

**Draft Development and Flood Risk Supplementary Planning Document Strategic
Environmental Assessment Screening Statement**

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 Flood Risk Supplementary Planning Document (SPD) 2021.

Introduction

Ipswich is located on the Orwell Estuary, which becomes the River Gipping upstream to the west of the town centre. Significant areas of the centre of the town lie within Flood Zones 2 and 3, and consequently flood risk is a long-established planning consideration for proposed development. In 2013, Ipswich Borough Council adopted a Development and Flood Risk Supplementary Planning Document ('SPD'). It set out an approach to assessing the safety of proposed developments within the flood zone (the 'safety framework'), based on Environment Agency hazard mapping and data contained in the Ipswich Strategic Flood Risk Assessment, 2011. The SPD was last updated in 2016.

In October 2020, the Council published a new Strategic Flood Risk Assessment (SFRA). It updates the 2011 document by reflecting the completion of the Ipswich tidal barrier in 2019, the Environment Agency's new Gipping Model published in 2020, and updated national climate change forecasts. Therefore, a new iteration of the Development and Flood Risk SPD has been prepared to take account of the new information. As it is essentially a new document, a fresh Strategic Environmental Assessment (SEA) Screening Report has been prepared.

Ipswich Borough Council's draft Development and Flood Risk Supplementary Planning Document (SPD) will implement the following policies, set out in the adopted Ipswich Local Plan (2017):

Policy CS17 'Delivering Infrastructure'

The Council will require all developments to meet the on- and off-site infrastructure requirements needed to support the development and mitigate the impact of the development on the existing community and environment.

Each development will be expected to meet site related infrastructure needs. Where the provision of new, or the improvement or extension of existing, off- site infrastructure is needed to support a new development or mitigate its impacts, and it is not anticipated that the infrastructure will be provided through CIL, the development will be required to contribute proportionately through a Section 106 Agreement commuted sum, or other mechanism as agreed with the Council.

Section 106 Agreements will apply to all major developments and some minor developments but may be varied according to:

- a. the scale and nature of the development and its demonstrated viability; and*
- b. whether or not a planning obligation meets all of the statutory reasons ('tests') for granting planning permission.*

The broad categories of infrastructure to be secured or financed from new developments are as follows and detailed further in Appendix 5:

- 1. highways and transport;*
- 2. childcare, early years and education;*
- 3. health and emergency services;*
- 4. environment and conservation;*

5. *community and cultural facilities including heritage and archaeology;*
6. *sport and recreation;*
7. *economic development; and*
8. *utilities.*

Key strategic infrastructure requirements needed to deliver the objectives of the Core Strategy include the following (not in priority order):

- *Ipswich flood defences;*
- *sustainable transport measures e.g. the Ipswich Major Scheme 'Travel Ipswich' and accessibility improvements between the Central Shopping Area, Waterfront and railway station;*
- *measures to increase and maximise east-west capacity in the public transport system to ease congestion;*
- *strategic education provision of new schools;*
- *strategic green infrastructure including a country park;*
- *sports and leisure facilities serving the whole Borough;*
- *community facilities including GP surgeries and health centres;*
- *water management infrastructure;*
- *new primary electricity substation in Turret Lane; and*
- *town centre environmental enhancements.*

There will be specific requirements linked to the Ipswich Garden Suburb that will be identified in the Ipswich Garden Suburb supplementary planning document that has been prepared in advance of any development taking place there.

The Council will seek contributions to ensure that the mitigation measures identified in the Habitats Regulations Assessment and in the Recreational Avoidance and Mitigation Strategy can be addressed and delivered, including for any measures not classified as infrastructure.

- **Policy CS18 'Strategic Flood Defence'**

The Council will continue to work with partners to implement the Ipswich Flood Defence Management Strategy as a key piece of infrastructure needed to support regeneration in Ipswich.

This policy links closely with policy CS17, as the flood defences are a key piece of strategic infrastructure needed to enable the continued growth and regeneration of the town.

- **Policy DM4 'Development and Flood Risk'**

Development will only be approved where it can be demonstrated that the proposal satisfies all the following criteria:

- a. *it does not increase the overall risk of all forms of flooding in the area or elsewhere through the layout and form of the development and appropriate application of Sustainable Drainage Systems (SuDS);*
- b. *it will be adequately protected from flooding in accordance with adopted standards wherever practicable;*
- c. *it is and will remain safe for people for the lifetime of the development; and*
- d. *it includes water efficiency measures such as rainwater harvesting, or use of local land drainage water where practicable.*

- **The Site Allocations and Policies (incorporating IP-One Area Action Plan) DPD** - *makes the key land use allocations for uses such as housing, employment and retail use, and describes an indicative capacity for the residential site allocations and the other site uses. Site*

sheets set out in Appendix 3A of the Site Allocations and Policies DPD identify where sites lie within a flood zone.

Similar policies are contained in the emerging Ipswich Local Plan Review (ILPR). However, the ILPR is still under formal Examination and therefore it carries little weight at this stage.

The National Planning Policy Framework (NPPF) is clear that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.' (NPPF paragraph 155 refers).

Through supporting the implementation of the adopted Ipswich Local Plan policies above and the NPPF, the aim of this SPD is to ensure that developers and their agents to submit appropriate flood risk and flood risk management information with planning applications in Ipswich.

The SPD will:

1. Provide information on the sources of flood risk in Ipswich, with links to mapped data in the SFRA October 2020;
2. Explain which developments will need a sequential test, and how to undertake a sequential test;
3. Identify what should be included in a site-specific flood risk assessment;
4. Set out the approach to safe development (the 'safety framework'), including building design for flood resistance and resilience, and requirements for safe escape or refuge;
5. Provide advice on managing surface water using sustainable drainage systems; and
6. Explain the requirements of the exception test.

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 Flood Risk Supplementary Planning Document (SPD).

The SPD does not create new policy but provides detail in respect of the implementation of the adopted Ipswich Local Plan 2017 policies identified above.

The SPD will set out a consistent and proportionate approach to assessing and addressing flood risk to proposed developments, so that development can proceed in a timely, appropriate, legally compliant and policy compliant manner in Ipswich.

What is the legislative background?

This screening report is designed to test whether or not the Development and Flood Risk Supplementary Planning Document (SPD) requires a Strategic Environmental Assessment (SEA). Following amendments to the 2004 Planning and Compulsory Purchase Act via the 2008 Planning

Act¹, 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/EC² 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.

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

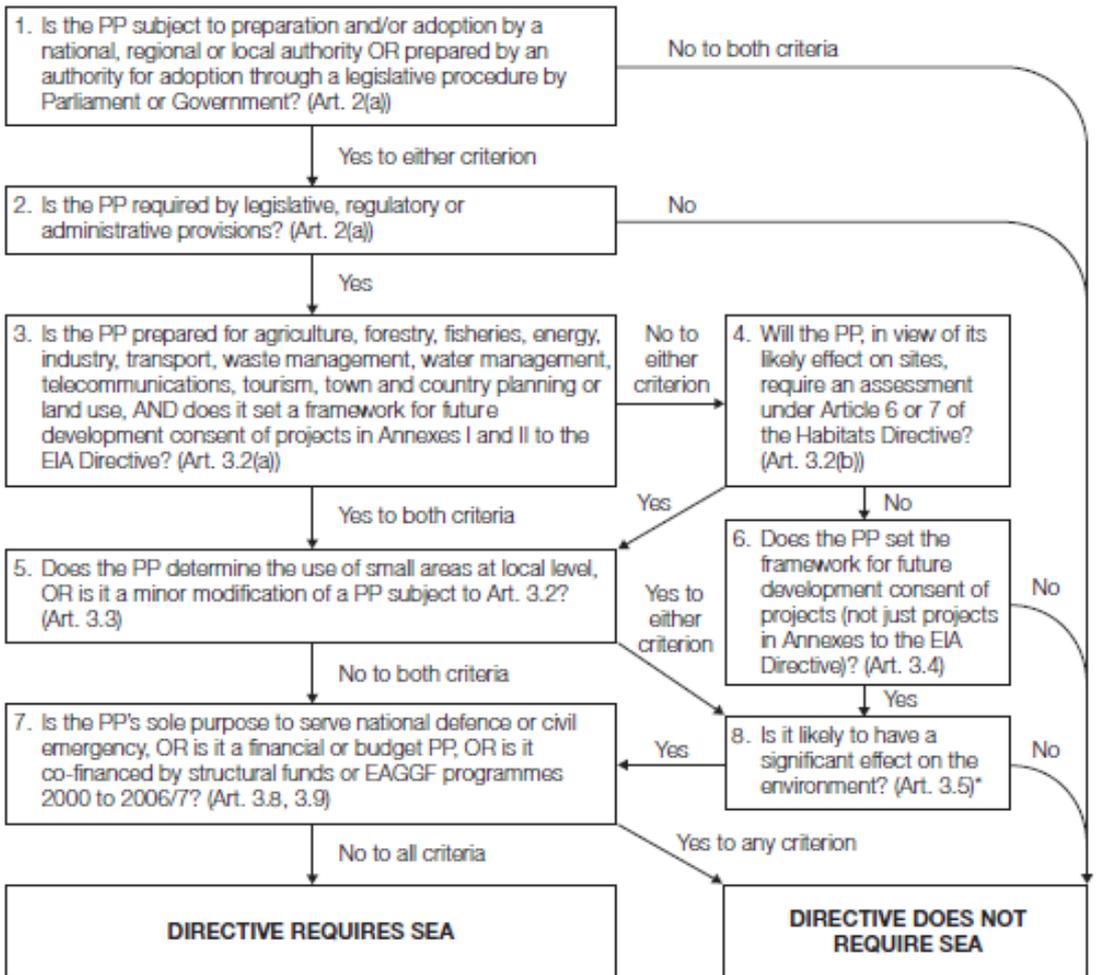
² As set out in Annex II of the Directive

How is the SPD assessed?

The following diagram (Figure 2) 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.

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 into Figure 3 below together with the screening assessment for the Development and Flood Risk Supplementary Planning Document (SPD).

Figure 3: Screening of the draft Development and Flood Risk Supplementary Planning Document (SPD)

SEA Screening Questions	Screening assessment of the draft Development and Flood Risk 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. (Yes to either criterion, go to question 2)
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 (Ipswich Local Plan) and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended). (Yes – go to question 3)
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 – the SPD is prepared for town and country planning and land use. It provides detail to support the implementation of the policy framework set out in the adopted Ipswich Local Plan 2017 for the future consent of projects listed in Annexes I and II of the EIA Directive (which includes for example ‘urban development projects’). (Yes to both criteria, go to question 5)
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)?	Yes, but only through the adopted Ipswich Local Plan policies. The SPD may influence the layout of development in flood risk zones, for example, to locate open space rather than buildings on the part of a site most at risk of flooding. However, the principle and location of the development, and criteria it would need to satisfy, would be determined through policies in the adopted Local Plan. (Yes to either criterion, go to question 8)
8. Is it likely to have a significant effect on the environment (Art. 3.5)?	The draft Development and Flood Risk SPD would not have a significant effect on the environment. The purpose of the SPD is to provide supporting information to the adopted Ipswich Local Plan 2017. The SPD would ensure that applicants submit appropriate information with planning applications, to enable the Council to make an accurate assessment of whether the policy requirements are met. The policies to which the SPD relates were themselves subject to SEA (incorporated within the SA) through the Local Plan preparation

	<p>process.</p> <p>The Development and Flood Risk SPD advises applicants of their responsibilities at different application and development stages and where to find information and advice. It sets out the processes for identifying where the sequential test and exception test may be needed, or a site specific flood risk assessment, and what information should be included in such documents.</p> <p>Therefore, the SPD will not itself have any significant effects on the environment. It may assist in reinforcing the positive effects identified in the sustainability appraisal of policy DM4, by helping to ensure positive impacts on water quality and resources and climate change resilience, for example through the implementation of appropriate sustainable drainage measures.</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) 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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Based on the assessment contained in the table above, it is expected that the Development and Flood Risk 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 Flood Risk 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, were consulted on the Screening Assessment to seek their agreement that a SEA is not required. Historic England and Natural England have confirmed that they concur with the Council's conclusion.

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

Date of determination: 15th June 2021.

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 the Effects	Relationship to the Development and Flood Risk SPD
<p>- the probability, duration, frequency and reversibility of the effects,</p>	<p>The SPD supports the delivery of adopted Local Plan policy on dealing with flood risk in relation to development and land use. The aim of the Local Plan policy is to ensure that development is appropriately located in relation to its vulnerability to flood risk, and if development is necessary in flood risk zones, that it delivers sustainability benefits, is safe to use for its lifetime and avoids increasing flood risk elsewhere. The policy requirements are set out in policies CS17, CS18, DM4, of the Ipswich Local Plan – with policy DM4 being the most directly relevant to the SPD. The adopted Ipswich Local Plan policies have been subject to SEA as part of the sustainability appraisal process.</p> <p>The SPD provides guidance on process and information requirements in relation to the consideration of flood risk matters through the development management process. The effects of SPD implementation would primarily influence the development management process, to ensure that development decisions are informed by the appropriate information to deliver the policy outcomes identified. In terms of environmental effects, the SPD could deliver benefits through providing guidance on matters such as designing development layouts so as not to obstruct flood paths. It will also help the Council to mitigate the impacts of climate change more effectively.</p>
<p>- the cumulative nature of the effects,</p>	<p>There could be cumulative beneficial effects for flood risk and the water environment, as a result of the mitigation measures delivered through developments in order to meet the requirements of the Development and Flood Risk SPD, but these are primarily effects of the policy requirements outlined. An example could be benefits arising from the implementation of rainwater harvesting and sustainable drainage systems, which can double up as habitat and can intercept and slow down runoff during heavy rainfall events.</p>
<p>- the transboundary nature of the effects,</p>	<p>Any effects are likely to be localised to development sites. As above, if there are transboundary benefits in relation to flood risk downstream of Ipswich or across the Borough boundary from development sites within the boundary, these are primarily beneficial effects arising from the policy requirements and not the SPD.</p>
<p>- the risks to human health or the environment (e.g. due to accidents),</p>	<p>Flooding is a risk to life and property. In supporting the implementation of flood risk policy, the SPD</p>

	seeks to reduce and manage the risks through setting out a clear and consistent approach to identifying how flood risk should be addressed in development proposals.
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Any effects are likely to be positive and to stem primarily from the policy, as outlined above. The magnitude and extent of such effects is likely to be localised to development sites within Ipswich Borough.
- the value and vulnerability of the area likely to be affected due to: - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use,	Any effects are likely to be positive in terms of managing flood risk through the development process.
- the effects on areas or landscapes which have a recognised national, Community or international protection status.	In supporting policies to manage flood risk, there could be small scale and indirect benefits for the Stour and Orwell Estuary SPA and Ramsar site through helping to manage run-off from new developments.