

Brighton & Hove City Council
Conway Street Industrial Area SPD

Strategic Environmental Assessment Screening
& consideration of Habitats Regulations Assessment Screenings of relevance to the SPD

February 2019

1.0	STRATEGIC ENVIRONMENTAL ASSESSMENT	2
1.1	Introduction and scope of the SPD	2
1.2	Legislative background.....	2
1.3	City Plan Part 1 – SEA/SA undertaken.....	3
1.4	SEA screening criteria and procedure.....	4
	Figure 1 Map showing boundary of Conway Street Industrial Area Strategic Allocation	5
1.5	Screening.....	6
	Table 1 Characteristics of the SPD	6
	Table 2: Effects of the SPD	9
1.6	Initial conclusion prior to consultation	11
1.7	Consultation and final determination.....	12
2.0	HABITATS REGULATIONS ASSESSMENT	13
2.1	Introduction	13
2.2	Local European Sites	13
2.3	Scope of the SPD	14
2.4	City Plan Part 1 Habitats Regulations Assessment screenings.....	14
2.5	Conclusion.....	15
2.6	Consultation	15
	Appendix 1: Extract from SEA/SA of Hove Station Development Area Assessment (DA6).....	16
	Appendix 2: Consultation Responses.....	22

1.0 STRATEGIC ENVIRONMENTAL ASSESSMENT

1.1 Introduction and scope of the SPD

- 1.11 Brighton & Hove City Council is preparing the Conway Way Street Industrial Area Supplementary Planning Document (SPD). This will be in the form of a masterplan which will facilitate meeting development objectives for the area.
- 1.12 The National Planning Policy Framework describes SPDs as documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design.
- 1.13 The Conway Street Industrial Area is located in close proximity to Hove Station and is a strategic allocation within the adopted [City Plan Part 1 \(2016\)](#) policy DA6 Hove Station. The area comprises a mixture of buildings and roads close to Hove Station, bounded by the railway line to the north, Ellen Street to the south and Ethel Street to the east. The existing commercial properties within the area include offices, warehouses, distribution centres, some research and development companies and a number of disparate industrial buildings – largely dating from a redevelopment programme in the 1960s. Also located in the area is a main depot and administrative offices for the Brighton & Hove Bus and Coach Company. The area also includes the surface car park to Hove Station, owned by Network Rail.
- 1.14 The overarching aim of policy DA6 is to secure long term regeneration opportunities around the Hove Station area and enable its development as an attractive and sustainable mixed-use area focused on employment. It seeks to deliver 525 dwellings and retention/replacement of 13,000sqm employment floorspace.
- 1.15 Key aims of the Conway Street Industrial Area strategic allocation, as set out in City Plan Part 1, are for comprehensive redevelopment to deliver more effective use of under-used land and buildings. The allocation requires the retention/replacement of 12,000sqm employment floorspace with a shift towards providing high quality flexible employment (B1) floorspace, provision of 200 dwellings and enhancements to streetscape. In addition, measures to improve safe pedestrian and cyclist access are expected and proposals should facilitate social inclusion.
- 1.14 The Conway Street Industrial Area SPD will supplement and support the implementation of City Plan Part 1 Policy DA6. It will provide a masterplan for the area which will provide guidance on how CPP1 policy requirements relating to the area can be met including:
- guidance on how to address transport and traffic impacts
 - guidance on building heights, based on the tall buildings study
 - guidance on how the need for community facilities could be addressed
 - guidance on how the needs of existing businesses can be met
 - guidance on development phasing
 - guidance on addressing surface water flooding
 - guidance on the delivery of an energy network

1.2 Legislative background

- 1.21 The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) requires an environmental assessment to be carried out for certain plans or programmes. The SEA Directive has been transposed into UK law through the [Environmental Assessment of Plans and Programmes Regulations 2004](#) (hereafter referred to as “the Regulations”).

- 1.22 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents and it is considered best practice to incorporate requirements of the SEA Directive into an SA. Subsequently, the 2008 Planning Act removed the requirement to undertake a SA for a Supplementary Planning Document, but not the requirement for a SEA.
- 1.23 Government advice in Paragraph: 008 Reference ID: 11-008-20140306 of the [Planning Practice Guidance \(PPG\)](#) makes clear that SPDs do not require a sustainability appraisal but may in exceptional circumstances require SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.
- 1.25 In addition, the guidance states that a SEA is unlikely to be required where a SPD deals only with a small area at local level, unless it is considered that there are likely to be significant environmental effects.

1.3 City Plan Part 1 – SEA/SA undertaken

- 1.31 As part of the preparation of the City Plan Part 1, a combined [SEA/SA](#) was undertaken. This included assessments of all the policies contained within the City Plan including DA6 Hove Station. The effects of DA6 were predominantly positive however there was a risk of some adverse impacts largely due to the quantum of developments proposed and the potential for adverse impacts that may arise, such as traffic generation and subsequent air quality impacts. However the SA found that the risk of adverse impacts was appropriately mitigated through implementation of other city-wide policies. An extract of the SA for DA6 Hove Station can be found in Appendix 1 for this report. A summary of potential positive and negative effects as described in the City Plan Part 1 SA/SEA includes:

Potential Positive Effects

- Opportunities to enhance biodiversity
- Improvement in local distinctiveness/heritage through design and public realm
- Delivery of housing
- Prevention of water pollution through requirements to protect groundwater resources
- Opportunities to remediate contaminated land
- Provision of improved employment floorspace, supporting economic development and job opportunities
- Various health benefits including access to employment, housing and community facilities, improved streetscape, opportunities for active travel although recognised that proximate AQMA may impact upon health.
- Opportunities to improve community safety
- Opportunities to reduce deprivation through opportunities for training and employment and improvements to the living environment
- Improved land-use efficiency
- Improvements in energy efficiency through potential for district heating networks
- Supporting adaptation to climate change through requirements to address risk of surface water flooding
- Increasing accessibility through improvements to pedestrian and cycling network

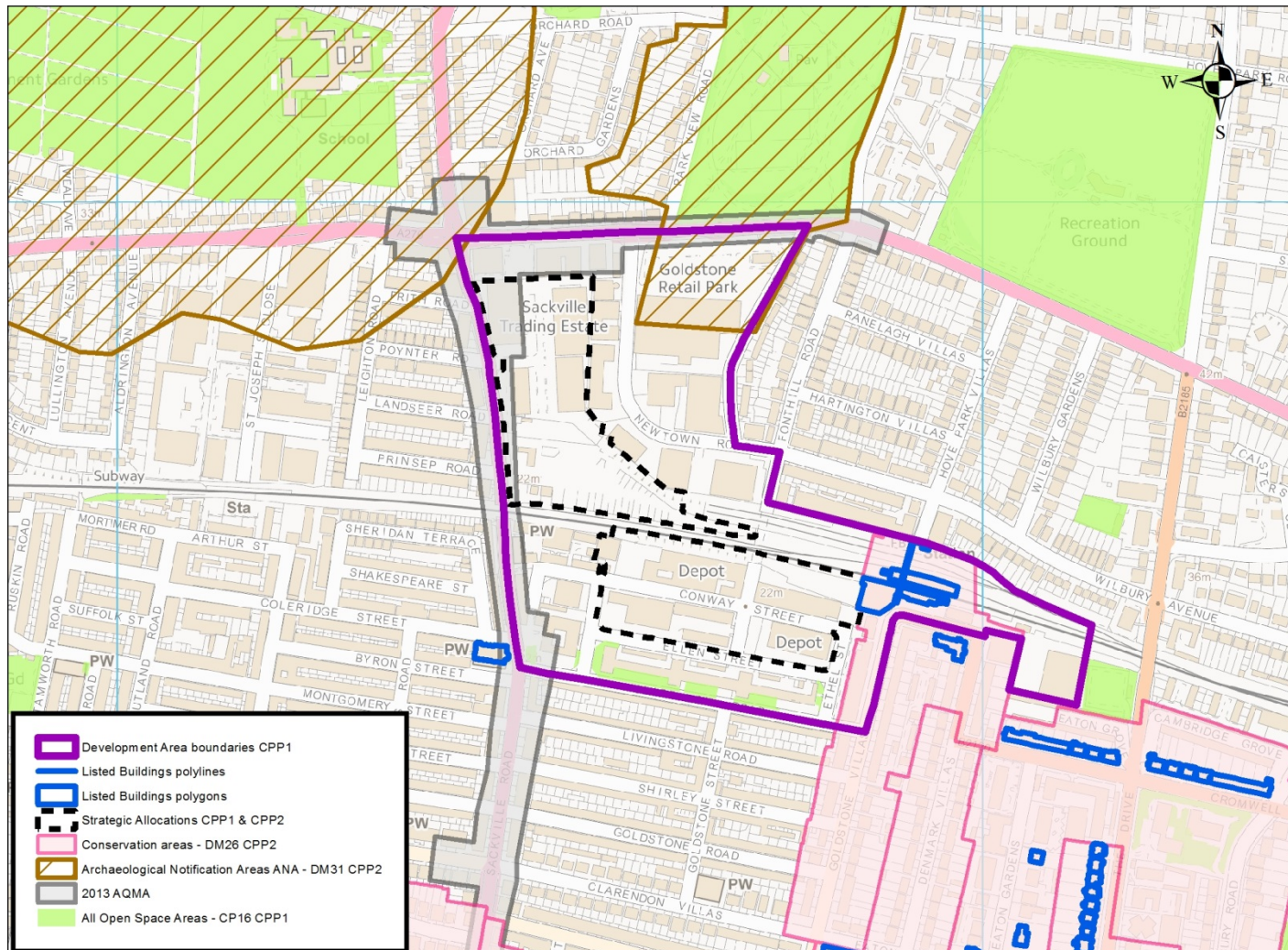
Potential Adverse Effects

- Potential for traffic to increase as a result of increased population arising from development, also having potential for air quality impacts on adjacent AQMA
- Increase in water consumption due to quantum of development
- Increase in waste due to construction and increased population

1.4 SEA screening criteria and procedure

- 1.41 To assess whether SEA is required, Brighton & Hove City Council must undertake a screening assessment, based on a standard set of criteria as set out in the Regulations, to determine whether the SPD is likely to have significant environmental effects beyond those already identified within the SA/SEA of City Plan Part 1. The screening must then be subject to consultation with the three statutory bodies Historic England, Natural England and the Environment Agency.
- 1.42 Following consultation, the results of the screening process must be detailed in a publically available statement.
- 1.43 A map of the area is provided in Figure 1 showing the Conway Street Strategic Allocation boundary, the DA6 Hove Station Development Area boundary and local constraints including listed buildings, conservation areas, Air Quality Management Area, Archaeological Notification Area and areas of designated open space.

The Conway Street Industrial Area Strategic Allocation is shown by the dashed black line around the road “Conway Street”



1.5 Screening

1.51 The following tables set out the criteria specified in Schedule 1 of the Regulations, and the response in relation to the SPD to help determine whether significant adverse effects are likely. The criteria look at both the characteristics of the SPD and also the effects of the SPD.

Table 1 Characteristics of the SPD

Criteria	Commentary	Significant Adverse Effect? Yes/No
(1a) the degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The SPD will produce a masterplan to demonstrate how the requirements of CPP1 policy DA6, particularly those relating to the Conway Street Industrial Area Strategic Allocation, could be achieved.</p> <p>The City Plan Part 1 underwent full combined SA/SEA as part of its preparation which identified positive and negative effects as described in paragraph 1.31.</p> <p>The SPD will not present any new policies, and its purpose is to provide greater clarity on how new development can meet the requirements of existing policy.</p> <p>City Plan Part 1 established the overarching planning framework. The SPD will not set the framework for projects as forms a lower tier of the existing planning framework. The SPD will not allocate land.</p>	No
(1b) the degree to which the SPD influences other plans including those in a hierarchy;	<p>The guidance provided in the SPD will be supplementary to existing adopted policy in the City Plan Part 1 and will provide clarity as to how development can meet the requirements of existing policy. The SPD forms the lower tier of the planning policy hierarchy and therefore does not influence other plans.</p> <p>It is likely that the SPD will provide guidance on how the issue of transport and traffic could be addressed, will include guidance on building heights based on the tall-buildings study, will provide guidance on how the need for community facilities could be addressed, provide guidance on how the needs of existing businesses can be met, provide guidance on phasing, provide guidance on addressing surface water flooding and provide guidance on how an energy network could be delivered.</p>	No
(1c) the relevance of the SPD for the integration of	All planning documents must be in conformity with the NPPF and have an obligation to deliver sustainable development. The	No

<p>environmental considerations in particular with a view to promoting sustainable development;</p>	<p>SPD will promote sustainable development by providing guidance on how social needs can be met, for example through the delivery of housing and community facilities, provide guidance on how economic needs can be met, for example through retention/replacement of employment floorspace, whilst considering the need to protect the environment such as through guidance which supports sustainable and active transport, measures to reduce the risk of surface water flooding and through implementation of an energy network.</p>	
<p>(1d) environmental problems relevant to the SPD;</p>	<p>The SPD will only be applicable to a small area adjacent to Hove Station of approximately 3.4ha. It is considered unlikely that the SPD will directly exacerbate the following environmental problems due to over-arching policy that seeks to address these issues as well as the potential for the SPD to provide guidance on addressing these issues.</p> <p>The environmental problems of relevance to the area include:</p> <p><u>Climate Change</u>: Some of the impacts of climate change include increased extreme weather events, increased risk of flooding, higher temperatures and damage to ecosystems. SPD could support increasing resilience to climate change through support for biodiversity features, climate resilient materials and construction, as well as opportunities to reduce flooding.</p> <p><u>Surface water flooding</u>: EA mapping shows the site is within flood zone 1 and therefore at low risk of tidal flooding. However there are various degrees of risk of surface water flooding across the area, from very low, low, medium and high risk. There is a clear surface water flow route through the area flowing from the north (Hove Park) to the south (seafront). SPD may help reduce the risk of surface water flooding by providing guidance on SUDS features which could be incorporated within the design of buildings and streetscape.</p> <p><u>Transport/traffic</u>: Some of the roads in proximity to the area suffer from congestion, particularly at peak times. The area has a problem with “rat-running” as can be used as a short-cut. In addition, current street-scape public realm is not pedestrian/cyclist friendly. SPD may positively influence travel choice through improvements to the public realm particularly for cyclists and pedestrians, through increased accessibility to sustainable transport interchanges and through measures to tackle rat-run issue, however any increase in development throughout the area could result in an increase in traffic.</p> <p><u>AQMA</u>: Although the area is not within the AQMA, the AQMA is in close proximity and some of the feeder roads to the area are within the AQMA. AQMA designated for exceedance in NO₂, caused by vehicular traffic, however also influenced by the</p>	<p>None that have not already been assessed and identified through SA/SEA of over-arching City Plan Part 1.</p>

	<p>existing street-scape and design of streets, e.g. narrow streets do not allow for easy dispersal of pollutants known as the canyon effect and this occurs on the Sackville Road area. The 5 year average, for 2013-2017 (at a nearby air quality monitoring location (W21 – Hove Park pub) is 41.8µg/m³, therefore is in exceedance of the Air Quality Objective (AQO) of 40µg/m³.</p> <p>SPD may positively influence air quality by providing guidance which supports sustainable travel, however there is a risk that any development within the area may increase transport movements and subsequently increase air quality issues.</p> <p><u>Water quality and supply:</u> The area is within Groundwater Source Protection Zone 2 meaning the groundwater resource is vulnerable to pollution. SPD may help reduce risk of pollution to water resources through guidance on SUDS.</p> <p><u>Contaminated land:</u> Although the extent of contamination throughout the area is unknown, there could be potential for contamination due to current or former uses of the land. Although remediation of contaminated land is unlikely to be addressed through the SPD, this would form a consideration in the development management process and redevelopment across the area may provide opportunities for remediation where needed.</p> <p><u>Green infrastructure/biodiversity:</u> There are no sites designated for nature conservation interest and the current form of the area is unlikely to support biodiversity. SPD may support net gains in biodiversity, e.g. through guidance on biodiversity that could be included within schemes, e.g. street-trees.</p> <p>Any guidance the SPD provides on these issues will supplement and support that provided in existing policy, including CP8 Sustainable Buildings, CP9 Sustainable Transport, CP10 Biodiversity and CP11 Flood Risk.</p>	
(1e) the relevance of the SPD for the implementation of community legislation on the environment (e.g. plans linked to waste or water protection)	<p>The EU has adopted a range of legislation aimed at protecting the environment including:</p> <ul style="list-style-type: none"> - EU Directive 2009/147/EC on the conservation of wild birds. - EU Directive 1992/43/EEC on the conservation of habitats. - EU Directive 2008/50/EC on ambient air quality and cleaner air. - EU Directive 2002/49/EC on environmental noise. - EU Directive 2008/98/EC waste framework directive. - EU Directive 2000/60/EC) water framework directive. - EU Directive 2007/60/EC assessment and management of flood risks. <p>The SPD will support implementation of and will be in compliance with the City Plan which has already taken account</p>	No

	of the existing European and National legislative framework for environmental protection. It should therefore have a positive effect on compliance however this legislation has been taken into account at a higher level.	
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Table 2: Effects of the SPD

Criteria	Summary of Effects	Significant Adverse Effect? Yes/No
(2a) What are the probability, duration, frequency and reversibility of the effects of the SPD?	<p>The SPD has potential to result in some positive environmental effects, as described above, some of which are probable and some of which may be long-lived due to the “life” of any development coming forward in the area and could therefore be considered permanent and irreversible.</p> <p>Some of the effects could be adverse, as described above, including effects associated with any increase in traffic. However, it should be noted that these effects have been considered in the SA of CPP1 which found that impacts should be mitigated through over-arching policy on Sustainable Transport CP9.</p> <p>Any additional significant adverse effects are therefore considered unlikely.</p>	None that have not already been assessed and identified through SA/SEA of over-arching City Plan Part 1.
(2b) What is the cumulative nature of the effects of the SPD?	<p>The SPD will provide guidance on how the objectives of policy DA6 could be achieved. This includes guidance on how the quantum of development set out in policy DA6 could be achieved, and therefore should not cumulatively add to any adverse impacts already identified.</p> <p>The effects on issues such as surface water flooding, climate change adaptation and energy efficiency could be more positive than with the CPP1 alone, as additional guidance on these issues could provide greater clarity and greater possibility of addressing these issues in a positive way.</p>	No
(2c) What is the trans-boundary nature of the effects of the SPD?	<p>The Conway Street Industrial Area is located within central Hove, which is well-within the built-up area boundary. Therefore, there are not considered to be any transboundary effects resulting from the SPD on adjacent authority areas, including Adur District, South Downs National Park Authority area, or Lewes District.</p>	No

	<p>The effects of the SPD will be predominantly local in nature. It is recognised that any measures which improve surface water flooding within the SPD area could have beneficial results in areas that are further down any water flow-path, as may result in a reduced risk of surface water flooding elsewhere.</p> <p>It is recognised that any improvements in traffic flow throughout the area could result in a displacement of issues outside the SPD area, although it is assumed that these will be subject to transport modelling.</p>	
(2d) Are there any risks to human health or the environment (e.g. due to accidents)?	<p>No significant risks to human health or the environment are envisaged through implementation of the SPD.</p> <p>Effects on health arising from air quality due to potential for increases in transport have already been considered in the SA/SEA of City Plan Part 1.</p>	No
(2e) What is the magnitude and spatial extent of the effects (i.e. geographical area and size of population likely to be affected) of the SPD?	<p>The SPD will only be applicable to the Conway Street Industrial Area. This covers an area of approximately 3.4ha. The Conway Street Industrial Area does not contain any residential dwellings, however it is acknowledged that businesses and workers could be effected through implementation of the SPD. The area is adjacent to some tall-buildings and areas of high-density housing, however overall the extent of the residential population likely to be effected by the SPD is relatively small. The entire DA6 Hove Station Area covers approximately 19.7ha. Again, this is predominantly in employment uses although there are some sites where new residential development is coming forward.</p>	No
<p>(2f) Is the value and vulnerability of the area to which the SPD relates likely to be affected by the SPD due to:</p> <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage, • Exceeded environmental quality standards or limit values, or • Intensive Land use? 	<p><u>Special natural characteristics</u></p> <p>There are no sites designated for nature conservation importance or geological importance within or immediately adjacent to the area covered by the SPD.</p> <p>All of Brighton & Hove falls within the Brighton & Lewes Downs Biosphere which aims to create a world-class environment, that is economically successful and enjoyed by all, forever. The SPD could positively impact upon the Biosphere by supporting sustainable development in this location that incorporates biodiverse features.</p> <p><u>Cultural heritage</u></p> <p>The Conway Street Industrial Area is adjacent to the Hove Station Conservation Area which includes the Grade II Hove Station Listed Building.</p> <p>The SPD will provide guidance on how development could be delivered through the area, which will include consideration of</p>	None that have not already been assessed and identified through SA/SEA of over-arching City Plan Part 1.

	<p>building heights, scale and massing, and will therefore include consideration of these heritage features.</p> <p><u>Exceeded environmental standards</u></p> <p>The Conway Street Industrial Area is in close proximity to roads that are within the AQMA. The SPD could positively impact on air quality through improvements to the public realm which may influence travel choice, however any increase in development within the area could result in an increase in transport movements. Any potential transport impacts of development would be guided by other policy that relates to this topic area, such as CP9 Sustainable Transport.</p> <p>It should be noted that these effects have been considered in the SA of CPP1 which found that impacts should be mitigated through over-arching policy on Sustainable Transport CP9. Any additional significant adverse effects are therefore considered unlikely.</p> <p><u>Intensive land use</u></p> <p>The Conway Street Industrial Area is currently comprised of areas of inefficiently used land. Policy DA6 seeks to increase effective use of under-used sites. A master-planning approach will provide the opportunity to guide comprehensive re-development of the area and avoid piecemeal development, which should also help to ensure that adjacent communities benefit, e.g. through community provision.</p>	
(2g) Will the SPD have an effect on areas or landscapes, which have a recognised national, community or international protection status?	Part of the city includes land within the South Downs National Park (SDNP), however the SPD will not be of direct relevance to any development within the SDNP. The Conway Street Industrial Area is well within the built-up area and is situated adjacent to existing tall-buildings, therefore any additional development in this location is unlikely to have a significant effect on landscape.	No.

1.6 Initial conclusion prior to consultation

- 1.61 The SPD is not setting new policy. It will supplement existing policy that has already undergone the SA/SEA process, by providing further guidance. Many of the impacts of the SPD are likely to be beneficial and the SPD is unlikely to result in any significant adverse effects that have not already been identified during the SA/SEA of City Plan Part 1. Any adverse effects arising, such as transport movements and associated issues, have already been identified and are considered to be addressed through City Plan policy CP9 Sustainable Transport.
- 1.62 Therefore it is considered that an SEA is not required for the Conway Street Industrial Area SPD, as it is unlikely to result in any significant adverse environmental effects that have not

already been identified, and because it supplements exiting policy which has already undergone SA/SEA.

1.7 Consultation and final determination

- 1.71 The results of the initial screening were made available to the three statutory bodies, Historic England, Natural England, and the Environment Agency from the period 23.01.19 to 22.02.19 as required by the Regulation 9(2)(b) of the SEA Regulations.
- 1.72 Responses were received from all three statutory bodies. All concurred with the conclusions that the SPD was unlikely to give rise to significant environmental effects that have not already been identified and assessed through the SEA/SA of City Plan Part 1.
- 1.73 In addition, Natural England confirmed that the proposals will not have significant effects on sensitive sites that Natural England has a duty to protect, and that they were not aware of any significant populations of protected species which are likely to be affected by the SPD.
- 1.74 In addition, the Environment Agency noted that development within the Conway Street Industrial Area will be on potentially contaminated land above the Brighton Chalk Aquifer which is a source of public water supply and vulnerable to pollution. The EA suggested it would be useful for the SPD to cover how the remediation of contaminated land will be managed to avoid any negative effects. In response to this, it is considered that overarching policy DA6 Hove Station in the City Plan Part 1, which requires groundwater resources to be protected from pollution, as well as adopted policy in the saved Local Plan and emerging policy in City Plan Part 2, adequately address this issue.
- 1.75 In addition, Historic England suggested that potential impacts of implementation of the SPD should be monitored through the Authorities Monitoring Report. This will be carried forward once the SPD has been adopted.
- 1.76 Copies of the consultation responses can be found in Appendix 2.

2.0 HABITATS REGULATIONS ASSESSMENT

2.1 Introduction

- 2.11 Brighton & Hove City Council is required to consider whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance including 'European sites' which are designated within the city of Brighton & Hove and the wider sub-region. This consideration is undertaken through a process known as a Habitats Regulations Assessment (HRA) which is a requirement of the [Conservation of Habitats and Species Regulations \(2010\)](#) (the Habitats Regulations).
- 2.12 European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)) and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)).
- 2.12 Government policy, National Planning Policy Framework (NPPF, 2018) and Circular 06/05 (ODPM, 2005) requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
- 2.14 The Habitats Regulations must be applied to all Local Development Documents (LDD) in England and Wales and aims to assess the potential effects of a land use plan against the conservation objectives of any European sites designated for their nature conservation importance.
- 2.15 There are two stages of HRA; the screening which determines the likelihood of significant effects; and a full HRA which only has to be undertaken if the screening indicates that significant effects are likely or cannot be discounted at screening stage. Where a full HRA is carried out, a plan may only be adopted after having ascertained that it will not have significant adverse effects on the integrity of the site concerned.
- 2.16 The City Plan Part 1, which is the overarching Development Plan Document for Brighton & Hove, was subject to a screening under the Habitats Regulations as part of its adoption. In addition, an updated HRA screening and subsequent Ashdown Forest Air Quality Assessment were undertaken in summer 2018 to reconsider the effects of implementing City Plan Part 1 alone and in combination with growth from other areas, as well as the effects of implementing City Plan Part 2. The purpose of this statement is therefore to reconsider the HRA screening assessments that have been undertaken for the City Plan Part 1 and City Plan Part 2 in relation to the Conway Street Industrial Area SPD.

2.2 Local European Sites

- 2.21 The Castle Hill SAC lies partly within the city's boundary and partly within Lewes District Council's boundary, although is located entirely within the South Downs National Park Authority Area. There are no Special Protection Areas or Ramsar sites within the city's boundary. There are also some European sites within 20km of the city including Lewes Downs SAC, Ashdown Forest SAC/SPA and Arun Valley SPA.
- 2.22 The Castle Hill SAC designation relates to the presence of chalk grassland and some rare and scarce species; the Lewes Down designation also relates to the presence of chalk grassland and some rare and scarce species; the Ashdown Forest designation is due to the largest

single continuous blocks of lowland heath in the south east; and the Arun Valley designation is due to the wintering population of tundra swans.

2.3 Scope of the SPD

- 2.31 The purpose of the SPD is to provide a masterplan that will facilitate meeting development objectives for the area. The guidance provided in the SPD will predominantly support the implementation of [City Plan Part 1](#) policy DA6 Hove Station.
- 2.32 The SPD will provide guidance on how the issue of transport and traffic could be addressed, will include guidance on building heights based on the tall-buildings study, will provide guidance on how the need for community facilities could be addressed, provide guidance on how the needs of existing businesses can be met, provide guidance on phasing, provide guidance on addressing surface water flooding and provide guidance on how an energy network could be delivered.

2.4 City Plan Part 1 Habitats Regulations Assessment screenings

- 2.41 A [Habitats Regulations screening](#) was undertaken in 2014 for the City Plan Part 1 (Proposed Modifications 2014), which relates to the adopted City Plan Part 1 (2016), and assessed the potential for impacts of all policies on the Castle Hill SAC. The screening also considered impacts on European sites outside the city which may also be potentially affected by development in Brighton & Hove including Lewes Downs SAC (6km from boundary), Ashdown Forest SAC & SPA (19.5km), and Arun Valley SPA (20km).
- 2.42 The screening included an initial assessment of the potential for environmental impacts resulting from each policy that needed to be considered by the HRA screening. The assessment concluded that DA6 could result in increased resource use, which could have implications for water and hydrocarbons, and could result in moderate increase in traffic volume and air pollutants.
- 2.43 The screening assessments also looked at the potential combined effects of all the policies within the City Plan, which could affect the integrity of European sites. These amounted to water abstraction, air pollution and recreational pressure. Of these:
- *Water abstraction was not considered to have a significant effect on any European site because there are no such sites which are vulnerable to water abstraction within the water catchment area of Brighton and Hove.*
 - *Despite policies which promote travel choice and minimise air pollution, it is still possible that air pollution may worsen as a result of the City Plan Part 1. However localised air pollution of this nature would not have a significant effect on any European site.*
 - *Recreational pressure on downland in the vicinity of Brighton and Hove may increase as a consequence of the City Plan Part 1. However only one of the European sites assessed is vulnerable to recreational pressure (Ashdown Forest). Studies elsewhere have shown that this site is far enough away from Brighton and Hove to safely conclude that there would be no significant recreational impact on it as a result of the City Plan Part 1, (with recreational pressure more likely to arise from developments within 7km of this SAC/SPA).*
- 2.44 Therefore the HRA screening for the City Plan Part 1 discounted all possible significant impacts that would affect the designations of SACs or SPAs and therefore did not progress to a full Habitats Regulations Assessment.

- 2.45 Since this was undertaken, an updated [Habitats Regulations screening](#) has been undertaken in 2018 to reconsider the effects of the growth associated with the entire City Plan Part 1, in combination with growth anticipated from other areas, as well as effects arising from draft City Plan Part 2. This screening assessment discounted the likelihood of significant effects on Castle Hill, Lewes Downs, and Arun Valley European sites, however the assessment could not discount the likelihood of significant adverse effects on the Ashdown Forest SAC/SPA. Therefore a [detailed assessment](#) of air quality impacts (Appropriate Assessment) on Ashdown Forest was undertaken.
- 2.46 The detailed assessment confirmed that growth resulting from City Plan Part 1 and City Plan Part 2, with an increased trajectory to 2032, would not result in adverse effects that would affect the integrity of the Ashdown Forest SAC/SPA, either alone or in combination with growth from other area.
- 2.47 As the purpose of the Conway Street Industrial Area SPD is to provide further guidance on how the requirements of DA6 could be implemented, the HRA screenings already undertaken are also of relevance to and apply to the SPD.

2.5 Conclusion

- 2.51 The Conway Street Industrial Area SPD is not considered to require further screening under the Habitats Regulations. The likely effects of the SPD have already been considered under the screening assessments undertaken for the City Plan Part 1 and City Plan Part 2 which discounted the likelihood of significant adverse effects of all European sites within 20km of the city.

2.6 Consultation

- 2.61 This statement was circulated to Natural England for information.

Appendix 1: (Extract from City Plan Part 1 Sustainability Appraisal – Proposed Modification stage (September 2014))
Policy DA6: Hove Station area

SA Objective	Summary of effects	Short term	Medium term	Long term
1) Protect and enhance biodiversity	Indirect impact. In general, the development area itself is currently lacking in biodiversity therefore the issue that development could have a negative impact on existing biodiversity is not considered to be of significance. Further development could lead to enhancements in biodiversity, should new developments incorporate features that attract biodiversity, and the policy now makes a specific requirement to improve biodiversity. In particular, any new biodiversity could link with existing areas of open space, including Hove Park, situated to the north of the development area, as well as other existing biodiversity that surrounds the development area. CP10 sets out the requirements in terms of provision of biodiversity features in new development.		+	+
2) Improve air quality	Direct impact. The SA recognises that the development area is located around good sustainable transport links, and that it also contains proposals for mixed-use development therefore potentially reducing the need to travel by car. In addition, one of the policy priorities is to enhance the sustainable transport interchange by improving the cycling and walking network and strengthening north/south and east/west connections. The supporting text now also requires development to take account of air quality impacts and provide improvements to or mitigate impacts. Some of the area lies within the AQMA 2013. Several junctions in the area are at or near to capacity so any additional traffic associated with this level of development is likely to add to congestion and air quality problems. Although DA6 is not considered to be a worst case location for air quality in the city, any proposals for residential development within 15m of the road carriageway should consider the health impacts of air quality on residents. The additional amounts of development anticipated to be delivered in this location are likely to add to existing air quality issues around the area.		-	-
3) Maintain local distinctiveness	Direct impact. Hove Station is situated within the Hove Station Conservation Area, with Hove Station itself being of Grade II listed status. However the remaining area within the development area is mainly modern industrial. The policy specifically requires development to be of high quality design and be acceptable height and mass and is likely to lead to improvements to the public realm and townscape, leading to an overall improvement in local distinctiveness. The area is considered appropriate for mid-rise buildings and care must be taken not to have an adverse impact on adjacent conservation areas and buildings of historic interest. This should be addressed under CP12/13. Although there are no existing areas of open space within the development area itself,	+	+	+

SA Objective	Summary of effects	Short term	Medium term	Long term
	the development area is within the 720m buffer of most typologies of open space, as outlined in the Open Space Sports and Recreation Study 2009, and has Hove Park and Hove Recreation Ground situated to the north. The policy also requires public open space to be provided in the area. In addition, CP16 should ensure that the open space requirements of future residents can be met locally.			
4) Protect South Downs	No impact. Development within the built up boundary of the city is unlikely to have an impact on the South Downs, although medium rise buildings could impact on views of or from the Downs.			
5) Provide decent, affordable housing	The policy is likely to have a significant positive impact on this objective, with the policy and SHLAA identifying the potential to build 525 units within the development area over the plan period, a proportion of which would be affordable. It is noted that this is a reduction from the previous iteration of the policy, however this amount of housing in this area is still considered to be a significant contribution.		++	++
6) Reduce amount of car journeys	Also see objective 2. The policy contains a range of priorities which could lead to a reduction in the need to travel by car: the Development Area was chosen due to its proximity to modes of sustainable transport; proposed enhancements to the transport interchange through improvements to cycling and walking networks, improved access to the station, as well as improvements to the public realm; and the encouragement of mixed use developments in appropriate locations. However, the policy is concerned with a significant amount of new development (residential and employment) and this may lead to an increase either in car ownership in the area or journeys to/from the area for employment purposes, leading to an increase in congestion. There are already high levels of congestion in the area, with associated impacts on air quality, as well as increasing noise associated with road traffic which is already high at key junctions in this area (70-74.9+ decibels at Sackville Road/Shoreham Road junction). Proximity to the railway station and various bus routes, makes this area ideal for low or car-free housing and the SA welcomes the reference in the supporting text specifying that development will have to justify any proposals for parking, given its location. The cross-cutting policy on sustainable transport should mitigate against the potential negative impacts of this policy, through aiming to achieve a modal shift and reduction in car use.		-	-
7) Minimise risk of pollution to water	Indirect impact. The SA considers the impacts on this objective to be positive. This area of the city overlies the Brighton aquifer which is a major source of groundwater that provides drinking water to the city and must be protected under the requirements of the Water Framework Directive. The SA recognises that the policy now specifically seeks the protection of groundwater and this is considered to bring about positive impacts.	+	+	+

SA Objective	Summary of effects	Short term	Medium term	Long term
	<p>The development area mainly consists of urbanised areas and any increase in non-permeable surfaces associated with new development may increase the risk of surface water flooding, which can lead to pollution of groundwater. However, the SA recognises that the policy also requires development to address surface water flooding risks and incorporate surface water drainage measures.</p> <p>The SFRA 2012 shows that the site is at risk of deeper surface water flooding in both the 1 in 30 and 1 in 200 year event, with the area around Goldstone Retail Park particularly susceptible. There is a major surface water flood path which flows along Goldstone Retail Park down to Conway Street and any development must ensure that this flow path is maintained to reduce the risk of flood risk elsewhere. Development should be sequentially planned in areas known to be at risk of flooding and SUDS should be built into any new design.</p> <p>New development provides the opportunity to incorporate SUDS to help reduce the risk of surface water flooding and should be addressed under CP8 and CP11. Opportunities for biodiversity based SUDS should be encouraged where possible.</p>			
8) Minimise use of water	<p>Indirect impact. Water resources are already under pressure in the south east and water consumption must be minimised as far as possible. New development of any type will increase demand for water, and therefore must be minimised through incorporation of highly efficient water-saving technologies.</p> <p>CP8 and SPD08 should ensure that water consumption is minimised.</p>	-	-	-
9) Promote development of contaminated land	<p>Direct impact. The policy is likely to have a positive impact on this objective as the development area contains pockets of land that have been identified as having potential for contamination due to former and historic uses which may have had the potential to cause localised contamination. Further investigation would need to be carried out at planning application stage.</p>	+	+	+
10) Manage coastal defences	<p>There is no direct link with this objective.</p>			
11) Employment: balance needs of tourists, residents and businesses	<p>Direct impact. The impact is likely to be significantly positive on this objective in the long term, with key aims of the policy to secure and create a high quality employment focussed mixed use area. However, the SA notes that the policy allows a net loss in employment floorspace on the strategic allocation, through the retention/replacement of only 12,000sqm on Conway Street (compared to 18,700sqm existing) and therefore in the development area as a whole. This is not considered to bring about negative impacts on this objective as it is understood that higher value or greater jobs density is anticipated from new employment generating floorspace to be delivered, particularly on the Conway Street site, however has led to the positive impact being uncertain. The</p>	++?	++?	+++?

SA Objective	Summary of effects	Short term	Medium term	Long term
	policy specifies that any loss should be minimised, which should help retain as much employment floorspace as possible. The policy now seeks to create employment and training opportunities for local people, which should bring about positive outcomes locally.			
12) Support economic development	See objective 11. The impact is likely to be significantly positive on this objective in long term, with the regeneration of the existing employment opportunities in the area to help contribute to provide for the city's needs and this will help support the local economy, however, as described under 11, the reduction and loss in floorspace to be delivered locally makes the impact more uncertain. Positive aspects of the policy include: the support for various sectors of the economy, with particular reference to meeting the requirements of small businesses, creative industries and digital media, in terms of provision of appropriate, affordable workspace, which will help to meet their needs and recognises that Hove is an attractive location for businesses in the city. In addition, any increase in different types of development in the area is likely to have added benefits for existing surrounding businesses, e.g. through increased footfall.	+	+	++
13) Improve health	The policy is likely to lead to a number of improvements which will have a positive impact on health including: provision of employment and training opportunities, and provision of housing, both of which are wider determinants of health; improved townscape which has associated impacts on general well-being; improved cycling and walking networks which may encourage a reduction in car-use and congestion, and may encourage physical activity. In addition, provision of community facilities, such as schools and sports, will help to develop sustainable communities, impacting on community health. However, as described under objective 2 and 6, the policy may lead to an increase in road traffic, with potential impacts on air quality as well as increased noise levels, having associated negative impacts on health. This is considered to be more likely in the longer term. There are two LSOA that cover the majority of the area of DA6, 1 in Goldsmid and 1 in Stanford, with two further LSOAs bordering the area. The LSOA situated in Goldsmid is located within the 5% most deprived in the UK under the health domain, with scores of 4.6%. Changes to this score over time may reflect impacts of the policy.	+	+	-/+
14) Integrate health and community safety	Direct impact. According to the IMD2010 crime is not a particular issue in the area, with the highest scoring LSOA being 55.7%, although the NAP for the Portland Road and Clarendon NRA identified the area around Conway Street as having community safety issues. The policy is likely to lead to improvements in community safety, with specific reference to securing public safety improvements. In addition, mixed use developments increase natural surveillance through increased footfall at different times of the day,	+	+	+

SA Objective	Summary of effects	Short term	Medium term	Long term
	therefore also leading to improved community safety.			
15) Narrow the gap between deprived areas and rest of the city	<p>The Clarendon area, which forms part of the Portland Road and Clarendon Neighbourhood Renewal Area, is situated within the Development Area. The Neighbourhood Action Plan for this area identifies anti-social behaviour, traffic management and poor quality streetscape as issues. The policy makes reference to these issues and seeks to ensure that any new development will contribute towards public safety improvements. The Development Area is located within the Goldsmid and Stanford Wards which overall do not contain any significant levels of deprivation, however contains pockets of deprivation particularly located around the Clarendon area. The LSOA covering this area are found to be in the most 20% deprived (UK) in the domains for employment (14.2%), income deprivation facing older people (5.9%), health (4.6%), and living environment (4.3%).</p> <p>The policy could help to lead to improvements in some of these areas including employment through the policy requirement, which may impact on health and deprivation.</p>	+	+	+
16) Engage local communities	There are significant opportunities to engage the local community through implementation of this policy.	+	+	+
17) Make the best of previously developed land	<p>Direct impact. All of the development area is situated on previously developed land. The policy is likely to lead to a significant positive impact on this objective, with the policy making specific reference to making more efficient use of under-utilised sites, and although the policy accepts a loss of employment floorspace, it is understood that this is to be replaced by higher value or greater job density. In addition, the area has been identified as having potential for tall buildings, with the policy making specific reference to mid-rise buildings being appropriate in this location. This will also help to increase the capacity of available land space.</p>	+	++	++

SA Objective	Summary of effects	Short term	Medium term	Long term
18) Sustainable energy	<p>Direct impact. Any new development or redevelopment will lead to an increase in energy use, therefore contributing towards climate change, unless measures are taken, either at design stage or through the incorporation of low/zero carbon technologies. However, the policy now requires development in this area to consider low and zero decentralised energy, such as heat networks, and this is considered to have positive impacts on this objective. In addition, government targets for all new residential to be zero carbon by 2016 and non-residential to be zero carbon by 2019 should ensure the impact is positive in the medium to long term.</p> <p>CP8 requires all new residential development (major development) to achieve zero carbon status, as well as requiring various standards in either CSH or BREEAM depending on the type of development.</p>	+	+	+
19) Taking account of the changing climate	<p>Direct impact. The area is away from the coastal frontage, therefore is not at risk of coastal flooding, however parts may be at risk to surface water flooding, which could increase as a result of climate change. The SA notes that the policy now requires development to address surface water flooding risks and is therefore considered to be more positive against this objective. However, new development could be unsustainable and have limited longevity if it does not incorporate measures or features to enable it to withstand extremes in weather conditions likely to occur with climate change, and could also exacerbate the urban heat island effect. CP8 requires all development to be able to respond to changing needs.</p>	-/+	-/+	-/+
20) Meet BREEAM / Code for Sustainable Homes	<p>Indirect impact. New development could fail to achieve high environmental standards and there is no specific reference for development within the area to meet specific standards.</p> <p>CP8 requires various standards of either CSH or BREEAM to be met, which should reduce any potential for negative impact.</p>	-	-	-
21) Increasing accessibility	<p>Direct impact. The policy is likely to have a positive impact on this objective, becoming significant in the long term through improvements to the walking/cycling network, improvements to access to Hove Park, Hove Station and the surrounding transport interchange, and through the increase in employment opportunities in the area.</p>	+	++	++
22) Reduction of waste	<p>Any redevelopment or development will lead to an increase in waste at construction and operation stage. CP8 should ensure that waste is minimised at operation stage and other existing local and national policy should ensure construction & demolition waste is minimised. The SA recognises the safeguarding of the waste management site to meet the future waste management needs of the city.</p>	-	-	-

Date: 07 February 2019
Our ref: 271379
Your ref: Conway Street Industrial SPD – SEA Screening



Ms Helen Pennington
Brighton & Hove City Council
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Cheshire
CW1 6GJ

BY EMAIL ONLY

Helen.Pennington@brighton-hove.gov.uk

Dear Ms Pennington

SEA Screening: Conway Street Industrial Area SPD

Thank you for your consultation on the above dated and received by Natural England on 23rd January 2019.

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 are concerned (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, therefore an SEA is not required.**

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive 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

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Yours sincerely

Sharon Jenkins
Consultations Team

From: [Lloyd Sweet, Robert](#)
To: [Helen Pennington](#)
Subject: Re: Consultation on SEA Screening: Conway Street Industrial Area SPD, Brighton & Hove City Council
Date: 22 February 2019 17:07:39

Dear Ms. Pennington

Thank you for consulting Historic England on Brighton and Hove Council's Draft Screening Opinion for SEA of the Conway Street Industrial Area SPD. We are happy to confirm that we agree that SEA of the 'parent policy' within the local plan is considered to provide appropriate assessment of the likely significant environmental impacts of the SPD. We would, nevertheless, expect to see assessment of the SPD against those measures set out in the SEA of the Local Plan to mitigate any potential harm to the historic environment arising from the redevelopment of the area to ensure that the SPD is consistent in implement them. This should form part of the monitoring and review of the Local Plan and SEA.

We hope these comments are of assistance but would be pleased to provide answers to any queries that relate to them.

Yours sincerely

Robert Lloyd-Sweet

Rob Lloyd-Sweet | Historic Places Adviser | South East England | Historic England

Eastgate Court | 195 – 205 High Street | Guildford | Surrey | GU1 3EH

From: [PlanningSSD](#)
To: [Helen Pennington](#)
Subject: Consultation on SEA Screening: Conway Street Industrial Area SPD, Brighton & Hove City Council - Environment Agency Comments
Date: 11 February 2019 13:33:09

Dear Helen, thank you for consulting us on the above.

As the Conway Street Industrial Area is a Strategic Allocation in City Plan Part 1 and the effects have already been considered through SA/SEA of City Plan Part 1, we concur with your opinion that SEA would not be necessary for the SPD for areas within our remit.

Please note, however, that development within the Conway Street Industrial Area will be on potentially contaminated land above the Brighton Chalk Aquifer. The Aquifer is a major public water supply and is vulnerable to pollution. It would therefore be useful for the SPD to cover how the remediation of contaminated land will be managed to avoid any negative impacts.

Kind regards

Marguerite Oxley

[Marguerite Oxley](#)|[Technical Specialist](#)|[Sustainable Places](#)|[Solent and South Downs Area](#)|
[Environment Planning and Engagement](#)|[Environment Agency](#)|[Guildbourne House](#)|[Chatsworth Road](#)|
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Our Commitment:

Sustainable Places will prioritise and drive forward environmental outcomes from our work with local authorities and partners across the Solent and South Downs Area

We have moved to GOV.UK. Our website is now available at: www.gov.uk/environment-agency.

We offer a cost recovery service for bespoke pre-application advice. For more information go to: [gov.uk](https://www.gov.uk) or [email us](#)

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