

**Energy Efficiency, Retrofitting & Sustainable Construction Final Supplementary  
Planning Document  
Strategic Environmental Assessment Screening Report  
January 2022**

## **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 and North East Somerset Council's revised Energy Efficiency, Retrofitting & Sustainable Construction Supplementary Planning Document (SPD).

## **2. Planning Context**

The Final SPD is a combined and updated version of the currently adopted Sustainable Construction & Retrofitting SPD and the Energy Efficiency & Renewable Energy in Historic & Listed Buildings SPD (2013).

The Final SPD aims to set out how changes and adaptations can be made in response to Climate Change whilst also adhering to legislation. The other key purpose of the revised SPD is to provide further guidance on the emerging policies in the Local Plan Partial Update (LPPU) on retrofitting, sustainable construction, and renewable energy. This will help to ensure we deliver sustainable development that can meet the needs of local people.

The policy approach to retrofitting, sustainable construction and renewable energy in B&NES is currently set out within the Local Plan and the Placemaking Plan. Policies of particular relevance to the SPD are Core Strategy Policies CP1 on retrofitting; CP2 on sustainable construction; and CP3 on renewable energy; and Placemaking Plan policies D1-D10 (Design) and BH2 and BH3 in relation to Listed and Historic Buildings. Policies CP1, CP2 and CP3 are being updated as part of the Local Plan Partial Update to better address the aims of the Council's Climate Emergency declaration.

The National Planning Policy Framework (NPPF) places significant emphasis on achieving sustainable development and core environmental principles such as improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low-carbon economy (paragraph 8). These principles underpin this supplementary planning document.

Designated heritage assets are protected by law under the Planning (Listed Buildings & Conservation Areas) Act 1990 underpinned by Government policy: National Planning Policy Framework, Section 12: 'Conserving and enhancing the historic environment'. All of the heritage asset advice contained in this SPD aligns

with this legislation and policy, in addition to the guidance set out by Historic England.

Following adoption, the SPD will be a material planning consideration when assessing planning applications, where it will be used alongside relevant Local Plan policies to determine applications for retrofitting, sustainable construction, and renewable energy measures.

### **3. SEA Screening Process**

Previously, all development plan documents and SPDs were subject to Sustainability Appraisal (SA). Sustainability Appraisals incorporated the requirement for SEA<sup>1</sup> but when these regulations were amended in 2009<sup>2</sup>, 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 approach<sup>3</sup> 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 Guidance<sup>4</sup> 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 Final Energy Efficiency, Retrofitting and Sustainable Construction SPD.

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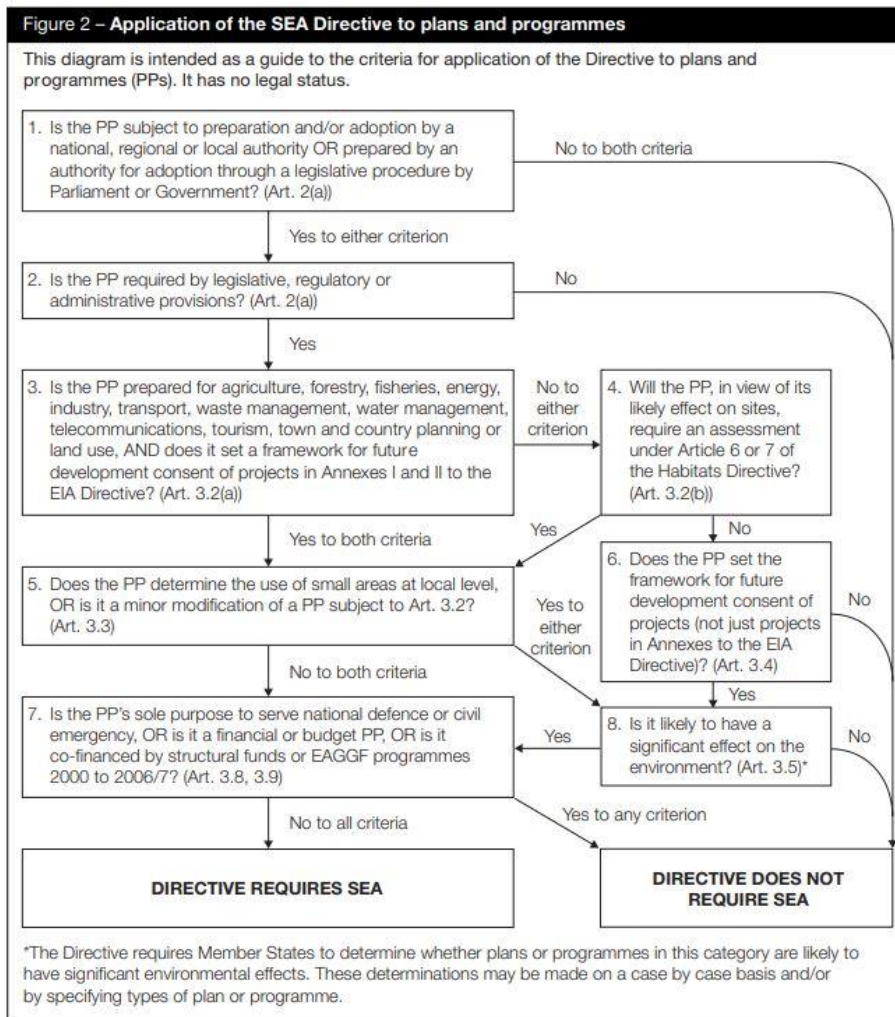
<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations 2004

<sup>2</sup> The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009

<sup>3</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/580073/Strategic\\_Environmental\\_Assessment\\_Regulations\\_requirements\\_checklist.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/580073/Strategic_Environmental_Assessment_Regulations_requirements_checklist.pdf)

<sup>4</sup> ODPM (2005) A Practical Guide to the Strategic Environmental Assessment Directive



#### 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 Council, subject to consultation.
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	It is considered that the SPD is required to provide clarity to the provisions set out in Policies CP1, CP2 and CP3 of the Local Plan Partial Update.

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 for town and country planning purposes but 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 is not likely to have an effect, particularly given that most adaptations would be inside the home or require minimal external works.
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	This SPD does not have Development Plan status, but it will be considered as a material planning consideration in the determination of planning applications. It does this by setting out key decision-making criteria for determining planning applications for retrofitting buildings.
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 HMO 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
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<p>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</p>	<p>No</p>	<p>The SPD does not provide a framework for other plans and strategies.</p>
<p>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>No</p>	<p>The SPD does not have development plan status and forms the lowest tier of the LDF. 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.</p>
<p>1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>No</p>	<p>The SPD aims to support sustainable development by promoting the renewable energy and energy efficiency measures in buildings, in addition to setting out the principles of sustainable building construction. However, the SPD does not provide a specific environmental policy in its own right. The SPD has also been subject to an Equalities Impact Assessment which has promoted sustainable development.</p>
<p>1d) Environmental problems relevant to the plan or programme</p>	<p>No</p>	<p>There are no environmental problems associated with the SPD. The core aim of the SPD is to better address the Climate Emergency by providing practical guidance on how people can construction sustainably and retrofit buildings to improve their energy efficiency and promote renewable energy sources.</p>
<p>1e) The relevance of the plan or programme for the implementation of</p>	<p>No</p>	<p>The SPD is not considered relevant to this criterion.</p>

Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).		
2a) The probability, duration, frequency and reversibility of the effects	No	The anticipated effects of the document are expected to be positive because it will help to create a more sustainable and energy efficient building stock. The duration of effects is hard to define given that once planning permission has been granted for retrofitting and sustainable construction measures, the developments are permitted and can remain for as long as the building owner/occupier wishes to keep/maintain them.
2b) The cumulative nature of the effects	No	The cumulative effects of the SPD are likely to be positive although only on a local neighbourhood scale.
2c) The trans-boundary nature of the effects	No	The SPD is not anticipated to have trans-boundary effects as the guidance will be localised within B&NES in its application.
2d) The risks to human health or the environment (e.g. due to accidents)	No	There are no significant effects to the human environment (e.g. due to accidents) or to human health identified. The SPD should help to improve the environment by enabling people to integrate renewable technologies into buildings and improve their energy efficiency. The SPD also seeks to have positive effects on human health by addressing Affordable Warmth/Fuel Poverty.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The SPD covers the District.

<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>	<p>No</p>	<p>Cultural heritage will not be affected by the SPD as the SPD sets out clear guidance for heritage assets which states what would and wouldn't be acceptable with regards to the historic built environment.</p> <p>The SPD is considered to not have effects on natural characteristics, environmental quality standards or intensive land-use.</p>
<p>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>No</p>	<p>The SPD will not harmfully impact Bath's status as a World Heritage Site, or any Conservation Area in the District, given the SPD sets out clear guidance for heritage assets to address what retrofitting measures would and would not be considered acceptable with regards to the historic built environment.</p>

## 5. Conclusion

Based on the information set out in the tables above, it is considered that the Final SPD will not give rise to significant environmental effects. It is therefore proposed that a Strategic Environmental Assessment is not required for the Final Energy Efficiency, Retrofitting & Sustainable Construction SPD.

This document is draft and subject to consultation with the three statutory consultees identified through the SEA regulations (listed below), plus inter-Council departments.

- Environment Agency; and
- English Heritage; and
- Natural England.