



**Draft Mid Devon The Design of Shopfronts and
Associated Advertisements
Supplementary Planning Document (SPD)**

**Strategic Environmental Assessment Screening
Report**

February 2021

1.0 Mid Devon The Design of Shopfronts and Associated Advertisements SPD

Purpose, scope and content

- 1.1 The advice offered in this guidance is to help towards achieving successful designs where shop fronts are proposed either as new build or as replacements. It will set out the relationship between Mid Devon District Council (MDDC) planning policy and guidance whilst identifying its purpose as bridging the gap between high level policy aspirations and delivery on the ground. This is to ensure that future change integrates well into the existing context.
- 1.2 The document is set out in two parts. The first is a guide to a successful refurbishment or alteration to an existing shopfront, or complete replacement of a shopfront, or a brand new shopfront. The second sets out the permissions/consents that may be required and the context in which those decisions are made.

Relationship with the National Planning Policy

- 1.6 The National Planning Policy Framework (2019), in Chapter 7 'Ensuring the vitality of town centres' sets out that "*Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*" (paragraph 85, NPPF). Chapter 16 'Conserving and enhancing the historic environment', is the main part relative to heritage. This requires that great weight is given to a heritage assets conservation.

Relationship with the Mid Devon Local Plan

- 1.8 The Mid Devon Local Plan 2013-2033 was adopted July 2020.
- 1.9 Applications for development must be determined in accordance with the Development Plan unless material consideration indicate otherwise as required by section 38(6) of the Town and Country Planning Act 1990 (as amended)
- 1.10 Policies with the Adopted Local plan that are relevant to this SPD are:
- DM1 – High Quality Design
 - DM16 - Fronts of shops and business premises
 - DM17 - Rural shopping
 - DM25 - Development affecting heritage assets
- 1.11 The Adopted Mid Devon Local Plan 2013 – 2033 has been subject to a Sustainability Appraisal (SA), which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.
- 1.12 The Design of Shopfronts and Associated Advertisements SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. It will, however, be capable of being a material consideration in determining planning applications.

2.0 SEA and SEA Screening

Strategic Environmental Assessment

- 2.1 The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on

the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on 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.

Screening

- 2.2 The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3 In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have ‘significant environmental effects’. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.



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2.4 A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes

on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

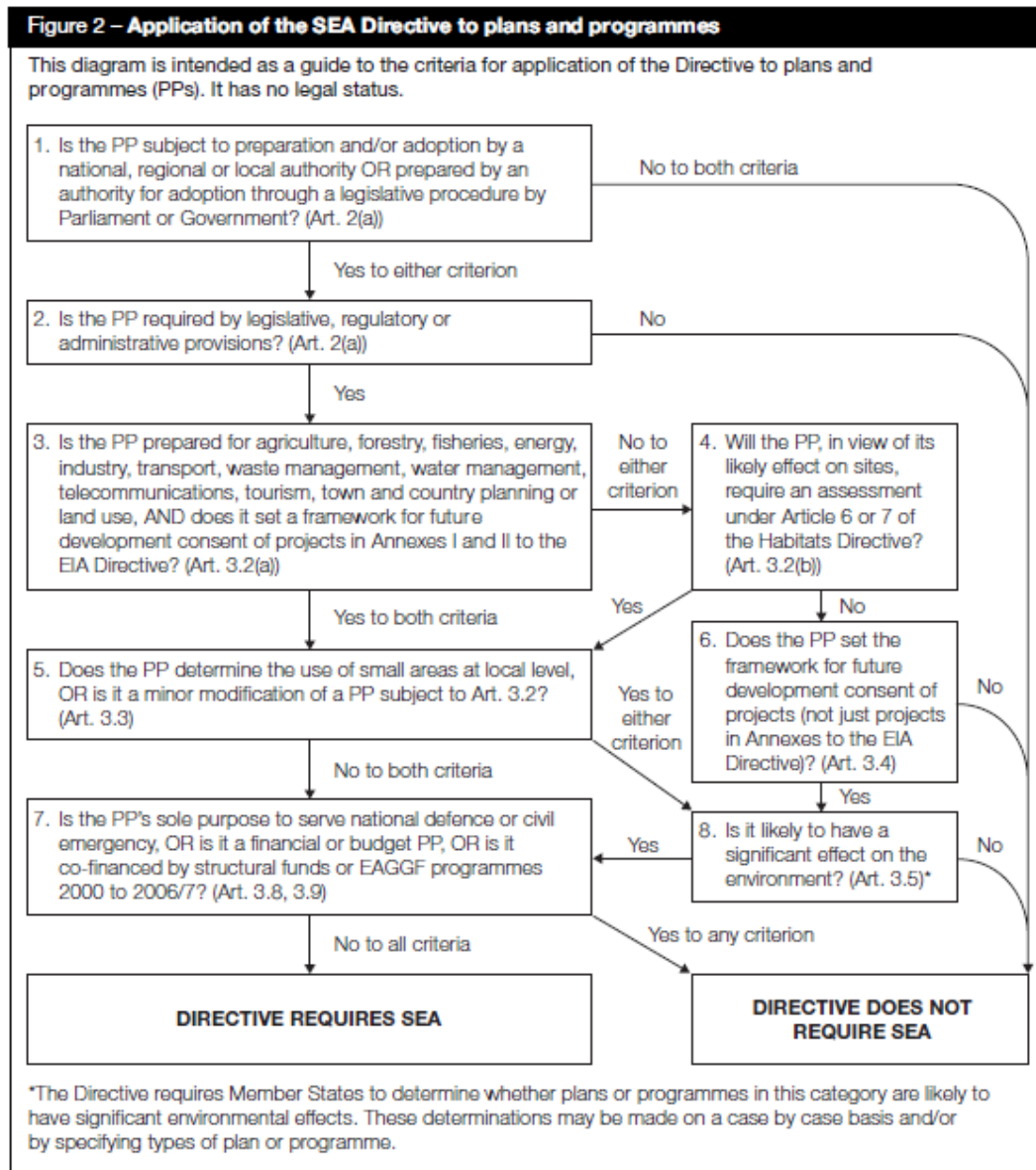


Diagram 1: Application of the SEA Direct to plans and programmes (Figure 2 extracted from ‘A practical guide to the Strategic Environmental Assessment Directive’)

2.5 Table 1 below sets out the Council’s response to the above questions in order to clearly assess the whether there is a requirement for the Mid Devon Eastern Urban Extension Area B SPD to be subject a full SEA.

2.6 Table 2 provides the Council’s assessment of likely significant effects of the Mid Devon Eastern Urban Extension Area B SPD on the environment, in accordance with the screening report process in Table 1.

Table 1: Screening of the Mid Devon The Design of Shopfronts and Associated Advertisements SPD

Stage	Y/N	Reason
1. Is the SPD 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))	Y	<p>The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.</p> <p>Go to STAGE 2</p>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	<p>Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.</p> <p>Go to STAGE 3.</p>
3. Is the SPD 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 a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	N	<p>The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan Review (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to The Design of Shopfronts and Associated Advertisements.</p> <p>It would relate to all premises with an existing shopfront or where a new one is proposed.</p> <p>It does not set a Framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))</p> <p>Go to STAGE 4</p>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	N	<p>The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.</p> <p>Go to STAGE 6</p>
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or	Not applicable	

programme subject to Art 3.2? (Art.3.3)		
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Y	'The SPD will be material consideration in planning applications for specific development and advertisement consents. It provides detailed guidance to adopted Local Plan policy (minor modification).' Go to STAGE 8
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	Not applicable	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment. DIRECTIVE DOES NOT REQUIRE SEA of the SPD

Table 2: Determining the likely significance of effects of the Mid Devon The Design of Shopfronts and Associated Advertisements SPD on the environment

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) 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;	N	The SPD, if adopted will help guide development in relation to new and replacement shopfronts and associated advertisements in accordance with the policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan Review 2013-2033 policies. The SPD will not significantly influence other plans and programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with	N	The SPD will help the integration of design and heritage considerations with a view to promoting sustainable

a view to promoting sustainable development;		development as part of the development proposals.
d) Environmental problems relevant to the SPD; and	N	There are no or very limited environmental problems which arise from the nature of the SPD which relates only to the design of shopfronts and associated adverts. Planning policy in relation to any slight environmental problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review.
e) 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)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
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;	N	The SPD gives guidance on shopfronts and associate advertisements and has and part of an ambition for an attractive and shopping areas. This will ensure the development has positive social and environmental impacts. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan Review 2013-2033 and it is intended that the effects will have a positive cumulative effect by driving up the standard of design in shopfronts and associated advertisements and sense of well-being for future residents.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The SPD seeks to provide advice and good practice in the design of shopfronts and associated advertisements
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality development. There are no significant risks to human health.
e) The magnitude and spatial	N	The SPD is limited only those

extent of the effects (geographical area and size of the population likely to be affected);		buildings with shop fronts which are a very low proportion of the built development in Mid Devon. The population affected will relate to those who visit any building with a shopfront where there has been change, which itself is anticipated to be a low number of the overall stock of buildings with shop fronts.
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	There are a number of Listed Buildings, conservation areas and other heritage assets that could be either directly affected by or in proximity to a building with a shop front where change is proposed. The SPD seeks a positive approach to maintain, or improve proposals that affect all heritage asserts and their setting. The SPD seeks to guide development in keeping with the principles of national, regional and local strategic policy and seek to prevent poor or ill considered proposals.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD only relates to changes to existing or new shopfronts and their associated advertisements. It would not impact of any of these designations.

3.0 Conclusions

3.1 This SEA screening has identified that the draft Mid Devon The Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant effects on the environment.

3.2 The SEA screening has also found that there is no requirement for the Mid Devon The Design of Shopfronts and Associated Advertisements SPD to be subject to a full SEA.

4.0 Next steps

4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

4.2 The screening opinion will be published alongside The Design of Shopfronts and Associated Advertisements SPD and will also be subject to public consultation.