

ISLAND PLAN

Newport Harbour Masterplan SPD Draft Environmental Screening Statement

March 2020

1. Introduction

- 1.1 This statement sets out the Isle of Wight Council's (the council) draft determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (which transposed EC Directive 2001/42/EC) on whether or not a Strategic Environmental Assessment (SEA) is required for the Newport Harbour Masterplan Supplementary Planning Document (SPD).
- 1.2 Under separate legislation (Planning and Compulsory Purchase Act 2004 and associated Regulations), the council is also required to carry out a Sustainability Appraisal (SA) for all Development Plan Documents (DPDs). This process is designed to consider the environmental, social and economic impacts of the proposed plan/document.
- 1.3 Whilst the Planning Act 2008 and Town and Country Planning (Local Development)(England) Regulations 2012 removed the requirements for a SA to be produced for all SPDs, the council is still required to screen its SPDs to ensure that the legal requirements for sustainability appraisals are met where there are impacts that are not covered in the appraisal of a parent DPD or where an assessment is required by the SEA regulations. This statement also sets out whether or not a SA is required for the draft SPD.

2. Background of the Newport Harbour Masterplan SPD

- 2.1 The draft Newport Harbour Masterplan Supplementary Planning Document, which consists of the draft Newport Harbour Masterplan Report and the draft Newport Harbour Detailed Development Areas, sets out the council's vision for the area and has already been subject to extensive stakeholder and public consultation, as set out in the Newport Harbour Consultation Report (and more information can be found at <https://iwightinvest.com/newport-harbour-masterplan/>).
- 2.2 The purpose of the masterplan is to assist in the delivery the regeneration aims of the Island Plan Core Strategy, by providing an indication of the type of development that the council would support in the redevelopment of Newport Harbour. In doing so the Masterplan provides further detail to the following planning policies in the adopted Island Plan Core Strategy;

SP1 Spatial Strategy – the council will support development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas, of which Newport is one, and prioritises the redevelopment of previously developed land. The masterplan supports the achievement of these aims as Newport is the county town of the Island, and the site is one of the largest brownfield sites in Newport.

SP2 Housing – The strategy provides for 8,320 dwellings for the Isle of Wight in the period 2011-2027, which is an average of 520 dwellings per year. The distribution to deliver this quantum includes 1,350 dwellings within the Medina Valley. The masterplan envisages around 250 residential units, which would make a significant contribution to this target.

DM2 Design Quality for New Development – this policy states that the council will support proposals for high quality and inclusive design to protect, conserve and enhance the existing environment, whilst allowing change to take place, with the promotion of a robust design process through the use of skilled designers. There is an expectation that relevant information (base upon the site’s size, location and context) will be required in order for the Council to determine planning applications properly and quickly. All new development should respond to a clear understanding of physical, social, economic, environmental and policy context. The masterplan provides significant direction and detail on what the council would expect to see in terms of proposals and thereby provides greater certainty and reduces risk, increasing the likelihood of regeneration of this area of brownfield sites.

DM8 Economic Development - The overall development strategy for the Isle of Wight is for sustainable economic growth and regeneration which concentrates the majority of development within and around the main urban areas and reflects the approach outlined in Policy SP1 (Spatial Strategy) to concentrate development within the Key Regeneration Areas in the first instance. The location of Newport Harbour, running from near the centre of Newport, northwards along the eastern bank of the Medina Estuary supports the approach of the policy and provides greater clarity as to the intended mix of uses, which covers;

- New public spaces
- Commercial uses (a mix in size and type)
- Residential uses (including a mix of type and tenure)
- Improved and increased access (including a footbridge and parking)
- A leisure/cultural attraction (including a hotel)

The Island Plan Core Strategy is the ‘parent DPD’, which has been subject to SA incorporating SEA.

- 2.3 The SPD establishes a framework of principles that will guide development proposals brought forward in the harbour area, in particular it:
- Articulates a vision for this key part of the county town;
 - Sets out the background and context for development opportunities and public realm proposals; and,
 - Provides a framework of guidance within which to assess proposals for development.
- 2.4 The SPD highlights a number of key sites and public realm opportunities through the harbour area of Newport. It provides detailed guidance on issues such as development aspirations, appropriate land-uses, access points and entrances, the height of new buildings and parking and servicing. The SPD aims, through it’s objectives, to regenerate a large, underused area of the Island’s county town, by creating a planned mixed use space. The location is sustainable both in terms of re-using brownfield sites (and thereby minimising the take on greenfield areas) and creating opportunities to access both the new and existing town centre facilities using sustainable modes of travel.

Key Objectives of the Masterplan

- *Enhance diverse employment activities – Build on existing employment activities with flexible spaces for a variety of employment uses that will activate the area;*

- *Create both temporary construction related and additional permanent jobs through new employment opportunities; and,*
- *Deliver 200 – 300 well-designed, mixed tenure, including affordable new homes appropriate for their context.*

2.5 The SPD will be used as a material consideration in determining planning applications. It provides a basis for development to be taken forward giving developers and stakeholders a degree of certainty as to potential opportunities within the harbour area.

3. The Strategic Environmental Appraisal Process

3.1 The first stage of the process is for the council to determine whether or not the draft SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the regulations). The results of this have been set out in Table 6.1 of this statement. The aim of this statement is to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.

3.2 The council also has to consult the Environment Agency, Historic England and Natural England and the Marine Management Organisation on this screening statement. A final determination cannot be made until the statutory consultation bodies have been consulted. This statement will be sent to those bodies for their comments.

3.3 Where the council determines that a SEA is not required then under Regulation 9(3) the council must prepare a statement setting out the reasons for this determination. **This statement is the Isle of Wight Council's Draft Regulation 9(3) statement.**

4. Sustainability Appraisal

4.1 Whilst there is no statutory reason to undertake a SA of SPDs, the council has considered whether a SA of this draft SPD is required. The council has determined that the draft SPD is unlikely to have significant environmental, social or economic effects beyond those of the policies it supplements (Island Plan Core Strategy policies SP1 Spatial Strategy; SP2 Housing; DM2 Design Quality for New Development and DM8 Economic Development).

4.2 In coming to this conclusion the council is mindful that this draft SPD does not create new policies and serves only to expand on existing policy within its 'parent DPD', the Island Plan Core Strategy (which has already been subject to SA incorporating SEA). There are no impacts beyond those assessed in the SA of the 'parent' development plan document.

- 4.3 This judgement is based upon the fact that the draft SPD seeks to implement specific parts of Core Strategy policies SP1 Spatial Strategy; SP2 Housing; DM2 Design Quality for New Development; DM8 Economic Development.
- 4.4 Table 4.1 below highlights key parts of the Core Strategy SA, notably that the preferred option in terms of likelihood of delivering the most sustainability benefits (when assessed against the Core Strategy SA Objectives), is clearly related to the primary aims of the draft SPD. Therefore the SPD can be considered to be in conformity with the 'parent' plan and accompanying SA, through implementation.

Table 4.1: Core Strategy SA Extracts on relevant 'Parent Policies' that the SPD is seeking to implement

Core Strategy Policy	Core Strategy SA Summary Extract	Draft SPD Aim
SP1 Spatial Strategy	<i>Positive and neutral effects on a number of objectives as a result of concentrating new development in and around key regeneration areas and smaller regeneration areas as well as rural service centres as these areas are likely to help protect the countryside and avoid direct impacts upon designated areas. This strategy also helps to improve accessibility and ensure an efficient use of land and protection of soil. The focus on regeneration areas will also be positive in stimulating economic revival and sustaining economic growth, reducing poverty and improving health.</i>	Redevelopment of a major brownfield site in a Key Regeneration Area.
SP2 Housing	<i>Overall approach of this policy is likely to have a positive or neutral effect on a number of objectives. Concentrating the majority of new development on previously developed land in and around key regeneration areas and smaller rural service centres is considered positive as these areas are likely to avoid highly sensitive areas, improve accessibility and enable the efficient use of land and protection of soil. ... The focus on regeneration areas will also be positive in stimulating economic revival and sustaining economic growth.</i>	The masterplan envisages around 250 residential units in a Key Regeneration Area.

<p>DM2 Design Quality for New Development</p>	<p><i>... scores well in relation to all environmental objectives as it requires consideration to be given to various ecological, archaeological and landscape constraints. It also performs positively in relation to social objectives as it seeks to protect local amenity and through design measures which will help improve health and design out crime issues. Economic effects are less certain, but the design measures taken may help encourage investment across certain areas of the Island.</i></p>	<p>The masterplan provides significant direction and detail on what the council would expect to see in terms of proposals and thereby provides greater certainty and reduces risk, thereby increasing the likelihood of regeneration of this area of brownfield sites.</p>
<p>DM8 Economic Development</p>	<p><i>This policy performs well against economic and social objectives as it encourages economic development across the Island and also seeks to protect employment areas. Any potential negative environmental effects from development will be mitigated against by other relevant policies of the Plan against which all planning applications will need to be considered.</i></p>	<p>Supports the approach of the policy and provides greater clarity as to the intended mix of uses.</p>

5. Habitats Regulations Assessment

- 5.1 In addition to SEA and SA, the council is also required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, known as European sites or European offshore marine sites. The need for an HRA is set out within the Conservation of Habitats and Species Regulations 2010 (which transposed EC Habitats Directive 92/43/EEC).
- 5.2 The Regulations state the council must assess the potential effects of its land use plans, in this case the draft SPD, against the conservation objectives of any sites designated for their nature conservation importance. An HRA has been carried out on the 'parent DPD', the Island Plan Core Strategy.

**Table 5.1: Extracts from the Habitats Regulations Assessment for the Isle of Wight Core Strategy
Appropriate Assessment Report (April 2011) on the assessment of relevant Core Strategy policies**

Core Strategy Policy	Relevant HRA extract
<i>Initial Policy Screening – Policies considered likely to have no effect on European and Ramsar sites</i>	
DM2 Design Quality for New Development	<p><i>Policy Summary</i> The policy sets out a number of design criteria for development proposals including policy elements relating to setting, safety, landscape, wildlife, conservation, heritage assets, consumption of resources and pollution.</p>
	<p><i>Rationale</i> This policy is an overarching policy relating to design criteria and will not in itself lead to development. The policy has therefore been assessed as having no effect on European or Ramsar sites.</p>
<i>Detailed Policy Screening</i>	
SP1 Spatial Strategy	<p><i>Policy Summary</i> The policy directs development within, or immediately adjacent defined settlement boundaries in three Key Regeneration Areas, two Smaller Regeneration Areas and eleven Rural Service Centres. Development outside, but not immediately adjacent these defined settlements will not be supported unless there is a specific local need.</p>
	<p><i>Potential Policy Effects</i> The policy does not directly define what types of development allocation will be supported although the supporting text includes a table indicating the amounts of development that will be supported over the plan period (for Housing, Employment, Retail, Tourism, Waste, Minerals and Travel) and a broad location of where this will be supported.</p>
SP2 Housing	<p><i>Policy Summary</i> The policy sets out that 8,320 dwellings will be delivered over the plan period of the Core Strategy (2011-2027). The policy notes that AAPs for each of the Key Regeneration Areas will identify appropriate development sites within the Key Regeneration Area boundaries and that the Management and Delivery DPD will, if required, allocate land outside of the AAP boundaries.</p>

	<p><i>Potential Policy Effects</i> This policy sets out the overall quantity of new residential dwellings that will be allocated over the period to meet the predicted increase in population and changes in household demographics. The potential effects associated with new residential dwellings supported by the policy are the same as those set out for SP1. Detailed allocations for residential development will be in the AAPs and the Management and Delivery DPD, which will be subject to further HRA.</p>
<p>DM8 Economic Development</p>	<p><i>Policy Summary</i> The policy supports economic growth, focussing on existing centres and looks to resist the loss of existing employment sites. New development and extensions to existing sites will be expected to be located in line with the locational criteria in SP1.</p>
	<p><i>Potential Policy Effects</i> As the policy does not spatially allocate development and is subject to the protective elements set out in Policies SP5 and DM13, no likely significant effects have been assessed and the policy can be screened out of the need for further HRA.</p>

5.3 As highlighted above, policy DM2 from the ‘parent DPD’ had been screened out in the first round of ‘Initial Policy Screening’¹ on the basis of the content of the policy and it’s likely implications, it is self-evident that there will be no significant negative effects on European sites. Policies SP1, SP2 and DM8 had been screened out on the basis of the content and it’s likely implications, when considered with the avoidance and cancellation measures and assuming such measures being successfully adopted and implemented, significant negative effects in relation to these policies have been avoided.

5.4 The general conclusion of the Core Strategy HRA found that;
“As a result of the assessment and recommendations, it is considered that all negative effects of the Core Strategy in relation to the conservation objectives of European sites can be effectively removed and do not require further assessment at this level in combination with the effects of other plans and projects, provided the avoidance and mitigation measures set out are adopted and implemented successfully.

The HRA has concluded there are no likely significant effects as a result of the strategic-level Core Strategy policies. It also demonstrates, through the higher level Appropriate Assessment that in relation to European and Ramsar sites, the identified level of development can be accommodated within the broad locations set out in the Core Strategy.”

¹ See Habitats Regulations Assessment for the Isle of Wight Core Strategy Appropriate Assessment Report April 2011

5.5 As the purpose of this draft SPD is to provide further detail on Core Strategy policies SP1, SP2, DM2 and DM8, through an approach already identified as preferable in the Core Strategy SA/SEA and HRA, the council has determined that an HRA for the Newport Harbour Masterplan SPD is not required.

Solent and Dorset Coast SPA

5.6 Since the environmental assessment and subsequent adoption of the Island Plan Core Strategy a new European designated site is shortly due to be adopted by Government. Minister Pow classified the [Solent and Dorset Coast Special Protection Area \(SPA\)](#) on 16 January 2020. The physical proximity of this new designation, which covers the Solent and extends up the Medina Estuary does mean that consideration needs to be given, in terms of assessing potential impacts as a result of the SPD.

5.7 The purpose of the SPA is to protect important foraging areas at sea used by the following qualifying interest features:

- Common tern
- Sandwich tern
- Little tern

5.8 In correspondence² to the council during consultation on the designation Natural England identified the threats and vulnerabilities to the designation as;

“Any activity which might result in the significant reduction of prey availability. I am not aware of any activity, other than commercial fishing which might cause this effect but even that is unlikely to occur at a scale to make this happen.

In our view there are relatively few activities which could take place which would have such effects. We believe therefore that most projects should be able to be screened out very easily.”

5.9 In terms of vulnerabilities of this designation Natural England have previously stated that they *“believe that most of the activities which happen in the Medina and around the Isle of Wight coast will have little impact on foraging terns and can therefore either be screened out entirely or would require only minor consideration. ... As a general guide we think that terns are vulnerable to projects which might result in:*

- *A loss of habitat (e.g. areas of coastal waters which terns might hunt for fish in such as land reclamation).*
- *Impacts on prey availability (e.g. barriers to fish migration and other features important to a healthy fish population).*

² Letter from Natural England to the Isle of Wight Council dated 13th May 2016, subject; IOWC response to the consultation on the Solent and Dorset Coast potential Special Protection Area (pSPA)

None of the 8 design principles or 12 masterplan objectives are likely to result in either a loss of habitat, or impacts on prey availability.

- 5.10 Therefore it seems reasonable to conclude that an SPD with the primary aim of providing guidance to the development potential of a brownfield site is not, in itself, likely to result in significant negative impacts on the Solent and Dorset Coast SPA. Nevertheless, the SPD has taken the precaution of ensuring consideration of all relevant designations (including specific reference to the Solent and Dorset Coast SPA, albeit under ‘potential’ status). This has been done through the ‘Constraints and Opportunities, Biodiversity’ section of the SPD, where it states;

“Potential Special Protection Areas (England) SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites.”

6. SEA Screening Procedure

- 6.1 It is the responsibility of the Responsible Authority (the Isle of Wight Council) to determine whether the plan or programme under assessment is likely to have a significant adverse environmental effect. This assessment must be made taking account of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and in consultation with the Environment Agency, Historic England and Natural England.
- 6.2 Where the Responsible Authority determines that a plan or programme is unlikely to have significant effect, and therefore, does not need to be subject to a full Strategic Environmental Assessment, the Responsible Authority must prepare a statement showing the reason for this determination. This is set out in Table 6.1 below.

Table 6.1: SEA Screening for the Newport Harbour Masterplan Draft SPD

Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Isle of Wight Council Response
Characteristics of the plan or programme	
(a) <i>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.</i>	The SPD provides more detail to the policies and principles established within the Island Plan Core Strategy (which has already been subject to SA incorporating SEA), particularly policies SP1, SP2, DM2 and DM8. The purpose of the SPD is to set a framework for the preparation and determination of planning applications in the context of the adopted policies within the Island Plan Core Strategy.
(b) <i>the degree to which the plan or programme</i>	The SPD is at the lower tier of the development plan

Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Isle of Wight Council Response
<i>influences other plans and programmes including those in a hierarchy.</i>	hierarchy, as it sits underneath the Island Plan Core Strategy (the Local Plan). The purpose of the document is to supplement the policies in the Core Strategy, to guide the preparation and determination of planning applications and coordinate and support the council's bid for funding and capital spending programme.
<i>(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</i>	The SPD provides more details to the policies within the Island Plan Core Strategy. Environmental and sustainability considerations underpin all the proposals within the SPD, including how any development within the Newport Harbour area could achieve the sustainable development requirements set out in the Core Strategy.
<i>(d) environmental problems relevant to the plan or programme.</i>	The document itself does not identify any environmental problems beyond those already recognised in the SA/SEA of the Core Strategy. The SPD provides the context and framework for the preparation and determination of planning applications. Any environmental problems will also be identified (and if required mitigated) as the more detailed proposals for each area of the Harbour are drawn up through the planning application process.
<i>(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).</i>	The SPD seeks to provide further details to the policies within the Island Plan Core Strategy. Both the Core Strategy and SPD comply with the regulations.
Characteristics of the effects and of the area likely to be affected	
<i>(a) the probability, duration, frequency and reversibility of the effects.</i>	The SPD supplements the policies within the Core Strategy and provides the context and framework for the preparation and determination of planning applications. The SPD encourages growth and development in a holistic way, which is more likely to encourage sustainable development than without a masterplan.
<i>(b) the cumulative nature of the effects.</i>	Whilst the masterplan covers a key area of Newport, the accumulation of the proposals both on their own and with other plans and programmes covering either Newport or the wider Medina Valley Key Regeneration Area, are unlikely to result in significant environmental effects beyond those identified in the SA/SEA of the Island Plan Core Strategy.
<i>(c) the trans-boundary nature of the effects.</i>	There are no trans-boundary effects.

Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Isle of Wight Council Response
(d) <i>the risks to human health or the environment (for example, due to accidents).</i>	There are no perceived risks to human health or the environment arising from the SPD. Any risks to human health or environmental effects will be identified (and if required mitigated) as the more detailed proposals for each site are developed through the planning application process.
(e) <i>the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).</i>	The SPD covers a key area of Newport, encourages regeneration and identifies the most appropriate location for various potential uses. The SPD will affect residents and businesses within Newport and possibly wider (Key Regeneration Area or Island-wide). One of the aims of the SPD is to encourage external investment into Newport Harbour and the wider town area.
(f) <i>the value and vulnerability of the area likely to be affected due to</i> <i>(i) special natural characteristics or cultural heritage</i> <i>(ii) exceeded environmental quality standards or limit values; or</i> <i>(iii) intensive land-use.</i>	While there are a number of nature conservation designations both within the plan area and adjacent, the effects of the SPD have been screened out (either through the parent policies or directly in the case of the Solent and Dorset Coast SPA) as having no effects. The SPD supplements the policies within the Island Plan Core Strategy and provides a framework to encourage sustainable development.
(g) <i>the effects on areas or landscapes which have a recognised national, community or international protection status.</i>	The SPD does not provide for more development than is in the Island Plan Core Strategy and so the effects on protected areas has already been assessed (other than the Solent and Dorset Coast SPA which has been screened separately).

7. Screening and consultation outcome

- 7.1 Based on the above screening it is clear that the Newport Harbour Masterplan SPD is unlikely to have a significant effect on the environment.
- 7.2 Table 7.1 below sets out the comments³ received from the Environment Agency, Historic England, Natural England and the Marine Management Organisation regarding this screening report for the Newport Harbour Masterplan SPD and the likely effects on the environment.

³ To be completed following consultation.

Table 7.1: Comments received from the Statutory Consultees on the Draft Screening Report

Statutory Consultee	Statutory Consultee Response
Environment Agency	<i>To be completed following consultation</i>
Historic England	<i>To be completed following consultation</i>
Natural England	<i>To be completed following consultation</i>
Marine Management Organisation	<i>To be completed following consultation</i>

7.3 A consultation statement for the SPD will be published by the council that summarises the main issues raised by respondents and how those issues have been addressed. Appendix 1 of the consultation statement will provide a summary of issues raised and how these have been addressed.

8. Conclusion

8.1 As discussed above, the Newport Harbour Masterplan SPD has not been subject to a full Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment (HRA) for the following reasons⁴:

- The nature of the plan is to provide a framework for the regeneration of Newport Harbour in a planned, cohesive and holistic manner. It is likely that without the SPD the majority of benefits identified will not be realised and is therefore the least sustainable option. The SPD will not in itself determine projects or developments;
- The plan aims to deliver the preferred option as identified through the 'parent' plan SA/SEA and is therefore likely to deliver certain sustainability benefits (primarily against the 'Economic objectives, Regeneration and Provision of infrastructure' SA Objectives of the Core Strategy);
- The SA/SEA of the 'parent DPD' determined no likely significant effects; and
- The HRA of the 'parent DPD' determined no likely significant effects.

⁴ To be confirmed post consultation.