

# **Liveable Water Lane Supplementary Planning Document**

**Development Framework and Design Code:**

## **Strategic Environmental Appraisal**

Screening statement

June 2024

**Exeter City Council**  
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## 1.0 Introduction

- 1.1. The Environmental Assessment of Plans and Programmes Regulations 2004 explain how Local Planning Authorities should undertake the Strategic Environment Assessment Directive (SEA) in respect of plans and programmes<sup>1</sup>. This is usually undertaken through the plan-making process through Sustainability Appraisal (SA).
- 1.2. The SEA/SA is a systematic process that is carried out during the preparation of planning policy, primarily local plans. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- 1.3. The Planning Practice Guidance (PPG)<sup>2</sup> explains the SEA/SA process in relation to Supplementary Planning Documents (SPDs). It 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 have been assessed during the preparation of the relevant strategic policies'.
- 1.4. In deciding whether an SPD requires SEA a local planning authority will need to take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies. This is known as the screening process.
- 1.5. This statement provides the screening decision of Exeter City Council in relation to the Liveable Water Lane Supplementary Planning Document (SPD) for consultation with the three statutory bodies:
  - Environment Agency
  - Natural England; and
  - Historic England.

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<sup>1</sup> <https://www.legislation.gov.uk/uksi/2004/1633/regulation/11/made>

<sup>2</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

## **2.0 Liveable Water Lane SPD**

- 2.1. Water Lane is a strategic brownfield redevelopment area in Exeter. The site runs alongside the Riverside Valley Park and the Great West mainline railway and currently contains a variety of non-residential land uses.
- 2.2. The Water Lane site is allocated in the current Exeter Local Plan First Review which was adopted in 2005 and the Core Strategy which was adopted in 2012. The City Council is also proposing to allocate Water Lane again in the emerging Exeter Plan.
- 2.3. The Liveable Water Lane SPD amplifies planning policies KP6 of the Exeter Local Plan First Review, C17 of the Exeter Core Strategy and policy H2 of the emerging Exeter Plan (currently at Regulation 18 consultation stage) by providing a vision, development framework and design code to guide the delivery of high quality, co-ordinated redevelopment and place-making at Water Lane.
- 2.4. The allocation of Water Lane was subject to SA for the Exeter Local Plan First Review and Core Strategy. As an emerging allocation, Water Lane has also been subject to SA during the preparation of the new Exeter Plan.

### 3.0 The SEA screening assessment

- 3.1. The key to the screening decision is the determination of whether the SPD is likely to have significant environmental effects, using the criteria set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2. The screening assessment is set out in the matrix included in Tables 1 and 2.
- 3.3. It should be noted that the SA for the adopted Core Strategy<sup>3</sup> which provides policy provision regarding design and local distinctiveness for the Water Lane allocation as part of the Quay and the Canal Basin area concludes a series of moderate impact and medium likelihood effects.

**Table 1: Criteria for determining the likely significance of effects on the environment: Characteristics of the Liveable Water Lane SPD**

<b>Characteristics of the Liveable Water Lane SPD having regard to the following criteria</b>	<b>Summary of likelihood of potential significant effects (negative and positive)</b>
The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The SPD will provide more detail to adopted and emerging policies in upper tier plans (policies KP6 of the adopted Exeter Local Plan First Review, C17 of the adopted Exeter Core Strategy and policy H2 of the emerging Exeter Local Plan). It is the upper tier plans that set the framework for development and not the SPD.</p> <p>The SPD will provide more detail to the aforementioned policies and will therefore contribute to the framework for future development consents.</p>
The degree to which the SPD influences other plans and programmes including those in a hierarchy	The SPD sits at the lowest tier of the development plan hierarchy and therefore does not influence other plans or programmes. Instead it provides details for the implementation of upper tier plans. The SPD will supplement the adopted Exeter Local Plan First Review, adopted Exeter Core Strategy and emerging Exeter Plan, which have been subject to full SA including SEA.
The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD provides more detail to the adopted and emerging policies listed above. It will provide additional guidance on sustainable design, resource use and construction; options to ensure safe access/egress to/from the site in the event of flooding; the

<sup>3</sup> <https://exeter.gov.uk/media/1634/adopted-sustainability-appraisal.pdf>

Characteristics of the Liveable Water Lane SPD having regard to the following criteria	Summary of likelihood of potential significant effects (negative and positive)
	provision of facilities and employment for new residents to minimise the need to travel; active travel infrastructure; and the provision of open space and biodiversity enhancements.
Environmental problems relevant to the SPD	The SPD will not introduce or exacerbate environmental problems. It will provide additional guidance on sustainable design, resource use and construction; options to ensure safe access/egress to/from the site in the event of flooding; the provision of facilities and employment for new residents to minimise the need to travel; active travel infrastructure; and the provision of open space and biodiversity enhancements.
The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	Together with the upper tier plans, the SPD provides further detail and guidance on the implementation of community legislation, specifically through the provision of design codes for water management and ensuring the use of sustainable urban drainage systems.

**Table 2: Criteria for determining the likely significance of effects on the environment: Characteristics of the effects and of the area likely to be affected**

Characteristics of the effects and of the area likely to be affected having regard to the following criteria	Summary of likelihood of potential significant effects (negative and positive)
The probability, duration, frequency and reversibility of the effects	The SPD supplements adopted and emerging planning policies in upper tier plans, the effects of which have already been assessed in SAs.
The cumulative nature of the effects	The SPD supplements adopted and emerging planning policies in upper tier plans, the effects of which have already been assessed in SAs.
The transboundary nature of the effects	The SPD supplements adopted and emerging planning policies in upper tier plans that have already been assessed in SAs. The effects of the SPD are limited to Exeter.
The risks to human health or the environment (for example, due to accidents)	The SPD supplements adopted and emerging planning policies in upper tier plans that have already been assessed in SAs. There are no additional risks to

<p><b>Characteristics of the effects and of the area likely to be affected having regard to the following criteria</b></p>	<p><b>Summary of likelihood of potential significant effects (negative and positive)</b></p>
<p>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>human health or the environment arising from the application of this SPD.</p> <p>The SPD supplements adopted and emerging planning policies in upper tier plans that have already been assessed in SAs. The geographical area and size of the population likely to be affected is limited to Water Lane. Therefore the expected effects are low in terms of magnitude and small in terms of spatial extent.</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>- Special natural characteristics or cultural heritage</li> <li>- Exceeded environmental quality standards or limit values; or</li> <li>- Intensive land-use</li> </ul>	<p>Water Lane lies within the impact of zone of the Exe Estuary Special Site of Scientific Interest (SSSI) and within 10km of the Exe Estuary Special Protection Area (SPA). The site has the potential to contain unknown archaeological remains, is in close proximity to a number of listed buildings, includes three locally listed buildings/structures (the gateway to no.62 Haven Road, the Gas Works Former Manager's House/Office and the boundary wall to the Canal Basin) and includes a small part of the Riverside conservation area. The value and vulnerability of the SPD area has been considered in the SAs of adopted and emerging policies in upper tier plans. The SA of the emerging Exeter Plan concludes that policy H2 will have mixed effects (minor negative and minor positive) on European sites, noting that mitigation contributions will be required in line with the South-east Devon Mitigation Strategy. The same SA concludes that policy H2 will have mixed effects (minor negative and minor positive) on heritage assets are expected.</p>
<p>The effects on areas or landscapes which have a recognised national, community or international protection status</p>	<p>Water Lane lies within the impact of zone of the Exe Estuary Special Site of Scientific Interest (SSSI) and within 10km of the Exe Estuary Special Protection Area (SPA). The effects of the SPD on these landscapes have been considered in the SAs of adopted and emerging policies in upper tier plans. The SA of the emerging Exeter Plan concludes that policy H2 will have</p>

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<b>Characteristics of the effects and of the area likely to be affected having regard to the following criteria</b>	<b>Summary of likelihood of potential significant effects (negative and positive)</b>
	mixed effects (minor negative and minor positive) on European sites, noting that mitigation contributions will be required in line with the South-east Devon Mitigation Strategy.

#### **4.0 Determination – Statement of reasons**

- 4.1 It is demonstrated in Tables 1 and 2, through the assessment related to the criteria in the SEA Directive Criteria, that the impact of the Liveable Water Lane SPD will not have significant environmental effects.
- 4.2 The three statutory consultation bodies of the Environment Agency, Natural England and Historic England were consulted on this screening statement and determination.
- 4.3 Historic England responded to the screening statement consultation to advise that, in their opinion, the impact of the SPD will not have significant environmental effects. The Environment Agency and Natural England did not respond to consultation on the screening statement. However, the Environment Agency responded to the statutory consultation undertaken on the draft SPD in late 2023 and, in their response, did not advise that the impact of the SPD will have significant environmental effects. Natural England did not respond to the statutory consultation on the draft SPD. As such, the Council considers it reasonable to assume that Natural England do not consider that the impact of the SPD will have significant environmental effects.



## **5.0 Conclusion**

- 5.1 Based on the assessment contained in section 3 of this screening statement, and the responses received from Historic England and the Environment Agency to consultation on this screening statement and the draft Liveable Water Lane SPD, it is concluded that that the impact of the SPD will not have significant environmental effects. As such, it is not necessary for the Council to undertake a strategic environmental assessment of the Liveable Water Lane SPD.

**Date: 13 June 2024**