

## Ipswich Borough Council

### Strategic Environmental Assessment Screening Report (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004) for the Ipswich Borough Council Draft Development and Archaeology Supplementary Planning Document (SPD), February 2018.

#### Introduction

Ipswich Borough Council is preparing a Development and Archaeology Supplementary Planning Document (SPD) to implement the following policies, set out in the Ipswich Local Plan (2017):

- CS4 Protecting Our Assets – this strategic policy states that:  
*The Council is committed to conserving and enhancing the Borough's built, heritage, natural and geological assets.*

*The Council will conserve and enhance the character and appearance of conservation areas, by preparing character appraisals and using them to guide decisions about development. The Council will also conserve and enhance heritage assets within the Borough through its development management policies, the use of planning obligations to secure the enhancement and promotion of the significance of any heritage asset, the maintenance of a list of buildings and other heritage assets of local importance, and taking steps to reduce the number of heritage assets at risk.;*

- DM8 Heritage Assets and Conservation – this policy states that:  
c. Archaeology

*Development will not be permitted which may disturb remains below ground, unless the proposal is supported by an appropriate assessment of the archaeological significance of the site and, if necessary, a programme of archaeological investigation in accordance with that assessment. Such assessments should be proportionate to the importance of the site. Sites within the Area of Archaeological Importance are highly likely to contain significant archaeology.*

*Planning permission will not be granted if the remains identified are of sufficient importance to be preserved in situ and cannot be so preserved in the context of the development proposed, taking account of the necessary construction techniques to be used.*

*Where archaeological potential is identified but there is no overriding case for any remains to be preserved in situ, development which would destroy or disturb potential remains will be permitted, subject to an appropriate programme of archaeological investigation, recording, reporting and archiving.*

- Those site allocations made through the Site Allocations and Policies (incorporating IP-One Area Action Plan) development plan document, which are accompanied by site sheets in Appendix 3A of the plan that identify the requirement for archaeological investigation, monitoring of groundworks, etc.

Specifically, this SPD seeks to:

- Promote a high level of understanding in assessing the archaeological potential of any development site, thereby minimising the risk of unexpected discoveries and thus reducing associated costs;
- Provide further guidance to applicants on the likely archaeological works that will be expected for their sites;

- Explain the procedures which applicants or their representatives will need to follow at each stage in the planning application and development process; and
- Promote the Historic Environment of Ipswich as a positive contributor to the identity and regeneration of the town.

### **What is the purpose of this statement?**

The purpose of this statement is to assess the need for a Strategic Environmental Assessment (SEA) in relation to the Development and Archaeology Supplementary Planning Document (SPD).

The SPD does not create new policy but provides detail in respect of the implementation of the policies identified above. The SPD will provide further information to applicants so that development can proceed in a timely, appropriate, legally and policy compliant manner in Ipswich.

### **What is the legislative background?**

This screening report is designed to test whether or not the Development and Archaeology Supplementary Planning Document (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.

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.

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.

A separate statement has been produced which assesses the need for assessment under the Habitats Regulations.

### **What are the criteria for assessing the effects of Supplementary Planning Documents?**

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;

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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

<sup>2</sup> As set out in Annex II of the Directive

- (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).

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

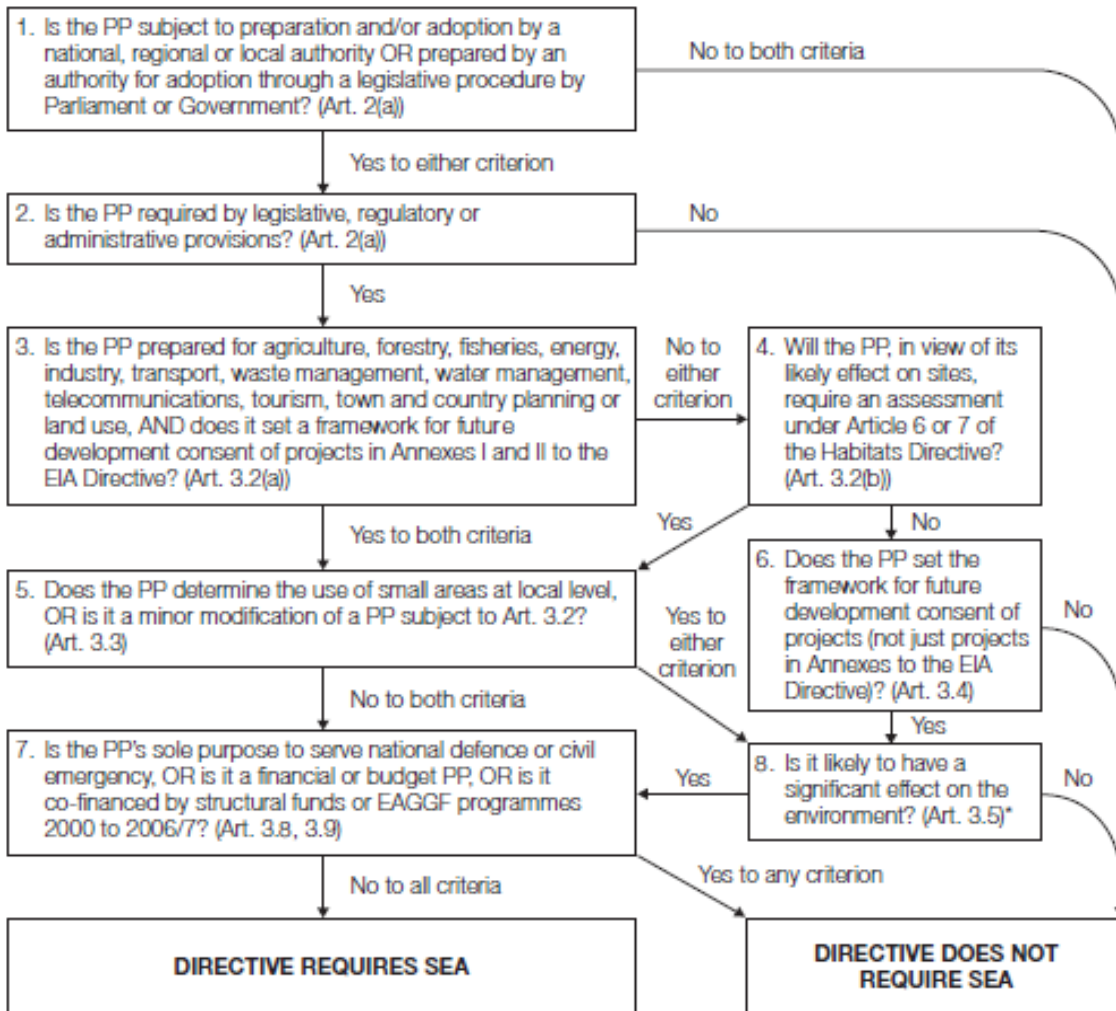
- (a) the probability, duration, frequency and reversibility of the effects;
- (b) the cumulative nature of the effects;
- (c) the transboundary nature of the effects;
- (d) the risks to human health or the environment (for example, due to accidents);
- (e) the magnitude and spatial extent of the effects (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.

### **How is the SPD assessed?**

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.

**Figure 2 – Application of the SEA Directive to plans and programmes**

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



\*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.

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

The questions from the diagram above, which illustrates how the SEA Directive should be applied, have been put in Table 2 below together with the screening assessment for the Development and Archaeology Supplementary Planning Document (SPD).

**Table 2: Screening of the draft Development and Strategy Supplementary Planning Document (SPD)**

SEA Screening Questions	Screening assessment of the draft Development and Archaeology 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))?	Yes – the SPD is prepared and adopted by a local planning authority, Ipswich Borough Council.  <b>(Yes to either criterion, go to question 2)</b>
2. Is the plan or programme required by legislative, regulatory or administrative provisions (Art. 2(a))?	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  <b>(Yes – go to question 3)</b>
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 of the EIA Directive (Art 3.2(a))?	Yes – it is an SPD prepared for town and country planning and land use. However, it relates only to the detailed approaches for dealing with archaeology in new developments and it provides detail to support existing planning policies in the adopted Local Plan. Therefore, it is unlikely in itself to set a framework for the future consent of projects listed in Annexes I and II of the EIA Directive (which includes for example ‘urban development projects’).  <b>(No to either criterion, go to question 4)</b> <b>(Yes to both criteria, go to question 5)</b>
4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	No – see separate Habitats Regulations Assessment screening assessment  <b>(No – go to question 6)</b>
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)?	Yes – the SPD will be a material consideration in the consideration of planning applications in Ipswich.  <b>(Yes – go to question 8)</b>
8. Is it likely to have a significant effect on the environment (Art. 3.5)?	No.  The purpose of the SPD is to provide supporting information to assist in the interpretation of the adopted Ipswich Local Plan 2017. The policies to which the SPD relates were themselves subject to SEA (incorporated within the SA) through the Local Plan preparation process. The SPD will not influence the principle of requiring archaeological considerations to be addressed, which is established through policy. It simply advises applicants of their responsibilities at different application

	<p>and development stages and where to find information and advice.</p> <p>Therefore, the SPD will not itself have any significant effects on the environment, and may assist in addressing potential negative effects identified in the SEA of the relevant adopted policies, e.g. through ensuring that archaeological matters can be addressed in the light of the most full and relevant information available. 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) were fully examined as part of the SA report for the adopted Core Strategy and Policies DPD Review as part of the Ipswich Local Plan (see Appendix 1).</p> <p><b>(No - Directive does not require SEA).</b></p>
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Based on the assessment contained in the table above, it is expected that the SPD itself will have no significant environmental effects. The effect of the SPD will be to ensure that the Council will meet its duty to comply with legislation when delivering the Ipswich Local Plan.

### **Conclusion**

SEA is not required in relation to the production of the Development and Archaeology Supplementary Planning Document (SPD).

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 (formerly English Heritage) and Natural England, have been consulted on the Screening Assessment.

Responses were received from Natural England and Historic England. Natural England agrees with the conclusion that 'SEA is not required in relation to the production of the Development and Archaeology Supplementary Planning Document (SPD) as it will not in itself have any significant effects on the environment.' Historic England confirmed that it concurs with the assessment that an SEA is not required.

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

Date of determination: 17<sup>th</sup> May 2018

**Appendix 1: Consideration of the characteristics of the effects and of the area likely to be affected (see (a) to (g) on page 3 and question 8 in Table 1 above)**

Characteristics of Effects	Relationship to Archaeology SPD
<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 Local Plan Policies (which have been subject to SEA). The SPD is predicted to reinforce the positive effects identified through the SA of the Local Plan which is to conserve and enhance the historic environment. It should be acknowledged that whilst the SPD provides guidance on topics in relation to archaeology, they are addressed through policies CS4 and DM8. 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 produce high-quality solutions, which respect and enhance the historic environment while helping to maintain the distinctiveness and variety of the places which characterise Ipswich, 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.</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>Any effects are likely to be positive, as outlined above. The magnitude and extent of such effects is likely to be localised to mitigate the effects of development on archaeological remains for individual sites within Ipswich Borough.</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>Any effects are likely to be positive in terms of cultural heritage.</p>
<p>- the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The SPD aims to enhance the historic environment (including areas or landscapes which have a recognised national, Community or international protection status) while helping to maintain the distinctiveness and variety of the places which characterise Ipswich.</p> <p>The principle and location of housing and other development is guided by other policies in the Core Strategy and Policies</p>

	DPD Review as part of the adopted Local Plan and there would therefore be no effects on these areas resulting from the SPD itself.
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