



# **Supplementary Planning Document on Air Quality and Development**

## **Strategic Environmental Assessment Screening Report**

**June 2022**

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## **1.0 Introduction to Supplementary Planning Document (SPD) on Air Quality and Development**

### **Purpose, scope and content**

1.1 The 2008 Ambient Air Quality Directive<sup>1</sup> sets legally binding limits for concentrations in outdoor air of major air pollutants including particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). The planning of a new development has a direct influence on local air quality and therefore the health of people and ecosystems. Air quality should therefore be a material consideration when planning new developments to ensure they are designed and constructed in ways to minimise emissions and reduce the exposure of people to air pollution.

1.2 The purpose of this guidance is to:

1. Provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013 – 2033<sup>2</sup> in relation to air quality.
2. Assist developers in determining when an air quality assessment is required for a new development.
3. Provide guidance through the emissions and air quality assessment procedures.
4. Identify suitable mitigation measures to be included at the planning stage.

1.3 Through application of this guidance the Council aims to:

1. Sustain and contribute towards compliance with the national air quality objectives, with consideration given to the presence of AQMAs in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
2. Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
3. Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
4. Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

1.4 This SPD has been developed to align with existing plans and policies that influence air quality impacts. Appendix A1 provides a summary of relevant air quality guidance within planning policy context. Under the Council's Local Plan, Policy DM3 (Transport and air quality) states that: 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment.'

1.5 Under DM3 these assessments are only required where there are significant levels of vehicular movement. Whereas, in following this SPD, large potential impact can include smaller developments in planning terms, particularly where they are within or adjoining an Air Quality Management Area (AQMA). Under this SPD, 'significant levels of vehicular movement' in relation to air quality is defined by its potential impact, as per Figure 2.2. Furthermore, the 'traffic pollution

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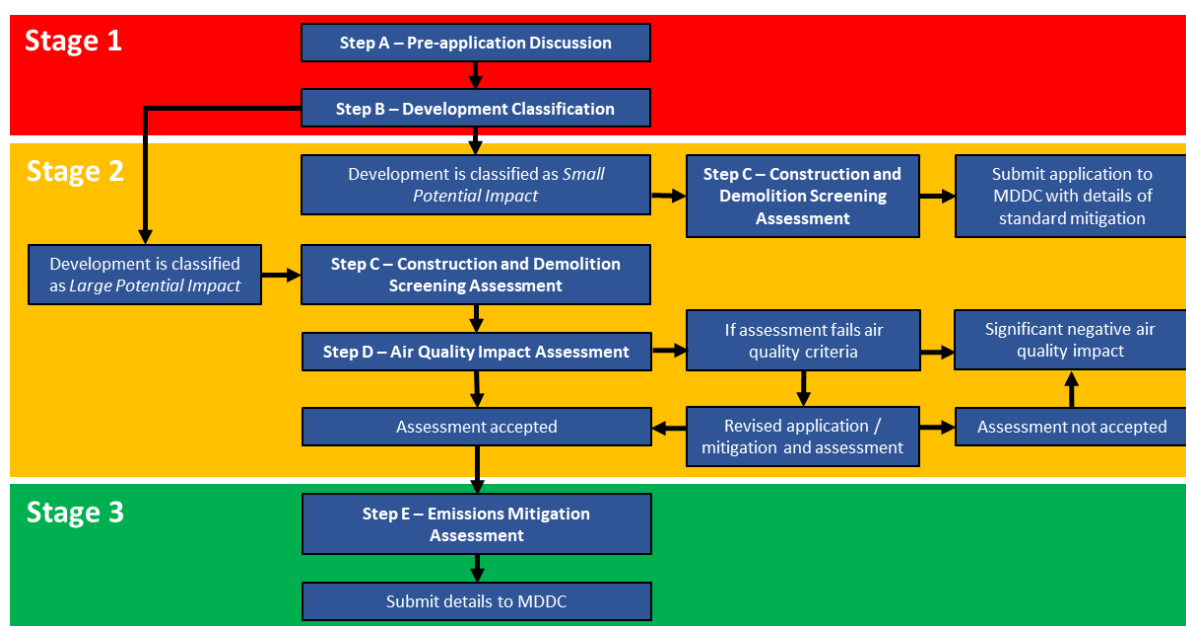
<sup>1</sup> Ambient Air Quality Directive (2008/50/EC) <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:152:0001:0044:EN:PDF>

<sup>2</sup> MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

assessment' and 'low emission assessment' in DM3, can be considered equivalent to the Air Quality Impact Assessment and Emissions Mitigation Assessment referred to in this SPD.

- 1.6 The guidance sets out a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. A summary of the process is set out below.

**Figure 1.1: Process for evaluating new developments**



### **National Planning context**

- 1.7 The UK and EU air quality limits<sup>3</sup> set out target values for ten pollutants: PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>2</sub>, ozone (O<sub>3</sub>), sulphur dioxide (SO<sub>2</sub>), polycyclic aromatic hydrocarbons (PAHs), benzene (C<sub>6</sub>H<sub>6</sub>), 1,3-butadiene, carbon monoxide (CO) and lead (Pb). The pollutants of specific concern in Mid Devon are NO<sub>2</sub> and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>), the primary source of which is road transport emissions. In 2019, concentrations within 10% of the annual mean objective for NO<sub>2</sub> were identified on the High Street in Crediton (within Crediton AQMA) and Fore Street in Cullompton (within Cullompton AQMA). There are currently two AQMAs declared within the district; the Crediton AQMA for exceedances of the NO<sub>2</sub> annual mean objective and the PM<sub>10</sub> 24-hour mean objective, and the Cullompton AQMA for exceedances of the NO<sub>2</sub> annual mean objective.
- 1.8 This guidance is aligned with the National Planning Policy Framework<sup>4</sup> (NPPF) and aims to provide a consistent approach to assessing air quality impacts from planning proposals. The NPPF contains the Government's planning policies for England and is designed in favour of sustainable development, stressing the importance of local development plans, and states that the planning system should perform an environmental role to minimise pollution. The Framework also

<sup>3</sup> National air quality objectives and European Directive limit and target values for the protection of human health. Available from: [https://uk-air.defra.gov.uk/assets/documents/Air\\_Quality\\_Objectives\\_Update.pdf](https://uk-air.defra.gov.uk/assets/documents/Air_Quality_Objectives_Update.pdf)

<sup>4</sup> National Planning Policy Framework (2012, last updated 2021). Available from: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

emphasises the importance of local development plans and early engagement as part of the process.

1.9 The Institute of Air Quality Management (IAQM) air quality planning guidance<sup>5</sup> summarises the NPPF guidance on planning policies in relation to national objectives and AQMAs, and states that:

*“Planning policies should sustain compliance with, and contribute towards, meeting EU limit values or national objectives for air pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local Air Quality Action Plan.”*

1.10 Key paragraphs in the NPPF that relate to air quality include:

- **NPPF paragraph 7 (Sustainable development)**

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

- **NPPF paragraph 39 (Early engagement)**

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”

- **NPPF paragraph 92 (Promoting healthy and safe communities)**

“Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.”

- **NPPF paragraph 174 (Promoting healthy and safe communities)**

“Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.”

- **NPPF paragraph 185 (Promoting healthy and safe communities)**

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.”

- **NPPF paragraph 105 (Promoting sustainable transport)**

“The planning system should actively manage patterns of growth in support of the (sustainable transport) objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and

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<sup>5</sup> Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: [www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf](http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf)

improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

- **NPPF paragraph 107 (Promoting sustainable transport)**

“If setting local parking standards for residential and non-residential development, policies should take into account: the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.”

- 1.11 The IAQM published a Position Statement on the Mitigation of Development Air Quality Impacts<sup>6</sup>, (last updated in June 2018). The statement advised that an *“appropriate mitigation solution for the air quality impact of any given individual general development scheme should be principle-led rather than specified by detailed prescription.”* Basic hierarchy principles were proposed to be applied as the basis for the mitigation of air quality impacts associated with development schemes. This hierarchy is based on well-established mitigation hierarchies used for EIA development<sup>7</sup> and pollution exposure in workplace/occupational situations<sup>8,9</sup>.

Prevention or avoidance
“Preference should be given to preventing or avoiding exposure/impacts to the pollutant in the first place by eliminating or isolating potential sources or by replacing sources or activities with alternatives. This is usually best achieved through taking air quality considerations into account at the development scheme design stage.”
Reduction and minimisation
<p><i>“Reduction and minimisation of exposure/impacts should next be considered, once all options for prevention/avoidance have been implemented so far as is reasonably practicable (both technically and economically). To achieve this reduction/minimisation, preference should be given first to:</i></p> <ul style="list-style-type: none"> <li><i>a. mitigation measures that act on the source; before</i></li> <li><i>b. mitigation measures that act on the pathway; which in turn should take preference over</i></li> <li><i>c. mitigation measures at or close to the point of receptor exposure all subject to the efficacy, cost and practicability of the available solutions. In each case, measures that are designed or engineered to operate passively are preferred to active measures that require continual intervention, management or a change in people's behaviours.”</i></li> </ul>
Off-setting
“Off-setting a new development's air quality impact by proportionately contributing to air quality improvements elsewhere (including those identified in air quality action plans and low emission strategies) should only be considered once the solutions for preventing/avoiding, and then for reducing/minimising, the development-specific impacts have been exhausted. Even then, offsetting should be limited to measures that are likely to have a beneficial impact on air quality in the vicinity of the development site. It is not appropriate to attempt to offset local air quality impacts by measures that may have some effect remote from the vicinity of the development site.”

<sup>6</sup> IAQM Position Statement – Mitigation of Development Air Quality Impacts (2018)

[http://iaqm.co.uk/text/position\\_statements/mitigation\\_of\\_development.pdf](http://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf)

<sup>7</sup> Institute of Environmental Management & Assessment (IEMA), Guidelines for Environmental Impact Assessment (2004).

<sup>8</sup> The Management of Health and Safety at Work Regulations 1999, Regulation 4

<sup>9</sup> COSHH Regulation 7, Prevention or control of exposure to substances hazardous to health.

- 1.12 In addition, the IAQM Guidance on the assessment of dust from demolition and construction<sup>10</sup> provides guidance on minimising dust and other emissions to atmosphere during the construction phase and should be considered in the planning phase of a new development.

### **Regional Planning Context**

#### ***Devon and Torbay Local Transport Plan 3***

- 1.13 The Devon and Torbay Local Transport Plan 3 (LTP3)<sup>11</sup> is a 15-year plan, covering the period 2011 – 2026. The plan aims to deliver a transport system that can meet economic, environmental, and social challenges. The five key objectives of the plan, which aim to develop a low carbon transport system that offers choice and encourages sustainable travel behaviour, are:

1. Deliver and support new development and economic growth
2. Make best use of the transport network and protect the existing transport asset by prioritising maintenance
3. Work with communities to provide safe, sustainable and low carbon transport choices
4. Strengthen and improve the public transport network
5. Make Devon the 'place to be naturally active'

The Strategic Connections Strategy aims to:

1. Manage maintenance of the transport network
2. Proactively address congestion and increased demand
3. Support low carbon measures
4. Promote sustainable communities

#### ***Devon Climate Emergency***

- 1.14 On 26th June 2019 the elected Members voted unanimously to support the ambitious cut in carbon emissions by signing the Devon Climate Declaration. The declaration acknowledges the need to understand the near-term and future risks for Mid Devon and beyond, and sets out the joint ambition with our partners to plan for how our infrastructure, public services and communities will have to adapt to a 1.5°C rise in global average temperature.

- 1.15 It was agreed that the Policy Development Group (PDG) for Environment would act as the initial owner of policy activity regarding Climate Change Emergency within the Council.<sup>12</sup>

### **Local Planning context**

- 1.16 The SPD has been designed to build on the air quality and sustainability policy headings within the MDDC local plans and policies, as outlined below and aims to clarify the specific actions required to make schemes sustainable in terms of air quality.

#### ***Air Quality Action Plan***

- 1.17 The current MDDC AQAP outlines the actions that the Council will take to improve air quality in Mid Devon 2021 – 2025. This plan aims to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the Mid Devon District area. Some AQAP priorities to be considered in the planning of future developments are:

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<sup>10</sup> Guidance on the assessment of dust from demolition and construction (2014) <https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

<sup>11</sup> Devon and Torbay Local Transport Plan 5, 2011 – 2026. Available from: <https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>

<sup>12</sup> Devon Climate Emergency. Available from: <https://www.middevon.gov.uk/residents/devon-climate-emergency/>

- To work with Devon County Council and the key bus service providers to maximise patronage and link the bus routes more effectively.
- To improve the Electric Vehicle Charging Network through the installation of units at Council Parks or other appropriate locations and within design specifications for future housing developments (home charging).
- To support alternative forms of transport such as local car sharing schemes, e-bikes, cycles and local bus services that minimise personal car use.
- To adopt Local Plan Policies (Low Emission Strategies) and monitor their implementation in all future development applications.
- To expand and improve the local network of foot and cycle paths to facilitate a move towards walking or cycling as an alternative to car use for short to medium length journeys.
- To pro-actively engage all stakeholders with responsibility and or/interest in the development of roads, transport and infrastructure to ensure air quality is central to planning and delivery.
- To acknowledge that the car will remain the only alternative for some rural locations and to take this into consideration when making policy or undertaking measures that may directly or indirectly affect rural communities.
- To continue to monitor Mid Devon's two AQMAs and carry out mitigation strategies that will result in their removal from the register.

### ***Mid Devon Local Plan 2013 – 2033***

1.18 This SPD is designed to provide guidance to relevant policies in the adopted Mid Devon Local Plan 2013 – 2033<sup>13</sup> in relation to air quality. The Local Plan which was adopted in July 2020 supersedes the previous Local Plan which was adopted in three parts: The Core Strategy 2026 (Local Plan Part 1) adopted in 2007, the Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2) adopted in 2010 and the Local Plan Part 3: Development Management Policies, adopted in 2013.

1.19 As part of the spatial strategy, developments will be targeted to “Protect and enhance the key environmental assets including heritage, biodiversity and air quality” within Cullompton and other market towns.

1.20 A number of key strategies have been updated since the previous Local Plan, the following list provides information on the original policy and the more recently adopted policy. Where a policy has been replaced, this document will explore the details of that specific policy.

- AL/TIV/5 Eastern Urban Extension Carbon Reduction & Air Quality, deleted as covered by Development Management policies on renewable energy, air quality and transport and pollution (2013).
- AL/CU/5 North West Cullompton Carbon Reduction & Air Quality, replaced by CU5 North West Cullompton Carbon Reduction and Air Quality.
- AL/CU/15 Cullompton Air Quality, replaced in part by S11 Cullompton; also, each site allocation within Cullompton is required in their policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.
- AL/CRE/8 Crediton Air Quality, replaced in part by S12 Crediton CRE11 Crediton Infrastructure.
- DM6 (LP part 3) Transport and Air Quality, replaced by DM3 Transport and air quality.

<sup>13</sup> MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>



- 1.21 The new Local Plan includes key policies which explore the relationship between the Local Plan and air quality impacts and mitigation. The policies can be split up into strategic policies, specific site allocation policies and sustainable development principles.

#### **Strategic policies**

- 1.22 There are five strategic policies within the MDDC Local Plan which relate to air quality. They are the S1 Sustainable Development Priorities, S2 Amount and Distribution of Development, S8 Infrastructure, S11 Cullompton and S12 Crediton. The key message from this set of policies is to prevent and improve air quality issues within the area, specifically at Crediton and Cullompton. This is planned to be achieved by including new road linkages to relieve traffic congestion in town centres, improve infrastructure for new developments, to offer co-benefits for air quality and other planning objectives, and to implement monitoring to assess if pollutants have been reduced to a level where AQMAs can be withdrawn.

#### **Site allocation policies**

- 1.23 There are three areas within Mid Devon which have been identified to include site allocation policies referencing air quality, they are Cullompton, Crediton and Tiverton. All three areas highlight policies to implement proposed developments accounting for the effects they will have on traffic congestion and subsequently air quality impacts. The developments include policies relating to transport provisions, such as a travel plans and non-traditional transport measures. Developments will also include carbon reduction and Air Quality Impact Assessments to help minimise the impacts of the development on the environment. As Cullompton and Crediton both have AQMAs there is a policy for both areas relating to infrastructure to help deliver air quality improvements within and adjacent to the AQMAs.

#### **Sustainable development principles**

- 1.24 There are two sustainable development principles which relate to air quality in the Local Plan; DM3 Transport and Air Quality and DM4 Pollution. DM3 encompasses developments which give rise to vehicular movement. If this is the case, the following documents are required to be submitted: Integrated Transport Assessment, Travel Plan, Traffic Pollution Assessment, and a Low Emissions Assessment. DM4 stipulates that any proposals that may negatively impact the environment must be accompanied by a Pollution Impact Assessment and implement mitigation schemes where necessary.

#### **DM3 Transport and air quality**

- 1.25 Policy DM3 states that “Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment. The traffic pollution assessment must consider the impact of traffic-generated nitrogen oxides on environmental assets including protected sites listed in Policy DM28, and propose mitigation measures where appropriate. The Low Emission Assessment shall include the following:

- a) Assessment of the impact on existing Air Quality Management Areas, or an impact likely to result in the declaration of an additional Air Quality Management Area, in cases where a demonstrable negative impact on ambient concentrations of air pollutants is considered likely;
- b) Modelling of local residual road transport emissions from the development without mitigation measures; and
- c) Onsite mitigation measures to reduce negative impacts on local air quality.

## **DM4 Pollution**

- 1.26 Policy DM4 states that “Applications for development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution impact assessment and mitigation scheme where necessary. Development will be permitted where the direct, indirect and cumulative effects of pollution will not have an unacceptable negative impact on health, the natural environment and general amenity.”

### ***Cullompton Neighbourhood Plan***

- 1.27 The Cullompton Neighbourhood Plan<sup>14</sup> now forms part of the statutory development plan for the Cullompton area, alongside the Mid Devon Local Plan and the Devon Waste and Minerals Plans, and carries full weight for guiding planning applications submitted to the Council for determination and the decisions made on these.
- 1.28 The Plan outlines Policy SD01, which is consistent with the Cullompton Air Quality Management Area Action Plan 2009 which recognised the need to bring effective traffic relief to the town centre and introduce town centre traffic management measures.

### **Policy SD01 Traffic Impact of Major Development**

- 1.29 Proposals for major development which are required to provide a Traffic Impact Assessment must demonstrate how the proposal will mitigate any negative impacts of the traffic generation associated with the proposed development on Cullompton town centre, including vehicular access/egress and circulation arrangements. Road infrastructure requirements should be in place in good time so as to prevent an unacceptable impact on the existing road network, and the town centre in particular, as a result of the development.

### **Status of the Mid Devon SPD on Air Quality and Development**

- 1.30 The SPD on Air Quality and Development will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

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<sup>14</sup> Cullompton Neighbourhood Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/cullompton-neighbourhood-plan/>

## **2.0 SEA and SEA Screening**

### *Strategic Environmental Assessment*

- 2.1. The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

### *Screening*

- 2.2. The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3. In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have ‘significant environmental effects’. This is undertaken through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.
- 2.4. A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

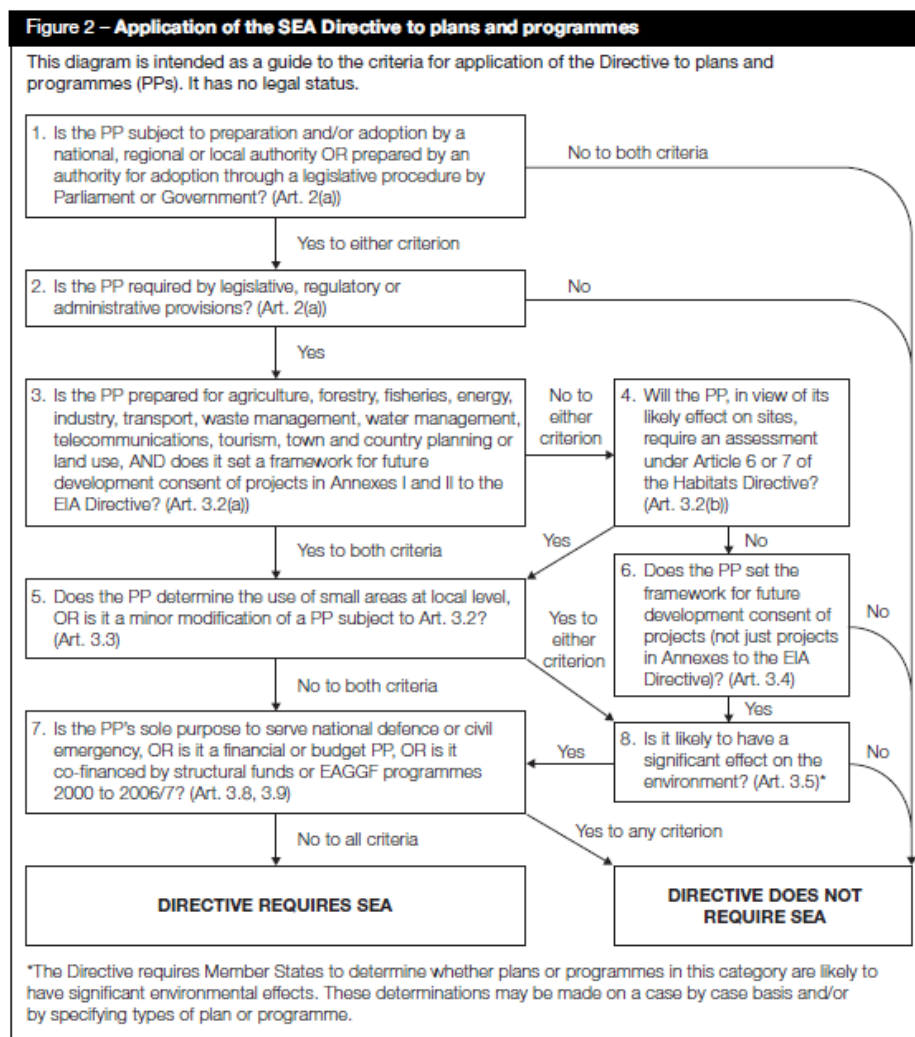


Diagram 1: Application of the SEA Directive to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

- 2.5 Table 1 below sets out the Council's response to the above questions in order to clearly assess the whether there is a requirement for the SPD on Air Quality and Development to be subject a full SEA.
- 2.6 Table 2 provides the Council's assessment of likely significant effects of the SPD on Air Quality and Development on the environment, in accordance with the screening report process in Table 1.

**Table 1: Screening of the Mid Devon SPD on Air Quality and Development**

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art.2(a))	Y	The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.  <b>Go to STAGE 2</b>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.  <b>Go to STAGE 3.</b>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to Air Quality.  As this SPD would relate to all development within Mid Devon District it will in some cases set a framework for future development consent of projects in Annex I and II to the EIA Directive.  <b>Go to STAGE 5</b>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	<b>Not Applicable</b>  The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in combination with other plans or projects.	
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Art 3.2? (Art.3.3)	Y	The SPD will be material consideration in planning applications for new developments. It provides detailed guidance to adopted Local Plan policy (minor modification).'  <b>Go to STAGE 8</b>

Stage	Y/N	Reason
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	<b>Not applicable</b>	
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	<b>Not applicable</b>	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Table 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA of the SPD</b>

**Table 2: Determining the likely significance of effects of the Mid Devon**

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) 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;	N	The SPD, if adopted will help implement the relevant policies of the Local Plan and therefore contribute to the framework for future development consent. It does not however introduce a new framework or policies. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA in which likely significant negative environmental effects are not anticipated.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan 2013-2033 policies. The SPD will not significantly influence other plans and programmes, it supplements the Local Plan which has been subject to SA and therefore SEA in which likely significant negative environmental effects are not anticipated.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development;	N	The SPD will help the integration of environmental considerations with a view to promoting sustainable development as part of the development proposals. This includes ensuring appropriate air quality mitigation is provided as part of development proposals. The impact of the SPD will be positive on this criterion.
d) Environmental problems relevant to the SPD; and	N	Planning policy in relation to air quality is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review. The SPD provides specific guidance on the process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. The environmental problem this SPD seeks to mediate is air quality. Adverse impacts are not anticipated.
e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD relates to the 2008 Ambient Air Quality Directive. It seeks to set out a process for determining the classification of a proposed development and assigning the appropriate level for mitigation for air quality impacts. The impacts are anticipated to be positive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD sets out of a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. This will ensure air quality impacts are mitigated and in some cases will lead to improvements. Long-term significant adverse effects are not anticipated.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan 2013-2033 and it is intended that the effects will have a positive cumulative effect in the area through mitigating air quality impacts and in some cases lead to improvements in air quality. Adverse impacts are not anticipated.
c) The transboundary nature of the effects	N	There may be some positive transboundary effects in which mitigation may lead to improvements in travel in relation to air quality which may go beyond the boundaries of Mid Devon District. Adverse effects are not anticipated.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health through ensuring mitigation for air quality impacts and in some cases improving air quality. Adverse effects are not anticipated.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	N	The SPD is relevant for the Mid Devon District area. Adverse effects are not anticipated.
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	The SPD is relevant for the Mid Devon District area. Currently there are two Air Quality Management Areas designated within Mid Devon District. The SPD seeks to mitigate the impacts of development on air quality and in some cases lead to improvements in air quality. Adverse effects are not anticipated.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD is relevant for the Mid Devon District area in which there are landscapes of recognised natural, community or international protection. The SPD seeks to mitigate the impacts of development on air quality. Adverse effects are not anticipated for these landscapes.



### **3.0 Conclusion**

- 3.1 This SEA screening has identified that the SPD on Air Quality and Development is unlikely to have significant negative effects on the environment.
- 3.2 The SEA screening has found that there is no requirement for the SPD on Air Quality and Development to be subject to a full SEA.

### **4.0 Next steps**

- 4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.
- 4.2 The screening opinion will be published alongside the SPD on Air Quality and Development, and will also be subject to public consultation.