

# Draft Shopfront Design Supplementary Planning Document

## Strategic Environmental Assessment Screening and Habitats Regulations Assessment: Report Following Consultation

### Summary

This report summarises the consultation responses received from the statutory consultees in regards to the *Strategic Environmental Assessment (SEA) Screening and Habitats Regulations Assessment (HRA)*.

### 1. Introduction

1.1 The SEA and HRA screening report (Appendix 1) was prepared to establish whether the Shopfront Design Supplementary Document would require:

- A Strategic Environmental Assessment (SEA) in accordance with the The Environmental Assessment of Plans and Programmes Regulations 2004; and
- A Habitats Regulations Assessment (HRA) in accordance with Conservation of Habitats and Species Regulations 2017.

1.2 The screening report concluded that neither an SEA or HRA would be required.

### 2. Consultation

2.1 The National Planning Policy Guidance (Reference ID: 11-008-20140306) requires that:

*Before deciding whether significant environmental 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.*

In accordance with the above Historic England, The Environment Agency and Natural England (statutory consultees) were consulted.

2.2 Consultation requests were sent by email on 8th January 2020; a five-week consultation period was specified which closed on 12th February 2020. Contact details for responses including email, telephone and postal address were provided.

2.3 The following consultations responses were received (reproduced in full as Appendix 2):

<b>Consultee</b>	<b>Response</b>	<b>Date Received</b>
Historic England	Agree that SEA is not required.	11th February 2020
Natural England	Agree that SEA is not required.	9th January 2020
Environment Agency	No longer comment on Screening Opinions.	10th January 2020

### **3. Conclusion**

- 3.1** In accordance with the appended Screening Report and consultation responses received from the statutory consultees it is concluded that a Strategic Environmental Assessment and/or full Appropriate Assessment under the Habitats Regulations are not required.

## Appendix 1

### Draft Shopfront Design Supplementary Planning Document

#### Strategic Environmental Assessment Screening and Habitats Regulations Assessment

##### Summary

This report details the consideration as to whether a Strategic Environment Assessment and/or a full Habitats Regulations Assessment needs to be produced to accompany the Shopfront Design Supplementary Planning Document.

##### 1. Introduction

1.1 This report is designed to establish whether the Shopfront Design SPD requires:

- A Strategic Environmental Assessment (SEA) in accordance with the The Environmental Assessment of Plans and Programmes Regulations 2004; and
- A Habitats Regulations Assessment (HRA) in accordance with Conservation of Habitats and Species Regulations 2017.

##### 2. Purpose and Content of the Draft Shopfront Design SPD

2.1 Canterbury City Council, in its role as Local Planning Authority, is updating the existing supplementary planning guidance on shopfront design with the intention that it will be adopted as a Supplementary Planning Document (SPD) in Summer 2020.

2.2 The purpose of the Shopfront Design SPD is to provide more detailed guidance regarding the implementation of Policies HE9 (Advertisements affecting heritage assets) and HE10 (Shopfronts) of the adopted Canterbury City Council Local Plan (2017). The document will also be of relevance to other policies which involve heritage related considerations.

2.3 The draft Shopfront Design SPD provides detailed guidance to help owners and designers of shopfronts achieve high standards of shop front design, and take a sensible and sensitive approach to security, signage and materials, and meet the requirements of Local Plan policies. The SPD expands upon the policies within the Local Plan. It replaces the former *Shopfront Design Supplementary Planning Guidance (2001-2011)* which will be withdrawn following adoption of this document as an SPD.

##### 3. SEA Screening

3.1 The adopted Canterbury City Council Local Plan 2017 was underpinned by a Sustainability Appraisal (SA) (incorporating SEA). This included a specific

assessment of the relevant policies referred to above. The Local Plan can be found at:

[https://www.canterbury.gov.uk/downloads/download/34/local\\_plan](https://www.canterbury.gov.uk/downloads/download/34/local_plan)

The SA can be found here:

[https://www.canterbury.gov.uk/downloads/download/209/supporting\\_local\\_plan\\_documents](https://www.canterbury.gov.uk/downloads/download/209/supporting_local_plan_documents)

3.2 With regard to the need for SA (inc. SEA) for SPD's, the National Planning Policy Guidance (Reference ID: 11-008-20140306) states that:

Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

A strategic environmental assessment 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 environmental 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.

3.3 The following table therefore assesses the proposed SPD in relation to Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 to determine whether it would be likely to have environmental effects:

Schedule 1 Criteria	Potential effects of the SPD	Is there a likely significant effect?
The characteristics of 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	The SPD provides further guidance on the requirements of policies contained within the Local Plan 2017. It does not establish new policy. SA (including SEA) was undertaken at all of the key stages in the development of the Local Plan,	No

	including in relation to the specific policies with which this SPD is concerned.	
b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD sits within a hierarchy of documents. It does not directly affect any other plans or programmes but is derived from the adopted Local Plan and would need to be interpreted in light of other higher tier planning policy documents including the revised National Planning Policy Framework (NPPF).	No
c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The adopted Local Plan and other higher level policies set the context for achieving sustainable development in the District. The SPD will provide further guidance on how this should be achieved in relation to shopfront design. The SPD will not change the higher level policy requirements which have, in themselves, been subject to SA (inc. SEA).	No
d) environmental problems relevant to the plan or programme	There can be environmental issues associated with shopfront design, including issues such as sustainable energy use in historic buildings and sourcing of sustainable materials. However, these issues are not a direct result of this SPD, which also encourages consideration of these issues.	No
e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	It is very unlikely that there would be any significant environmental effects resulting from the SPD. The SPD is mainly focused on preventing detrimental impacts to historic buildings and the streetscene, rather than facilitating any development or works which could have environmental effects.	No

Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

<p>a) the probability, duration, frequency and reversibility of the effects</p>	<p>The SPD will mainly be of relevance during the process of planning applications being prepared, submitted and determined for changes to shopfronts. This is likely to be within the period up to 2031.</p> <p>It is unlikely that any significant environmental effects will flow from the SPD itself. The SPD will not be at the root of determining whether to carry out development, but to influence the design of development which would be taking place in any case.</p> <p>In accordance with SEA Regulations (17 (1)) the Local Plan is subject to ongoing monitoring under the Local SA Monitoring Framework and AMR on an annual basis.</p>	<p>No</p>
<p>b) the cumulative nature of the effects</p>	<p>There are no likely cumulative effects that would result from the production of the SPD.</p>	<p>No</p>
<p>c) the transboundary nature of the effects</p>	<p>There will be no transboundary effects (in relation to other EU member states).</p>	<p>No</p>
<p>d) the risks to human health or the environment (for example, due to accidents)</p>	<p>There are no likely risks to human health of the environment flowing from the production of the SPD.</p>	<p>No</p>
<p>e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>There are not likely to be any significant environmental effects flowing from the production of the SPD. The scope of the SPD is limited to those areas containing historic shopfronts and streetscenes.</p>	<p>No</p>
<p>f) the value and vulnerability of the area likely to be affected due to—</p>	<p>The SPD is focused on cultural heritage, specifically historic</p>	<p>No</p>

(i)special natural characteristics or cultural heritage; (ii)exceeded environmental quality standards or limit values; or (iii)intensive land-use	shopfronts and streetscenes. The SPD is however intended to help ensure that these assets are protected and enhanced, and will not result in any detrimental impacts.	
g) the effects on areas or landscapes which have a recognised national, Community or international protection status	There are no effects on landscapes with protection status as a result of the SPD.	No

#### **4. SEA Conclusion**

- 4.1 The SPD is designed to ensure the effective protection and enhancement of historic shopfronts and streetscenes. It will not result in any significant detrimental impacts on the environment, and is intended to prevent any such impacts flowing from associated development.
- 4.2 It is concluded that a Strategic Environmental Assessment is not required.

#### **5. Habitats Regulation Assessment Screening**

- 5.1 A Habitats Regulations Assessment (HRA) screening report was undertaken for the adopted Local Plan. Overall, the report concluded that the Local Plan was not likely to result in significant effects on European sites. In relation to Policies HE9 and HE10 the reports concluded that these development control policies did not in themselves promote development but seek to protect the historic environment and not therefore likely to have a significant effect.
- 5.2 The HRA can be found here:  
  
<https://www2.canterbury.gov.uk/media/942184/CDLP-105-Habitat-Regulations-Assessment-of-draft-Local-Plan-June-2014-AMEC.pdf>
- 5.3 It is concluded that a full Appropriate Assessment under the Habitats Regulations is not required.

## Appendix 2



Historic England

Rosanne Cummings  
Principal Archaeology and Heritage Officer  
Planning Policy and Heritage Team  
Canterbury City Council  
Military Road, Canterbury CT1 1YW

Our ref: PL00662902  
Your ref:  
Telephone: 020 7973 3700  
Email: [e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)

[By email only to rosanne.cummings@canterbury.gov.uk](mailto:rosanne.cummings@canterbury.gov.uk) Date: 11 February 2020

Dear Ms Cummings

**Canterbury City Council Draft Shopfront Design Supplementary Planning Document  
Strategic Environmental Appraisal Screening Opinion**

Thank you for your email dated 8 January 2020 consulting Historic England on your intention of carrying out a SEA/SA for the above plan.

In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA is not required in this instance for the reason set out in Section 4 of the Screening Report.

*Yours sincerely*



**Alan Byrne**  
Historic Environment Planning Adviser



**RE:SEA &HRA Screening: Draft Shopfront Design SPD, Canterbury City Council**

1 message

**SM-Defra-Plan Cons Area Team (Sussex and Kent) (NE)**

<PlanConsAreaTeamSussexandKent@defra.gov.uk>

To: "rosanne.cummings@canterbury.gov.uk" <rosanne.cummings@canterbury.gov.uk>

9 January 2020 at

10:53

Dear Rosie,

Thank you for consulting Natural England on the Strategic Environmental Assessment (SEA) Screening and Habitats Regulations Assessment (HRA) for the Shopfront Design Supplementary Planning Document (SPD). Natural England concurs with the conclusion of the screening that SEA and further stages of HRA are not required for this SPD.

Please do not hesitate to contact us should you have any queries.

Kind regards,

Amy

**RE: SEA &HRA Screening: Draft Shopfront Design SPD, Canterbury City Council**

1 message

**KSLPlanning** <KSLPLANNING@environment-agency.gov.uk>

To: "rosanne.cummings@canterbury.gov.uk" <rosanne.cummings@canterbury.gov.uk>

10 January 2020 at 12:14

Dear Rosanne Cummings,

Thank you for your email.

We've taken the view nationally not to provide responses on screening opinions due to limited resources. We would be happy to provide comments at the scoping stage.

If you would like to discuss further please don't hesitate to contact us.

Kind regards,

**Sara Gomes**

Planning Advisor

Kent Sustainable Places

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