

Ipswich Borough Council Draft Urban Characterisation Supplementary Planning Document

Strategic Environmental Assessment Screening Report, June 2014

1. Introduction

- 1.1 Ipswich Borough Council is preparing a supplementary planning document (SPD) about the urban character of different areas of Ipswich Borough. The preparation of the SPD is a response to both national and local planning policy.
- 1.2 The National Planning Policy Framework March 2012 has increased the obligation on local planning authorities to take the initiative in identifying and responding to locally distinctive design issues. In addition, the Council's adopted Core Strategy and Policies Development Plan Document December 2011 (the 'Core Strategy') contains policy commitments on the production of an urban characterisation study to ensure that all development protects and enhances the character and distinctiveness of the town (see policies CS2 and DM5).
- 1.3 Thus the SPD does not create new policy but provides detail in respect of local and national policies, which require local distinctiveness to be protected and enhanced through the planning of development.

2. Legislative Background

- 2.1 This screening report is designed to test whether or not the Ipswich Urban Characterisation SPD requires a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA).
- 2.2 The basis for SEA and SA legislation is the European Directive 2001/42/EC on 'the assessment of the effects of certain plans and programmes on the environment.' It is known as the 'SEA Directive'. The SEA Directive was transposed into English law by the Environment Assessment of Plans and Programmes Regulations 2004, or the 'SEA Regulations'. Detailed guidance on these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' published in September 2005.
- 2.3 It is considered best practice to incorporate the requirements of the SEA Directive into an SA. The Planning and Compulsory Purchase Act 2004 required local planning authorities to prepare an SA for each local development document (see section 39(2)). The Planning Act 2008 subsequently removed the requirement to undertake an SA for an SPD (Part 9, Chapter 2, paragraph 180 of the 2008 Planning Act amended section 19, subsection 5 of the 2004 Planning and Compulsory Purchase Act). However, an SEA may still be needed, as the requirement to undertake SEA applies to plans and programmes which are subject to preparation or adoption by an authority at a local level.
- 2.4 The fundamental consideration is whether the document may have 'significant environmental effects'. The best way to determine this is to carry out a screening procedure. If the screening procedure indicates that there could be significant effects, an SEA is needed. Therefore this report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed. It is a requirement to consult

three statutory bodies on the SEA screening: Natural England, English Heritage and the Environment Agency. Therefore this report has been sent to the bodies with an invitation to comment.

3. Criteria for assessing the effects of Supplementary Planning Documents

3.1 Criteria for determining the likely significant effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

- (a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
- (b) the degree to which the plan influences other plans and programmes including those in a hierarchy;
- (c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d) environmental problems relevant to the plan or programme;
- (e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans linked to waste management or water protection).

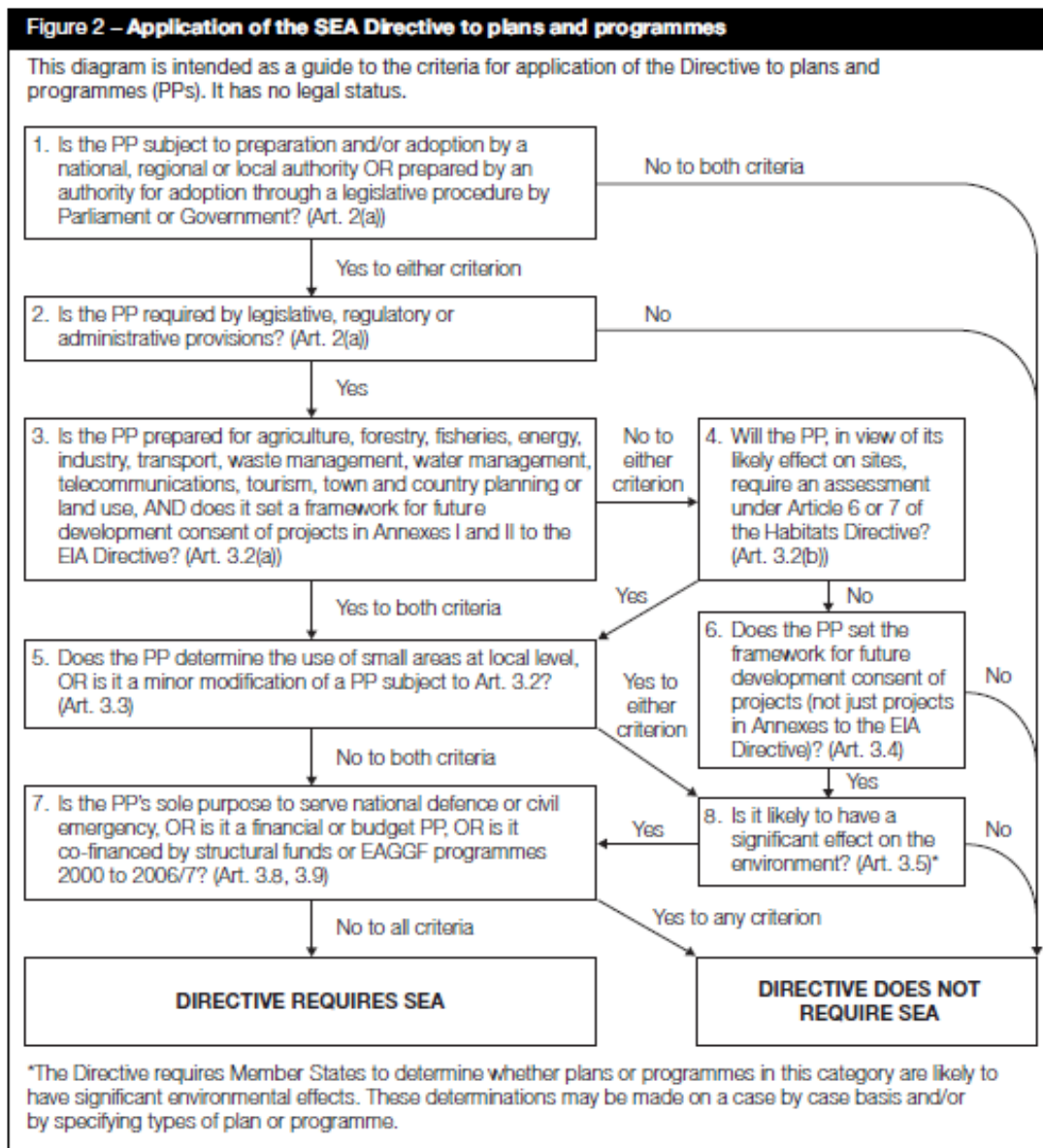
3.2 Also to be considered are the characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- (a) the probability, duration, frequency and reversibility of the effects;
- (b) the cumulative nature of the effects;
- (c) the transboundary nature of the effects;
- (d) the risks to human health or the environment (for example, due to accidents);
- (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (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
- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

(Source: Annex 2 of the SEA Directive 2001/42/EC)

4. Assessment

4.1 The following diagram illustrates the process for screening a planning document to ascertain whether a full SEA is needed.



Source: A Practical Guide to the Strategic Environmental Assessment Directive, ODPM, 2005

4.2 The questions from the diagram above, which illustrates how the SEA Directive should be applied, have been put in Table 1 below together with the screening assessment for the draft Ipswich Urban Characterisation SPD.

Table 1 Screening of the draft Ipswich Urban Characterisation SPD

SEA Screening Questions	Screening assessment of the draft Ipswich Urban Characterisation SPD
<p>1. Is the plan or programme 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))?</p>	<p>Yes – the SPD is prepared and adopted by a local planning authority, Ipswich Borough Council.</p> <p>(Yes to either criterion, go to question 2)</p>
<p>2. Is the plan or programme required by legislative, regulatory or administrative provisions (Art. 2(a))?</p>	<p>Yes – the statutory development plan commits to its preparation and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012</p> <p>(Yes – go to question 3)</p>
<p>3. Is the plan or programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set the framework for future development consent for projects listed in Annexes I and II to the EIA Directive (Art 3.2(a))?</p>	<p>Yes – it is an SPD prepared for town and country planning and land use and it provides detail to the Core Strategy policy framework for the future consent of projects listed in Annexes I and II of the EIA Directive (which includes for example ‘urban development projects’).</p> <p>(Yes to both criteria, go to question 5)</p>
<p>5. Does the plan or programme determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Ar. 3.2 (Art. 3.3)?</p>	<p>Yes to both – the SPD applies to any developments within the character areas identified within Ipswich Borough. It provides detailed guidance to adopted Core Strategy policy.</p> <p>(Yes to either criterion, go to question 8)</p>
<p>8. Is it likely to have a significant effect on the environment (Art. 3.5)?</p>	<p>No.</p> <p>The purpose of the SPD is to provide guidance to assist in the interpretation of adopted Core Strategy Policies, the aim of which is to improve the quality of building design and protect the distinctive character of neighbourhoods. It is the policy rather than the SPD which would have effects.</p> <p>The SPD provides detail to one aspect of the</p>

	<p>design and layout of developments. The assessment of character includes consideration of biodiversity features. The policy to which the guidance relates was itself subject to SA and SEA through the Core Strategy preparation process.</p> <p>Therefore the draft SPD will not have any significant effects on the environment. In coming to this view, due regard has been had to Annex II of the SEA Directive (2001/42/EC). The considerations of Annex II (2)¹ were fully examined as part of the SA report for the adopted Core Strategy and Policies DPD (see Appendix 1).</p> <p>(No - Directive does not require SEA).</p>
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4.3 It is expected that the SPD will have no significant environmental effects. The effect of the SPD will be to ensure that new development is designed in a way that protects and enhances local character and distinctiveness and, therefore, any effects will be on the visual environment and will be positive.

5. Conclusion

5.1 The Council considers that the draft Ipswich Urban Characterisation SPD does not require a full SEA to be undertaken, as it will not have significant environmental effects.

¹ See paragraph 3.2 above

Appendix 1

Annex II 2 Characteristics of the effects and of the area likely to be affected

<p>- the probability, duration, frequency and reversibility of the effects,</p>	<p>The purpose of the SPD is to provide guidance to assist in the interpretation of adopted Core Strategy Policies (which have been subject to SEA) – the aim of which is to improve the quality of building design and protect the distinctive character of neighbourhoods. It is the policy rather than the SPD which would have effects.</p>
<p>- the cumulative nature of the effects,</p>	<p>There would be no cumulative effects.</p>
<p>- the transboundary nature of the effects,</p>	<p>There would be no transboundary effects.</p>
<p>- the risks to human health or the environment (e.g. due to accidents),</p>	<p>There would be no risks to human health or the environment.</p>
<p>- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</p>	<p>There would be no adverse effects. Also development opportunities within Ipswich are limited as the area is already built up, and few development sites are large, therefore the magnitude and extent of any effects would be small.</p>
<p>- the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, 	<p>The draft SPD does not apply to designated conservation areas or relate to environmental standards. The urban areas of Ipswich are intensively used but the SPD will help to ensure that the quality of building design is better than it would otherwise be.</p>
<p>- the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>There are no areas of such status within the character areas identified.</p>