



Strategic Environmental Assessment Determination Statement: Hot Food Takeaway Supplementary Planning Document (SPD)

November 2021

**Planning Policy Group
Investment and Regeneration Service
Kirklees Council
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1. Determination Statement on the need for a Strategic Environmental Assessment (SEA) for the Hot Food Takeaway Supplementary Planning Document

This document constitutes the determination statement as to the need for a full SEA under Regulation 9(3) of the Environmental Assessment of Plans and Programmes Regulations 2004. It sets out the results of the SEA screening process for the Council's proposed Hot Food Takeaway Supplementary Planning Document along with the reasoning behind the determination that a SEA is not required.

2. Consultation with 'Consultation Bodies'

In accordance with the Regulations and national Planning Practice Guidance, in August 2021 the Council consulted with the specified environmental organisations (Natural England, Historic England and the Environment Agency) to determine the need or otherwise for a SEA of the proposed Hot Food Takeaway Supplementary Planning Document. The Council has determined that a SEA is not required in this instance and the reasons for reaching this conclusion are summarised in the Hot Food Takeaway SEA Screening Opinion.

3. Summary of Responses from Consultation Bodies

Historic England:

"Thank you for consulting Historic England about the above Screening Opinion.

In terms of our area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within a Adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD.

The views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me."

Natural England:

"Thank you for your consultation on the above dated 5 August 2021, which was received by Natural England on 5 August 2021.

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.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.

Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.”

Environment Agency:

“Thank you for giving us the opportunity to comment on the above document.

We understand that this SPD will not introduce any new policies, but will provide further detail and guidance to developers about implementing Local Plan policies ‘LP16 Food and drink uses and the evening economy’ and ‘LP47 Healthy, active and safe lifestyles’ which have already been subject to SEA.

We do not consider that this SPD will result in any significant environmental effects and therefore agree with the LPA’s conclusion that SEA is not required in this instance.

If you would like to discuss any of the above comments with us please do not hesitate to contact me on the details below.”

4. Conclusion

In accordance with the Hot Food Takeaway SEA Screening Opinion and the consultation responses received from the statutory consultees as set out above it is considered that a Strategic Environmental Assessment is NOT required for the Hot Food Takeaway SPD.