

# **Ipswich Borough Council Draft Shop Front Design Guide Supplementary Planning Document**

## **Strategic Environmental Assessment Screening Report (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004)**

**November 2015**

### **1. Introduction**

- 1.1 Ipswich Borough Council is preparing a Supplementary Planning Document (SPD) to help inform the design of new or replacement shop fronts in the 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 (NPPF) recognises the importance of high quality design and requires planning policies and decisions to ensure that developments function well, establish a strong sense of place, respond to local character, create safe environments and are visually attractive. The NPPF supports planning authorities in using design codes to achieve these outcomes, and this SPD provides guidance on how good design of shop fronts can be achieved within Ipswich Borough.
- 1.3 The Council's adopted Core Strategy and Policies Development Plan Document December 2011 (the 'Core Strategy') contains policy DM5 which seeks to secure high quality design, plus policy DM8 seeks to conserve and enhance Conservation Areas and policy DM9 sets out a presumption in favour of retaining and repairing buildings of townscape interest. National policy is relied upon for protecting Listed Buildings, as currently set out in the National Planning Policy Framework. The local policies above are subject to review through the current Core Strategy Review but no amendments are proposed which would change the overall focus of the requirements of the policies. This is with the exception of changes to policy DM8 where it is proposed to include policy on Listed Buildings under which the Council would seek to ensure that any alterations would enhance the character, features and setting of the building and would resist any development which would adversely affect their historical significance.
- 1.4 Thus the SPD does not create new policy but provides detail in respect of the implementation of policies identified above which aim to ensure high standards of design. The primary purpose of the SPD is to provide detailed guidance for anyone intending to create a new shop front or alter an existing one. The SPD will provide guidance on each element of the shop front including fascias, windows, doors and doorways, stallrisers, material, colours, signs, lettering, canopies and blinds, illumination, shutters and grilles, forecourts and requirements for access into the shop.

### **2. Legislative Background**

- 2.1 This screening report is designed to test whether or not the Shop Front Design Guide SPD requires a Strategic Environmental Assessment (SEA). Following amendments to the 2004 Planning and Compulsory Purchase Act via the 2008 Planning Act<sup>1</sup>, Sustainability Appraisal (SA) is no longer required for Supplementary Planning Documents. However the adopted policies to which the Supplementary Planning Document relates have been subject to both SA and SEA as part of their production.

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<sup>1</sup> Part 9, Chapter 2, paragraph 180 of the 2008 Planning Act amended section 19, subsection 5 of the 2004 Planning and Compulsory Purchase Act

- 2.2 The requirement for SEA is established through 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 The requirement to undertake SEA applies to plans and programmes which are subject to preparation or adoption by an authority at a national, regional or local level. In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have 'significant environmental effects'. The best way to determine this is to carry out a screening assessment. If the screening assessment 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.
- 2.4 A separate statement has been produced which assesses the need for assessment under the Habitats Regulations.

### **3. Criteria for assessing the effects of Supplementary Planning Documents**

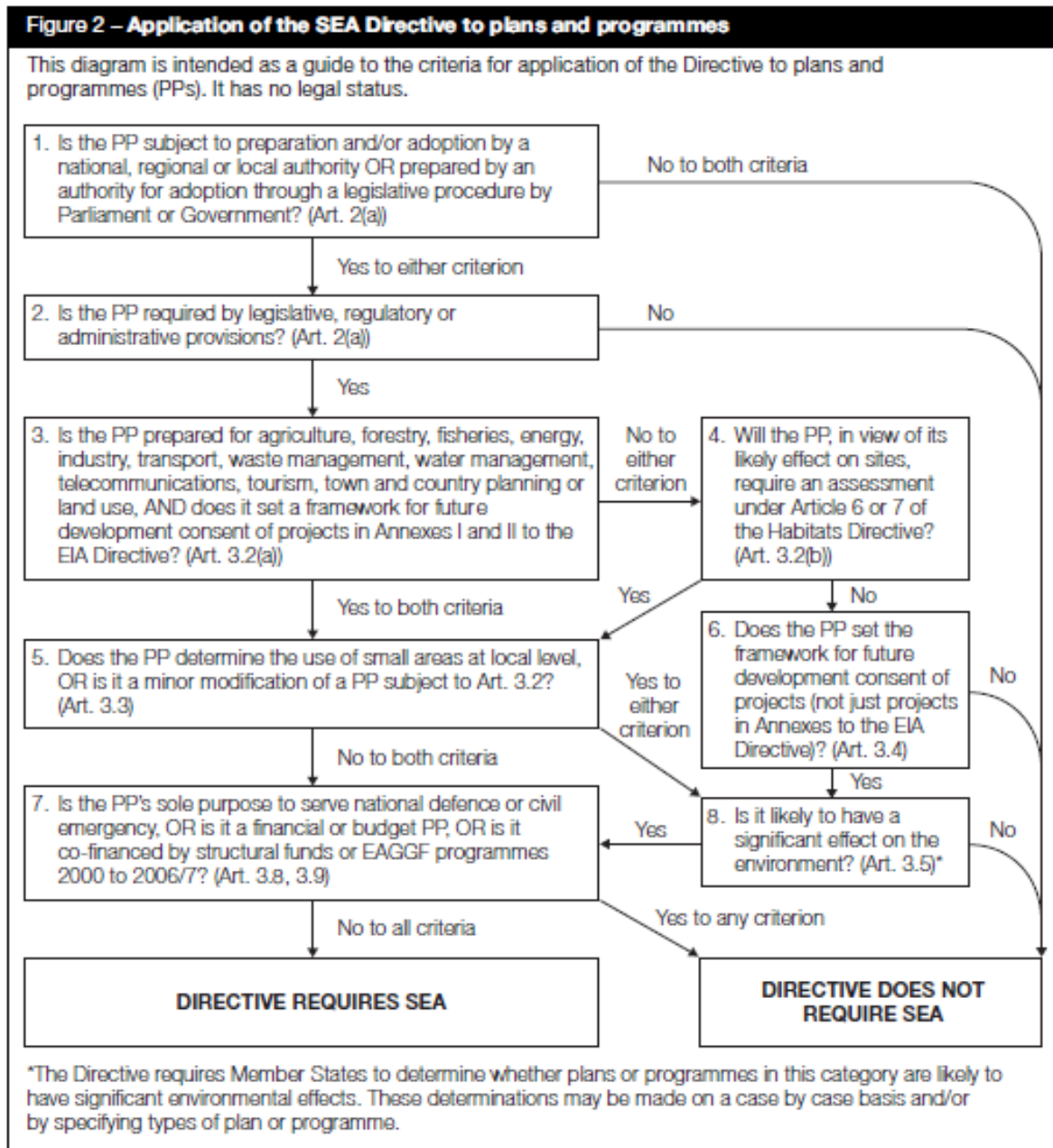
- 3.1 Criteria for determining the likely significant effects referred to in Article 3(5) of Directive 2001/42/EC<sup>2</sup> are set out below:
- (a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions 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.

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<sup>2</sup> Annex II of the SEA Directive

#### 4. Assessment

4.1 The following diagram illustrates the process for screening a planning document to ascertain whether a full SEA is needed, based upon the considerations set out in sections 2 and 3 above.



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 Shop Front Design Guide SPD.

**Table 1: Screening of the draft Ipswich Shop Front Design Guide SPD**

SEA Screening Questions	Screening assessment of the draft Ipswich Shop Front Design Guide SPD
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>Yes – the SPD is prepared and adopted by a local planning authority, Ipswich Borough Council.</p> <p><b>(Yes to either criterion, go to question 2)</b></p>
2. Is the plan or programme required by legislative, regulatory or administrative provisions (Art. 2(a))?	<p>Yes – the SPD is produced as part of the delivery of the statutory Development Plan and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012</p> <p><b>(Yes – go to question 3)</b></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>Yes – it is an SPD prepared for town and country planning and land use however it relates only to the design of new or replacement shop fronts and therefore is unlikely in itself to set a framework for future development consent for projects listed in Schedule II of the EIA Directive.</p> <p><b>(No to either criterion, go to question 4)</b></p>
4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	<p>No – see separate assessment</p> <p><b>(Yes – go to question 6)</b></p>
5. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)?	<p>Yes – the SPD will be a material consideration in the consideration of planning applications for new or replacement shop fronts in Ipswich.</p> <p><b>(Yes – go to question 8)</b></p>
8. Is it likely to have a significant effect on the environment (Art. 3.5)?	<p>No.</p> <p>The purpose of the SPD is to provide guidance to assist in the interpretation of adopted policies in the Core Strategy and Policies DPD. The policies to which the SPD relates were themselves subject to SEA (incorporated within the SA) through the Core Strategy preparation process. The SPD will not influence the nature or location of shop developments / changes of use but will provide guidance over their design.</p> <p>Therefore the SPD will not itself have any significant effects on the environment. The production of the SPD may assist in</p>

	<p>addressing some potential negative / uncertain effects identified through the SA process in relation to the impact of new retail development on townscape character, as well as reinforcing the positive effects of those policies which seek to protect and enhance the townscape and historic buildings.</p> <p>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)<sup>3</sup> were fully examined as part of the SA report for the adopted Core Strategy and Policies DPD (see Appendix 1).</p> <p><b>(No - Directive does not require SEA).</b></p>
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4.3 Based on the assessment contained in the table above, it is expected that the SPD will have no significant environmental effects. The effect of the SPD will be to ensure that new shop fronts and alterations to shop fronts are designed in a way that protects and enhances local character and, therefore, any effects will be mostly visual and will be positive.

## 5. Conclusion

5.1 SEA is not required in relation to the production of the Ipswich Shop Front Design Guide SPD.

5.2 In accordance with Regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004 the three statutory consultees, the Environment Agency, Historic England and Natural England, have been consulted on the Screening Assessment. Natural England agree that an SEA is not required. Historic England also agree that an SEA is not required although requested that further information be included in relation to effects on historic assets. Further reference to potential effects on historic assets has therefore been included within the assessment in Appendix 1. No response was received from the Environment Agency.

5.3 This conclusion represents the Council's determination under Regulation 9(1) of the 2004 Regulations.

Date of determination -11<sup>th</sup> November 2015

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<sup>3</sup> See paragraph 3.2 above

**Appendix 1: Consideration of the characteristics of the effects and of the area likely to be affected (see 3.1, 3.2 and question 8 in Table 1 above)**

<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 SPD is predicted to reinforce the positive effects identified through the SA of the Core Strategy and Development Policies and also address potential negative effects that were identified including the potential for new retail development to have a negative effect on townscape character. These additional positive effects would not amount to a significant effect in SEA terms.</p>
<p>- the cumulative nature of the effects,</p>	<p>As the SPD is expected to lead to better shop front design and there are likely to be cumulative positive effects over time.</p>
<p>- the transboundary nature of the effects,</p>	<p>There would be no transboundary effects as the SPD relates only to the design of shop fronts within Ipswich.</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. The SPD contains guidance relating to shop fronts, including how people access them.</p>
<p>- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</p>	<p>Whilst any effects are likely to be positive, as outlined above, the magnitude and extent of such effects is likely to be localised to shop fronts and their surroundings within Ipswich.</p>
<p>- the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage,</li> <li>- exceeded environmental quality standards or limit values,</li> <li>- intensive land-use,</li> </ul>	<p>Ipswich has 15 conservation Areas and 603 Listed Buildings and is an area of archaeological importance with remains of all periods in the historic core. The SPD is expected to have a positive effect on these assets as well as the townscape in general. Much of the Central Shopping Area coincides with the Central Conservation Area and many shops within the town are in Listed Buildings. Therefore it is likely that the SPD will in particular have positive impacts upon these assets, as well as for assets without statutory protection including buildings on the Ipswich Local List. The SPD would not influence the principle of development which would be established through adopted policies which have been subject to SEA.</p>
<p>- the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>Part of the Stour and Orwell Estuaries Special Protection Area, Ramsar and SSSI (Site of Special Scientific Interest) and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty are within Ipswich Borough in addition to a further two</p>

	<p>SSSIs. The principle and location of shops is guided by other policies in the Core Strategy and Policies DPD and there would therefore be no effects on these areas resulting from the SPD itself.</p>
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