

Student Halls of Residence Supplementary Planning  
Document

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# Strategic Environmental Assessment & Sustainability Appraisal draft screening statement

March 2014

## **1.0 Introduction**

- 1.1 This statement sets out Portsmouth City Council's (the council) draft determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (which transposed EC Directive 2001/42/EC) on whether or not a Strategic Environmental Assessment (SEA) is required for the Student Halls of Residence Supplementary Planning Document (SPD).
- 1.2 Under separate legislation (Planning and Compulsory Purchase Act 2004 and associated Regulations), the council is also required to carry out a Sustainability Appraisal (SA) for all Development Plan Documents (DPDs). This process is designed to consider the environment, social and economic impacts of the proposed plan / document.
- 1.3 Whilst the Planning Act 2008 and Town and Country Planning (Local Development) (England) Regulations 2012 removed the requirements for a SA to be produced for all SPDs, the council is still required to screen its SPDs to ensure that the legal requirements for sustainability appraisals are met where there are impacts that are not covered in the appraisal of a parent DPD or where an assessment is required by the SEA regulations. This statement also sets out whether or not a SA is required for the SPD.

## **2.0 Background of the Student Halls of Residence draft SPD**

- 2.1 The purpose of the Student Halls of Residence draft SPD is to supplement policies PCS19, PCS20 and PCS21 of the adopted Portsmouth Plan and will be used to inform development management decisions. The Portsmouth Plan is the 'parent DPD', which has been subject to SA incorporating SEA<sup>1</sup>.
- 2.2 The information and guidance in the draft SPD will be of particular use to developers, architects and agents looking to promote development sites in Portsmouth. It will provide practical guidance on how the council will assess and deal with planning applications for Student Halls of Residence.

## **3.0 The Strategic Environmental Appraisal process**

- 3.1 The first stage of the process is for the council to determine whether or not the draft SPD is likely to have significant effects on the environment. This screening process includes assessing the draft SPD against a set of criteria (as set out in Schedule 1 of the regulations). The results of this have been set out in Appendix 1 of this statement. The aim of this statement is to provide sufficient information to demonstrate whether the draft SPD is likely to have significant environmental effects.
- 3.2 The council also has to consult the Environment Agency, English Heritage and Nature England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted. This statement will be sent to those consultation bodies for their comments.

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<sup>1</sup> Local Development Framework, Sustainability Appraisal Report, Core Strategy (Regulation 27), Portsmouth City Council, February 2011: <http://www.portsmouth.gov.uk/living/7923.html>

3.3 Where the council determines that a SEA is not required then under Regulation 9(3) the council must prepare a statement setting out the reasons for this determination. **This statement is Portsmouth City Council's Draft Regulation 9(3) statement.**

#### **4.0 Sustainability Appraisal**

4.1 Whilst there is no statutory reason to undertake a SA of SPDs, the council has considered whether a SA of this SPD is required. The council has determined that the draft SPD is unlikely to have significant environmental, social or economic effects beyond those of the policies it supplements (PCS19, PCS20 and PCS21 of the Portsmouth Plan). In coming to this conclusion the council is mindful that this draft SPD does not create new policies and serves only to expand on existing policy within its 'parent DPD', the Portsmouth Plan (which has already been subject to SA incorporating SEA).

#### **5.0 Habitats Regulations Assessment**

5.1 In addition to SEA and SA, the council is also required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, known as European sites or European offshore marine sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010 (which transposed EC Habitats Directive 92/43/EEC).

5.2 The regulations state the council must assess the potential effects of its land use plans, in this case the draft SPD, against the conservation objectives of any sites designated for their nature conservation importance. A HRA<sup>2</sup> has been carried out on the 'parent DPD', the Portsmouth Plan.

5.3 The Portsmouth Plan's HRA screened out PCS19, PCS20 and PCS21 at an early stage, concluding that it was unlikely to have a significant effect on the integrity of European sites. As the purpose of this draft SPD is to expand on these policies, the council has determined that a HRA is not required.

#### **6.0 Conclusions**

6.1 On the basis of the screening process **it is the council's opinion that the Student Halls of Residence draft SPD does not require a Strategic Environmental Appraisal or a Sustainability Appraisal.** This is because there will be no significant environmental, social or economic effects arising from its implementation and that it supplements policy PCS19, PCS20 and PCS21 of the Portsmouth Plan.

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<sup>2</sup> Habitats Regulations Assessment for the Portsmouth Core Strategy, Submission Stage, July 2011 (<http://www.portsmouth.gov.uk/living/24333.html>)

## Appendix 1 - SEA screening for the Student Halls of Residence draft Standards SPD

Criteria (Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004)	Portsmouth City Council's response
<b>Characteristics of the plan or programme</b>	
(a) 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.	The draft SPD provides more detail to the policies and principles established within the Portsmouth Plan (which has already been subject to SA incorporating SEA), particularly policies PCS19, PCS20 and PCS21. The purpose of the draft SPD is to set a framework for the policy's implementation and to provide guidance to developers on the need for, location of and standards for Student Halls of Residence.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The draft SPD is at the lower tier of the development plan hierarchy, as it sits underneath the Portsmouth Plan (the Local Plan). The purpose of the document is to supplement the policies in the Portsmouth Plan and to guide the preparation and determination of planning applications. It does not influence any other planning policy documents.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The draft SPD provides more details on the standards required for student accommodation.
(d) environmental problems relevant to the plan or programme.	The document itself does not have any significant environmental problems. Indeed the draft SPD will encourage cycling and walking, due to the preferred location for such developments, which should result in environmental benefits.
(e) the relevance of the plan or programme for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The draft SPD seeks to provide further details to policy PCS19, PCS20 and PCS21 of the Portsmouth Plan. Both the Portsmouth Plan and draft SPD comply with the regulations.
<b>Characteristics of the effects and of the area likely to be affected</b>	
(a) the probability, duration, frequency and	The draft SPD supplements policies PCS19, PCS20 and PCS21 of the Portsmouth Plan and

Criteria (Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004)	Portsmouth City Council's response
reversibility of the effects.	provides the context and framework for the preparation and determination of planning applications.
(b) the cumulative nature of the effects.	The draft SPD will be implemented city-wide and the accumulation of the proposals both on their own and with other plans and programmes covering the city, are unlikely to result in significant environmental effects beyond those identified in the SA / SEA of the Portsmouth Plan.
(c) the trans-boundary nature of the effects.	The only trans-boundary effects will be those with neighbouring authorities and are unlikely to result in significant environmental effects beyond those identified in the SA / SEA of the Portsmouth Plan.
(d) the risks to human health or the environment (for example, due to accidents).	There are no perceived risks to human health or the environment arising from the draft SPD. Indeed, the implementation of this draft SPD aims to improve the standard of student accommodation.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The draft SPD will be implemented across Portsmouth. It should ensure that student accommodation is only provided in response to a proven need and that the accommodation meets a specific standard.
(f) the value and vulnerability of the area likely to be affected due to  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or  (iii) intensive land-use.	The draft SPD will be applied across Portsmouth and will ensure that Student Halls of Residence are provided in accordance with need and that the development meets internal space standards. The draft SPD also aims to ensure that buildings and their surroundings are well maintained thereby making a positive contribution to the built environment.
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	The Portsmouth Plan SA / SEA and HRA examined how the proposals may impact upon the European sites and there are plans in place to avoid and mitigate adverse effects on those sites.  The policies which the draft SPD helps to

Criteria (Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004)	Portsmouth City Council's response
	implement were screened out early in the HRA process as it would not lead to an adverse effect on any European sites.