Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) Screening Statement for the Spelthorne Design Code Supplementary Planning Document (SPD)

1. The purpose of this screening statement is to assess whether the Spelthorne Design Code Supplementary Planning Document should be subject to a Strategic Environmental Assessment (SEA) or Sustainability Appraisal (SA).

2. Based on the findings of this screening statement the Council has concluded that neither a SEA or SA is necessary for the Spelthorne Design Code.

3. In accordance with Section 9(3) of the Regulations 2004, as the screening statement concludes that the implementation of the SPD will be unlikely to have significant environmental effects and therefore not require a SEA, the statement includes the reasons for this determination. The Council has taken into account the criteria specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and the results of the assessment can be found in Tables 1 and 2 below.

Introduction

4. Sustainability Appraisal is the process of ensuring that a plan or policy contributes to sustainable development. Sustainability Appraisals incorporate the requirements of the Strategic Environmental Assessment. Sustainability Appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.

5. Strategic Environmental Assessment alone can be required in some limited situations where Sustainability Appraisal is not needed. This is usually where Supplementary Planning Documents could have significant environmental effects.

Legislative Background

6. The Planning Act 2008 amended section 19(5) of the Planning and Compulsory Purchase Act 2004. As a result, Local Planning Authorities (LPAs) no longer have to prepare a Sustainability Appraisal (SA) report for their Supplementary Planning Documents (SPDs). The reason for this is that it involved duplication, since SPDs have to be in conformity with an overarching Development Plan Document which had already been the subject of SA.

7. The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 enacted section 180 of the Planning Act 2008, removing this blanket requirement for SA. However, the explanatory memorandum advises that LPAs will still need to screen their SPDs to ensure that legal requirements for SA are met where there are impacts that have not been covered in the appraisal of the parent DPD (Local Plan) or where an assessment is required by the SEA Directive.

8. The strategic environmental assessment (SEA) and SA planning practice guidance paragraph 008 confirms that SPDs do not require a SA but may in exceptional circumstances require a SEA. SEA is unlikely to be required, unless it is considered that there are likely to be significant environmental effects.

9. Before deciding whether significant environment effects are likely, the LPA 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. This initial assessment process is commonly referred to as a 'screening' assessment and the requirements are set out in regulation 9 of the 2004 Regulations. The results of this process must be summarised in an SEA screening statement, which must be publicly available.

10. Under Regulation 9(3), if the council determines that a plan or programme is unlikely to have significant environmental effects, an SEA will not be required. The Council will however need to prepare a statement of its reasons for the determination.

Local Plan

11. The Spelthorne Local Plan was accompanied by a Sustainability Appraisal which incorporated SEA requirements. Sustainability Appraisal was undertaken at each relevant stage of Local Plan preparation and is of relevance to the Design Code SPD. The SA documents for the Local Plan are available on the Local Plan website. The Local Plan is due to be adopted in late summer/early autumn.

Spelthorne Design Code Supplementary Planning Document (SPD)

12. The Spelthorne Design Code has been produced to provide a framework to support high quality design in the borough, that is reflective of local character and design preferences. It sets out the design requirements for proposed new development to ensure that it is locally supported, sustainable and functions well for all.

13. The Spelthorne Design Code includes:
    - A vision for development in the borough and its key places
    - Design principles across a range of topics
    - Expectations for a comprehensive and considered approach to the design process
    - Tailored design requirements for different area types within the borough, covering Buildings, Open Spaces, Streets and Public Realm, Landscape and other physical aspects of the design of proposals

14. The Design Code SPD will sit alongside the Spelthorne Local Plan 2024-2039 once adopted. Together with the Local Plan, this SPD will form a material planning consideration when deciding planning applications.

SA and SEA Screening

SA Screening

15. As above, the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 removes the automatic need for an SA of SPDs. The Design Code does not introduce new policies or proposals, or modify development plan documents which have already been subject to SA. The Design Code only provides guidance to support delivery of the Local Plan's design policies, aiding interpretation and providing clarity. It is therefore considered an SA is not required.

SEA Screening

16. Regarding SEA, the Responsible Authority (Spelthorne Borough Council) must determine whether a plan or programme under assessment is likely to have significant environmental effects. If the SPD is considered unlikely to have significant environmental effects through the screening process, then an SEA is not necessary.

17. The assessment must be made taking account of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and in consultation with the Environmental Agency, Historic England and Natural England. Table 1, below, provides an assessment of all Schedule 1 criteria, and concludes an SEA is not required.

18. Spelthorne Borough Council consulted with the above consultation bodies as part of the public consultation on the Design Code from 23 June to 4 August 2025.

Table 1: Assessment of the likely significant effects on the environment

Criteria for determining likely significance of effects on the environment[1]	Significant environmental effect?	Justification
Characteristics of the Design Code		
(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	No	The Design Code provides more detail to the development framework established within the Spelthorne Local Plan 2024-2040, already subject to SA incorporating SEA. The purpose of the Design Code is to provide guidance and clarity to support delivery of the development framework set out in the Spelthorne Local Plan. The Design Code does not add to or modify the development framework in the Local Plan
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	The Design Code relates solely to the Spelthorne Local Plan 2024-2040. Its status is beneath the Local Plan in the development plan hierarchy, and it must be entirely consistent with the Local Plan. The Design Code does not seek to influence plans.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The purpose of the Design Code is to provide additional guidance on the policies contained in the council's Local Plan in terms of Design. Policies aimed at the requirement for

[1] The Environmental Assessment of Plans and Programmes Regulations 2004

Criteria for determining likely significance of effects on the environment[1]	Significant environmental effect?	Justification
		integrating environmental considerations are set in the Local Plan.
(d) environmental problems relevant to the plan or programme	No	The Design Code does not introduce or modify a development framework. It provides guidance for delivering the framework in the Local Plan, in relation to design. Potential environmental problems are addressed in the Local Plan, it's supporting evidence and SA/SEA.
(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)	No	The Design Code supplements the policies in the council's Local Plan which themselves take into account environmental legislation established by retained EU law, but it does not introduce any new policy initiatives.
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to		
(a) the probability, duration, frequency and reversibility of the effects	No	The Design Code supplements the policies in the council's development plan, namely the council's Local Plan, which has had a Sustainability Appraisal (including SEA) prepared. The Design Code does not introduce any new policies itself. As such, its implementation will help promote the objectives of the Local Plan in terms of applications for Design in the borough.

Criteria for determining likely significance of effects on the environment[1]	Significant environmental effect?	Justification
(b) the cumulative nature of the effects	No	The Design Code provides supplementary guidance on policies in the council's development plan. Its implementation may assist in achieving environmental benefits for the whole borough that are sought in the overarching Local Plan policies.
(c) the transboundary nature of the effects	No	The Design Code provides a framework for good design in Spelthorne and is unlikely to have any impact on neighbouring boroughs
(d) the risks to human health or the environment (for example, due to accidents)	No	The Design Code contains guidance aimed at minimising harm caused by noise, lighting and other environmental pollution. It does not contain polices that would pose a risk to human health or to the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	Together with the Local Plan, the Design Code provides the policy framework guiding the design of development across the Spelthorne. Because the Design Code supplements planning policy and does not introduce any new policy, the magnitude of the effects of the SPD itself will be limited, although it is anticipated that it will have beneficial

Criteria for determining likely significance of effects on the environment[1]	Significant environmental effect?	Justification
		environmental effect for the whole borough.
(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	No	The Design Code supplements planning policies that have been subjected to Sustainability Appraisal (including SEA) through the Local Plan. The implementation of the Design Code is likely to result in better management of environmental issues. It is not expected that there will be any significant negative effects in terms of natural areas and open spaces including its nature conservation areas, green and blue corridors, and public open spaces.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The Design Code only supplements and provides additional design guidance on policies contained in the Council's development. The Local Plan policies and allocations identify mitigation to protect designated areas or landscapes. The implementation of the Design Code will not result in significant adverse impacts to these areas and instead will seek to improve and further protect any designations.