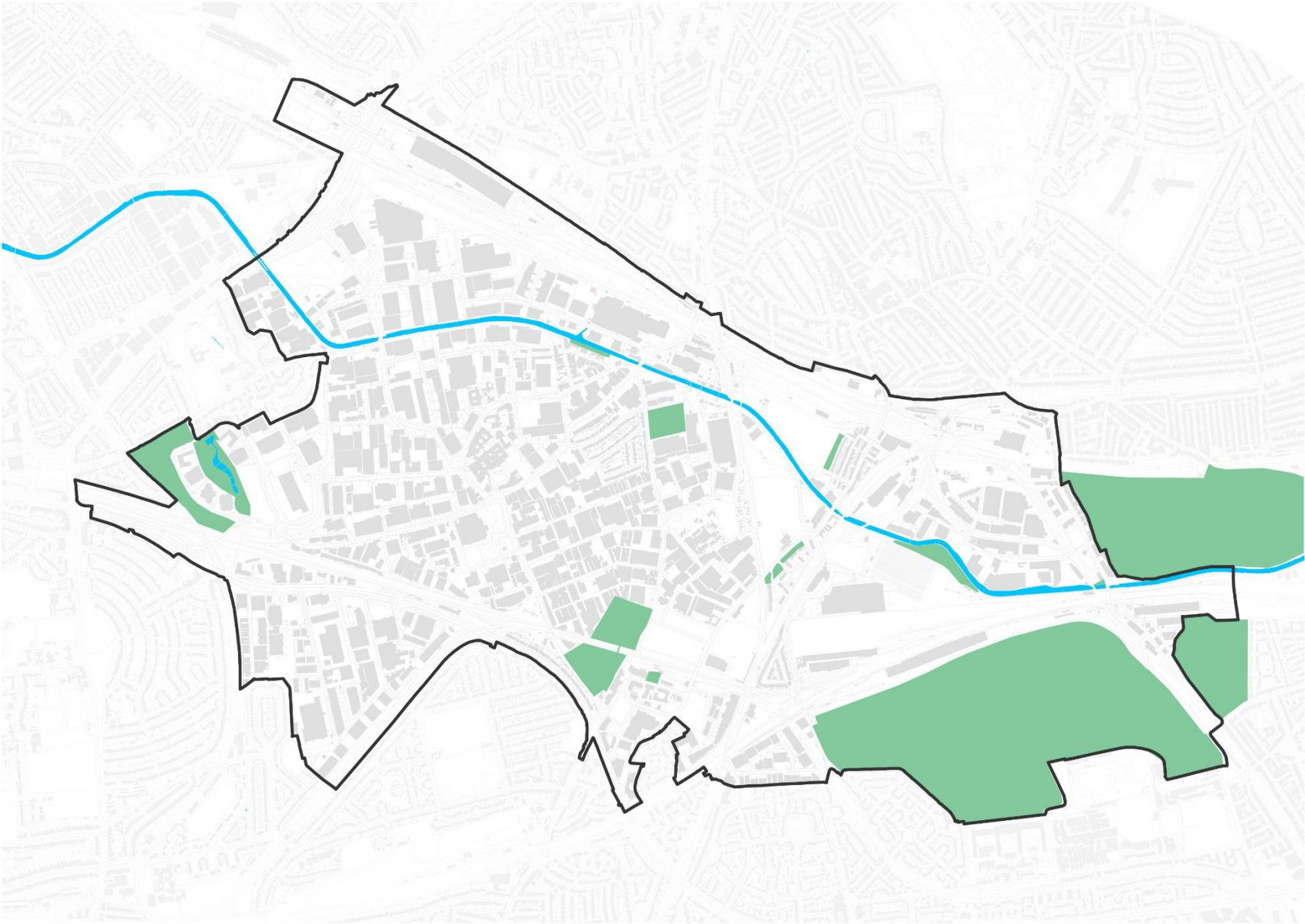
January 2024



## 1.0 Introduction

- 1.1 The Old Oak Park Royal Development Corporation (OPDC) is preparing a new Public Realm and Green Infrastructure (PRGI) Supplementary Planning Document (SPD) to provide supplementary guidance to OPDC's Local Plan. The SPD will provide additional information and detail on how OPDC will, as the Local Planning Authority (LPA), implement policies of the Local Plan where they relate to the OPDC area.
- 1.2 Section 3 of this document describes the proposed scope of the SPD. Figure 1 provides a map of the OPDC area which is the extent of the SPD.
- 1.3 This Strategic Environmental Assessment (SEA) screening has been prepared in accordance with the requirements of Directive 2001/42/EC of the European Parliament and of the Council on the Assessment of the Effects of Certain Plans and Programmes on the Environment and the Environmental Assessment of Plans and Programmes Regulations 2004 as amended. The following guidance has also been taken into account:
- The National Planning Practice Guidance ([Paragraph: 001 Reference ID: 11-001-20190722](#)) in relation to SEA/SA
  - [A Practical Guide to the Strategic Environmental Assessment Directive \(ODPM 2005\)](#)
- 1.4 The screening consultation has been prepared to enable the Environmental Bodies as specified in section 4 of the Environmental Assessment of Plans and Programmes Regulations 2004 to provide comment on the appropriateness of the screening process and its conclusion for this proposed SPD. Those bodies are:
- Natural England
  - Historic England
  - Environment Agency
- Other bodies that have specifically been invited to comment are:
- London Boroughs of Brent, Ealing, and Hammersmith and Fulham
  - Greater London Authority
- 1.5 The consultation period ran from 6<sup>th</sup> February 2023 to midnight 14<sup>th</sup> March 2023. Any comments were invited to be made in writing and returned to the OPDC Planning Policy Team at:
- [planningpolicy@opdc.london.gov.uk](mailto:planningpolicy@opdc.london.gov.uk); or
  - SPDs SEA Screening Consultations, Planning Policy team, Brent Civic Centre, 32 Engineers Way, Wembley, HA9 0FJ

Figure 1: OPDC area and extent of the Public Realm and Green Infrastructure SPD



## 2.0 Purpose of Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

- 2.1 The [ODPM's practical guidance on applying European Directive 2001/42/EC](#), and the [Environmental Assessment of Plans and Programmes Regulations 2004](#) (as amended) both detail the requirements of a Strategic Environmental Assessment (SEA). These documents place an obligation on local planning authorities to undertake an SEA on any land use plan or programme "which sets the framework for future development consent of projects."
- 2.2 Sustainability Appraisal (SA) is the process by which this Directive is applied to Local Plan documents. An SA is required under the Planning and Compulsory Purchase Act 2004 for all Development Plan Documents (DPDs), including Local Plans, and Supplementary Planning Documents (SPDs). The EU Strategic Development Directive also requires a Strategic Environmental Assessment (SEA) to be carried out on certain types of plans with significant environmental effects. The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 removes the automatic need for an SA of SPDs. Exceptions to this requirement are for plans "which determine the use of small areas at a local level" or which only propose "minor modifications to plans," if the local planning authority determines that the plan is unlikely to have significant environmental effects.
- 2.3 Both SA and SEA processes are undertaken during the preparation of a plan or strategy to aid the implementation of sustainable development. The main difference between them is that while an SEA has more of an environmental focus, an SA should focus on social, economic and environmental issues. Although SA and SEA are distinct requirements, government guidance has recommended a single appraisal process. The SA process for planning documents therefore incorporates the requirements of the European SEA Directive. In the case of the OPDC Local Plan preparation an Integrated Impact Assessment (IIA) has been undertaken. The IIA incorporates the requirements of a SA and SEA as well as incorporating the Health Impact Assessment (HIA) and the Equalities Impact Assessment (EqIA) which are two additional assessments a Local Planning Authority are required to undertake in preparation of a plan.
- 2.4 The requirements and extent for SA/SEA on SPDs are also set out in the National Planning Practice Guidance (NPPG) Paragraph: 008 Reference ID: 11-008-20140306:
- "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 Local Plan ... Before deciding whether significant environment effects are likely, the local planning authority will need to take into account the criteria specified in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#) and consult the consultation bodies."*
- 2.5 Using the definitions set out in national planning policies the purpose of this screening is therefore to ascertain if the OPDC PRGI SPD requires a separate SEA to the SA component of the OPDC's Local Plan IIA. In general terms the screening is testing if this SPD will create policy additional to that in the Local Plan that needs to be tested against the SA criteria.

### 3.0 Public Realm and Green Infrastructure (PRGI) SPD

- 3.1 The OPDC area contains an extensive network of publicly accessible open spaces and movement routes. Existing spaces and routes will be enhanced and new ones delivered across Old Oak and Park Royal.
- 3.2 OPDC's Local Plan policies set out the locations of these and policies to deliver and enhance these at a strategic level of detail. This includes delivering 30% of development sites outside of Strategic Industrial Locations as publicly accessible open spaces including two Local Parks and as series of pocket parks and other smaller open spaces. The Local Plan sets out the movement network including the bus network and walking and cycling network.
- 3.3 The purpose of the PRGI SPD is to provide additional information and detail on how OPDC will, as the Local Planning Authority, implement policies in the Local Plan that relate to the public realm and green infrastructure across the OPDC area. The SPD is not spatially specific and provides guidance for different typologies and hierarchy of streets and spaces. The core focus will be on:
- defining OPDC's movement hierarchy.
  - delivering high quality, inclusive, healthy, sustainable and resilient existing streets, new streets and publicly accessible open spaces.
  - delivering new and enhanced green infrastructure and a net increase in biodiversity.
- 3.4 It will not create any new policy or amend any policies set out in OPDC's Local Plan. The Local Plan has been subject to a full Sustainability Appraisal (including SEA) as part of the Integrated Impact Assessment (IIA).
- 3.5 Table 1 sets out the proposed structure of the SPD. Once produced, a draft of this SPD will be subject to formal public consultation.

**Table 1: Proposed structure of the PRGI SPD**

Chapter	Content
<b>1. Introduction/context summary</b>	Sets out: <ul style="list-style-type: none"><li>• Role and extent of the SPD</li><li>• Status of SPD</li><li>• Context summary</li></ul>
<b>2. Spatial Vision, objectives and outcomes</b>	Sets out the Spatial Vision, objectives and outcomes.
<b>3. Guidance</b>	<p>Sets out SPD guidance in the form of Principles and Ambitions:</p> <ul style="list-style-type: none"><li>• Principles provide guidance on things that must be considered in developing proposals.</li><li>• Ambitions encourage innovation and best practice that could be explored.</li></ul> <p>The Principles and Ambitions will comprise the following guidance themes:</p> <ul style="list-style-type: none"><li>• Hierarchy of streets and routes</li></ul>

	<ul style="list-style-type: none"> <li>• Hierarchy of publicly accessible open spaces</li> <li>• Green infrastructure and biodiversity guidance for development</li> <li>• Delivery and implementation</li> <li>• Equity, Diversity and Inclusion</li> </ul> <p>Signposts to other national, London and OPDC policy and guidance will also be identified.</p>
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## 4.0 SEA Determination Statement

### 4.1 Determination Statement on the need for Strategic Environmental Assessment (SEA) for the OPDC Public Realm and Green Infrastructure SPD.

4.2 This section of the report constitutes the determination statement as to the need for a full SEA under Regulation 9(3) of the Environmental Assessment of Plans and Programmes Regulations 2004. This section sets out the results of the SEA screening process set out in the earlier sections of this document for the OPDC's proposed Public Realm and Green Infrastructure (PRGI) Supplementary Planning Document (SPD) along with the reasoning behind the determination that an SEA is not required.

### 4.3 Consultation with Statutory Bodies

4.4 In accordance with the Regulations, OPDC, as the Local Planning Authority for its area, has consulted with specific environmental organisations (Natural England, Historic England and the Environment Agency) and in light of the Duty to Cooperate, has also consulted other relevant parties, to determine the need or otherwise for a SEA of the proposed PRGI SPD. OPDC has determined that a SEA is not required in this instance and the reasons for reaching that conclusion are set out in paragraph 6.1 of this document. The conclusion states:

*"In considering the scope of the PRGI SPD against the criteria from the guidance document "A Practical Guide to the Strategic Environmental Assessment Directive" (ODPM, 2005) and the Environmental Assessment of Plans and Programmes Regulations 2004, it is concluded that as the OPDC PRGI SPD will not change or introduce new planning policy, proposals or allocations and that those on which it will rely are within the Local Plan which are subject to an Integrated Impact Assessment (IIA) (including a SA/SEA), it is considered that a SEA is not required for the PRGI SPD."*

4.5 The SEA Screening Statement was sent to the following organisations:

- Historic England;
- Natural England;
- The Environment Agency;
- London Boroughs of Brent, Ealing and Hammersmith and Fulham; and
- The Greater London Authority

4.6 Their comments are summarised in Table 2 below:

**Table 2: Summarised Consultation Responses**

	<b>Organisation</b>	<b>Summarised comment</b>
<b>1</b>	Historic England	No comment received
<b>2</b>	Natural England (NE)	<p>Based on information provided and as far as NE strategic environmental interests are concerned, there are unlikely to be significant environmental effects from the proposed plan and can view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.</p> <p>Not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. The responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.</p>
<b>3</b>	Environment Agency	<p>Do not anticipate that the SPDs will have any significant negative effects on the environment. In fact, we believe the SPDs will support the Local Plan's commitments to sustainable development and positive environmental outcomes.</p> <p>The SPD provides a good opportunity to provide detail on how development can contribute to meeting requirements of the Water Framework Directive (Local Plan policy EU3); deliver a Biodiversity Net Gain (Local Plan policy SP8) and identify opportunities to improve habitat connectivity and create wildlife corridors.</p> <p>A number of London Plan Guidance's were recommended to be considered.</p>
<b>4</b>	GLA	No comment received
<b>5</b>	London Borough of Brent	No comment received



<b>6</b>	London Borough of Ealing	No comment received
<b>7</b>	London Borough of H&F	No comment received

- 4.7 All of these bodies will also be consulted when the draft SPD is published for formal consultation. All consultation comments will be considered.
- 4.8 With respect to Natural England comments, the London Plan and OPDC's Local Plan already set out the policy framework for protecting biodiversity. The PRGI SPD is supported by the Biodiversity and Urban Greening Strategy that identifies Landscape Ecology Areas (LEA's) and the key elements of habitat, flora and fauna of each particular LEA. It is not a comprehensive list, but picks out species of importance (e.g. rare or a priority species) and are key to the LEA's character. The recommendations have informed more detailed guidance in the SPD on how the public realm and developments can protect, enhance, improve connectivity and strengthen resilience in relation to habitats, flora and fauna.
- 4.9 In light of the comments received by the Environment Agency, we have ensured the SPD provides supplementary guidance to support the sustainable management of water in the public realm, support delivering Biodiversity Net Gain and provides guidance to connect habitats to support nature recovery. We will continue to work closely with the agency and seek comments and advice as part of the formal consultation process.
- 4.10 Conclusion/Reasoning**
- 4.11 OPDC's PRGI SPD will provide additional information on the policies set out in OPDC's adopted Local Plan. It will not create additional planning policies or amend current planning policies. As such, the screening of this document, and the comments received from consulted bodies listed in paragraph 4.6 above, has led to the conclusion that the SPD is unlikely to have any significant environmental impacts, and therefore, an SEA is not required.
- 4.12 This section therefore constitutes the OPDC's Determination Statement outlining the process that has led to the conclusion that a SEA is not required.

## **5.0 Screening Assessment of the PRGI SPD**

- 5.1 The document "A Practical Guide to the Strategic Environmental Assessment Directive" (ODPM, 2005), sets out eight criteria that should be taken into account when screening a plan or programme to determine whether it will require SEA.

**Table 2: ODPM Assessment - application of the SEA Directive to the PRGI SPD**

	<b>Screening Question</b>	<b>Screening Assessment</b>
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<b>1</b>	Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through legislative procedure by Parliament or Government?	Yes. The SPD will be prepared and adopted by the Old Oak and Park Royal Development Corporation (OPDC) in its role as Local Planning Authority (LPA).
<b>2</b>	Is the SPD required by legislative, regulatory or administrative provisions?	No. The preparation of an SPD is not required by legislative, regulatory or administrative provisions.
<b>3</b>	Is the SPD prepared for agricultural, forestry, fisheries, energy, industry, transport or waste 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?	<p>Yes and yes. The SPD is intended to provide supplementary town planning guidance to the OPDC Local Plan. The London Plan, Local Plan and Harlesden Neighbourhood Plan provide the town planning policy framework for the OPDC area.</p> <p>The SPD will not create new policy or land use designations.</p>
<b>4</b>	Will the SPD, in view of its likely effects on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	<p>No. The Local Plan was subject to Habitats Regulation Screening Assessment in accordance with the requirements of the Habitats Directive. The assessment confirmed that the Local Plan policies are unlikely to have any significant effects on the European sites identified, either alone or in-combination with other plans or projects.</p> <p>As the SPD will not create any new policy or amend any policies, proposals or designations within the Local Plan, it is not considered that further screening for such an assessment is necessary.</p>
<b>5</b>	Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan subject to Article 3.2?	No. The policies, proposals and allocations that determine use within the SPD area have already been set within OPDC's Local Plan. There will be no aspect of the SPD which would modify the Local Plan.
<b>6</b>	Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)?	No. This framework is already set within the Local Plan. The SPD will provide supplementary guidance to the relevant policies within the Local Plan.
<b>7</b>	Is the SPD's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan, OR is it co-financed by structural funds or EAGGF programmes 2000-2006/7?	No.
<b>8</b>	Is it likely to have a significant effect on the environment?	It is not likely that the SPD will have any significant effect on the OPDC or elsewhere that has not already been assessed through the IIA (including SA/SEA) of the Local Plan.

		<p>The IIA assessed the relevant policies within the Local Plan and concluded that they are likely to result overall in positive impacts. Local Plan policies that are likely to be specifically within the scope of the further guidance within the SPD are as follows:</p> <ul style="list-style-type: none"> <li>• SP3: Improving Health and Reducing Health Inequalities</li> <li>• SP7: Connecting People and Places</li> <li>• SP8: Green Infrastructure and Open Space</li> <li>• SP10: Integrated Delivery</li> <li>• Place and Cluster policies</li> <li>• D1: Public Realm</li> <li>• D2: Accessible and inclusive design</li> <li>• D3: Well-designed buildings</li> <li>• D5: Amenity</li> <li>• D8: Play space</li> <li>• EU1: Open Space</li> <li>• EU2: Urban Greening and Biodiversity</li> <li>• EU3: Water</li> <li>• EU4: Air Quality</li> <li>• EU7: Circular and Sharing Economy</li> <li>• EU8: Sustainable Materials</li> <li>• EU9: Minimising Carbon Emissions and Overheating</li> <li>• Transport (all)</li> </ul>
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5.2 The below tables assess the likely significant effects of the SPD in relation to the SEA Directive Criteria as set out in the Environmental Assessment of Plans and Programmes Regulations 2004:

**Table 3: Determining the likely significance of effects of the proposed PRGI SPD**

<b>SEA Directive Criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004</b>	<b>Is there a significant environme ntal effect?</b>	<b>Summary of significant effects</b>
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources	No	<p>The SPD will not set out new policies or allocate resources; rather it will provide further guidance on how aspects of the policies, proposals and the allocations that are contained within the Local Plan can be implemented.</p> <p>The SPD Principles and Ambitions, coupled with signposts, will provide supplementary guidance to the Local Plan policies in relation to the location, nature, size and allocation of land with a specific focus on the public realm and green infrastructure.</p>

		<p>The SPD is limited to matters that relate to planning.</p> <p>The IIA assessed the relevant policies within the Local Plan and concluded that they are likely to result overall in positive impacts.</p>
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy	No	The PRGI SPD will sit at the lowest level in the hierarchy of planning policy documents providing supplementary guidance to policies in the Mayor's London Plan and OPDC's Local Plan. As such it does not affect other specific plans or programmes but rather is influenced by the Local Plan, London Plan and National Planning Policy Framework.
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development	No	<p>The Local Plan and London Plan set the policies for achieving sustainable development. This guidance will not change the Local Plan policy. The IIA for the Local Plan concludes that the majority of effects generated against all IIA Objectives are predicted to be positive.</p> <p>The SPD will assist in the promotion of sustainable development by providing more detailed supplementary guidance to show how to accord with existing Local Plan and London Plan policies and to deliver best practice when implementing these existing policies.</p>
(d) Environmental problems relevant to the SPD	No	<p>The guidance in the SPD supplements OPDC's Local Plan. As such, the SPD will not introduce or exacerbate any environmental problems already identified in the IIA for the Local Plan. Rather it should assist in the mitigation of environmental impacts.</p> <p>Where the IIA has indicated that there are possible negative impacts on the environment for instance from the Housing Policies, there is an acknowledgement that objectives and policies elsewhere in the Local Plan provide opportunities in minimise the effect.</p> <p>Given the identification of mitigation measures through other policies within the Local Plan, it is concluded that there are no identified impacts relevant to the PRGI SPD that cannot be mitigated. As the SPD supplements the Local Plan it will support the mitigation of this impact.</p>
(e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to	No	The SPD will supplement the Local Plan and is not relevant to the implementation of Community legislation on the environment. It will provide supplementary guidance to policies in the Local Plan.

waste management or water protection)		
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**Table 4: Characteristics of the effects and area likely to be affected having particular regard to:**

<b>SEA Directive criteria Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004</b>	<b>Is there a significant environme ntal effect?</b>	<b>Summary of significant effects</b>
(a)The probability, duration, frequency and reversibility of the effects	No	<p>The SPD will not provide guidance for a period longer than the period covered by the Local Plan. The IIA was undertaken for the Local Plan and has already assessed the policies that the SPD provides additional guidance on.</p> <p>The evidence to support the IIA for the Local Plan is up-to-date and examined the probability, duration, frequency and reversibility of effects.</p> <p>The SPD will provide further guidance on how aspects of the policies, proposals and the allocations that are contained within the Local Plan can be implemented. The Principles and Ambitions, coupled with signposts, will elaborate on how the public realm and green infrastructure will be developed.</p>
(b)The cumulative nature of the effects of the SPD	No	Cumulative effects of the Local Plan will be largely beneficial; therefore any cumulative impacts associated with the SPD, given that it will not depart from the Local Plan, is also expected to be beneficial.
(c)The trans boundary nature of the effects of the SPD	No	There will be no national trans-boundary effects resulting from the PRGI SPD. The likely cross boundary effects of the Local Plan policies were considered in detail within the Local Plan IIA. The majority of these were found to be positive. Depending on the nature of the effect, the PRGI SPD could provide mitigation with positive impacts.
(d)The risks to human health or the environment (e.g. due to accident)	No	No risks to human health are envisaged to occur through the application of this SPD.
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD	No	<p>The spatial extent of the SPD is confined to the OPDC area and development that would occur within this boundary.</p> <p>The scale of development as identified in the Local Plan policies were considered in detail within the Local Plan IIA. The SPD does not depart from the scale of development proposed in the Local Plan.</p>

<p>(f)The value and vulnerability of the area likely to be affected by the SPD due to:</p> <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li> <li>• Exceeded environmental quality standards or limit values Intensive land use</li> </ul>	No	<p>The value and vulnerability of the area of the PRGI SPD have been considered as part of the Local Plan IIA.</p> <p>IIA Objectives 1-2 consider enhancing the built environment and optimising the efficient use of land through increased development densities. IIA Objectives 6, 7, 8, 9, 10 and 11 consider environmental elements, whilst IIA Objective 12 specifically considers heritage.</p> <p>The majority of these showed positive impacts, but also some mixed impacts. Where other impacts were identified these were identified to be mitigated and managed through other policies of the plan.</p>
<p>(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status</p>	No	<p>There are a range of areas with various types of protected status within and adjacent to the area covered by the SPD. The SPD is unlikely to have a negative impact on these areas. It is anticipated that supplementary guidance for development within the SPD would be largely positive with regard to ensuring the enhancement and improvement of protected areas.</p>

## 5.0 Conclusion

- 5.1 In considering the scope of the PRGI SPD against the criteria from the guidance document “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM, 2005) and the Environmental Assessment of Plans and Programmes Regulations 2004, it is concluded that as the OPDC PRGI SPD will not change or introduce new planning policy, proposals or allocations and that those on which it will rely are within the Local Plan which are subject to an Integrated Impact Assessment (IIA) (including a SA/SEA), it is considered that a SEA is not required for the PRGI SPD.