

***The Environmental Assessment of Plans and Programmes Regulations 2004
and the
The Conservation of Habitats and Species Regulations 2017***

**Screening Statement for the
Tewkesbury Town Regeneration Supplementary Planning Document**

Introduction

The Tewkesbury Town Regeneration Supplementary Planning Document (SPD) will be used as a planning tool to guide redevelopment and regeneration within the town. It will also help to promote economic investment and vitality within the opportunity sites identified and promote the town as a great place to invest. The SPD will supplement policies within the adopted and emerging local plan. Saved policies TY1, TY3, TY6 and TY7 of the Tewkesbury Borough Local Plan to 2011 (TBLP) are aimed at improving public access within the town centre and identifying opportunities for redevelopment. The SPD will provide further guidance on these matters. The emerging Tewkesbury Borough Plan (TBP) (2011-2031) seeks to promote and facilitate the regeneration of the town centre through Policy RET9 (Tewkesbury Town Regeneration) which identifies two key redevelopment opportunities (Healings Mill and Spring Gardens) and Policy RES1 which proposes to allocate the former MAFF (Ministry of Agriculture, Forestry and Fisheries) site for residential development. The SPD sets out a range of development principles and parameters that proposals on the identified sites will be expected to achieve in complying with development plan policies.

Legislative background

In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (The 2004 Regulations) and European Directive 2001/42/EC, this document is the screening determination of the need for a Strategic Environmental Assessment (SEA) for the Tewkesbury Town Regeneration SPD. It also covers the need for screening under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations).

Under the regulations, SEA must be undertaken for any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects. This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

The National Planning Practice Guidance (paragraph: 008 Reference ID: 11-008-20140306) advises that supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a SEA if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan. A SEA is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects. Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified

in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies.

SEA screening

The screening process set out in Regulation 9 and Schedule 1 of the 2004 Regulations includes two sets of characteristics for determining the likely significance of effects on the environment. These relate firstly to the characteristics of the SPD and secondly to the characteristics of the effects and of the area likely to be affected. There are a number of criteria relating to each of these characteristics, the responses to which are set out below.

Table 1: Assessment of Significance of Effects

Criteria (Schedule 1)	Likely significance of environmental effect	Assessment and Justification
1. The characteristics of the plans and programmes, having regard in particular to;		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The SPD does not allocate sites and it does not determine the location and size of developments taking place in the area. It provides additional guidance on existing policies within the emerging Local Plan (Part 1) that have been subject to SEA (as part of a wider sustainability appraisal (SA)).
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The SPD will carry less weight than the policies within the TBP (when adopted), which have been subject to SEA. It sits below 'higher tier' documents and does not set new policies.
(c) the relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	No	The SPD provides guidance on the interpretation of local policy along with national guidance, all of which promote sustainable development. The SPD does not introduce new policy.
(d) environmental problems relevant to the plan or programme and;	Yes, but unlikely to have significant effects on the environment	Two of the opportunity sites identified within the SPD (Healings Mill and MAFF) are located in areas identified to be at risk of flooding. Part of the Healings Mill site is located within the Severn Ham SSSI which is also designated as a Key Wildlife Site (KWS). The MAFF site is also adjoined by a KWS and contains a number of mature trees subject to a Tree Preservation Order. Both sites are however previously developed and their redevelopment will be subject to policies within the Development Plan and NPPF which are aimed at avoiding, reducing or mitigating

		<p>any environmental impacts. The SPD itself is also aimed at securing environmental improvements. For example 'Flooding Betterment' is one of the development principles for the Healings Mill site.</p> <p>Tewkesbury Town Centre is a designated Air Quality Management Area (AQMA), however two key principles highlighted under the SPD are those to enhance green infrastructure and improve access and movement by providing links between currently separated areas of the town. This may help to reduce NO2 levels in the area.</p> <p>The opportunity sites within the SPD have been subject to SA as part of the emerging TBP. No significant environmental effects were identified for the sites through this process.</p>
(e) the relevance of the plan or programme for the implementation of EU legislation on the environment (for example, plans and programmes linked to waste management or water protection)	No	The SPD is not directly relevant to the implementation of EU legislation.
2. 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	Significant effects on the environment are unlikely	The SPD provides guidance aimed at avoiding or mitigating the negative impacts of new developments. It is anticipated to have positive and beneficial effects. It offers guidance on the implementation of existing Local Plan policies, which have been subject to SEA.
(b) the cumulative nature of the effects	Significant effects on the environment are unlikely	The effects of this SPD will be largely beneficial- therefore any cumulative effects will also be beneficial e.g. the SPD will help bring redundant historic buildings and vacant brownfield land back into effective use which will create a better built environment and will improve the vitality and viability of the town (which in turn should be a catalyst for further investment and environmental improvements)

(c) the transboundary nature of the effects	Significant effects on the environment are unlikely	The SPD will help to improve the facilities and retail offer within the town centre which may help reduce travel to other centres and thus lessen the environmental impact of vehicle emissions
(d) the risks to human health or the environment (for example, due to accidents)	Significant effects on the environment are unlikely	<p>The opportunity sites at Healings Mill and MAFF are located in areas identified to be at risk of flooding. However in accordance with the Development Plan (notably JCS Policy INF2), the NPPF and the Council's adopted Flood and Water Management SPD 2018, developments on these sites will only be permitted if they can be made safe from flooding without increasing flood risk elsewhere.</p> <p>New residential development on the opportunity sites will increase the population of the AQMA and could place new residents at risk of air pollution. The SPD does not however allocate the sites – this will be the role of the TBP which has itself been subject to SEA (as part of a wider sustainability appraisal (SA)).</p>
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Significant effects on the environment are unlikely	The SPD will help guide new developments in the Tewkesbury town area only, and is therefore unlikely to affect an extensive population.
(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	Whilst there are some of these within or proximate to the area significant effects on the environment are unlikely	The area contains numerous environmental constraints and assets including a SSSI, Key Wildlife Sites, areas at risk of flooding, a Landscape Protection Zone, an AQMA, a Conservation Area and a significant number of Listed Buildings. However, the SPD is only offering guidance on the implementation of existing Development Plan policies, which have been subject to SEA. It does not propose any new development over and above that assessed within the emerging TBP, which has been subject to SA.
(g) the effects on areas or landscapes which have a recognised national, EU or international protection status.	Whilst there are some within or proximate to the area significant effects on	There is a local (Tewkesbury Borough Council) Landscape Protection Zone designation in the SPD area. None of the opportunity sites are within the designation although the site at Healings Mill is immediately adjacent to it. The effect of the Healings Mill site on landscapes has however

	these aspects are unlikely.	been considered as part of the SA of the TBP with minor positive effects reported.
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HRA screening

Given the scope and status of the SPD it is not considered likely that it would have a significant effect on a European site. Significant effects on European sites have therefore been ruled out.

Consultation

Regulation 9 of the 2004 Regulations requires the responsible authority (Tewkesbury Borough Council) to consult the 'consultation bodies' (these are Historic England, Natural England and the Environment Agency). This will be undertaken as part of the consultation on the SPD.

Local bodies (Lead Local Flood Authority, County Highways, County Ecologist, County Archaeology) will also be consulted as part of the consultation on the SPD.

Conclusions

From the assessments set out above, it is the Council's opinion that the Tewkesbury Town Regeneration Supplementary Planning Document does not require a Strategic Environmental Assessment or an 'Appropriate Assessment' under the Habitat Regulations. The advice of the consultation bodies and local bodies is however awaited before a definitive conclusion can be made.