

Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report

Spitalfields Neighbourhood Plan

Statement of Reasons

October 2020



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1. Introduction

- 1.1. This screening exercise outlines the Council's consideration of whether the proposed Spitalfields Neighbourhood Plan (Regulation 14 consultation version, dated July 2020) should be subject to a Strategic Environmental Assessment (SEA) or Habitats Regulation Assessment (HRA).
- 1.2. This document constitutes the Council's Statement of Reasons for whether the Spitalfields Neighbourhood Plan requires a Strategic Environmental Assessment, as set out under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. It is accompanied by a Determination Letter.

2. The Spitalfields Neighbourhood Plan

2.1. The Spitalfields Neighbourhood Plan covers the period between 2020 and 2035, and applies to the designated Spitalfields Neighbourhood Area as set out in figure 1 below.

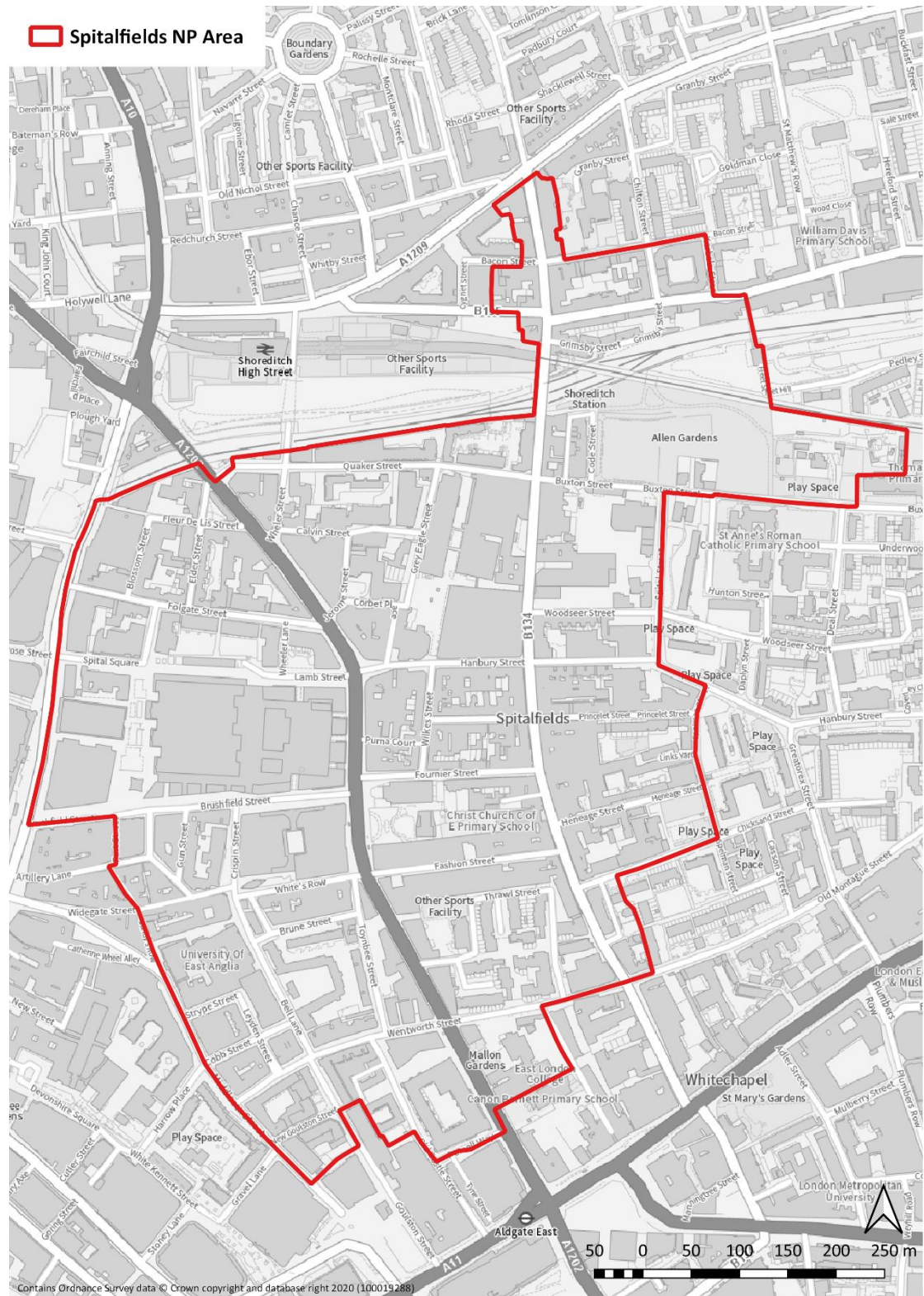


Figure 1: Spitalfields Neighbourhood Planning Area

2.2. The vision of the plan (set out in chapter 3) is “to conserve and improve all the ingredients that come together to make Spitalfields such a distinctive and attractive neighbourhood”. The vision continues:

“Throughout the period to 2035 we want to maintain the delicate balance between businesses - large or small, corporate or creative - local residents, and local, national and international visitors. They all compete for the 21st century’s scarce urban resource - the space to live, work, rest and play. We want to ease the many pressures of inner city living which impact both publicly and privately held indoor and outdoor space. We want to enable the different parts and peoples of the area to work together harmoniously by conserving the cherished sense of place; protecting the distinctive urban grain; maintaining the vibrant cultural character; and helping local commercial and retail enterprises thrive as they welcome visitors into a safe, clean and entertaining environment with the broadest of offerings”

2.3. Accompanying the vision are three key objectives for the plan (paragraphs 3.2 to 3.8) as well as a number of ‘broader objectives’ (paragraphs 3.9 to 3.14) concerning the diversity, connectivity, and safety of the area, and the need for improved communications between key stakeholders. The three key objectives are:

- To provide as much greenery as possible in this deeply urban area
- To protect and enhance the historic built environment
- To maintain the special and diverse business mix that has settled in the area while maximising the employment opportunities that result from the neighbourhood’s prime location and to support the small scale creative and artisan businesses that have always been part of the Spitalfields story.

2.4. These objectives have been translated into seven policies:

- SPITAL1 – Protecting the physical fabric of Spitalfields
- SPITAL2 – Land use, activities and frontages
- SPITAL3 – Public realm
- SPITAL4 – Facilitating urban greening
- SPITAL5 – Local green spaces
- SPITAL6 – Ram and Magpie site
- SPITAL7 – Affordable workspace

2.5. In addition, two lists have been included under the heritage and greening chapters, setting out projects that the Forum recommends CIL should be spent on in the Spitalfields area.

3. Neighbourhood Area Characteristics

3.1. This section of the report summarises the characteristics of the Spitalfields Neighbourhood Area with relevance to environmental, economic, and social sustainability.

Environmental

3.2. Air quality: The entire borough of Tower Hamlets is designated an Air Quality Management Area. The whole of the neighbourhood area is also highlighted as an area of substandard air quality on the Local Plan policies map, with the exception of Allen Gardens and Spitalfields City Farm and surrounding streets, including Spital Street. Commercial Street is noted as the worst part in the neighbourhood area for air quality.

3.3. Flood risk: None of the neighbourhood area is within a flood zone.

3.4. Trees: There are two clusters of protected trees at Christ Church and Truman's Brewery.

3.5. Biodiversity: The area contains a Site of Importance for Nature Conservation (SINC) – at Allen Gardens and Spitalfields City Farm. There is a small area in the southwest of the neighbourhood area which is designated as an Area of Deficiency of Access to Nature – around Middlesex Street and New Goulston Street.

3.6. Natura 2000 sites: There are five sites protected under European legislation within 15km of the area – these will be relevant for the HRA screening later in this document. The sites are Epping Forest, Richmond Park, and Wimbledon Common Special Areas of Conservation; Lee Valley Special Protection Area; and the Lee Valley Ramsar site.

Social

3.7. Open space: There are public open spaces at Allen Gardens (and the adjoining play area), Spitalfields City Farm, Chicksand Street Ghat, Christ Church Gardens, the Attlee Foundation Adventure Playground, Mallon Gardens, and Pomell Way.

3.8. Views: There are two viewing corridors from the London View Management Framework that pass through the area – view 9A.1 of St Paul's Cathedral passes through the north of the neighbourhood area, and view 25A.1 of the Tower of London passes through the east of the area. There is also a borough-designated view of Christ Church from Brushfield Street looking towards Fournier Street.

3.9. Conservation: The area contains the whole of three conservation areas, Wentworth Street, Elder Street, and Artillery Passage, and the vast majority of a fourth, Fournier Street. Most of the area is covered by the tier 2 archaeological

area of Spitalfields and Brick Lane, with a tier 1 area at St Mary Spital. The area also contains small parts of the tier 2 areas of Shoreditch and Aldgate and Portsoken. The Priory and Hospital of St Mary is a scheduled ancient monument in the west of the area. The Aldgate Tall Building Zone, designated in the Local Plan, is adjacent to the neighbourhood area to the south.

- 3.10. Listed buildings: There are many statutory listed buildings in the area. Those that are Grade I or II* are listed in table 1 below. The Vicarage of Christ Church is locally listed. There are also several locally listed buildings in the area.

Site	Grade
56 Artillery Lane	I
Christchurch Spitalfields	I
St Matthew's Church	II*
Brick Lane Jamme Masjid	II*
Christchurch Rectory, 2 Fournier Street, and Area Railings	II*
The Director's House, Truman Brewery	II*
19 Princelet Street	II*

Table 1: Grade I and II listed buildings in the Spitalfields Neighbourhood Plan area*

Economic

- 3.11. Employment Areas: The area contains the Bishopsgate Secondary Preferred Office Location (POL), a designation that encourages significant office floorspace to help support the primary POL and the City of London, with residential uses not to exceed 25% of any new floorspace.
- 3.12. Town Centres: The area contains part of the Brick Lane district centre, and the whole of the Wentworth Street CAZ frontage, designated under the London Plan. Almost the whole of the neighbourhood area is within the Central Activities Zone or a Tower Hamlets Activity Area, with the exception of Allen Gardens and Spitalfields City Farm, and a small area around Bacon Street, Cheshire Street and Grimsby Street in the north east of the area. The Tower Hamlets Activity Area is designated to provide an area of transition between the scale, activity and character of the Central Activities Zone and the surrounding areas.
- 3.13. Site allocations: Under the Local Plan, the area contains no site allocations, but is adjacent to the Bishopsgate Goods Yard allocation.

4. Legislative and Policy Context

Sustainability Appraisal (SA)

- 4.1. A Sustainability Appraisal (SA) considers the potential impacts of a planning policy document on the environmental, economic, and social aspects of sustainability. It does this by assessing the extent to which the planning document will help achieve a set of sustainability objectives that cover a range of issues, including air quality, landscape, water, health and the population. The SA also has to satisfy the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain planning documents and programmes on the environment (known as the Strategic Environmental Assessment Directive – for more information, see below).
- 4.2. There is a statutory requirement for SAs to be produced for Development Plan Documents, but not for other kinds of planning documents. There is no legal requirement for an SA to be produced for a neighbourhood plan (PPG on Strategic Environmental Assessment and Sustainability Appraisal, paragraph 026). Neighbourhood plans are not defined as Local Plans, having their own designation and being produced by qualifying bodies under the Localism Act 2011 (www.local.gov.uk/pas/pas-topics/neighbourhood-plans/plan-making-neighbourhood-planning-and-sasea).
- 4.3. An SA was undertaken in 2017 as part of the Integrated Impact Assessment (IIA) of the Tower Hamlets Local Plan 2031, with an addendum added in March 2019 to cover modifications to the plan. The plan (and its SA) underwent an examination in public and was adopted in January 2020.
- 4.4. The sustainability objectives for the Local Plan SA were developed through a comparison of existing sustainability objectives in the borough, the objectives of the Local Plan, and the identification of sustainability issues through the scoping process for the IIA. The SA was publicly consulted on as part of the consultation process for the Local Plan. The sustainability objectives from that SA are set out in box 2 below.

- 1. Equality:** reduce poverty and social exclusion and promote equality for all communities.
- 2. Liveability:** promote liveable, safe, high quality neighbourhoods with good quality public services.
- 3. Health and wellbeing:** improve the health and wellbeing of the population and reduce health inequalities.
- 4. Housing:** ensure that all residents have access to good quality, well-located, affordable housing that meets a range of needs and promotes liveability.
- 5. Transport and mobility:** create accessible, safe and sustainable connections and networks by road, public transport, cycling and walking.
- 6. Education:** increase and improve the provision of and access to childcare, education and training facilities and opportunities for all age groups and sectors of

the local population.

7. Employment: reduce worklessness and increase employment opportunities for all residents.

8. Economic growth: create and sustain local economic growth across a range of sectors and business sizes.

9. Town centres: promote diverse and economically thriving town centres.

10. Design and heritage: enhance and conserve heritage and cultural assets; distinctive character and an attractive built environment.

11. Open space: enhance and increase open spaces that are high quality, networked, and multi-functional.

12. Climate change: ensure the Local Plan incorporates mitigation and adaptation measures to reduce and respond to the impacts of climate change.

13. Biodiversity: protect and enhance biodiversity, natural habitats, water bodies and landscapes of importance.

14. Natural resources: ensure sustainable use and protection of natural resources, including water, land and air, and reduce waste.

15. Flood risk reduction and management: to minimise and manage the risk of flooding.

16. Contaminated land: improve land quality and ensure mitigation of adverse effects of contaminated land on human health.

Box 1: Tower Hamlets Local Plan Integrated Impact Assessment Sustainability Objectives (2017)

Strategic Environmental Assessment (SEA)

4.5. A Strategic Environmental Assessment (SEA) is an assessment of the likely effects of a plan or programme on the environment. The requirement for an SEA is set out in the SEA Directive (2001/42/EC), transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (known as the SEA Regulations). This particularly relates to plans which designate sites for development.

4.6. The purpose of an SEA is to ensure a high level of protection of the environment and to integrate consideration of the environment into the preparation and adoption of plans with a view to promoting sustainable development. SEAs must take account of the likely significant effects on the environment, including on issues such as biodiversity, population and human health, fauna, flora, soil, water, air quality, climate, material assets, cultural heritage, landscape, and the interrelationship between these factors. The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. If a significant effect is possible the assessment requires the consideration of alternative options.

4.7. The SA is a more stringent process, aimed at more important plans and programmes; the SEA, while still thoroughly assessing a proposed plan or programme, does not require quite the same level of detail. The requirements of the SEA are subsumed within the requirements of the SA – that is, an SA

requires all the detail expected of an SEA, and then more. Therefore, the objectives developed as part of the SA of the Local Plan can be extracted to cover the required considerations for an SEA. The correspondence between the SA objectives and the likely significant effects for an SEA to consider are set out in Appendix C of the Integrated Impact Assessment, and summarised in table 2 below. These are the SA objectives that will be used when considering the effects of the Spitalfields Neighbourhood Plan for the purpose of the SEA screening.

SEA Dimension	Relevant SA Objective
Biodiversity, Flora and Fauna	13. Biodiversity
Population and Human Health	2. Liveability 3. Health and Wellbeing
Soil	14. Natural Resources 16. Contaminated Land
Water	14. Natural Resources 15. Flood Risk Reduction and Management
Air Quality	14. Natural Resources
Climate	12. Climate Change
Material Assets	14. Natural Resources 15. Flood Risk Reduction and Management 16. Contaminated Land
Cultural Heritage	10. Design and Heritage
Landscape	10. Design and Heritage 11. Open Space

Table 2: Correspondence between SEA dimensions and SA objectives

4.8. A neighbourhood plan is considered to be a plan or programme as defined by the SEA Regulations. Under Article 3(3) of the SEA Directive, plans or programmes which “determine the use of small areas at a local level” or constitute “minor modifications to plans and programmes” only require an SEA if there are likely to be significant environmental effects. Regulation 9 of the SEA Regulations requires the responsible authority (Tower Hamlets Council in this case) to undertake a screening exercise to determine whether or not a plan or programme is likely to have significant environmental effects and would therefore be subject to an SEA. This is also set out in the PPG on Strategic Environmental Assessment and Sustainability Appraisal, paragraph 027.

4.9. The screening exercise looks at the proposals in the neighbourhood plan to see if a significant effect is likely. The criteria for the screening exercise are set out in the relevant legislation, and explained in the next section of this report.

Habitats Regulation Assessment (HRA)

- 4.10. Habitats Regulation Assessment (HRA) is a process which looks at the potential impact of proposals within a plan (either individually or in combination with others) on European protected wildlife sites – consisting of Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar wetland sites. This assessment is required by the European Habitats Directive (92/43/EEC), transposed into UK law as the Conservation of Habitats and Species Regulations 2010.
- 4.11. The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each designated wildlife site within a reasonable distance of the neighbourhood plan area, and the potential impact of proposals within the plan on these sites.

5. Screening Exercise

5.1. The process of screening a plan or programme to determine whether an SEA is required is set out in figure 2 below. This figure is taken from A Practical Guide to the Strategic Environmental Assessment Directive, issued by the Office of the Deputy Prime Minister in 2005. This approach is commonly used in SEA screening exercises at the current time.

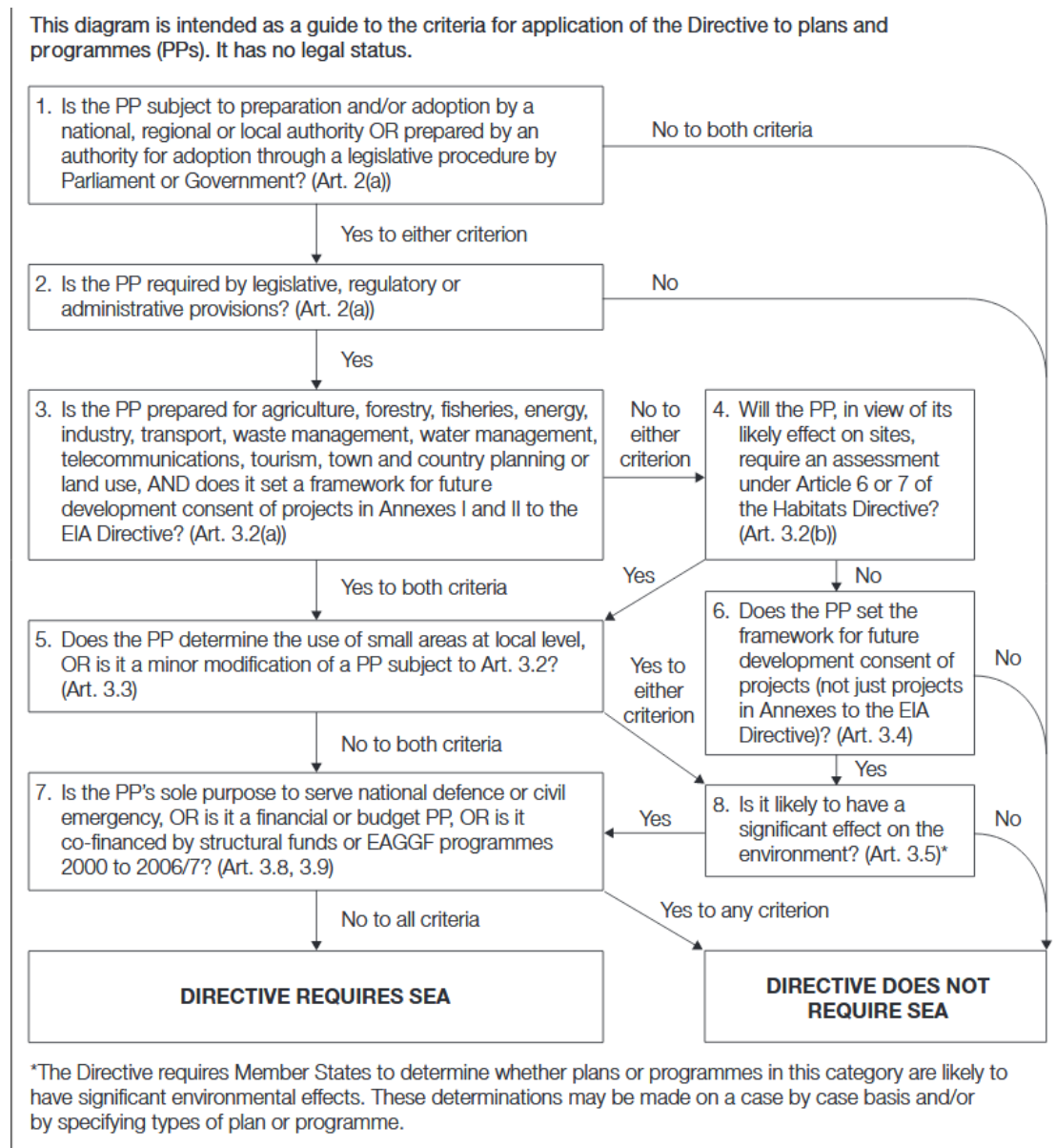


Figure 2: Application of the SEA Directive to plans and programmes

5.2. Table 3 below assesses the Spitalfields Neighbourhood Plan against the criteria in figure 2.

Stage	Y/N	Reason
1. Is the plan subject to preparation and/or adoption by a	Y	Neighbourhood plans are prepared by a qualifying body under the Town and

<p>national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Article 2(a))</p>		<p>Country Planning Act 1990 (as amended). The qualifying body in this instance is the Spitalfields Neighbourhood Forum. The preparation of a neighbourhood plan is subject to the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012. A neighbourhood plan is subject to examination and referendum. If a neighbourhood plan receives more than 50% 'yes' votes at referendum it will be 'made' (adopted) by the Council as Local Planning Authority. The Spitalfields Neighbourhood Plan is therefore subject to adoption by a local authority. Proceed to step 2.</p>
<p>2. Is the plan required by legislative, regulatory or administrative provisions? (Article 2(a))</p>	<p>N</p>	<p>The preparation of a neighbourhood plan is optional. However, once 'made' it does form part of the statutory Development Plan for the area and is used when making decisions on planning applications. It is therefore considered important that the screening process considers whether the Spitalfields Neighbourhood Plan is likely to have significant environmental effects invoking the need for a full SEA, and the assessment should proceed to step 3.</p>
<p>3. Is the plan 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? (Article 3.2(a))</p>	<p>Y</p>	<p>A neighbourhood plan can include these policy areas and could provide at a neighbourhood area level the framework for development of a scale that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are 'excluded' development for neighbourhood plans (as set out in Section 61k of the Town and Country Planning Act 1990, as amended). The policies included in the Spitalfields Neighbourhood Plan are considered to be for town and country planning and land use purposes. The EC document 'Interpretation of definitions of project categories of</p>

		annex I and II of the EIA Directive' notes that "housing developments...are frequently included in the 'urban development projects' category", under Annex II (10)(b) of the EIA Directive. The Spitalfields Neighbourhood Plan sets a framework for future development consents for housing projects, and therefore both criteria are fulfilled. The assessment should skip step 4 and proceed to step 5 (following the flow chart in figure 2).
5. Does the plan determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Article 3.2? (Article 3.3)	Y	A neighbourhood plan can determine the use of small areas at a local level. The policies in the Spitalfields Neighbourhood Plan do contribute to determining the uses of small areas at a local level, in the sense that the policies in the plan will be used to determine planning applications within the neighbourhood area, and encourage particular uses on some sites – particularly local green spaces. Therefore the assessment should skip steps 6 and 7 and proceed to step 8 (following the flow chart in figure 2).
8. Is it likely to have a significant effect on the environment? (Article 3.5)	?	A neighbourhood plan could potentially have an effect on the environment. However, whether this effect is significant depends on the proposals within the neighbourhood plan. This requires individual assessment of each neighbourhood plan. A detailed assessment of the Spitalfields Neighbourhood Plan can be found in section 6 of this report.

Table 3: SEA Screening of the Spitalfields Neighbourhood Plan

5.3. The conclusion of the assessment is that an SEA is only required if the neighbourhood plan is likely to have significant effects on the environment. Section 6 of this report provides a detailed assessment of the policies of the Spitalfields Neighbourhood Plan to determine whether this is the case.

5.4. Section 7 of this report will then screen the Spitalfields Neighbourhood Plan to determine whether a full HRA is required.

6. Assessment of Likely Significant Effects

6.1. The criteria for assessing the likely significance of effects stemming from a plan or programme are set out in Annex II of the SEA Directive (Schedule 1 of the SEA Regulations), and are quoted below in box 3.

1. The characteristics of plans, having regard, in particular, to:
 - The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources
 - The degree to which the plan influences other plans and programmes including those in a hierarchy
 - The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development
 - Environmental problems relevant to the plan
 - The relevance of the plan for the implementation of Community [i.e. European Community] legislation on the environment (e.g. plans and programmes linked to waste management or water protection)
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - The probability, duration, frequency and reversibility of the effects
 - The cumulative nature of the effects
 - The transboundary nature of the effects
 - The risks to human health or the environment (e.g. due to accidents)
 - The magnitude and spatial extent of the effects (geographical area and size of the population to be affected)
 - The value and vulnerability of the area likely to be affected due to:
 - Special natural characteristics or cultural heritage
 - Exceeded environmental quality standards or limit values
 - Intensive land-use
 - The effects on areas or landscapes which have a recognised national, [European] Community or international protection status

Box 3: Criteria for determining likely significance of effects on the environment

6.2. This section of the report will assess the impact of each of the policies in the Spitalfields Neighbourhood Plan, taking into account the sustainability objectives from the 2017 IIA of the Tower Hamlets Local Plan 2031. These are the most recent sustainability objectives developed for the borough, and are therefore considered the most relevant objectives to use in this assessment. All of the relevant SA objectives will be listed, but only significant effects on the SA objectives that correspond to the requirements of the SEA legislation (as set out in table 2 above, and emphasised in bold in table 4 below) will be considered to trigger the requirement for a full SEA.

6.3. The Spitalfields Neighbourhood Plan as a whole will then be assessed against the criteria in box 3 to determine the likelihood of significant effects on the environment. Table 4 below assesses the likely effects of the policies in the Spitalfields Neighbourhood Plan.

Neighbourhood Plan Policy	Relevant Sustainability Objective(s)	Assessment of Significance
SPITAL1 – Protecting the physical fabric of Spitalfields	Design and Heritage	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against this objective. This neighbourhood plan policy would further strengthen heritage protections in the area – however, it is considered that this should not restrict development (and thus impact on other sustainability objectives such as housing or town centres), but should simply provide additional guidance for how that development takes place. The policy is clearly linked to the objectives of the plan, and is not considered to have any significant negative sustainability effects. It is considered that no additional assessment is required.
SPITAL2 – Land use, activities and frontages	Design and Heritage	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against this objective. The neighbourhood plan policy covers similar issues to policy SPITAL1, and the assessment is therefore the same. The policy would likely have a positive impact on this sustainability objective, and would not have any significant negative sustainability effects. It is considered that no additional assessment is required.
SPITAL3 – Public realm	Design and Heritage Open Space	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against these objectives. The neighbourhood plan policy again has a similar focus to policies SPITAL1 and SPITAL2, but also concerns open space in the encouragement for new areas of public realm. The policy would likely have a positive impact on these sustainability objectives, and would not have any significant negative sustainability effects. It is considered that no additional assessment is required.
SPITAL4 – Facilitating urban	Health and Wellbeing	The Local Plan IIA concluded that the synergistic and cumulative

greening	Open Space Climate Change Biodiversity	effects of the Local Plan policies would be positive against these objectives. The neighbourhood plan policy is also likely to have a positive effect on these objectives. It introduces an element of policy that is featured in the new London Plan, but is not yet included in any Local Plan documents. This is considered an appropriate approach and would not introduce any obligations that would have additional significant effects that would not already be covered by the London Plan policy. It is considered that no additional assessment is required.
SPITAL5 – Local green spaces	Health and Wellbeing Open Space	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against these objectives. The neighbourhood plan policy utilises the Local Green Spaces mechanism set out in the NPPF, and is therefore considered an appropriate approach to this issue, which is unlikely to have any significant negative sustainability impacts. It is considered that no additional assessment is required.
SPITAL6 – Ram and Magpie site	Health and Wellbeing Open Space	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against these objectives. The neighbourhood plan policy aims to protect and improve a small area of open space within the neighbourhood area, and is therefore unlikely to introduce any significant negative sustainability impacts. It is considered that no additional assessment is required.
SPITAL7 – Affordable Workspace	Employment Economic Growth	The Local Plan IIA concluded that the synergistic and cumulative effects of the Local Plan policies would be positive against these objectives. The neighbourhood plan policy aims to encourage small businesses within the neighbourhood area and to mitigate the impacts of rising rent – this could have positive impacts on these objectives. However, there remain some concerns at this stage about the viability

		<p>impacts of this policy, as it goes beyond what is included in the relevant Local Plan policy, and it is unclear whether the viability assessment of the Local Plan can be said to support this alteration. This may lead to negative impacts on these objectives if development is stalled due to this policy. However, neither of these objectives are considered in the Local Plan IIA to be relevant to the SEA element of the assessment. Therefore, while these issues will need to be considered as the neighbourhood plan progresses, from an SEA perspective, they are not a cause for concern, and it is considered that no additional assessment is required.</p>
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Table 4: Assessment of the likely effects of policies in the Spitalfields Neighbourhood Plan

6.4. Table 5 below assesses the likelihood of significant environmental effects from the plan as a whole against the criteria from the SEA Directive.

Criteria	Likely significant effect? Y/N	Assessment
The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	N	The neighbourhood plan, if adopted, will form part of the development plan for Tower Hamlets. It provides a framework of policies for assessing development proposals, but does not specify particular locations for development (apart from one small site which is identified specifically for further enhancement as an open space) or establish any additional growth targets beyond those set in the Local Plan. On this basis, the neighbourhood plan policies are considered to fall within the larger framework of the Local Plan and its accompanying Integrated Impact Assessment, and will not have significant environmental effects under this criterion.

<p>The degree to which the plan influences other plans or programmes including those in a hierarchy</p>	<p>N</p>	<p>The neighbourhood plan must be in general conformity with the strategic policies of the Tower Hamlets development plan, and with the London Plan. The neighbourhood plan does not influence any higher tier plans, especially as it does not set any targets for growth or site allocations. The neighbourhood plan does not directly influence any other plans or programmes. It may have some influence on how Community Infrastructure Levy money is spent in the area, but this will be as one element in a wider process of consultation and consideration. On this basis, the neighbourhood plan is not considered to have any significant environmental effects under this criterion.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>N</p>	<p>The neighbourhood plan must contribute to the achievement of sustainable development under national planning policy (and, consequently, in order to be in general conformity with the Local Plan and London Plan, which also have this objective). The plan contains policies which seek to contribute to environmental improvements, particularly in terms of ‘urban greening’. However, due to the scale of the plan, and the existence of policies on green spaces and biodiversity in the Local Plan, these effects are not considered to be significant enough to require an SEA – they would fall under the scope of the existing IIA of the Local Plan. On this basis, the neighbourhood plan is not considered to have any significant environmental effects under this criterion.</p>
<p>Environmental problems relevant to the plan</p>	<p>N</p>	<p>The environmental characteristics of the area have been identified earlier in this document, with problems primarily relating to air quality and access to open space. The neighbourhood plan does not contain a standalone policy on air quality, but it is referenced as one of the drivers behind the objective on greening the area, and the policies on green spaces and urban greening should have positive impacts on air quality. The plan contains a policy designating sites in the area as Local Green Spaces, and encourages new</p>

		<p>development to provide additional public realm spaces which may also provide a greater level of small open spaces in the area. Policies on open space and air quality are contained within the Local Plan, and have been assessed by the IIA for the Local Plan; and the neighbourhood plan policy on urban greening is influenced by a similar policy in the new London Plan, which was assessed by that plan's IIA. The neighbourhood plan policies fall within the scope of these Local Plan and London Plan policies and their IIA assessment, and it is therefore considered that they will not have a significant enough effect on the environment to require an SEA.</p>
<p>The relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)</p>	N	<p>The scale of the neighbourhood plan means that it is not directly relevant to the implementation of Community legislation on the environment, except in so far as it needs to be screened to determine the requirement for an HRA. However, the neighbourhood plan must be in general conformity with the Tower Hamlets development plan and the London Plan, which themselves must be in conformity with European legislation on the environment. The neighbourhood plan does not deal with waste management or water protection – and as it does not set out any additional development to that in the Local Plan, it is considered unlikely to have a significant impact on either of these areas. It is therefore considered that the plan will not have a significant effect on the environment under this criterion.</p>
<p>The probability, duration, frequency and reversibility of the effects</p>	N	<p>The neighbourhood plan does not propose any additional growth to that already set out in the Local Plan. The Local Plan was subject to an Integrated Impact Assessment, and the policies within the neighbourhood plan are considered to fall within the scope of this Local Plan IIA. On this basis, the neighbourhood plan is considered not to have significant environmental effects that have not already been assessed, and therefore presents no changes to probability, duration, frequency, or reversibility of any environmental effects.</p>

The cumulative nature of the effects	N	The neighbourhood plan does not propose any additional growth to that already set out in the Local Plan. The cumulative impact of the policies of the Local Plan was assessed in the IIA of the Local Plan, and it was considered that there would not be negative cumulative effects. As the policies in the neighbourhood plan fall within the scope of this IIA, it is considered that they cannot contribute to any further cumulative effects, and there is therefore unlikely to be any significant environmental effects under this criterion.
The transboundary nature of the effects	N	The neighbourhood plan area borders the City of London and the London Borough of Hackney, both to the west of the neighbourhood area. However, as the neighbourhood plan does not propose any additional growth beyond that set out in the Local Plan, there are considered to be no additional transboundary effects that have not been considered as part of the IIA for the Local Plan. There are therefore no significant environmental effects under this criterion.
The risks to human health or the environment (e.g. due to accidents)	N	The neighbourhood plan does not contain any policies that are likely to increase the risk of harm to human health or the environment under this criterion.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	N	The neighbourhood plan covers a small area in the west of the borough. While there is a significant residential population in the area, there are no Local Plan site allocations in the area, and the area is therefore not considered to be one that will see particularly high levels of residential growth in the coming years when compared to other parts of Tower Hamlets. Being located partly in the Central Activities Zone, and in an area with significant office and retail facilities, there is usually a significant commuting population (although this assessment is being prepared during the restrictions related to the coronavirus pandemic, which will have reduced this commuting population for the time being). This commuting

		<p>population can also potentially be affected by any environmental impacts of the plan. However, the likely environmental impacts of the plan are considered not to be significant, and to fall within the scope of the IIA for the Local Plan, which covers this area and the rest of the borough. It is therefore considered that no need for an SEA arises under this criterion.</p>
<p>The value and vulnerability of the areas 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 -the effects on areas or landscapes which have a recognised national, Community or international protection status 	N	<p>The characteristics of the area have been identified in section 3 of this report. There are some notable heritage assets within the area, including two Grade I listed buildings and protected views to St Paul’s Cathedral and the Tower of London. There are also four conservation areas wholly or partly within the area. There is a Site of Importance for Nature Conservation within the area. The area is within an Air Quality Management Area (which covers the whole borough), and much of the area is identified as having substandard air quality. The use of land in the area is intensive, and this is likely to continue to be the case for the foreseeable future, although the area is not expected to see as high levels of growth and development as some other parts of Tower Hamlets during the current Local Plan period. The plan contains policies that will have a positive environmental impact through the protection of open spaces and the encouragement of more biodiverse greening strategies on new developments, and it aims to ensure that the intensity of land use in the area is mediated through an understanding of and sensitivity towards the heritage of the area. However, these policies are considered to fall under the scope of the Local Plan policies on the same topics, which have already been subject to an Integrated Impact Assessment, and the neighbourhood plan does not set out any level of growth beyond that in the Local Plan. On this basis, the neighbourhood plan is not considered likely to have significant environmental effects under this criterion.</p>

Table 5: Assessment of the likelihood of significant effects on the environment from the Spitalfields Neighbourhood Plan

6.5. On the basis of these assessments, it is concluded that the Spitalfields Neighbourhood Plan will not have any significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations. This is primarily because the Spitalfields Neighbourhood Plan does not set out any additional growth or development beyond that planned for in the Tower Hamlets Local Plan 2031, and does not set out any specific site allocations for development. The Spitalfields Neighbourhood Plan therefore does not require a full SEA.

7. Habitats Regulation Assessment Screening

- 7.1. A Habitats Regulation Assessment (HRA) examines the potential impacts of a plan or programme, whether alone or cumulatively, on European protected sites. These sites are Special Protection Areas (SPAs) designated under the Bird Directive 79/409/EEC and Special Areas of Conservation (SACs) designated under the Habitats Directive 92/43/EEC. It is government policy that HRAs should also consider sites designated under the Ramsar Convention of 1971 (known as 'Ramsar sites') in the same way as the European protected sites.
- 7.2. The first stage of the HRA process is a screening exercise where the details of nearby designated sites are assessed to see if there is the potential for the plan or programme to have an impact on the sites. For the purposes of the screening exercise, the potential impact of the Spitalfields Neighbourhood Plan on designated sites within 15km of the neighbourhood area will be considered.
- 7.3. There are five European protected sites or Ramsar sites within 15km of the Spitalfields Neighbourhood Area. These sites are:
 - Epping Forest SAC
 - Richmond Park SAC
 - Wimbledon Common SAC
 - Lee Valley SPA
 - Lee Valley Ramsar
- 7.4. None of these sites is closer than 3km to the neighbourhood area, so the plan cannot influence development in the direct vicinity of any of the sites.
- 7.5. The HRA of the Tower Hamlets Local Plan 2031 identified that the main reasons for 'unfavourable' ratings of the condition of the designated sites were due to public access, air pollution, and inappropriate management. The Spitalfields Neighbourhood Plan cannot affect the management of these sites, and therefore the only potential for adverse impacts on these sites from development in Spitalfields would be through increased visitor pressure from a large population increase, or an increase in negative air quality impacts.
- 7.6. The Spitalfields Neighbourhood Plan contains a policy that aims to increase the level of greenery in the Spitalfields area, partially with the intention of improving air quality in the area, although it is considered that the impact of this policy will be no more significant than existing Tower Hamlets planning policies on this topic and is unlikely to have an effect on the designated sites.
- 7.7. The Spitalfields Neighbourhood Plan does not set any additional growth targets or site allocations, and therefore does not propose any more development than that planned for in the Tower Hamlets Local Plan 2031. The Local Plan was

subject to an HRA screening as part of the Integrated Impact Assessment. This screening concluded that the Local Plan would have no significant effects (alone or in combination) on any of the sites due to an absence of impact pathways, policy controls within the plan which can ensure significant effects are avoided, and some suggested changes to the plan which were accepted by the Council and included in the adopted Local Plan. As part of the examination process, a technical note was appended to the HRA justifying how the Local Plan HRA was in line with the outcome of the 'People Over Wind' decision, and had not considered mitigation measures as part of the HRA screening process. This position was accepted by Natural England, and the Integrated Impact Assessment (including the HRA screening) was successfully examined as part of the Local Plan examination process.

- 7.8. As the scale of development proposed by the Spitalfields Neighbourhood Plan does not exceed that proposed by the Local Plan, it is considered that the Spitalfields Neighbourhood Plan cannot have any additional significant impact (either by itself or cumulatively with other plans and programmes) than the Local Plan itself. The findings of the HRA screening of the Local Plan are therefore considered to apply in this situation, and no further HRA screening of the Spitalfields Neighbourhood Plan is required.

8. Conclusion

- 8.1. On the basis of the SEA screening assessment carried out in this document, it is concluded that the Spitalfields Neighbourhood Plan will not have any significant effects in relation to the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA.

- 8.2. On the basis of the HRA screening assessment carried out in this document, it is concluded that the Spitalfields Neighbourhood Plan does not require a full HRA, as the scale of development proposed does not exceed that of the Tower Hamlets Local Plan 2031, which has already been subject to an HRA screening and found not to require a full HRA.

9. Consultation

- 9.1. The draft report was sent for consultation to the three statutory consultees – the Environment Agency, Natural England, and Historic England – as required under Regulation 11(1) of the SEA Regulations. The consultees were given six weeks to respond. Responses are reproduced below.
- 9.2. It is considered that the responses of the statutory consultees do not give rise to any further changes to the SEA/HRA Screening Report or its conclusions. Natural England confirmed that there are unlikely to be significant environmental effects caused by the neighbourhood plan. The Environment Agency similarly concluded that there are no potential significant environmental effects caused by the plan. Historic England concluded that, despite the notable heritage assets in the Spitalfields area, the neighbourhood plan is in general conformity with existing local plan policies and is therefore unlikely to have significant effects on these assets.

Historic England

Date 10/08/2020

Consultation on the SEA & HRA for Spitalfields Neighbourhood Plan.

Please find attached our response to the above consultation.

Best regards

Richard Parish
Historic Places Adviser

Spitalfields Neighbourhood Development Plan SEA Screening Opinion

Thank you for consulting Historic England on the above document.

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the development plan process. Accordingly we welcome the opportunity to comment on the above consultation document. It should be noted that our comments are provided in the context of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and Historic England's Good Practice Advice (GPA) notes, specifically in relation to Local Plans (GPA1) and our guidance on Strategic Environmental Assessment, Sustainability Appraisal and The Historic Environment, Advice Note 8 (web link - <https://historicengland.org.uk/images-books/publications/strategic-environment-assessment-sustainability-appraisal-historic-environment/>).

SEA Screening Opinion

We note the Council's Screening Opinion and the conclusion that the proposed Planning Framework SPD does not give rise to significant environmental effects sufficient to require full SEA nor HRA. While the area contains notable Heritage Assets, in respect of the potential impacts on the Historic Environment we are content with the Council's analysis that the policies are unlikely to result in significant environmental impacts and are in general conformity with existing local plan policies. We do not therefore wish to comment and we are happy for these documents to be progressed by the Council.

In addition we have received a Regulation 14 Consultation in respect of the Draft Neighbourhood Plan from the Neighbourhood Forum and will respond direct to them .

If you wish to discuss any of the above observations please do not hesitate to contact me.

Finally, it must be noted that this advice is based on the information provided by you and for the avoidance of doubt does not reflect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently relate to this or later versions of the document which may have adverse effects on the historic environment.

Yours sincerely
Richard Parish
Historic Places Adviser

Natural England

Date: 20/08/2020

323850 - Spitalfields Neighbourhood Plan – SEA / HRA Screening consultation

Please find attached Natural England's response in relation to the above mentioned consultation.

Kind regards,

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Spitalfields Neighbourhood Plan – SEA / HRA Screening consultation

Thank you for your consultation request on the above dated and received by Natural England on 23rd July, 2020.

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.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally

specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely
Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Environment Agency

Date: 21/09/2020

Environment Agency Response - Consultation on SEA/HRA Screening of Spitalfields Neighbourhood Plan

Dear Mr Heywood,

Thank you for consulting the Environment Agency, please find our response attached.

If you have any further queries, please contact me on the number below.

Regards
Andy Goymer
Planning Specialist – Hertfordshire and North London Sustainable Places

Consultation on SEA/HRA Screening of Spitalfields Neighbourhood Plan

Thank you for consulting us on the pre-submission draft of the Spitalfields Neighbourhood Development Plan. I apologise for the delay in responding.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of flood risk, Source Protection Zones for groundwater or watercourses affected by the neighbourhood plan area. Therefore we do not consider there to be potential significant environmental effects relating to these environmental constraints.

Your Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

For your information, together with Natural England, English Heritage and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

<https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

If you have any questions please contact me on 0203 025 5486 or email me at HNLsustainablePlaces@environment-agency.gov.uk, quoting the reference at the beginning of this letter.

Yours sincerely
Mr Andy Goymer
Planning Specialist