

Royal Brompton Hospital Supplementary Planning Document – SEA Screening

1. Introduction

- 1.1. Royal Brompton Hospital (RBH) Supplementary Planning Document (SPD) may require a Strategic Environmental Assessment (SEA) to comply with European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”. The European Directive is transposed into law by the Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2. Section 19 of the Planning and Compulsory Purchase Act 2004 also requires a local planning authority to carry out a Sustainability Appraisal (SA) of proposals in a plan during its preparation. SAs incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.3. Under Article 3(3) and 3(4) of the SEA Directive, SEA is required for plans and programmes which “determine the use of small areas at a local level” or which only propose “minor modifications to plans” to plans and programmes, and which would otherwise require SEA, only where they are determined to be likely to have significant environmental effects.
- 1.4. National Planning Practice Guidance (NPPG) provides guidance on SEA/SA for SPDs. It advises that SPDs do not require SA where potential effects “already have been assessed during the preparation of the Local Plan”. It advises that “SEA is unlikely to be required where an SPD deals only with a small area at a local level... unless it is considered that there are likely to be significant environmental effects”. Further “Before deciding whether significant environmental effects are likely, the local planning authority should take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies”. The criteria in Schedule 1 are set out in section 3 of this report.
- 1.5. The RBH SPD will be capable of being a material consideration in the assessment of future planning applications within the Royal Brompton Hospital Estate. It is the Council’s responsibility to identify whether an SEA should be undertaken.
- 1.6. The screening process is based upon consideration of standard criteria of Annex II of the Directive to determine whether the plans are likely to have “significant environmental effects”. The result of the local planning authority’s screening process is detailed in this screening statement.
- 1.7. The RBH SPD has been screened to consider whether a SEA is required. Should guidance within the documents change, the screening opinion of the borough could also change.
- 1.8. The screening determination also includes the views of the statutory consultation bodies Historic England, Natural England and the Environment Agency. Their correspondence can be found within the report Appendix.

1.9. This screening determination has been undertaken by the Royal Borough of Kensington and Chelsea. The borough has determined that the plans are unlikely to have significant environmental effects. A SEA therefore should not be undertaken.

2. Purpose of RBH SPD

- 2.1. RBH SPD does not introduce new policy but is capable of being a material consideration in planning decisions. Their purpose is to support existing planning policy already set out in the adopted Local Plan.
- 2.2. The National Planning Policy Framework (NPPF) requires local planning authorities to set out in their Local Plan a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Pursuant to this requirement, SPDs provide a framework for creating distinctive places, with a consistent and high-quality standard of design. However, their level of detail and degree of prescriptions should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.
- 2.3. The Council's revised Local Plan 2019 supports the Royal Brompton Hospital in continuing to further their international reputation for delivering world class health care and seeks to uphold our residential quality of life through facilitating local living and maintaining and updating social infrastructure (Policy CV1). The Plan protects social and community uses – this Hospital site falls within that policy presumption (Policy CK1). It also recognises the importance of preserving and enhancing the historic fabric of the Borough (Policy CL3, CL4, CL11), of exceptional design quality (CL2) and of high sustainability standards (CE1).
- 2.4. This SPD seeks to ensure the mixed, diverse and historic nature of this Chelsea community is protected. It seeks to retain and enhance medical uses, within this part of Kensington and Chelsea, with an aspiration they contribute to a wider Health Hub in the Borough. It recognises that not all the current estate is suitable for long term medical functions and therefore provides guidance which buildings may be suitable for alternative use and which areas should be prioritised for medical uses. It acknowledges that some new residential floorspace may come forward as part of any future strategy but the aspiration is for those residential uses to be relevant and beneficial to an ongoing medical presence in the area, and to complement the healthcare hub.
- 2.5. The SPD sets out a series of principles that will steer any new development and has provided an indicative masterplan for the site which sets out how a medical centre of excellence could be viably retained or newly provided on these series of sites. The SPD also stresses the importance of a place based approach to any new development. Individual sites should not come forward in isolation but should be part of a wider masterplan for all of the Hospital sites recognising the context in which the sites are located and the wider aspirations of the Council and community for the future. grounds, and the Planning Inspectorate will take this document into account when it considers and determines planning appeals.
- 2.6. The RBH SPD has been prepared in accordance with the requirements of Part 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012 and having regard to the National Planning Policy Framework (2019) (paragraph 126). A

brief structure of the of the documents is set out below:

- **Introduction:** provides background and context of the site, sets out the vision and objectives for the SPD, set out the existing policy context and planning history
- **Site Analysis:** sets out the sites opportunities and constraints, gives an overview of health care typologies and undertakes an existing building analysis.
- **Commercial viability:** outlines how medical / health care uses can be brought forward in a viable way if the site were redeveloped.
- **Indicative masterplan:** sets out one option for how the site can be redeveloped for medical use, setting out one way the vision and objectives for the site can be delivered in a viable scheme.
- **Delivery:** sets out how each part of the site can be delivered and the requirements for any applications.

3. Assessment

3.1. The “responsible authority” must determine whether the plan or programme, in this case the RBH Supplementary Planning Document, is likely to have significant environmental effects with reference to the criteria specified in Schedule 1 of the Regulations.

3.2. These criteria are set out in the table below, along with consideration of the likely impact of the RBH SPD against each.

SEA Directive criteria	Comments	Likely Significant Effects?
Characteristics of plans and programmes, having regard, in particular to:		
1a) The degree to which the plan or programme sets a	The SPD only acts as guidance to positively manage developments within the RBH sites, demonstrating how medical uses could be retained on the site if it is developed.	No

<p>framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p>	<p>The SPD identifies key principles for future developments; however these are only considerations to take into account. The SPD aims to appropriately manage the future developments on the RBH site, ensuring that development will not occur in a way that would adversely affect the historic character and amenity of the local area. This will have the effect of limiting the type and design of development that will occur, however this is primarily achieved through the use of Local Plan policies to which this SPD gives further guidance, and which have been the subject of SA.</p>	
<p>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The RBH SPD is supplementary to the relevant Local Plan policies as guidance, which were the subject of Sustainability Appraisals. With regard to these policies, the SPD will only act to manage future development within the identified the RBH site, which constitute a small part of the Borough. It is considered the extent of impact is unlikely to be significant in this regard.</p>	<p>No</p>
<p>1c) 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 RBH SPD is planned to have a positive impact on local environmental assets. The SPD does not introduce new policy and is supplementary to higher up adopted policies that will ensure future developments within the RBH site integrate environmental considerations with a view to promoting sustainable development.</p>	<p>No</p>
<p>1d) Environmental problems relevant to the plan or programme</p>	<p>The Council believes that there will be no significant environmental problems resulting from the RBH SPD. The SPD applies to relatively small, localised areas that are already well developed. The document will seek to preserve or enhance the current historic and natural environment of the area, such as the Thurloe/Smith's charity and Chelsea Park/Carlisle Conservation Areas and the Grade I Listed St Luke's Church.</p>	<p>No</p>

1e) 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).	The SPD is not directly relevant to the implementation of community legislation on the environment.	No
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects	<p>The SPD covers a small area which is already well developed. Localised impacts of developments on the townscape are intended to be beneficial, but if not then should be of a relatively small scale and thus reversible in the short to medium term.</p> <p>The SPD is supplementary to Local Plan policies for which wider significance of effects have already been appraised.</p>	No
2b) The cumulative nature of the effects	<p>The SPD will not result in major changes or actions in the area affected. Therefore, there will be no significant cumulative effects. The plan seeks to appropriately manage future developments within the RBH Site having regard to the historic character and nature of the area.</p> <p>The SPD is supplementary to Local Plan policies for which cumulative effects have already been appraised.</p>	No
2c) The trans-boundary nature of the effects	<p>There are no trans-boundary effects arising from the SPD.</p> <p>The SPD is supplementary to Local Plan policies for which trans-boundary effects have already been appraised.</p>	No
2d) The risks to human health or the environment (e.g. due to accidents)	<p>There are unlikely to be risks to human health or the environment arising from the SPD in respect of this criterion.</p> <p>The SPD is supplementary to Local Plan policies for which wider human health and environment risks have already been appraised.</p>	No

<p>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The RBH SPD covers a small area and the size of the area and population are not considered significant.</p> <p>The SPD is supplementary to Local Plan policies for which wider spatial effects have already been appraised.</p>	<p>No</p>
<p>2f) 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</p>	<p>The RBH SPD will help ensure future developments within the RBH site contribute positively to the natural characteristics and cultural heritage, but these will only be in a localised area and will not be significant.</p> <p>As the SPD does not propose any development works within sites or sites adjacent to, internationally designated sites, Sites of Special Scientific Interest, Local Nature Reserves, Sites of Importance for Nature Conservation or Ecological Corridors, it is unlikely that there will be any effects on European Protected Species. The SPD seeks to appropriately manage development to ensure protection of the character of the area.</p> <p>The SPD will have positive or neutral effects on environmental quality standards. This is because they will ensure developments preserve or enhance the setting of the statutorily listed and locally listed buildings and the appearance of the adjacent Conservation Areas. It is therefore unlikely that any works or actions included in the SPD will affect environmental quality standards.</p> <p>The SPD does not include or add any site allocations for development and will not lead to intensive land-use.</p> <p>The SPD is supplementary to Local Plan policies for which natural characteristics, cultural heritage and environmental quality standards have already been appraised.</p>	<p>No</p>
<p>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>There are no landscapes of national or international protection status in the SPD Area.</p> <p>The SPD is supplementary to Local Plan policies for which wider protections have already been appraised.</p>	<p>No</p>

4. Screening outcome

4.1. Having reviewed the RBH SPD against the above criteria, it is concluded that it is not likely to have significant environmental effects and accordingly, should not be subject to Strategic Environmental Assessment.

5. Consultation

5.1. This determination has been subject to consultation with the statutory consultation bodies. The consultation bodies specified in the Environmental Assessment of Plans and Programmes Regulations 2004 to be consulted on this screening determination are:

- Historic England;
- Environment Agency; and
- Natural England

5.2. The responses received are attached at Appendix A.

APPENDIX A



Historic England

Mr D Massey
Growth and Delivery Team
Royal Borough of Kensington and Chelsea
Town Hall
Hornton Street
London W8 7NX

Our ref: PL00745082

By email: Daniel.massey@rbkc.gov.uk

12th April 2021

Dear Mr Massey,

Re: Royal Brompton Hospital Supplementary Planning Document (SPD) Strategic Environmental Assessment screening consultation (March 2021)

Thank you for the opportunity to provide comments on the Royal Brompton Hospital Supplementary Planning Document Strategic Environmental Assessment (SEA) screening consultation. As the Government's adviser on the historic environment, and a statutory consultee in the context of SEA, Historic England is keen to ensure that the conservation and enhancement of the historic environment is fully taken into account at all stages and levels of the Local Plan process. Accordingly, we have reviewed this consultation in the context of the National Planning Policy Framework (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

On the basis of the information that you have provided us with Historic England agrees with the Council's conclusion that SEA is unlikely to be required for this SPD. This is because this SPD elaborates on existing policies that have already been subject to a sustainability appraisal and does not include or add site allocations for development. To that end the SPD should not lead to significant environmental effects on the local historic environment, albeit it does highlight opportunities to preserve and enhance heritage assets which is welcomed.

Please note that these comments do not relate to archaeology, advice on which has been provided by the Greater London Archaeological Advisory Service.

Finally I must note that this opinion is based on the information provided by you and for the avoidance of doubt does not take precedence over our obligation to advise you on, and potentially object to development proposals which may subsequently arise from this SPD and which may have adverse effects on the historic environment.



Historic England, 4th Floor, Cannon Bridge House, Dowgate Hill, London, EC4R 2YA
Telephone 020 7973 3700
HistoricEngland.org.uk



Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



Historic England

Yours sincerely,

David English

Development Advice Team Leader London

E-mail: david.english@HistoricEngland.org.uk

Direct Dial: 020 7973 3747



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Date: 31 March 2021
Our ref: 347108
Your ref: Royal Brompton Hospital SPD – SEA Screening Opinion



Mr D Massey
The Royal Borough of Kensington & Chelsea
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Crewe
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CW1 6GJ

BY EMAIL ONLY
Daniel.massey@rbkc.gov.uk

T 0300 060 3900

Dear Mr Massey

Screening opinion for Royal Brompton Hospital Supplementary Planning Document

Thank you for your consultation request on the above dated and received by Natural England on 18th March 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.

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.

Natural England agrees with your opinion – an SEA is not required.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk

Yours sincerely

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Massey, Daniel: RBKC

Sent:
To:
Subject:

Dear Daniel,

Thank you for consulting us on the SEA screening for the SPD.

We have no concerns within our remit for the site in question and therefore agree with your findings that an SEA is required.

Kind regards

Chris Padley StMIEnvSc.

Planning Strategy Specialist, Hertfordshire and North London Sustainable Places

Environment Agency | Alchemy, Bessemer Road, Welwyn Garden City, Hertfordshire, AL7 1HE

HNL SustainablePlaces@environment-agency.gov.uk

External: 02084 749329

Pronouns: he/him/his ([why is this here?](#))



Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who will be a single point of contact for you at the EA, giving you detailed specialist advice. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#).

From: Massey, Daniel: RBKC [mailto:Daniel.Massey@rbkc.gov.uk]

Sent: 18 March 2021 10:06

To: HNL Sustainable Places <HNL SustainablePlaces@environment-agency.gov.uk>; 'david.english@historicengland.org.uk' <david.english@historicengland.org.uk>; SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>

Subject: SEA Screening - Royal Brompton Hospital SPD

Dear All,

Please see attached a SEA screening letter and screening assessment relating to the Royal Brompton Hospital SPD. I'd be grateful if you could respond in writing confirming whether or not you agree or

disagree with Kensington and Chelsea’s preliminary view that an SEA is not required to support the forthcoming SPD for this site. A link to the Draft SPD can be found [here](#)

If you have any further questions, do not hesitate to contact me.

Kind Regards,
Daniel

Daniel Massey MRTPI | Growth and Delivery Team Leader | Spatial Planning
Planning and Place | Royal Borough of Kensington and Chelsea

Phone: 07739 313 776
<http://www.rbkc.gov.uk/planning>

Register at MyRBKC to receive alerts about new planning applications and more:
<https://www.rbkc.gov.uk/global/myrbkc/register-myrbkc-account>

The Royal Borough of Kensington and Chelsea.
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