

## 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 Ipswich Town Centre and Waterfront Public Realm Strategy Supplementary Planning Document (SPD), July 2018.

#### Introduction

Ipswich Borough Council is preparing an Ipswich Town Centre and Waterfront Public Realm Strategy which is to be adopted as a Supplementary Planning Document (SPD). At its core there are four objectives to help improve the area's quality

- Improving connectivity between key places in Ipswich
- Improving legibility and permeability
- Strengthening north-south axes across the town centre to the waterfront.
- Creating a coherent identity for the town centre.

The term 'Public realm' is used to describe the shared spaces between buildings, including streets and squares, to which the public has free access. The Public Realm Strategy SPD will support the implementation of the following policies and proposals of the Ipswich Local Plan (2017):

- CS2 The Location and Nature of Development - this strategic policy states that:  
*The regeneration and sustainable growth of Ipswich will be achieved through:*  
*g. Development demonstrating principles of very high quality architecture and urban design and which enhances the public realm.*
- 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.*
- DM5 Design and Character – this detailed development management policy states that:  
*The Council will require all new development to be well designed and sustainable. In Ipswich this will mean:*  
*a. Layouts and designs that provide safe, attractive, permeable, legible and useable public realm for all users, which is pedestrian and cycle orientated;*  
*i. Provision of public art where this would be required to enhance the public realm and/or reinforce a sense of place ...;*
- SP15 Improving Pedestrian and Cycle Routes
- *The Council will support improvements to pedestrian and cycle routes within the IP-One area and linking the town centre to residential areas and beyond. ...;*
- The development principles set out for the Opportunity Areas A to F through the Site Allocations and Policies (incorporating IP-One Area Action Plan) development plan document, which identify the need for public realm improvements.

Specifically, this SPD seeks to:

- Set out a vision for a more connected, coherent public realm;
- Identify a 'Project Bank' consisting of all types of potential public realm projects and their locations within the study area;

- From the bank, propose a list of 'Focus Projects', which are described in detail, with design opportunities identified and plans showing possible design interventions;
- Provide guidance on good practice in street design specification, including the choice of materials and types of street surfacing, furniture, lighting and other features;
- Set out the considerations that need to be incorporated into planning of public realm works and the partnership working that is necessary to deliver the long term maintenance of public realm schemes; and
- Suggest possible funding routes for the priorities identified in the Project Bank.

### **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 Public Realm Strategy 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 Public Realm Strategy Supplementary Planning Document 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 this 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.

It has been concluded that there is no need to produce a separate assessment under the Habitats Regulations. A separate statement has been produced which assesses the need for assessment under the Habitats Regulations.

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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

## **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;
- (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?**

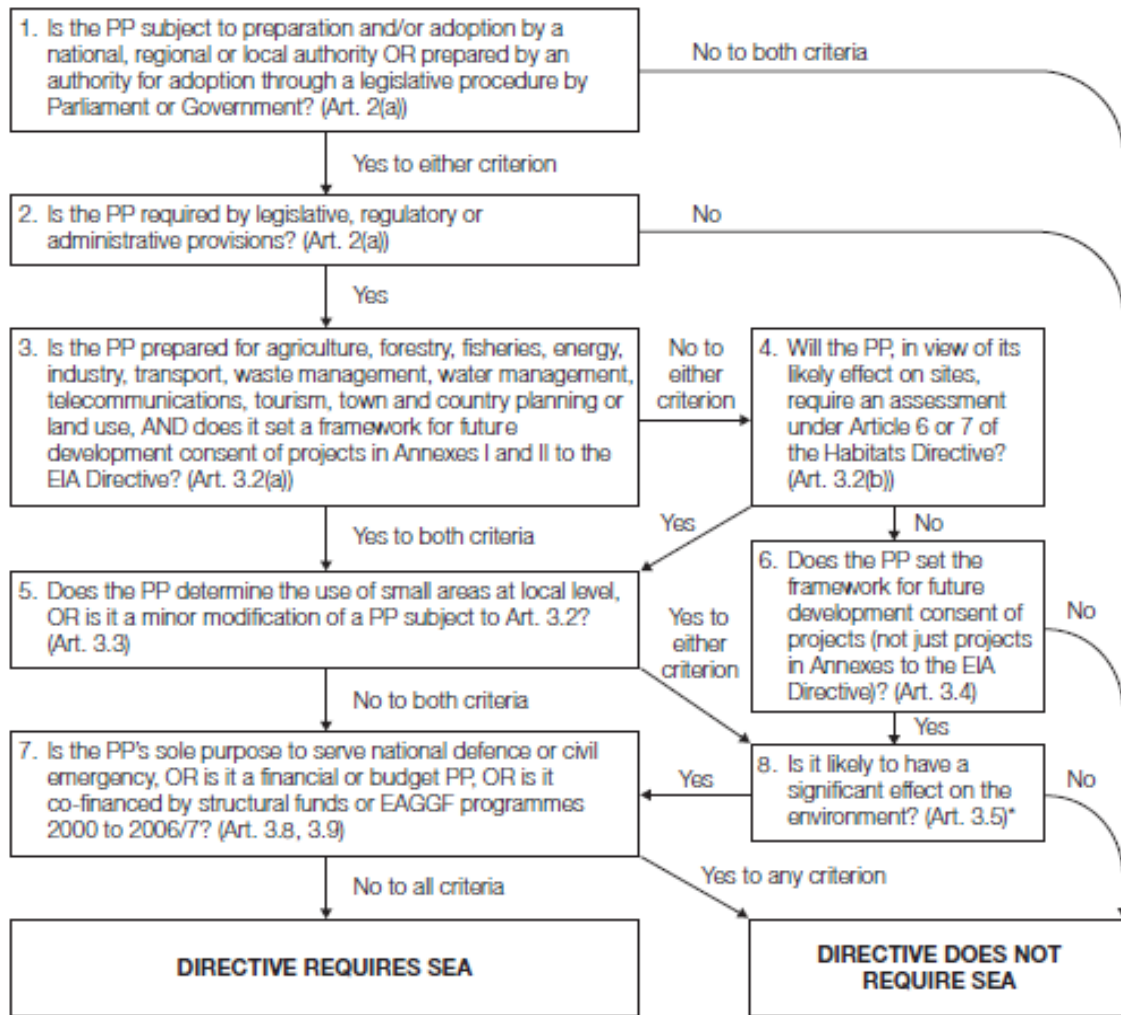
The following diagram illustrates the process for screening a planning document to ascertain whether a full SEA is needed, based upon the considerations set out in the sections above.

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

**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 Supplementary Planning Document (SPD).

**Table 2: Screening of the draft Ipswich Town Centre and Waterfront Public Realm Strategy Supplementary Planning Document Development (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 to the EIA Directive (Art 3.2(a))?	Yes – it is an SPD prepared in support of town and country planning and land use policies contained in an adopted Local Plan. However, it relates to the broad principles for the design and improvement of existing streets wherein the land uses are already established. NO - It will not set a framework for the future consent of projects listed in Annexes I and II of the EIA Directive.  Note for the sake of clarity while Annex II includes ‘urban development projects’ in its category 10 (Infrastructure) the range of projects indicated in this SPD are concerned with individual enhancement schemes of the existing street scene. None are of the order indicated in the lists requiring SEA which in all other respects relate to major and significant schemes such as power stations, heavy industrial, chemical and petrol installations, nuclear waste disposal etc.  <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 – No part of the SPD strategy area affects a European or Special Area of Conservation <b>(No – go to question 6)</b>
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)	Not applicable  <b>(Yes to either criterion, go to question 8)</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>

<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 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 serve to indicate those areas of Ipswich which are capable of being enhanced to the benefit of the existing built environment. It advises applicants of their responsibilities at different application and development stages.</p> <p>The SPD will not itself have any significant effects on the environment, other than to provide guiding principles for use in street and public space design projects within the SPD area. Some projects may involve the introduction of new planting but these are not considered to have a “significant” effect.</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 Ipswich Town Centre and Waterfront Public Realm Strategy 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, will need to be consulted. The conclusion will be confirmed following receipt of responses and will represent the Council’s determination under Regulation 9(1) of the 2004 Regulations.

Date of determination: *to be confirmed when consultee’s responses known*

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

Characteristics of Effects	Relationship to Public Realm SPD
<ul style="list-style-type: none"> <li>- the probability, duration, frequency and reversibility of the effects,</li> </ul>	<p>The purpose of the SPD is to provide guidance to assist in the enhancement of the public realm. The document provides guiding principles for use in relation to any of 55 individual street and public space design projects within the area. 12 “focus projects” are identified for the purposes of illustrating the design principles of the SPD and to aid their prioritisation as important projects within the strategy area. The effects of implementation would be long lasting but as the altered streetscapes are to be worked within existing hard landscaped streets any effects would not amount to “a significant effect” in SEA terms.</p>
<ul style="list-style-type: none"> <li>- the cumulative nature of the effects,</li> </ul>	<p>The SPD is expected to produce high-quality environmental schemes that 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, however, these will relate to the appearance of the town, rather than the environment or habitats that are present in the SPD strategy area.</p>
<ul style="list-style-type: none"> <li>- the transboundary nature of the effects,</li> </ul>	<p>There would be no transboundary effects.</p>
<ul style="list-style-type: none"> <li>- the risks to human health or the environment (e.g. due to accidents),</li> </ul>	<p>There would be no risks to human health or the environment.</p>
<ul style="list-style-type: none"> <li>- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</li> </ul>	<p>Any effects are likely to be positive, as outlined above. The magnitude and extent of such effects is likely to be localised to the effects of the enhancement schemes on individual streets within the identified project areas within Ipswich Borough.</p>
<ul style="list-style-type: none"> <li>- the value and vulnerability of the area likely to be affected due to: <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> </li> </ul>	<p>Any effects are likely to be positive in terms of cultural heritage and the economic and social well-being of the core of the Borough.</p>
<ul style="list-style-type: none"> <li>- the effects on areas or landscapes which have a recognised national, Community or international protection status.</li> </ul>	<p>The SPD aims to enhance the historic environment while helping to maintain the distinctiveness and variety of the places which characterise Ipswich.</p>

	<p>The Waterfront area of the SPD falls within the zone of influence of the part of the estuary that is designated RAMSAR and SPA and will have an indirect impact on recreational use, but not in terms of the designated.</p>
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