



**Jewellery Quarter Neighbourhood Plan
Strategic Environmental Assessment
Screening Determination**

Prepared by Birmingham City Council

Undertaken by: Mark Gamble

Email: mark.gamble@birmingham.gov.uk

Dated: 12/08/2016

1. Summary

- 1.1. The Jewellery Quarter Development Trust Neighbourhood Planning Forum was designated in May 2014 with the stated purpose of preparing a Neighbourhood Development Plan. A plan to show the designated Neighbourhood Area is attached as Appendix 1. Following a period of evidence gathering and engagement the Forum have asked the City Council to provide a SEA Screening Opinion with respect to the draft Neighbourhood Plan for the Jewellery Quarter.
- 1.2. As assessment has been conducted to examine the likely impacts of the draft Jewellery Quarter Neighbourhood Plan policies using the criteria set out in Annex II of the SEA Directive. The assessment was conducted on the basis of the *Jewellery Quarter Neighbourhood Plan Unprotected Working draft – 30 November 2015* which is attached as Appendix 3.
- 1.3. On the basis of this assessment consultation has been undertaken with the Statutory Bodies as specified in the Regulations. The responses to consultation are attached below.
- 1.4. On the basis of the assessment and the consultation responses it is concluded that the Jewellery Quarter Neighbourhood Plan is likely to have significant environmental impacts, and that a full Environmental Assessment is required.

2. Legislative Background

- 2.1. Strategic Environmental Assessment is derived from European Directive 2001/42/EC as brought into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to in this document as *the Regulations*).
- 2.2. Under the Regulations an Environmental Assessment is required of certain types of plans or programmes including town and country planning documents. Environmental Assessment is not required for plans which determine the use of small areas at local level, such as Neighbourhood Plans, unless it is determined that the plan or programme is likely to have significant environmental effects.
- 2.3. Under the Regulations it is the duty of the Local Authority to determine whether a proposed plan or programme will have significant environmental effects taking into account Schedule 1 to the Regulations - which sets out criteria for determining the likely significance of effects on the environment - and the views of the consultation bodies, namely Historic England, Natural England and the Environment Agency.

3. Screening Assessment

- 3.1. This screening assessment was undertaken in line with paragraph 9 of the Regulations which specifies that the criteria set out in Schedule 1 to the Regulations should be considered in reaching a determination regarding the anticipated environmental effects of a plan or programme.
- 3.2. For ease of reading a tabular format was been employed, setting out each of the Schedule 1 criteria and associated Birmingham City Council comments. Please see Table 1 below for the full Screening Assessment.

4. Determination

- 4.1. Based on the screening assessment and responses from the Consultation Bodies it is considered that the Jewellery Quarter Neighbourhood Plan is likely to have significant environmental effects and that an Environmental Assessment will therefore be required.
- 4.2. **This determination has been made on 12/08/2016**

5. Further Information

- 5.1. A copy of this determination will be sent to the Consultation bodies and made available on the City Council's website at <http://www.birmingham.gov.uk/jqndp>
- 5.2. A copy of the determination can be viewed at the offices of Birmingham City Council at:
- 1 Lancaster Circus Queensway
- Birmingham
- B4 7DJ
- 5.3. If you require further information please contact Mark Gamble at <mailto:mark.gamble@birmingham.gov.uk>

Table 1: Anticipated Environmental Effects

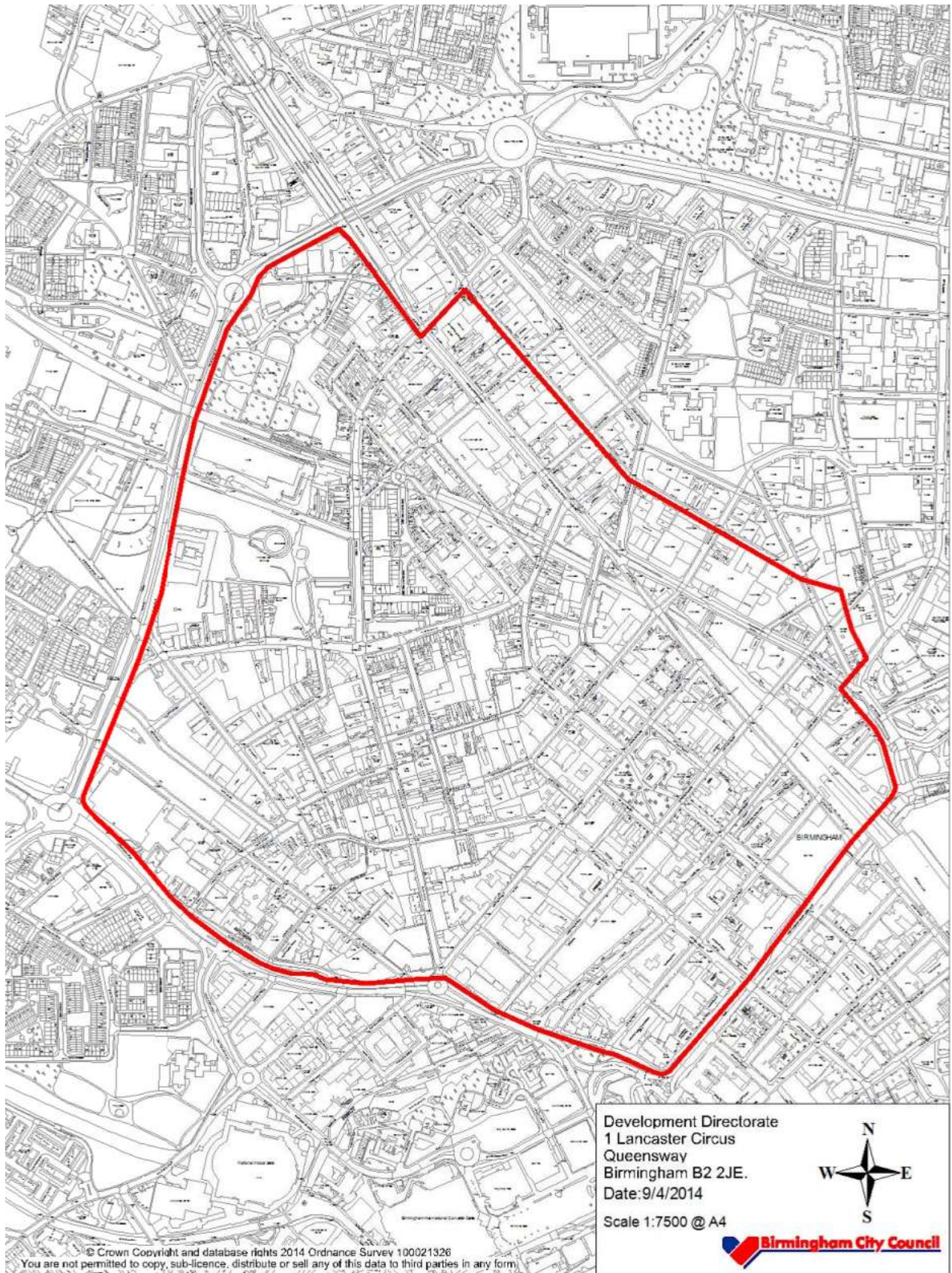
Criteria (from Schedule I of the Environmental Assessment of Plans and Programmes Regulations 2004)	Birmingham City Council Response	Likely significant environmental effect?
Characteristics of the plan or programme		
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The Neighbourhood Plan will, if made, form part of the statutory Development Plan which sets out a framework for the determination of applications for development projects. The Neighbourhood Plan will also contain policies designed to influence the location, size of developments as well as the allocation of resources such as Community Infrastructure Levy. As such the Neighbourhood Plan will have significant influence over projects and activities within the Neighbourhood Area.	Y

Criteria (from Schedule I of the Environmental Assessment of Plans and Programmes Regulations 2004)	Birmingham City Council Response	Likely significant environmental effect?
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Neighbourhood Plan will be in conformity with the National Planning Policy Framework, the Birmingham Unitary Development Plan and the emerging Birmingham Development Plan. The Neighbourhood Plan will be taken into account in the preparation of plans and programmes of activity for the Jewellery Quarter and adjacent areas of the City Centre but is expected to have only limited influence over them.	N
The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The Plan contains policies intended to; promote and encourage the use of renewable energy resources; address biodiversity to develop “biophilic places”; create sustainable residential communities; manage development pressures to support economic growth and to protect and enhance the historic environment. These issues are highly relevant to the environment and the promotion of sustainable development.	Y
Environmental problems relevant to the plan or programme.	<ul style="list-style-type: none"> • There is some level of land contamination within the Neighbourhood Plan area. This may be relevant to the protection of groundwater sources. • Due to its City Centre location the plan area has poor air quality due to traffic fumes. • The dereliction of historic listed buildings is a key issue for the plan. The way in which the plan approaches this issue in particular is likely to have significant environmental effects. 	Y

Criteria (from Schedule I of the Environmental Assessment of Plans and Programmes Regulations 2004)	Birmingham City Council Response	Likely significant environmental effect?
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 Neighbourhood Plan may have implications for protected ground water sources in line with the Water Framework Directive.	Y
Characteristics of the effects and of the area likely to be affected		
The probability, duration, frequency and reversibility of the effects.	Significant levels of development and redevelopment are anticipated within the Neighbourhood Plan area within the Plan lifespan, and the way in which the Neighbourhood Plan influences this development can therefore be expected to have significant effects, both short and long term in nature, many of which will be permanent and irreversible. The effect of this development on the historic environment will be particularly significant.	Y
The cumulative nature of the effects	The Neighbourhood Plan will influence a large number of projects and is explicitly intended to create a significant cumulative positive effect on the economy and environment of the Plan area.	Y
The trans-boundary nature of the effects	The Neighbourhood Plan is not expected to have significant trans-boundary effects.	N
The risks to human health or the environment (for example, due to accidents)	There are no significant risks of health hazards arising directly from the Neighbourhood Plan. The Plan will support the sustainable travel policies of the Birmingham Development Plan which is intended to have beneficial impacts on public health.	N

Criteria (from Schedule I of the Environmental Assessment of Plans and Programmes Regulations 2004)	Birmingham City Council Response	Likely significant environmental effect?
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The Neighbourhood Plan takes in an estimated 3,500 households and 1,500 businesses and covers a part of Birmingham city centre. As such it is likely to impact on a significant population.	Y
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - Special natural characteristics or cultural heritage; - Exceeded environmental quality standards or limit values; - Intensive land-use. 	<p>The Neighbourhood Plan area takes in the Jewellery Quarter Conservation Area and 207 listed buildings. Many of these buildings are in poor or vulnerable condition. The introduction of the new planning policies of the Neighbourhood Plan is likely to have significant effects on future patterns of development which will affect both the Conservation Area and listed buildings.</p> <p>The Neighbourhood Plan is not expected to exceed environmental quality standards or limit values.</p> <p>Although the policies of the Neighbourhood Plan in some ways aim to prevent over-intensive development, the dense urban nature of the Neighbourhood Plan area and strong development pressures mean that the risk of unduly intensive uses is significant.</p>	Y
The effects on areas or landscapes which have recognised national, Community or international protection status.	The Neighbourhood Plan aims to protect and enhance the Conservation Area and is intended to have a significant positive impact upon it.	Y

Appendix 1: JQNPf Area



Appendix 2: Responses of Consultation Bodies

From: Dingley, John <john.dingley@environment-agency.gov.uk>

Sent: 26 May 2016 09:06

To: Mark Gamble

Subject:RE: Jewellery Quarter Neighbourhood Plan: Consultation on SEA Screening

Opinion

Hi Mark,

As requested we have reviewed the screening opinion prepared in support of the Draft Jewellery Quarter

Neighbourhood Plan. We agree with the report's conclusions and consider that an Environmental Assessment will be required to ensure that there is no impact on 'Controlled Waters' as a result of contamination. Part of the Neighbourhood Plan area is shown to be within SPZ3, in close proximity to

SPZ1 and 2.

Thanks,

John Dingley

Date: 26 May 2016
Our ref: 183429 SM 260516
Your ref: [Click here to enter text.](#)



Mark.Gamble@birmingham.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mark

Jewellery Quarter Neighbourhood Plan: SEA Screening Opinion

Thank you for your consultation on the above dated 14 April 2016

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Based on the initial screening assessment Natural England considers that the Jewellery Quarter Neighbourhood Plan is likely to have significant environmental effects and that an Environmental Assessment will therefore be required.

I am the Natural England Forward Planning Lead for the Birmingham area and would welcome an opportunity for input into the emerging Neighbourhood Plan as it develops. Notably, Natural England would welcome inclusion of a Green Infrastructure policy into the document to aid in the area's sustainable future development.

I look forward to working with you in respect of this document. In the meantime, should I be of any further assistance please do not hesitate in contacting me.

Yours sincerely

Susan Murray
Lead Adviser – Sustainable Development
susan.murray@naturalengland.org.uk
Mobile: 07920 594 142



Historic England

Mark Gamble
Principal Development Planning Officer
City Centre Development
Birmingham City Council

Our ref:
Your ref:

Telephone: 0121
6256887

24 May 2016

by email only

Dear Sirs

JEWELLERY QUARTER NEIGHBOURHOOD PLAN: CONSULTATION ON SEA SCREENING OPINION

Thank you for your consultation received on 14 April in respect of the above.

For the purposes of consultation on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied, including that set out in the draft neighbourhood plan, and in the context of the criteria set out in Schedule I of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England agrees with the view of the City Council that there is likely to be significant effects on the historic environment as a result of the proposed plan, and that the preparation of a Strategic Environmental Assessment will therefore be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal/Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at https://content.historicengland.org.uk/images-books/publications/strategic-environment-assessment-sustainability-appraisal-historic-environment/SA_SEA_final.pdf/.

I hope that this information is of use at this time.

Yours faithfully

Tim Brennan
Historic Environment Planning Adviser
E-mail: tim.brennan@historicengland.org.uk