



**Jewellery Quarter Neighbourhood Plan
Strategic Environmental Assessment**

Screening Opinion Update

February 2021

Prepared by Birmingham City Council

Summary

- 1.1. The Jewellery Quarter Development Trust Neighbourhood Planning Forum (JQDTNPF) was originally designated in May 2014 with the stated purpose of preparing a Neighbourhood Development Plan. A plan to show the designated Neighbourhood Area is attached as Appendix 1.
- 1.2. In August 2016, a Strategic Environmental Assessment (SEA) Screening Opinion with respect to the draft Neighbourhood Plan for the Jewellery Quarter was undertaken and an Environmental Report was prepared in November 2016 by AECOM Infrastructure & Environment UK Limited (“AECOM”). The report concluded that *“the plan is likely to result in ‘positive effects’, particularly in terms of historic environment, transport, and population and communities objectives. General positive effects are also likely in terms of all other topics. No significant negative effects are predicted...”*
- 1.3. As per the Neighbourhood Planning (General) Regulations 2012, the designation is valid for five years from the date it was made and ceases after that. Following the expiration of the previous designation, in June 2019, the JQDTNPF submitted an application to the Council to enable the group to progress the preparation of the NP. In October 2019 the JQDTNPF and associated neighbourhood planning area was formally re-designated. A draft plan was produced a pre-submission consultation was undertaken between July and September 2020. The JQDTNPF has asked the City Council to provide an update to the SEA Screening Opinion (re-screening) with respect to the pre-submission version of the Neighbourhood Plan for the Jewellery Quarter.
- 1.4. As assessment has been conducted to examine the likely impacts of the draft Jewellery Quarter Neighbourhood Plan policies using the criteria set out in Annex II of the SEA Directive. The assessment was conducted on the basis of The Jewellery Quarter Neighbourhood Plan Regulation 14 Draft which is attached as Appendix 2.
- 1.5. Consultation has been undertaken with the Statutory Bodies (Historic England, Environment Agency, and Natural England) as specified in the Regulations. The responses to the consultation are attached as Appendix A, B and C.
- 1.6. On the basis of the assessment and consultation responses, it is concluded that the Jewellery Quarter Neighbourhood Plan is not likely to have significant environmental impacts and therefore an SEA is not required.

2. Legislative Background

- 2.1. Strategic Environmental Assessment is derived from European Directive 2001/42/EC as brought into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to in this document as the Regulations).
-

- 2.2. Under the Regulations an Environmental Assessment is required of certain types of plans or programmes including town and country planning documents. Environmental Assessment is not required for plans which determine the use of small areas at local level, such as Neighbourhood Plans, unless it is determined that the plan or programme is likely to have significant environmental effects.
- 2.3. Under the Regulation 9 of the Regulations, the responsible body 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). The Regulations require that the results of this process are set out in an SEA Screening Determination (this document), which must be publicly available. This document should be submitted with the neighbourhood plan proposal and made available to the independent examiner.
- 2.4. Before the responsible body 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. This has been carried out and the responses are attached below.

3. Screening Assessment

- 3.1. As noted above, this screening assessment was undertaken in line with paragraph 9 of the Regulations which specifies that the criteria set out in Schedule 1 to the Regulations should be considered in reaching a determination regarding the anticipated environmental effects of a plan or programme.
- 3.2. For ease of reading a tabular format was been employed, setting out each of the Schedule 1 criteria and associated Birmingham City Council comments. Please see Table 1 below for the full Screening Assessment.

4. Determination

- 4.1. Based on the screening assessment and responses from the Consultation Bodies it is considered that the Jewellery Quarter Neighbourhood Plan is not likely to have significant environmental impacts and therefore an SEA is not required
- 4.2. This determination has been made on 18/03/2021

5. Further Information

- 5.1. A copy of this determination will be sent to the Consultation bodies and made available on the City Council's website at <http://www.birmingham.gov.uk/jqndp>
 - 5.2. If you require further information please contact Lawrence Munyuki at Lawrence.Munyuki@birmingham.gov.uk
-

5.3. Statement of Reasons - SEA screening for the Jewellery Quarter Neighbourhood Plan

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
Characteristics of the plan or programme		
(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	<p>The Neighbourhood Plan will, if successful at examination and referendum, form part of the statutory Development Plan for Birmingham City Council which sets out a framework for the determination of applications for development projects. As a result, the Neighbourhood Plan will influence planning decisions in the local area.</p> <p>The Neighbourhood Plan will provide further guidance for the plan area, and will therefore supplement existing policies rather than set the framework. It is the vision of the neighbourhood plan to create a successful community of businesses and residents whilst conserving local heritage. The JQNP will be in conformity with the policies set out in the Birmingham Development Plan (BDP) which has been subject to a detailed Sustainability Appraisal, incorporating the Strategic Environmental Assessment (SEA) regulation requirements. The proposed neighbourhood plan will not include site allocations</p>
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	<p>In order to be successful at examination and referendum, the Neighbourhood Plan is required to be in general conformity with the National Planning Policy Framework and the planning guidance as set out in the National Planning Policy Guidance. It will also need to be in conformity with the Birmingham Development Plan. As such, it will be influenced by higher level plans. The conformity of the proposed neighbourhood plan with the strategic and national policies is one of the basic conditions and will be</p>

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
		<p>checked at the examination stage by an Independent Examiner.</p> <p>The Neighbourhood Plan will be taken into account in the determination of planning applications and in the preparation of further lower level plans in the area. The JQNP will have a positive impact on other plans through its policies to deliver sustainable development and protect and enhance the local environment.</p>
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	No	<p>The neighbourhood plan has regard to the objective of achieving sustainable development in the Jewellery Quarter area. It contains policies that seek to protect the environment including the policies for new development to provide a net positive contribution to biodiversity.</p> <p>The Neighbourhood Plan will need to be in general conformity to the BDP which promotes sustainable development and has been subject to full SEA and Sustainability Appraisals. It is one of the basic conditions of producing the Neighbourhood Plan that it should contribute to the achievement of sustainable development.</p>
(d) Environmental problems relevant to the plan or programme.	No	<p>At this stage it is considered that the JQNP will not introduce any significant environmental problems, rather it will seek to encourage sensitive development to the environment.</p> <p>Due to its City Centre location the plan area has poor air quality due to traffic fumes and, there are limited features of biodiversity value within the JQ. The Environmental report (2016) highlights that, "there are no European or nationally designated sites within or near the JQ. The closest European site is the Fen Pools, which are designated as a Special Area of Conservation (SAC) and are approximately</p>

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
		<p>13.6km to the west of the Plan JQNP area. The closest SSSI is Edgbaston Pool, and it is located 2.9km to the south of the JQNP area”.</p> <p>The Neighbourhood Plan intends to create a network of biodiversity links which will connect the key features within the Jewellery Quarter, and also connect them to features outside the area. This will be delivered by requiring all new development involving the construction of new buildings or extensions to existing, to make a net positive on-site contribution to biodiversity. Developments will be encouraged to have green roofs and will bring many benefits including improvement to air quality.</p> <p>The Environmental Report also indicated that the plan can have a positive effect when it stated that planting “may contribute towards a reduction in the volume and velocity of surface water runoff, and therefore reduce any future increases to flood risk. Additionally, such features can have wider benefits in terms of reducing the urban heat island effect”.</p> <p>The dereliction of historic listed buildings is a key issue for the plan. The neighbourhood plan is encouraging efforts to tackle dereliction and vacancy and has provided a policy framework by which derelict or vacant buildings can achieve occupancy whilst making a positive contribution to the Jewellery Quarter.</p> <p>The Plan does not allocate sites and is unlikely to have significant effects.</p>
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and	No	The JQNP policies do not propose any changes that are likely to have a severe impact on the implementation of the European community on the environment.

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
programmes linked to waste management or water protection).		The proposed plan has some policies and strategies protecting the environment like encouraging development to make improvements to the canal environment, reinstating public access routes, promoting a biodiverse canal ecosystem and promoting green roofs which also provide water attenuation.
Characteristics of the effects and of the area likely to be affected		
(a) The probability, duration, frequency and reversibility of the effects.	No	<p>Some levels of development and redevelopment are anticipated within the Neighbourhood Plan area within the Plan lifespan, and the way in which the Neighbourhood Plan influences this development can therefore be expected to have some effects to the environment.</p> <p>Policies and proposals set out in the Neighbourhood Plan will promote sustainable development and are deemed to be in general conformity with the BDP. As such, there is no mechanism for significant environmental effects to arise from the Neighbourhood Plan which have not already been considered as part of the production of the BDP, which met the requirements of the SEA.</p> <p>Future developments advocated within the Neighbourhood Plan may have the potential to generate environmental impacts. However, any future developments that require planning permission will be required to go through a separate approval process (e.g. planning applications subject to Environmental Impact Assessments, Flood Risk Assessments, and Sustainable Drainage Assessment etc.).</p> <p>It is considered that the overall impact of the Neighbourhood Plan will be positive by</p>

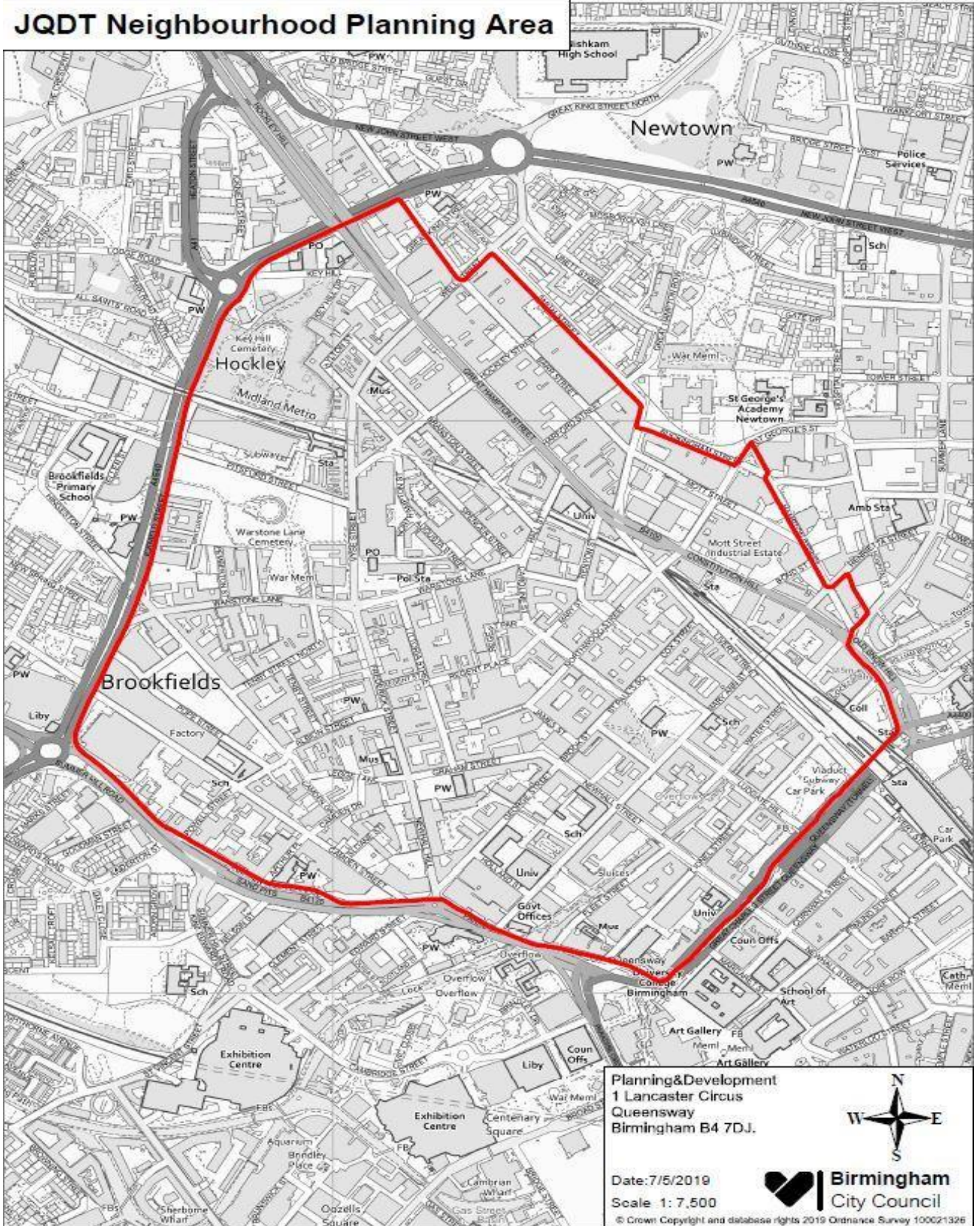
Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
		maximising the positive environmental effects of development and minimising or avoiding negative impacts.
b) The cumulative nature of the effects	No	<p>The Neighbourhood Plan will influence a large number of projects and is explicitly intended to create a significant cumulative positive effect on the economy and environment of the Plan area.</p> <p>As indicated within Section (a) above, there is no mechanism for significant environmental effects to arise from the Neighbourhood Plan. It is therefore unlikely that any cumulative impacts will arise. Where these effects are likely to arise, the City Council will, through the determination of planning applications, ensure such issues are appropriately addressed.</p>
(c) The trans-boundary nature of the effects	No	<p>The Neighbourhood Plan is not expected to have significant trans-boundary effects. Where effects are likely to arise, the City Council will, through the determination of planning applications, ensure such issues are appropriately addressed.</p>
(d) The risks to human health or the environment (for example, due to accidents)	No	<p>It is unlikely any significant risks of health hazards will arise as a direct result of the Neighbourhood Plan.</p> <p>If these effects were likely to arise, the City Council will, through the planning process, ensure such issues are appropriately addressed, including public health, ecology, water quality, and flood risk assessments.</p>
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	<p>The Neighbourhood Plan area covers approximately 105 hectares in the western part of Birmingham. It is located mainly within the Soho & Jewellery Quarter Ward</p>

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
		<p>There is no population data from the 2001 census available at the JQNP area scale but the Environmental report states that “according to the most recent census data available, in 2011, using LSOA level boundaries¹, the most accurate estimate for the total population of the JQNP area was 6,251”.</p> <p>The Neighbourhood Plan is applicable only to developments within the JQNP neighbourhood plan area .Therefore, the potential for environmental effects are likely to be minimal and limited to the neighbourhood plan area.</p> <p>The policies and proposals in the Neighbourhood Plan are considered to be in general conformity with the BDP. It is therefore considered that any effects not previously considered as part of the BDP will be limited in magnitude.</p>
<p>(f) The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> i) Special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit values; iii) Intensive land-use. 	No	<p>The Neighbourhood Plan will only be applicable to developments within the JQNP area, which includes the Jewellery Quarter Conservation Area and over 200 listed buildings Policy impacts on heritage have been assessed through the Sustainability Appraisal of the BDP.</p> <p>The Environmental Report also states that, “the emerging JQNP recognises that the local historic environment is a key asset for the JQ and should be conserved as such. Consequently, the JQNP provides a robust set of policies specific to the historic environment and which overall will lead to significantly positive effects”.</p>

¹LSOA boundaries used include Birmingham 049E, 137B, 137D, 138B, 138C. It should be noted that these LSOA boundaries do not fit the JQNP area exactly and therefore the above figure should be considered an estimate.

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Likely significant environmental effect?	Birmingham City Councils Response
		<p>The Neighbourhood Plan is not expected to exceed environmental quality standards or limit values. The policies of the Neighbourhood Plan in some ways aim to prevent over-intensive development, the dense urban nature of the Neighbourhood Plan area and strong development pressures mean that the risk of unduly intensive uses is significant.</p> <p>Impact on important habitats and statutorily listed buildings are considered in the Neighbourhood Plan, in line with the policies contained within BDP. Furthermore, the Neighbourhood Plan does not replace other statutory considerations, such as the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>The impact of any special characteristics will be assessed through the relevant policies as set out in the NPPF, BDP, and other adopted planning policy.</p>
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	No	The Neighbourhood Plan aims to protect and enhance the Conservation Area and no significant effects are considered to arise from the Neighbourhood Plan

JQDT Neighbourhood Planning Area



Appendix B - Natural England

Date: 04 March 2021
Our ref: 344801
Your ref: JQNP – SEA Screening



Lawrence Munyuki
Planning and Development – Inclusive Growth
Birmingham City Council
PO Box 28, B1 1TU

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

lawrence.munyuki@birmingham.gov.uk

T 0300 060 3900

Dear Mr Munyuki

Jewellery Quarter Neighbourhood Plan - SEA Re-Screening Opinion

Thank you for your consultation on the above dated 15 February 2021 which was received by Natural England on the same date.

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 (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.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), 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.

Yours sincerely

Victoria Kirkham
Consultations Team

Mr Lawrence Munyuki
Birmingham City Council
Lancaster House Lancaster Circus
Queensway
BIRMINGHAM
B4 7DJ

Our ref: UT/2006/000217/SE-
18/SC1-L01
Your ref:
Date: 18 February 2021

Dear Mr Munyuki

JEWELLERY QUARTER NEIGHBOURHOOD PLAN

**STRATEGIC ENVIRONMENTAL ASSESSMENT - SCREENING OPINION
UPDATE (FEBRUARY 2021)**

Thank you for referring the above consultation which was received on 15 February 2021.

We have reviewed the revised screening assessment prepared in support of the Jewellery Quarter Neighbourhood Plan.

We agree with the report's conclusions and do not consider further work on the SEA is necessary, as it is unlikely to have any significant environmental impacts other than those relating to 'Controlled Waters' which have been addressed.

Yours sincerely

Ms Jane Field
Planning Specialist

Direct dial 020 3025 3006
Direct fax
Direct e-mail jane.field@environment-agency.gov.uk



Mr Mark Gamble
Birmingham City Council
Planning and Regeneration
PO Box 28
Birmingham
B1 1TU

Direct Dial: 0121 625 6887

Our ref: PL00019476

15 March 2021

Dear Mr Gamble

JEWELLERY QUARTER NEIGHBOURHOOD PLAN SEA SCREENING (UPDATE)

Thank you for your consultation and the invitation to comment on the updated SEA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: [<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

P. Boland.

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone 0121 625 6888
HistoricEngland.org.uk





Historic England

CC:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone 0121 625 6888
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.