



Romford Town Centre Masterplan SPD

SEA and HRA

Finding of No Significant Effect Report

14/08/2024

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1. INTRODUCTION

Background

A team from consultants Maccreanor Lavington Architects has been commissioned by the London Borough of Havering (LBH) to prepare a Romford Town Centre Masterplan which will then be brought forward by the Council as a Supplementary Planning Document (SPD). The key facts relating to the proposed SPD are set out in Table 1 below.

Table 1: Summary

Name of Responsible Authority	The London Borough of Havering
Title of Plan	Romford Town Centre Masterplan (to become a Supplementary Planning Document)
Subject	Spatial planning guidance
Purpose	(i) To supplement an adopted Local Plan (2016- 2031) by providing guidance on the implementation of Policy 1 (Romford Strategic Development Area) and other relevant planning policies in the Local Plan. (ii) To inform future site allocations as and when the Local Plan is reviewed.
Timescale	The SPD will cover a longer period than the Local Plan, up to 2041.
Area covered by the Plan	Romford Strategic Development Area (SDA) (as defined in the emerging Local Plan 2016- 2031) although the SPD will focus on a core area of the town centre and surrounding area.
Summary of content	The SPD will set out planning guidance on: <ul style="list-style-type: none">• Preferred locations for retail, commercial leisure, arts, housing and other uses;• Built form and character (including appropriate scale, height and form of development)• Greening, landscape and public realm;• Connectivity and movement;• Social infrastructure provision;• Inclusivity, health and well-being;• Economic, environmental and social sustainability;• Site specific guidance for sites, and• Potential delivery structures and arrangements.

This report confirms, after appropriate consultation with statutory consultees, that the Council has determined that the proposed SPD has been found to have no significant effects and therefore does not need to be the subject of Strategic Environmental Assessment (SEA) and then considers Habitat Regulation Assessment (HRA).

Havering Local Plan 2016- 2031

The Havering Local Plan was adopted in 2021.

Policy 1 (Romford Strategic Development Area) sets out a detailed policy to support the delivery over the plan period of a minimum of 6,000 new high quality homes within the Romford SDA (at least 5,000 in the first 10-years), to strengthen Romford's role as a metropolitan centre, support proposals for further enhanced connectivity, to ensure that there is sufficient social infrastructure to support levels of growth envisaged and secure high-quality development.

Sustainability Appraisal

The Local Plan Sustainability Appraisal Report¹ 2017 appraises five spatial options (with different housing numbers) against the SA themes/objectives. It chooses Spatial Option 1 as the preferred spatial strategy for the Local Plan and gives reasons for doing so. Spatial Option 1 meets the London Plan target (1,170 dwellings pa to 2025), reflects current densities and includes 4,049 dwellings in the Romford SDA (between 2016 and 2031).

The Sustainability Appraisal Addendum (April 2020) that accompanied the proposed Main Modifications to the draft Local Plan (August 2020) concludes that proposed Main Modification 3, which sets out changes to Policy 1, including increasing the minimum number of homes to be delivered by 2031 from 5,300 to 6,000, is not likely to have a significant effect nor does it significantly affect the findings or conclusions of the Sustainability Appraisal Report (August 2017).

An update of the Addendum considers the Further Main Modifications (2021) and concluded that:

The screening identified one Further Main Modification (FMM22, replacing MM22) as needing to be carried forward for further consideration through the SA process. This is given substantive changes to Local Plan Policy 24 (Parking Provision and Design).

The appraisal of this Further Main Modification found that it is unlikely to have a significant effect alone or significantly affect the findings presented in Chapter 8 of the Proposed Submission SA Report (2017) or those presented in the SA Report Addendum accompanying the Main Modifications (August 2020).

Romford Town Centre Masterplan SPD

The Council has prepared a Romford Town Centre Masterplan Supplementary Planning Document. This identified the potential for between 10,900 and 12,000 additional dwellings over an extended period up to 2041.

¹ The Sustainability Appraisal incorporates Strategic Environmental Assessment

2. STRATEGIC ENVIRONMENTAL ASSESSMENT

Background

European Union Directive 2001/42/EC requires an SEA to be undertaken for certain types of plans or programmes that could have significant environmental effects. The Directive has been transposed into law for England and Wales in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). The purpose of SEA is to promote sustainable development through assessing the extent to which the plan will help to achieve relevant environmental, economic and social objectives.

Under Regulation 9 of the Regulations, the responsible authority is required to determine whether a plan or programme is likely to have significant environmental effects, and therefore whether an SEA is required. This process is called 'screening', and is undertaken using a specified set of criteria (set out in Schedule 1 of the Regulations).

Before the responsible authority makes a formal determination, there is a requirement to consult three statutory consultation bodies designated in the regulations (Historic England, the Environment Agency & Natural England) on whether an environmental assessment is required. Sufficient information needs to be provided to the consultation bodies, so that they can take a view on the likely significant effects of implementing the plan. Once consulted, a determination can be made.

The Regulations require that the results of this process are set out in an SEA Screening Determination, which must be publicly available within 28 days of a decision. If the determination is 'negative' then a statement of reasons will need to be prepared to sit alongside the submission of the plan or programme. If the determination is 'positive' then an environmental report will need to be prepared to sit alongside the plan or programme.

In summary, the process is as follows:

1. Prepare a screening report;
2. Request a screening opinion from the consultation bodies in light of this report;
3. In light of their responses, determine whether the plan is likely to have significant effects on the environment (and therefore require SEA);
4. Prepare a publicly available SEA Screening Determination; and
5. The Plan or Programme needs to be accompanied by a Statement of Reasons as to why SEA is not needed (if the determination is negative) or an environmental report (if the determination is positive).

SEA and SPD

Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

- "1. are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to

Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)

2. in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)

3. set the framework for future development consent of projects² (Regulation 5, para. (4)(b)

4. are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c).”

An environmental assessment need not be carried out for:

“a) plans which determine the use of a small area³ at local level (Regulation 5, para. (6)(a); or

b) plans which are a minor modification¹¹ to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.”

Planning Practice Guidance states⁴ that:

“Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.

A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects.

Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies.”

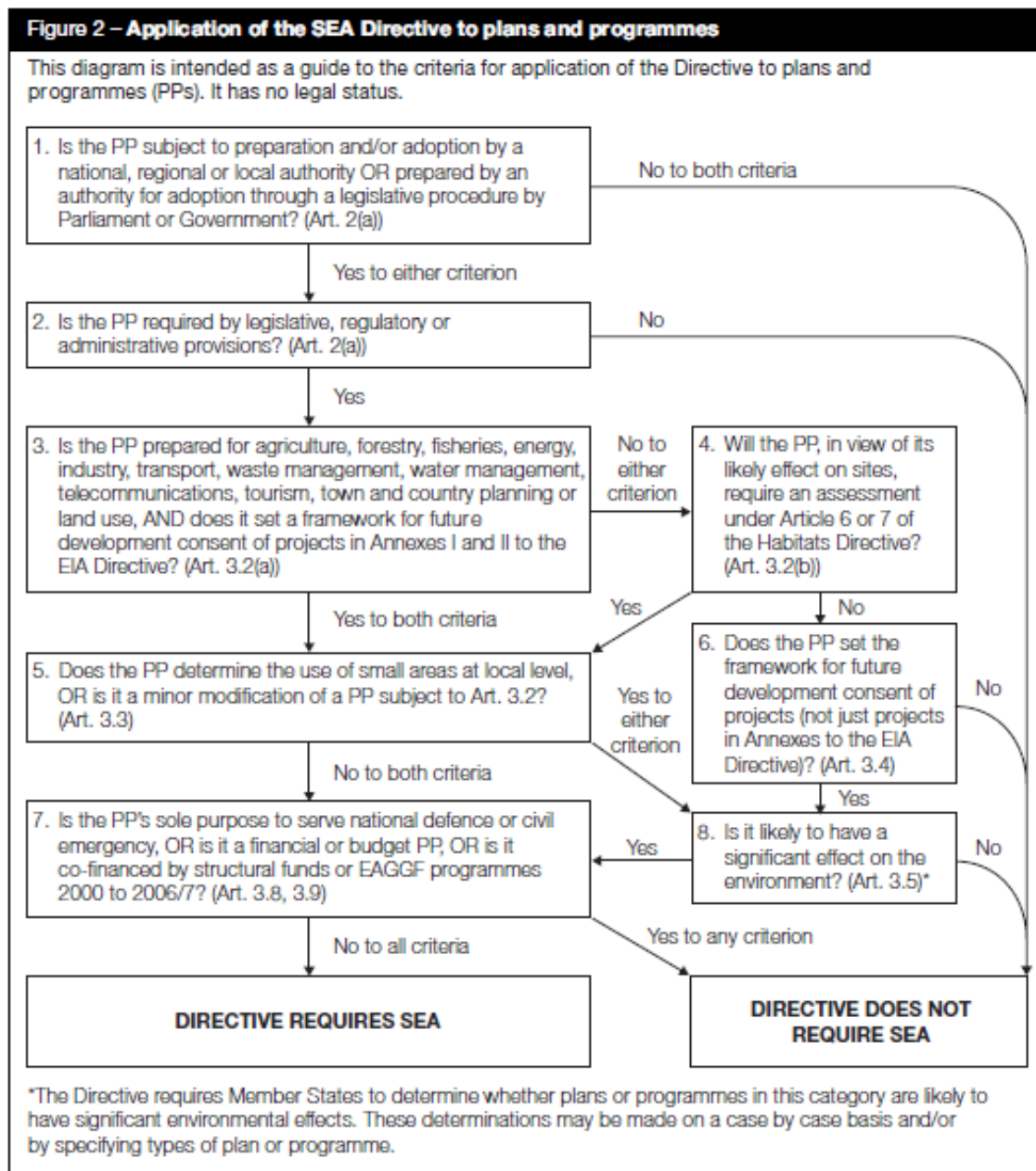
² European Commission guidance states that plans and programmes which set the framework for future development consent of projects would normally contain ‘criteria or conditions which guide the way a consenting authority decides an application for development consent’. Development consent is defined in the EIA Directive as “the decision of the competent authority or authorities which entitled the developer to proceed with the project” (Article 1(2) of the EIA Directive).

³ European Commission guidance suggested that plans which determine the use of small areas at local level might include “a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design”

⁴ Paragraph: 008 Reference ID: 11-008-20140306 (Revision date: 06 03 2014)

The criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 are split into two categories: those relating to the characteristics of the plan and those to the characteristics of the effects and area likely to be affected. These are set out in Appendix 1.

The Government's Practical Guide to the Strategic Environmental Assessment Directive (2005) includes the following diagram illustrates the process for screening a planning document to ascertain whether SEA is required.



SEA CONCLUSION

The Council's assessment of the need for SEA against the criteria specified in the Environmental Assessment of Plans and Programmes Regulations 2004, providing a Statement of Reasons, is set out in Appendix 1.

The proposed Romford Town Centre Masterplan SPD cannot create new policies and will serve only to expand on existing policy within its 'parent' development plan, the Havering Local Plan (2016-2031), which has already been subject to SA incorporating SEA. The Council's assessment is that proposals in a Romford Town Centre Masterplan SPD are not likely to have significant environmental effects that have not been already assessed through the adopted Local Plan SA/SEA.

3. HABITAT REGULATIONS ASSESSMENT

The Conservation of Habitats and Species Regulations 2010 require that:

*“A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
 (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.”*

This regulatory requirement is met by a process commonly referred to as Habitats Regulations Assessment (HRA), which determines whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, known as European sites or European offshore marine sites.

The original submission version of the Local Plan was supported by an HRA (June 2017). This concluded that proposed development in the Havering Local Plan will not have a likely significant effect on any internationally designated site either alone or in combination and that no amendments to the Local Plan were required. Two addendums to the HRA that consider the Main Modifications (2020) and the further Main Modifications (2021) of the local plan reach the same conclusion.

Regulatory requirement for HRA

The Habitats Regulations 2017 (as amended) require that:

A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
 (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

This regulatory requirement is met by a process commonly referred to as Habitat Regulations Assessment (HRA). The HRA Regulations do not specify any particular method of approach but its requirements are usually met via the three-stage process shown in the table below.

Stage	Task	Outcome
Stage 1: Screening	<ul style="list-style-type: none"> • Identification of potentially affected European sites and factors contributing to their integrity. • Review of other plans and projects. • Consideration of development plan and 	<ul style="list-style-type: none"> • Where effects are unlikely, prepare a ‘finding of no significant effect report’. • Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.

Stage	Task	Outcome
	assessment of likely significant effects alone or in-combination.	
Stage 2: Appropriate Assessment (where Stage 1 does not rule out likely significant effects)	<ul style="list-style-type: none"> • Information gathering (development plan and European Sites). • Impact prediction. • Evaluation of development plan impacts in view of conservation objectives. • Where impacts are considered to affect qualifying features, identify and assess alternative development plan options. • If no alternatives exist, define and evaluate mitigation measures, where necessary. 	<ul style="list-style-type: none"> • Appropriate assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided through, firstly, avoidance, and secondly, mitigation including the mechanisms and timescale for these mitigation measures. • If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.
Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation	<ul style="list-style-type: none"> • Identify 'imperative reasons of overriding public interest' (IROPI). • Identify potential compensatory measures 	<ul style="list-style-type: none"> • This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

Findings of HRA of Havering Local Plan (2016 – 2031)

The original submission version of the Havering Local Plan was supported by a Habitats Regulations Assessment (June 2017). This notes that there are no European sites that lie within Havering and that outside the borough, the nearest European sites are as follows:

- Epping Forest SAC located 6.5km to the north-west of Havering.
- Thames Estuary and Marshes SPA and Ramsar site located 10km south east of Havering

The HRA gave preliminary consideration to the Thames Estuary and Marshes site, but concluded that it was too far from the borough to form part of its core regular recreational catchment and lies outside the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence charging area.

The HRA also considered Epping Forest SAC in relation to the Romford Masterplan area. The two main development pressures on Epping Forest SAC are recreational pressure and atmospheric pollution, both these issues are already considered to be

detrimental to the SAC. However, due to the distance between Epping Forest SAC and the nearest settlement within the borough, the HRA concluded that the increase in population in Havering is unlikely to significantly increase recreational pressure upon the SAC as the borough lies outside the core catchment of that SAC and has ample alternative semi-natural publicly accessible woodlands. In addition, emerging policies in the Havering Local Plan promote the provision of local green infrastructure and open spaces, providing locals with much closer recreational alternatives to Epping Forest SAC.

The HRA went on to conclude that considering the very small proportion of journeys to work that might involve traversing Epping Forest SAC, the initiatives Havering is introducing to either reduce the need to travel outside the borough to work or improve sustainable transport links and the context of expected improvements in background air quality over the Local Plan period, it is considered that the contribution of growth in Havering to vehicle flows (and thus changing air quality) through Epping Forest SAC will be negligible and thus would not contribute materially to any adverse effect in combination.

The Romford SDA is over 8km from the Epping Forest SAC at its nearest point, with multiple numbers of green open spaces in between. This distance is beyond the 6.2km 'Zone of Influence identified in Natural England's interim advice note dated 6 March 2019, which was based on the findings of a visitor survey which identified that 75% of visitors travelled up to 6.2Km to the SAC.

The Council's Habitats Regulations Assessment – Havering Local Plan: Main Modifications (April 2020) found that there are no likely significant effects associated with the proposed Main Modifications as there are no impact pathways connecting growth in Havering with European sites. This includes Main Modification 3 to Policy 1, which increases the minimum number of homes in the Romford SDA by 2031 from 5,300 to 6,000.

The HRA further considered the Main Modifications (June 2020) and the Further Main Modifications (June 2021) and reached the conclusion that:

Following the examination of the Main Modifications and Further Modifications it can be concluded that they will not lead to likely significant effects on European sites and do not undermine the conclusions of the HRA of the submitted in 2017. This is principally because the HRA of the submitted Local Plan was able to confirm that Havering was sufficiently remote from European sites that no realistic impact pathway existed linking development in Havering to effects on European sites.

Findings of HRA of the London Plan 2021

The London Plan and its HRA were consulted upon during winter 2017 and spring 2018. A small number of comments were received from Natural England. In addition, the GLA prepared a series of Minor Suggested Changes to the London Plan. As a result, a HRA Update was published in July 2018. This Update responds to the points raised by Natural England and the proposed modifications.

The London Plan 2021 is supported by a Habitats Regulations Assessment Modifications Update. It concluded that there are sufficient protective mechanisms in place to ensure that the growth objectives of the London Plan 2021 can be delivered without an adverse effect on the integrity of European sites, either alone or in combination with other plans and projects

4. CONCLUSION

Havering Council has carried out a formal consultation of the key statutory stakeholders request a screening a opinion from the consultation bodies in light of the Screening Report. The stakeholders were:

- The Environment Agency;
- Historic England; and
- Natural England.

In light of their responses, which confirmed that the topics covered by this SPD have been addressed by the Sustainability Appraisal (SA) for the Local Plan. In terms of the HRA, they agree with the conclusion of the screening request that a HRA is not required for this SPD.

The Council has therefore determined that the SPD does not require an HRA

This formal determination regarding the SEA and HRA will be published alongside the Romford Masterplan

5. OTHER ASSESSMENTS

Equalities and Health Impact Assessments

The original submission version of the Local Plan was supported by an Equalities Impact Assessment (March 2018) updated in 2019 and Health Impact Assessment (March 2018). Equalities and Health Impact Assessments are not legal requirements for an SPD and the Council does not intend to prepare such assessments for the Romford Town Centre Masterplan SPD.

Health Impact Assessment

A Health Impact Assessment has been prepared for the Romford Masterplan and being a dynamic, iterative document, its recommendations have fed into the draft Romford Masterplan. This will be published alongside the Masterplan during the formal public consultation process and finalised as a record of actions, upon adoption.

6. STATEMENT OF REASONS

AN ASSESSMENT OF LIKELIHOOD OF SIGNIFICANT EFFECTS ON THE ENVIRONMENT

Criteria for determining the likely significant effects (Schedule 1 of SEA Regulations)	Significant effect?	LB Havering Initial assessment
<i>Characteristics of the Romford Town Centre Masterplan SPD</i>		
(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 SPD will supplement policies in an adopted Havering Local Plan (2016-2031), particularly Policy 1, which sets out detailed policy requirements for the Romford SDA. Romford is identified as an Opportunity Area in the London Plan 2021 and the SPD will also help implement London Plan 2021 Policy SD1 (Opportunity Areas) and other relevant London plan policies. The scope of proposed guidance is set out in Table 1 above. It cannot and will not set out additional planning policy.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The Romford master planning work will influence future site allocations for the Romford SDA which are likely to be taken forward through an immediate update, agreed with the Planning Inspector, of the Local Plan. However, this Plan will be subject to SA/SEA in due course.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	Yes	The SPD will provide guidance on how best to implement relevant Local Plan and London Plan 2021 policies to ensure high-quality, environmentally sensitive and sustainable development.
(d) environmental problems relevant to the plan or programme	No	Environmental issues were taken into account when identifying the Romford SDA as an area for growth within the Local Plan and as an Opportunity Area in the London Plan 2021.
(e) the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The SA (as revised) of the Local Plan (2016-2031) has considered the likely environmental impacts of growth over the plan period up to 2031 (informed by Havering Infrastructure Delivery Plan and Havering Local Plan (2016-2031)).
<i>Characteristics of the effects and of the area likely to be affected</i>		

Criteria for determining the likely significant effects (Schedule 1 of SEA Regulations)	Significant effect?	LB Havering Initial assessment
(a) the probability, duration, frequency and reversibility of the effects	No	The SPD cannot set new policy and will supplement Policy 1, which calls for 'at least' 6,000 homes. Despite the increases in expected housing growth likely to be identified in the SPD, it is not apparent that significant environmental effects are likely over and above those considered through the Havering Local Plan (2016-2031) Sustainability Appraisal and its Addendum.
(b) the cumulative nature of the effects	No	It is not apparent that significant environmental effects are likely over and above those considered through the Havering Local Plan (2016-2031) SA and its Addendum.
(c) the transboundary nature of the effects	No	It is not apparent that significant environmental effects are likely over and above those considered through the Havering Local Plan (2016-2031) SA and its Addendum.
(d) the risks to human health or the environment (for example, due to accidents)	No	It is not apparent that significant risks are likely over and above those considered through the Havering Local Plan (2016-2031) SA and its Addendum.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The existing residential population of the SDA is approx. 29,000 ⁵ . The level of growth expected to be promoted in an SPD could lead to an additional 24,000 to 26,585 people living in Romford by 2041.
(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 SDA includes the Romford Conservation Area and a number of statutory and locally listed buildings. The SPD will help manage development so that it preserves and enhances character and appearance. It is not apparent that significant environmental effects are likely over and above those considered through the Havering Local Plan (2016-2031) Sustainability Appraisal and its Addendum and the London Plan and its Integrated Impact Assessment.

⁵ ONS small area population estimates 2017 for the 15 Lower Super Output Areas included or partly included in the Romford SDA.

Criteria for determining the likely significant effects (Schedule 1 of SEA Regulations)	Significant effect?	LB Havering Initial assessment
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.		<p>Havering includes the following Sites of Special Scientific Interest (SSSIs): Hornchurch Cutting, Inner Thames Marshes and Ingrebourne Marshes. There is also Hainault Forest SSSI (in LB Redbridge), Purfleet Marshes SSSI (in Thurrock) and the Epping Forest SAC (in Essex).</p> <p>The distances from the SAC and these areas and the intervening urban areas and nearer outdoor recreational space means that development in the SAC is unlikely to cause significant additional recreational pressure and/or atmospheric pollution.</p>