

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 Local List (Buildings of Townscape Interest) Supplementary Planning Document (SPD).

Introduction

Ipswich Borough Council is preparing an update to the Local List (Buildings of Townscape Interest) Supplementary Planning Document (SPD). At its core the key objectives of the SPD are to:

- Raise awareness of the many unlisted but interesting and locally notable historic assets which make up the town's environment,
- Reinforce a sense of local character and distinctiveness in the historic environment,
- Identify local heritage assets to support the delivery of Local Plan objectives, and
- Strengthen the role of local heritage assets as a material consideration in the planning process.

The Local List SPD will support the implementation of the following policies and proposals of 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.
- DM9 Buildings of Townscape Interest – this development management policy states:
There is a presumption in favour of retaining and repairing buildings and structures of local townscape interest.

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 Draft Ipswich Borough Council Local List (Buildings of Townscape Interest) 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 be used to identify significant local heritage assets to support the development of Local Plan.

What is the legislative background?

This screening report is designed to test whether or not the Draft Ipswich Borough Council Local List (Buildings of Townscape Interest) Supplementary Planning Document 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 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

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

'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.

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.

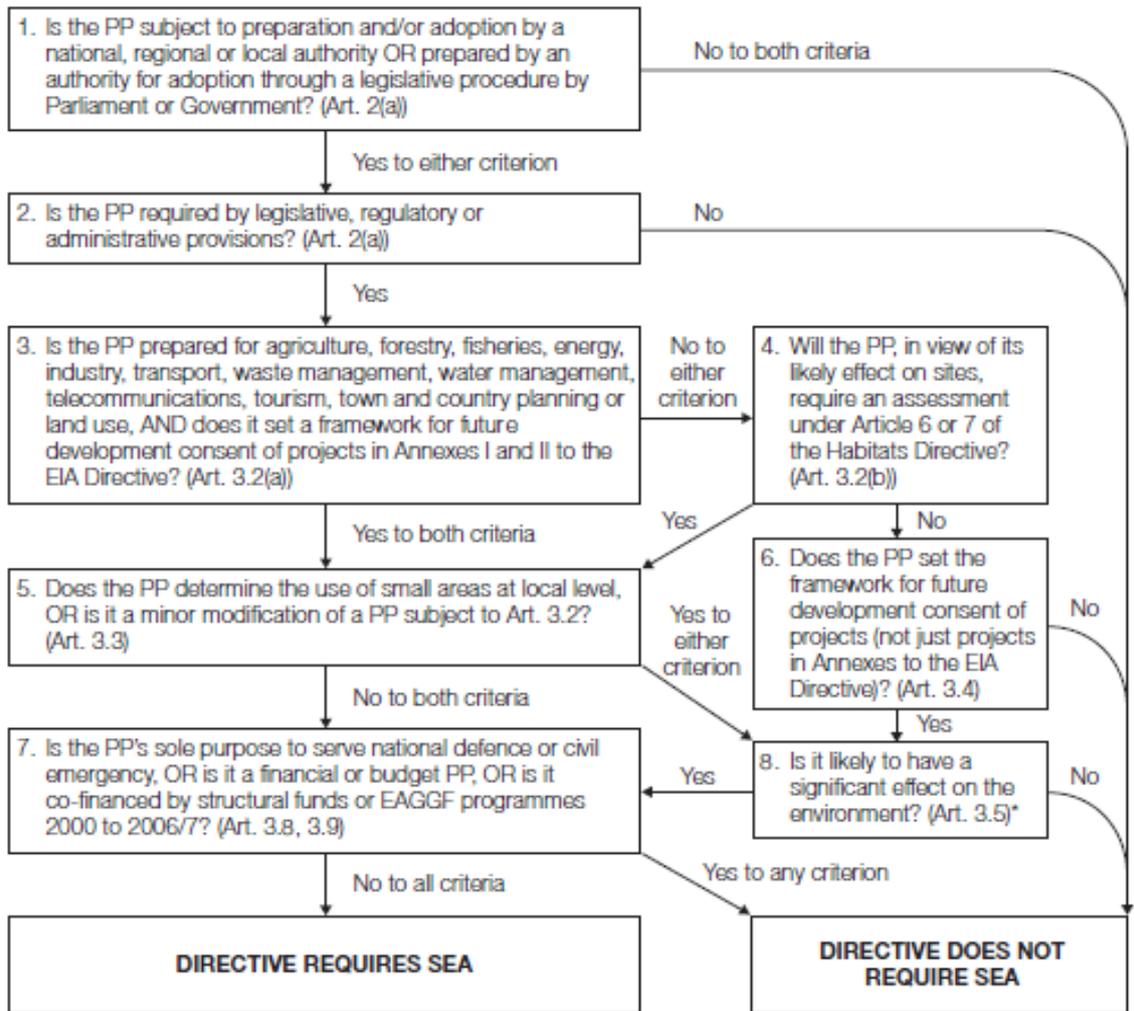
How is the SPD assessed?

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.

² 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. (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 and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012 (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 draft SPD has been 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 protection of existing locally distinctive heritage assets. NO - It will not set a framework for the future consent of projects listed in Annexes I and II of the EIA Directive. (No to either criterion, go to question 4) (Yes to both criteria, go to question 5)
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 (No – go to question 6)
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)	No – the draft SPD will support the development of the adopted Local Plan. The inclusion of a building on the local list will be a material consideration which council will consider when assessing planning applications. (Yes to either criterion, go to question 8)
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. (Yes – go to question 8)
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

	<p>process. The SPD will serve to identify significant local heritage assets to support the development of Local Plans. The SPD will not itself have any significant effects on the environment.</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 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 Borough Council Draft Local List (Buildings of Townscape Interest) 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"> - the probability, duration, frequency and reversibility of the effects, 	<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"> - the cumulative nature of the effects, 	<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"> - the transboundary nature of the effects, 	<p>There would be no transboundary effects.</p>
<ul style="list-style-type: none"> - the risks to human health or the environment (e.g. due to accidents), 	<p>There would be no risks to human health or the environment.</p>
<ul style="list-style-type: none"> - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), 	<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"> - the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, 	<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"> - the effects on areas or landscapes which have a recognised national, Community or international protection status. 	<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>No areas or landscapes which have a recognised national, European Community or international protection status (such as Natura 2000 safeguards SAC or SPA) are affected by the area covered by the strategy in the SPD. As such, no Habitats Regulation screening is required.</p>
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