



WIRRAL BOROUGH COUNCIL

LOCAL PLAN FOR WIRRAL

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND
PROGRAMMES REGULATIONS 2004**

REGULATION 9

FINAL DETERMINATION

**HOUSEHOLDER DEVELOPMENT
SUPPLEMENTARY PLANNING DOCUMENT**

JUNE 2026

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1. SEA PURPOSE AND SCREENING

- 1.1 The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC (SEA Directive). This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004¹. Detailed guidance of these regulations can be obtained via in the Government publication, 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005).
- 1.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects must be subject to an environmental assessment.
- 1.3 Screening is the process for determining whether an SEA is required. The screening process is undertaken in two parts: the first assesses whether the plan falls within the scope of the SEA Regulations and the second part of the assessment considers whether the plan is likely to have a significant effect on the environment. To make a full determination three statutory bodies must be consulted: Historic England, Environment Agency, and Natural England.
- 1.4 The Planning Practice Guidance (PPG) discusses SEA requirements in relation to Supplementary Planning Documents (SPDs) in paragraph 008 reference 11-008-20140306. The PPG states that:

'Supplementary planning documents do not require a Sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the relevant strategic policies.'

and later in the same section:

"Before deciding whether significant environment effects are likely, the local planning authority will need to take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies."

2 THE PROPOSED HOUSEHOLDER DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

- 2.1 SPDs build upon and provide more detailed advice or guidance in relation to policies contained in an adopted local plan. SPDs cannot introduce new planning policies, nor can they add unnecessary financial burdens on development. SPDs are capable of being a material consideration in planning decisions but are not part of the Development Plan. The requirements for producing SPDs are set out, at the current time, in Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- 2.2 The purpose of the Householder Development SPD is to supplement planning policies in the adopted Wirral Local Plan for householder development proposals,

¹ SI 2004/1633 hereinafter referred to as "the 2004 Regulations"
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including extensions and alterations to an existing single dwelling and works within the curtilage of an existing dwelling. It will replace the existing Supplementary Planning Guidance Note 11- House Extensions.

- 2.3 The SPD supplements the following policies within the Wirral Local Plan (adopted 31st March 2025):

WS 1 – The Development and Regeneration Strategy for Wirral 2022–2040
WS 6 – Placemaking for Wirral
WS 7 – Principles for Design
WD 1 – Landscaping
WD 5 – Residential Extensions
WD 23 – Design Details

3.0 Report of Considerations

- 3.1 The Householder Development SPD falls within the scope of the 2004 SEA Regulations on the basis that:

- The SPD is a plan and programme as defined in Regulation 2;
- The SPD will form part of the framework for future development consent of projects; and
- The SPD will apply to a wider area than a small area at local level.

- 3.2 A determination under Regulation 9(1) was, therefore, required as to whether the SPD is likely to have significant environmental effects. The criteria for determining the likely significance of effects on the environment are contained in Schedule 1 of the 2004 Regulations.

- 3.3 In the scoping documents for the Householder Development SPD, the Council's stated position was that the SPD builds on policies in the adopted Wirral Local Plan, which were subject to SA/SEA and detailed scrutiny at the Local Plan Examination. Furthermore, the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 had been taken into consideration and it was the view of Wirral Council that these had not been triggered to the extent that it was necessary for SEAs to be undertaken of either SPD. Consultees (which included the three Statutory bodies specified in the SEA Regulations - Natural England, Historic England and the Environment Agency) were requested to indicate whether they believed SEA was needed and if so set out the exceptional circumstances which required one to be undertaken. No responses stated that SEA was required.

- 3.4 At draft SPD consultation stage, no consultees (which included the three statutory bodies) indicated that SEA was required.

- 3.5 The Council's assessment of the SPD against the criteria in Schedule 1 of the SEA Regulations is set out in Appendix 1.

4 FINAL DETERMINATION

- 4.1 Wirral Borough Council, as the responsible authority under the terms of the Environmental Assessment of Plans and Programmes Regulations 2004 has, on the basis of its assessment against the criteria in Schedule 1 and Regulation 14 of the 2004 Regulations, and the responses of the Consultation Bodies, determined that the Householder Development Supplementary Planning Document is not likely to have significant environmental effects and that an environmental report is not be required.

Appendix 1 - Criteria assessment of likely significance of SPD effects on the environment

Schedule 1 Criteria	Assessment of SPD potential effects	Likely significant impact?
1. The characteristics of the 'plans and programmes' 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 SPD will provide further guidance to support existing Wirral Local Plan Policies. It will therefore contribute to the framework for future development in the Wirral. The SPD will form a material consideration in planning application decisions. The SPD will not allocate sites for development and as such, the SA/SEA carried out as part of the Wirral Local Plan is considered sufficient.	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD will not create new policies but rather will provide further guidance to support implementation of existing policies in the adopted the Wirral Local Plan.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to support implementation of Policies in the Wirral Local Plan, which has been SA/SEA assessed. The Local Plan has an overall objective to promote sustainable development.	No
(d) environmental problems relevant to the plan or programme; and	There are no negative environmental issues associated with this SPD. The SPD will support implementation of Wirral Local Plan Policies in relation to Householder development.	No
(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).	The SPD supports implementation of policies in the Wirral Local Plan. The adopted Wirral Local Plan has had regard to the European Community legislation on the environment, and therefore, this legislation will not have any direct relevance to this SPD.	No

2. Characteristics of the likely effects having regard (in particular) to:		
(a) the probability, duration, frequency, and reversibility of the effects;	The SPD does not allocate sites for development but rather provides guidance to support implementation of Local Plan policies. Any environmental impacts that may occur because of development provided for in the Wirral Local Plan have been assessed accordingly in the SA/SEA and evidence produced to support the adopted Wirral Local Plan.	No
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects as the document will provide further guidance to the adopted Wirral Local Plan policy, which was subject to a comprehensive SA/SEA. The Appropriate Assessment of the HRA undertaken to support the Wirral Local Plan concluded that with the mitigation the Plan provides (as modified), it will not give rise to an adverse effect upon the integrity of any relevant sites, either alone or in combination with other plans or projects	No
(c) the transboundary nature of the effects;	Any potential significant transboundary environmental effects have already been assessed as part of the Wirral Local Plan SA/SEA, the Habitats Regulation Assessment and the Wirral Local Plan examination process.	No
(d) the risks to human health or the environment (e.g., due to accidents);	The SPD poses no risk to human health or the environment.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude and spatial extent of any effects is not expected to be significant because of their localised nature. The effects of the SPD will be at the Wirral wide scale and lower.	No
(f) 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; or. (iii) intensive land-use; and	The SPD will not promote greater residential development than is already set out in the adopted Wirral Local Plan, which also includes policies to mitigate the impacts of recreational pressures on the Internationally designated sites around the Wirral Coastline in particular Policy WS5. Given that the SPD will not allocate sites for future development and is intended to provide detailed guidance to expand upon existing policies of the Wirral Local Plan in relation to existing single dwellings, it will not lead to significant further intensification of local land use.	No

(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	The SPD is not expected to adversely impact on landscapes which have national, community or international protection.	No
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