



**MAYFAIR NEIGHBOURHOOD FORUM**  
**STRATEGIC ENVIRONMENTAL ASSESSMENT**  
**SCREENING REPORT**  
**AND**  
**HABITATS REGULATIONS ASSESSMENT**  
**SCREENING REPORT**

**DECEMBER 2017**

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1. INTRODUCTION

- 1.1 A Strategic Environmental Assessment (SEA) is required under European Legislation for all plans which may have a significant effect on the environment.
- 1.2 The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. If any proposals within a plan may possibly have a significant effect, the assessment requires the consideration of options and for the evaluation of the potential effects on the environment.
- 1.3 To ascertain if SEA is required, a "screening" exercise is undertaken which looks at the proposals within a plan to see if a significant effect is likely. The criteria for doing this are set out in the relevant legislation.
- 1.4 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on internationally designated wildlife sites.
- 1.5 The initial state of the HRA process involves consideration of the reasons for designation and the conservation objectives of each internationally designated wildlife site within a reasonable distance of a plan area and the potential impact of the proposals within the plan on these.
- 1.6 This report represents a screening of the Mayfair Neighbourhood Plan ("**MNP**") against the need for a Strategic Environmental Assessment in accordance with Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.7 This report also represents a screening of the need for a Habitats Regulations Assessment under Directive 92/43/EEC, also known as the Habitats Directive.

## 2. THE MAYFAIR NEIGHBOURHOOD PLAN

2.1 The Mayfair Neighbourhood Area ("**MNA**") is located in the City of Westminster, London and is bounded by Oxford Street to the north, Soho to the east, Piccadilly to the South and Park Lane to the west.

2.2 The MNA also immediately abuts the Marylebone Neighbourhood Area to the north, the Soho Neighbourhood Area to the east, the St James's Neighbourhood Area to the south and the Hyde Park Neighbourhood Area to the west.

2.3 The MNA was designated on 10 January 2014. The Mayfair Neighbourhood Forum is the qualifying body responsible for the preparation of the Mayfair Neighbourhood Plan ("**MNP**").

2.4 The vision of the MNP is to:

*"Make Mayfair the most desirable and attractive area of London in which to live, work and to visit."*

2.5 It aims to do this through policies under the following headings:

- Transforming Public Realm
- Directing Growth
- Enhancing Experience
- Building on Heritage

2.6 The MNP covers a 20-year period from 2018 to 2038, but does not seek to establish levels of growth or to specify exact locations for development. The policies provide an area-wide framework for development proposals which may come forward.

3. **POLICY CONTEXT**

- 3.1 The Development Plan for the MNA currently comprises the Westminster City Plan (adopted 9 November 2016) and the London Plan (2016).
- 3.2 The Council is currently at an early stage of revising the City Plan, with adoption of the new City Plan anticipated to take place at the end of 2018.
- 3.3 The MNP must be in general conformity with the strategic policies of the Westminster City Plan and the London Plan. It will provide a more local context to the strategic policies of the Westminster City Plan.
- 3.4 The MNP will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

#### 4. STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

- 4.1 This screening report seeks to determine whether or not a Strategic Environmental Assessment (SEA) is required for the MNP in accordance with European and National legislation.<sup>1</sup>
- 4.2 The SEA Directive aims to secure a high level of protection for the environment and to integrate environmental considerations into the preparation of plans. The Directive seeks to promote sustainable development by ensuring that a SEA is undertaken which may have a significant effect on the environment.
- 4.3 To establish if a plan needs to be accompanied by a full SEA, a "screening" assessment is required against a series of criteria set out in the SEA Directive. The OCPM (now DGLG) practical guidance<sup>2</sup> provides a checklist guide (reproduced in Figure 4.1) based on the SEA Regulations to determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out in figure 4.2 below.

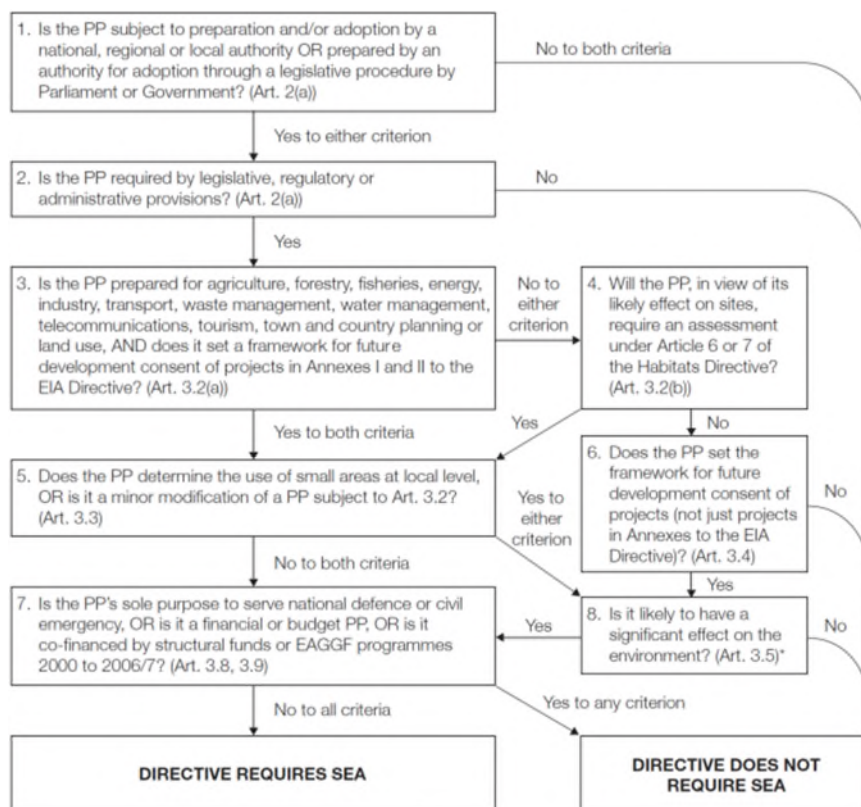
*Figure 4.1: Establishing the need for SEA*

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<sup>1</sup> Directive 2001/42/EC "the SEA Directive" and the Environmental Assessment of Plans and Programmes Regulations 2004 "the SEA Regulations".

<sup>2</sup> A practical guide to the Strategic Environmental Assessment Directive (published September 2005)

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\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Figure 4.2: Assessment of the need for SEA of the MNP

Assessment Criteria	Assessment	
Is the Plan 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))	Yes	The Plan is being prepared by the Mayfair Neighbourhood Forum (as the "qualifying body") under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 and will be "made" by Westminster City Council under the Planning and Compulsory Purchase Act 2004.
Is the Plan required by legislative, regulatory or administrative provisions? (Art 2(a))	Yes	There is no requirement to produce a neighbourhood plan, however, they are subject to formal procedures and regulations laid down by Government.
Is the Plan prepared for agriculture, forestry, fisheries, energy, industry,	No	The MNP is prepared for town and country planning purposes but does not explicitly set

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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))		a framework for future development consent of projects in Annexes I or II of the EIA Directive.
Will the Plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?	Yes	An assessment of the MNP is required under Directive 92/43/EEC, also known as the Habitats Directive, and is set out later in this report.
Does the Plan determine the use of small areas at local level OR is it a minor modification of a Plan subject to Art3.2? (Art 3.3)	Yes	The MNP seeks to direct and shape future uses, building upon the City Plan and will provide a framework for future development consent of projects in the area.
Is it likely to have a significant effect on the environment? (Art 3.5)	No	See results of Figure 4.3: Determining the Likely Significance of Effects.

4.4 Assessment of the significance of the effect of the MNP will depend on the proposals within it. The criteria for assessing the likely significance of effects are set out in Annex II of the SEA Directive, Schedule 1 of the Regulations and shown in Figure 4.3 of this report.

*Figure 4.3: Determining the Likely Significance of Effects.*

Criteria	Assessment
The characteristics of plan, having regard to:	
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 MNP will set a policy framework for the determination of planning applications for future development projects, in terms of location, nature and scale. Once the Plan has passed examination and referendum, it will become part of the Development Plan for the area.



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<p>b. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The MNP will form part of the statutory development plan for the City of Westminster. It is required to be in general conformity with Westminster City Council's City Plan and does not influence other plans.</p>
<p>c. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>The achievement of sustainable development is one of the basic conditions that the MNP must meet and therefore the likelihood of significant effects on the environment is minimised.</p>
<p>d. Environmental problems relevant to the plan or programme</p>	<p>Major environmental issues are addressed through both the City Plan and London Plan. The MNP deals with issues at a local level, and it is not considered that there are any particular environmental problems relevant to the MNP in that respect.</p>
<p>e. The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</p>	<p>The MNP has to be in general conformity with Westminster City Council's City Plan and therefore this legislation will not be relevant for the Plan.</p>
<p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
<p>a. The probability, duration, frequency and reversibility of the effects</p>	<p>Both the London Plan and the City Plan promote growth and development in and around central London. The Mayfair Neighbourhood Forum encourages and supports development of varying scales, natures and in various locations and therefore some element of environmental change may take place as a result of proposals being brought forward. However, any impact will depend on the exact proposals brought forward. Any development that might have a negative effect is potentially reversible as redevelopment can occur. The MNP promotes and requires development in Mayfair to be of exemplary environmental standards.</p>

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<p>b. The cumulative nature of the effects</p>	<p>As above, the MNP sits within the framework of the policies of both the London Plan and the City Plan which seek to establish the scale and direction of growth in Central London. Cumulative effects of these policies have been examined and tested and as such, any cumulative effects of proposals within the MNP are unlikely to be significant on the local environment.</p>
<p>c. The trans-boundary nature of the effects</p>	<p>It is not considered that the MNP would have any effect beyond the Westminster City Council boundary. Its effects will be limited to the MNA.</p>
<p>d. The risks to human health or the environment (e.g. due to accidents)</p>	<p>The MNP does not require development to take place, it encourages and sets out policies to guide development. Its impact on human health is considered to be limited and it is not likely to have a significant impact on the environment due to accidents. Additionally, the MNP promotes public realm improvements, better walking and cycling conditions and street greening, which will help improve such conditions.</p>
<p>e. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The MNP is not considered to have any effect beyond very local effects.</p>
<p>f. The value and vulnerability of the area likely to be affected due to:</p> <p>I. special natural characteristics or cultural heritage,</p> <p>II. exceeded environmental quality standards or limit values</p> <p>III. intensive land-use</p>	<p>There are a number of listed buildings within the MNA and the northern boundary of the MNA comprises Oxford Street which has poor air quality.</p> <p>The MNP is seeking to protect and enhance the existing environment and includes policies that allow appropriate sustainable development, responding to the character and heritage of the area. It is not considered there would be any</p>

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	likely significant effects on the MNA as a result of the MNP.
g. The effects on areas or landscapes which have a recognised national, Community or international protection status	<p>There are two conservation areas within the MNA: The Mayfair Conservation Area and the Regent Street Conservation Area. There is also an area of designated Metropolitan Open Land.</p> <p>However, the MNP encourages and supports proposals which protect and enhance these areas. It is not considered that there would be any likely significant effects on these areas, although the MNP seeks to help improve the quality and setting of these assets.</p>

4.5 The MNP will provide a planning policy framework to be used when considering planning applications in the MNA.

4.6 As a result of the assessment undertaken to assess significant effects on the environment resulting from the MNP, it is considered that, overall, the Plan will not have significant effects on the environment. It is therefore concluded that the MNP does not need to be subject to Strategic Environmental Assessment.

## 5. HABITATS REGULATIONS ASSESSMENT

5.1 This report represents a screening of the need for a Habitats Regulations Assessment under Directive 92/43/EEC, also known as the Habitats Directive.

5.2 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the MNP would harm the habitats or species for which European wildlife sites are designated. European wildlife sites are:

- (a) Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC); and
- (b) Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC).

5.3 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

5.4 If it cannot be demonstrated during the screening stage that the plan or programme will not have significant effects on the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken, which is a much more detailed study of the effects of the plan or programme. The two parts together form the full HRA.

5.5 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required.

### *European Sites Potentially Affected*

5.6 There are six European sites within 10km of the City of Westminster:

- Wimbledon Common SAC
- Richmond Park SAC
- Epping Forest SAC
- Essex Thames Estuaries SAC
- Thames Estuary and Marshes Special Protection Area and Ramsar

- Lee Valley Special Protection Area and Ramsar

- 5.7 None of these sites fall within 10km of the Mayfair Neighbourhood Area.
- 5.8 The MNP does not propose specific development sites but provides further local criteria that should be met by proposals to bring forward development within the MNA.
- 5.9 Certain policies seek to positively address the environmental aspects of sustainable development – specifically Policy MPR, MGS1, MGS2, MGS3, MUB, MPL1, MPL3, MES1, MES2, MES3, MES4 and MES5 – and are likely to therefore have a small positive effect on the SACs and Ramsar Sites.
- 5.10 In any event, given how far removed the European Sites identified are from the MNA, the MNP and its very local scale policies, is unlikely to have any significant effect on the identified network of protected sites.

*Cumulative Effects*

- 5.11 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create cumulative effects.
- 5.12 The SEA and HRA screening reports on the Westminster Core Strategy and subsequent NPPF revisions in relation to SACs found that the policies in the Core Strategy / City Plan are unlikely to have significant effects on the European sites. This was due to:
- (a) The distance of the European sites away from the borough boundary; and
  - (b) The nature of the proposed policies themselves.
- 5.13 Habitat Regulations Assessment Screening Reports were carried out in respect of the Westminster Core Strategy and the NPPF revisions to the Core Strategy in relation to Special Protection Areas, Special Areas of Conservation (SACs) and wetlands of international importance. These reports concluded that the Westminster Core Strategy and subsequent NPPF revisions (which were adopted as part of the Westminster City Plan 2013) were unlikely to have an adverse impact on any of the identified sites within approximately 10km of the boundary of the Borough.
- 5.14 The subsequent amendments to the 2013 City Plan which have been incorporated in the 2016 City Plan relate to Special Policy Areas, mixed use and basements. One of Council's Special Policy Areas is located within the Mayfair Neighbourhood Area – the Savile Row Special Policy Area. The Integrated Impact Assessment of the mixed use and basement policies concluded that there were no negative effects and therefore no mitigating measures required.

5.15 It is therefore concluded that no significant cumulative likely effects will occur due to the implementation of the MNP.

6. **CONCLUSION**

*Strategic Environmental Assessment*

- 6.1 The screening assessment undertaken concludes that the MNP will not have significant effects on the environment. It is therefore concluded that the MNP does not need to be subject to Strategic Environmental Assessment.

*Habitat Regulations Assessment*

- 6.2 The screening assessment which has been undertaken concludes that no likely significant effects in respect of the European sites listed will occur as a result of the implementation of the MNP. As such, the MNP does not require a full AA to be undertaken.

The outcome of these screening reports will be subject to review by Westminster City Council, Natural England and the Environment Agency. The screening report may also need to be reviewed if significant changes are made to the MNP as a result of this review or any other evidence that informs a significant change to the MNP prior to its submission to Westminster City Council