



Bracknell Forest Council

**Air Quality Action Plan (AQAP)**

**Strategic Environmental Assessment**

Determination under Regulation 9 of the SEA Regulations 2004

July 2013

## **Introduction**

- 1.1. This statement outlines the Council's determination under Regulation 9 (1) of The Environmental Assessment of Plans and Programmes Regulations 2004 on whether a strategic Environmental Assessment (SEA) is required, for a Air Quality Action Plan.

## **Strategic Environmental Assessment**

- 1.2. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 1.3. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.
- 1.4. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Council must determine if a plan requires an environmental assessment.

## **Sustainability Appraisal**

- 1.5. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), the Council is required to carry out a Sustainability Appraisal (SA) for all Development Plan Documents. This considers the social and economic impacts of a plan as well as the environmental impacts.
- 1.6. In accordance with current Regulations (Town & Country Planning (Local Development)(England)(Amendment) Regulations 2009) SA is required for Development Plan Documents (DPD) but not other lower level documents.

## **The SEA Screening Process**

- 1.7. The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and English Heritage.
- 1.8. Within 28 days of making its determination, the authority must publish a statement, such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

<b>Bracknell Forest Council Air Quality Action Plan (AQAP)</b>
--

- 1.9. There is evidence to show that long-term exposure to NO<sub>2</sub> may affect lung function, and at relatively high concentrations NO<sub>2</sub> causes inflammation of the airways. Exposure to NO<sub>2</sub> also enhances the response to allergens in sensitised individuals (DEFRA 2004).
- 1.10. Two Air Quality Management Areas (AQMA's) were declared in the Borough in 2010. Maps of these areas can be found on the Borough's website at <http://www.bracknell-forest.gov.uk/pollutioncontrolairquality> These are:
- the Downshire Way / Bagshot Road, Bracknell AQMA (Area 1). It has been shown that the elevated NO<sub>2</sub> levels are due to the high volume of traffic moving through the AQMA.
  - The Crowthorne AQMA is a smaller area (Area 2). It has been shown that the elevated levels of NO<sub>2</sub> are due to road traffic especially Light Delivery Vehicles (LDVs).
- 1.11. The information in the AQAP will look at a variety of strategies which may be able to help lower the NO<sub>2</sub> levels below 40 ug/m<sup>3</sup>. Some of these projects are already being run as part of other initiatives in the borough; and as a secondary factor should have a positive effect on reducing the NO<sub>2</sub> in the AQMA's and across the Borough. The actions are closely linked to Local Transport Plan 3 (LTP3), which was adopted by the Council in April 2011 and was the subject of a full SEA.
- 1.12 Objectives within the AQAP have been identified as the following:

Area	Objective
AQMA Area 1 - Downshire Way / Bagshot Road	Smoothing and improving flow of traffic and reducing queuing traffic
AQMA Area 2 – Bracknell Rd (B3348) / Crowthorne High St, Crowthorne	Smoothing and improving flow of traffic and reducing queuing traffic  Reducing number of LDVs using the High Street
Borough wide	Increasing the use of alternative transport  Improving Council's own emissions  Reducing emissions from new developments

<b>SEA Determination and Reasons for Determination</b>
--

1.13. Before making a determination under Regulation 9 the three consultation bodies were consulted. The responses received are set out in Table 1.0 below.

1.14. Comments received by the consultation bodies:

<b>Consultation Body</b>	<b>Comments</b>
English Heritage	English Heritage considers that, from a historic environment perspective, the AQAP does not require an SEA under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). We reach this conclusion because we do not consider that there will be any significant environmental effects on the historic environment arising from its implementation.
Environment Agency	The AQAP does not require an SEA.
Natural England	The AQAP does not require an SEA.

1.15. This statement sets out the Council’s determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a SEA is required for the Council’s Air Quality Action Plan.

1.16. Appendix 1 sets out the process for determining if the Air Quality Action Plan will have significant environmental effects using the criteria set out in Annex II of the Directive and Schedule I of the Regulations.

1.17. On the basis of the screening process it is the Council’s opinion that the Air Quality Action Plan does not require an SEA under the SEA Directive and The Environmental Assessment of Plans and Programmes Regulations (2004). This is because there will be no significant environmental effects arising from its implementation and that it sets out current Council wide policies and practices within LTP3 that help to address the two AQMA concerns. In making this determination the Borough Council has had regard to Schedule I of the Regulations and comments made by the Consultation Bodies.

1.18. This determination has been made on **19<sup>th</sup> July 2013**

Appendix 1 – SEA screening for the Air Quality Action Plan

<b>Criteria (from Annex II of SEA Directive and Schedule I of Regulations)</b>	<b>Bracknell Forest Council's Response</b>
<b>Characteristics of the plan or programme</b>	
(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.	The Air Quality Action Plan sets out current Council wide policies and practices within LTP3 that help to address the two AQMA concerns. LTP3 has been the subject of a full SEA and associated consultation. The AQAP does not provide a framework for projects and other activities nor does it allocate any resources. The AQAP does not influence the LDF or other consent frameworks.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The draft AQAP considers the relevant actions, measures and targets in other plans, policies and strategies such as LTP3. The Draft AQAP is not anticipated to have a significant influence on the objectives of other Council plans.
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The Draft AQAP supports the integration of local air quality considerations within the Council's wider policies, strategies and plans, particularly those relevant to sustainable development, reduction in greenhouse gases and carbon emissions.
(d) Environmental problems relevant to the plan or programme.	The draft AQAP is not anticipated to have any adverse environmental problems. The beneficial environmental impact will be small, localised to hotspots and would be achieved gradually over the lifespan of the plan.
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	None.
<b>Characteristics of the effects and of the area likely to be affected</b>	
(a) The probability, duration, frequency and reversibility of the effects.	The measures contained within the plan will result in small, gradual improvements in air quality for NO <sub>2</sub> particularly in hotspot areas within the AQMA. However, the impacts would depend upon a number of other factors such as traffic growth etc, and therefore the impacts of the plan are reversible.
(b) The cumulative nature of the effects	The cumulative impacts of the measures included in the plan will be small and site specific. Furthermore, no harmful cumulative environmental impacts are anticipated to occur.
(c) The transboundary nature of the effects	No transboundary impacts are anticipated to result from the implementation of the plan.

(d) The risks to human health or the environment (for example, due to accidents)	No risks to human health could be identified with the measures in the plan. The implementation of measures would result in small beneficial impacts on human health, which are difficult to quantify.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The measures within the plan are targeted to improve air quality within Bracknell Forest and specifically the two highlighted AQMAs. In reality, the measures would result in small positive impacts in hotspot areas in the form of improvement in local NO <sub>2</sub> air quality.
(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; iii) Intensive land-use.	The draft AQAP is not anticipated to have any adverse effect on value and vulnerability of these aspects.
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	The plan is not anticipated to have any significant harmful effect on any of these assets.