



## **THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004**

### **REGULATION 9 - SCREENING CONSIDERATION DRAFT HARROGATE TOWN CENTRE STRATEGY AND MASTERPLAN**

This document is a screening consideration of the need to carry out a Strategic Environmental Assessment for the Harrogate Town Centre Strategy and Masterplan and is made in accordance with the regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulation).

The draft Harrogate Town Centre Strategy and Masterplan (HTCSM) sets out Harrogate Borough Council's (HBC) proposed strategy for the development of Harrogate Town Centre in the period to 2025. The masterplan seeks to deliver town centre improvements, attract inward investment and inform development management decisions within the town centre. It seeks to provide a co-ordinated approach that will ensure that the future development of the town centre enables it to compete effectively with other destinations and delivers the HBCs wider objectives for the improvement of the environment and the local economy. The preparation of the HTCSM reflects the requirement of the National Planning Policy Framework for local planning authorities to plan positively for sustainable development and produce evidence-based plans and policies that are aspirational but also realistic.

The HTCSM will support policies contained within other Development Plan Documents and specifically the Harrogate Core Strategy. In particular it will assist with the implementation of the following Core Strategy policies:

- Policy JB2 which seeks to support conference and business tourism by increasing hotel provision in the town centre, and supporting the expansion and re-development of the Harrogate International Centre.
- Policy JB4 which states that Harrogate's role as a sub-regional town centre will be reinforced through the expansion of its retail offer, transport improvements, enhanced office, hotel and residential provision, and environmental improvements.

The HTCSM will also support the corporate strategies of HBC and the economic development strategies of HBC and the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP). The district also falls within the Leeds City Region LEP. The Borough Council's Corporate Plan (2014-2017) has four priorities including supporting a strong local economy and creating a sustainable environment within the District, whilst the Borough's 'Strong Local Economy Action Plan' (2015-2020) places an emphasis on tourism including developing the local tourism offer, maintaining the quality of the visitor experience, and encouraging the development of new events. The York, North Yorkshire and East Riding LEP's Strategic Economic Plan also seeks to create successful and distinctive places, unlock major growth opportunities and address environmental quality and community needs.

The draft HTCSM has been informed by a baseline report that provides the evidence base for the strategy and masterplan. The baseline report presents the results of a number of inter-related lines of enquiry concerning the current composition and performance of the town centre, its physical environment and infrastructure, and the local property market.

The draft HTCSM is the subject of public consultation between 4 September and 16 October 2105. Following the close of the consultation period the response received will be carefully considered and the document amended where appropriate. It is then the Council's intention to adopt the HTCSM as a Supplementary Planning Document (SPD). The draft HTCSM document and all supporting information can be found at: <https://consult.harrogate.gov.uk/kse/>

Supplementary Planning Documents add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

The National Planning Practice Guidance states that SPDs 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 Local Plan. The practice guidance goes on to say that 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.

The Environmental Assessment of Plans and Programmes Regulations 2004 implement the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. 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.

Regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004 states that:

- (6) An environmental assessment need not be carried out—
- (a) for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level; or
  - (b) for a minor modification to a plan or programme of the description set out in either of those paragraphs,

unless it has been determined under regulation 9(1) that the plan, programme or modification, as the case may be, is likely to have significant environmental effects, or it is the subject of a direction under regulation 10(3).

Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 states that:

9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in—

- (a) paragraph (4)(a) and (b) of regulation 5;
- (b) paragraph (6)(a) of that regulation; or
- (c) paragraph (6)(b) of that regulation,

is likely to have significant environmental effects.

(2) Before making a determination under paragraph (1) the responsible authority shall—

- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
- (b) consult the consultation bodies.

(3) Where the responsible authority determines that the plan, programme or modification is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

Therefore before the Council makes a decision whether or not the Harrogate Town Centre Strategy and masterplan is likely to have significant environmental effects it must consider the plan proposals against the criteria specified in Schedule 1 of the Regulations and consult the consultation bodies (Historic England, Natural England and the Environment Agency). A copy of Schedule 1 of the Regulations is provided at **Appendix 1**.

In accordance with Regulation 9 of the SEA Regulations 2004, Harrogate Borough Council, as the responsible authority, considers that an environmental assessment of the emerging Harrogate Town Centre Strategy and Masterplan is not required as it determines the use of a small area at local level and is unlikely to have significant environmental effects. In coming to this conclusion the Council has had regard to Schedule 1 of the Regulations. The Council's consideration of the draft strategy and masterplan against Schedule 1 is set out in **Appendix 2**.

Whilst not a requirement of national guidance or the Regulations, the Council has also considered the HTCSM's draft strategic objectives against the emerging Local Plans sustainability objectives. This tests the strategic objectives of the HTCSM against the social, economic and environmental objectives of the wider Local Plan context under which the document will sit. The results of this assessment are provided at **Appendix 3**.

A copy of this consideration has been sent to the consultation bodies for their consideration. Following receipt of your response the Council will review its consideration of the likely environmental effects of the HTCSM and make a decision as to whether an environmental assessment is required. Should the Council determine that HTCSM is unlikely to have significant environmental effects it shall amend and publish this statement of its reasons.

Please could I request your views on this subject by Wednesday 21 October 2015. Responses can be sent to [PlanningPolicy@harrogate.gov.uk](mailto:PlanningPolicy@harrogate.gov.uk) or posted to Planning Policy, Planning and Development, P.O. Box 787, Harrogate, HG1 9RW.

SCHEDULE 1

Regulations 9(2)(a) and 10(4)(a)

CRITERIA FOR DETERMINING THE LIKELY  
SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. 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;
  - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
  - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - (d) environmental problems relevant to the plan or programme; and
  - (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).
  
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;
  - (b) the cumulative nature of the effects;
  - (c) the transboundary nature of the effects;
  - (d) the risks to human health or the environment (for example, due to accidents);
  - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
  - (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; and
  - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

**Appendix 2: Consideration of the Draft HTCSM against Schedule 1 of the SEA Regulations**

| <b>Criteria for determining the likely significance of effects on the environment (Schedule 1)</b>   | <b>Likely to have significant environmental effects</b> | <b>Consideration of effects</b>  |
|--|---|--|
| 1 (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  | <p>The HTCSM will set out a masterplan for Harrogate town centre. The draft document sets out a vision of the town centre in 2025, contains a series of masterplan projects and policy recommendations designed to deliver that vision along with a proposed implementation plan.</p> <p>There are three broad themes under which the masterplan projects sit: a public realm strategy, a visitor strategy and a movement strategy. The majority of projects involve either public realm improvements, development opportunities or transport and accessibility improvements within the confines of the town centre boundary. It is not the purpose of the HTCSM to provide the detailed designs or assessment of the projects but simply to identify the opportunities available and any particular considerations and constraints that should be factored into their development.</p> <p>The HTCSM is in conformity of the policies within the existing Core Strategy that has already undergone a Sustainability Appraisal.</p> |
| 1 (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy   | No  | <p>The HTCSM, as a supplementary planning document is at the bottom end of the planning policy hierarchy, adding further detail to the policies in the adopted Local Plan. The HTCSM does however identify potential town centre development sites, and seeks to guide the use and design of developments in the town centre. As a SPD the HTCSM would be capable of being a material consideration in planning decisions but would not form part of the development plan.</p> <p>The HTCSM will help to deliver the related objectives and policies of the existing Core Strategy and, where appropriate, the Council will consider whether particular projects should be included within the emerging Local Plan.</p>  |
| 1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development  | No  | <p>The strategy and masterplan projects set out in the draft HTCSM are planned to have a positive impact on local environmental assets in a small area of the district at a local level. The strategy and masterplan projects primarily focus on the protection and enhancement of the public realm, green spaces and historic buildings.</p> <p>In terms of sustainable development the main impacts will be on the creation of new job opportunities,</p>  |

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|  |    | cultural heritage and improvements to accessibility (particularly by public transport). Delivering sustainable development in the town is at the heart of the HTCSM vision and objectives.  |
| 1 (d) environmental problems relevant to the plan or programme   | No | <p>The impact on traffic flow arising from the masterplan projects is unclear and will be the subject of further detailed assessment as projects are brought forward for design, consultation and implementation. However, there are no major new housing or employment sites identified as part of the HTCSM that would generate significant levels of additional traffic.</p> <p>The HTCSM includes projects that seek to introduce new leisure uses into the town and includes projects designed to increase the attractiveness of the centre to visitors. However these are balanced with proposals to review the parking management arrangements in the town and improve the accessibility and use of public transport.</p> <p>There are no Air Quality Management Area within the HTCSM boundary.</p> |
| 1 (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) | No | The HTCSM is in compliance with the adopted Local Plan.   |
| 2 (a) the probability, duration, frequency and reversibility of the effects;   | No | It is highly unlikely that there will be any irreversible or long term damaging environmental impacts associated with the HTCSM. It is expected that any new development will be sustainable with any impacts mitigated appropriately.  |
| 2 (b) the cumulative nature of the effects;  | No | It is not possible to fully assess the cumulative effects at this stage. However it is anticipated that the HTCSM proposals taken as a whole would have a positive effect that is mainly local in impact.   |
| 2 (c) the transboundary nature of the effects;   | No | <p>The HTCSM could have effects beyond the town centre boundary in increasing the attractiveness of the town centre to those residents and other visitors living beyond its boundaries.</p> <p>Improvements to more sustainable transport modes, including cycling, walking, bus and rail should minimise any transboundary impacts.</p>  |
| 2 (d) the risks to human health or the environment (for example, due to accidents);  | No | No obvious risks have been identified. Road safety will be an important consideration in the design and implementation of public realm proposals.   |
| 2 (e) the magnitude and spatial extent of the effects  | No | The HTCSM relates to an area of 89.95 ha (0.89 sq km).  |

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| (geographical area and size of the population likely to be affected);  |    | <p>The resident population of the HTCSM area is estimated to be approximately 3,473 (2011)* Harrogate town's population is 76,260 (2011 Census). The resident and working populations of the HTCSM area will be most likely to be affected by the plan; hence it will be confined to a local impact.</p> <p>* Based on the 2011 Census population figures for Output Areas covering the HTCSM area.</p>   |
| <p>2 (f) the value and vulnerability of the area likely to be affected due to—</p> <p>(i) special natural characteristics or cultural heritage;</p> <p>(ii) exceeded environmental quality standards or limit values; or</p> <p>(iii) intensive land-use</p> | No | <p>The HTCSM area is wholly within the Harrogate Conservation Area and contains numerous Listed Buildings. The impact of masterplan projects on the conservation area has been an important consideration in their development. The study area also adjoins Valley Gardens a Grade 2 star Historic Park and Garden.</p> <p>The HTCSM is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. If anything it will provide greater support to enhance the setting of heritage assets and of green spaces and encourage new opportunities for recreation, access and leisure.</p> <p>Improved open spaces will help manage environmental risks and improve their resilience to climate change.</p> <p>The HTCSM will not alter the intensity of land-use within the study area.</p> |
| (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.   | No | <p>The HTCSM will not adversely affect areas or landscapes which have a recognised national, community or international protection status. The HTCSM area is located within the Harrogate Conservation Area, a factor that has been considered carefully when developing the strategy and masterplan proposals contained in the draft document. The document contains design principles for the town centre that reflect those contained within the conservation area appraisal.</p>  |



**Appendix 3: Consideration of the HTCSM Strategic Objectives**

| Sustainability Objectives  | 1                                     | 2   | 3   | 4  | 5  | 6                       | 7                                    | 8   | 9                        | 10                                       | 11                                | 12  | 13   | 14  | 15   | 16  |
|--|---------------------------------------|---|---|--|--|-------------------------|--------------------------------------|---|--------------------------|--|-----------------------------------|---|--|---|--|---|
| <p><b>KEY</b></p> <ul style="list-style-type: none"> <li><span style="color: green;">●</span> compatible</li> <li><span style="color: red;">◆</span> inconsistent</li> <li><span style="color: orange;">○</span> uncertainty</li> <li>no link/neutral</li> </ul> | quality housing available to everyone | conditions and services to engender good health | safety and security for people and property | vibrant communities which participate in decision making | culture, leisure and recreation facilities for all | local needs met locally | education and training opportunities | biodiverse and attractive natural environment | minimal pollution levels | transport network which maximises access | minimise greenhouse gas emissions | prudent and efficient use of energy and resources | protect and enhance the historic heritage assets | a quality built environment and efficient land use patterns | good quality employment opportunities available to all | conditions for business success, economic growth and investment |
| <b>HTCSM Draft Strategic Objectives</b>  |                                       |   |   |  |  |                         |                                      |   |                          |  |                                   |   |  |   |  |   |
| 1. Preserving and enhancing the elements of the town centre environment that make a key contribution to its current success.   |                                       | ●   | ●   | ●  | ●  | ●                       |                                      | ●   | ●                        | ●  | ●                                 | ●   | ●  | ●   | ●  | ●   |
| 2. Addressing those elements of the town centre environment that detract from the visitor experience and therefore its economic performance.   |                                       | ●   | ●   |  | ●  | ●                       | ●                                    | ●   | ●                        | ●  | ●                                 | ●   | ●  | ●   | ●  | ●   |
| 3. Differentiating Harrogate’s offer in the key areas of retail, leisure and events so that it can compete more effectively with regional and national competitors.  |                                       |   | ○   |  | ●  | ●                       |                                      | ○   |                          | ○  |                                   |   | ●  | ●   | ●  | ●   |
| 4. Growing Harrogate’s visitor economy by better integrating its existing strengths, broadening its appeal and raising its profile.  |                                       |   |   |  | ●  | ●                       | ●                                    | ○   | ●                        | ○  | ●                                 | ●   | ●  | ●   | ●  | ●   |
| 5. Managing the future growth of the town centre to ensure that existing weaknesses are not exacerbated.   | ○                                     | ●   | ●   | ●  | ●  | ●                       | ●                                    | ●   | ●                        | ●  | ●                                 | ●   | ●  | ●   | ●  | ●   |

## COMMENTARY

Below is a commentary for those objectives where there are acknowledged incompatibilities or uncertainties.

### ***HTCSM Strategic objective 3: Differentiating Harrogate's offer in the key areas of retail, leisure and events so that it can compete more effectively with regional and national competitors.***

#### *SA Objective 3 – safety and security for people and property:*

In differentiating Harrogate town centres leisure offer, activities that are associated with antisocial behaviour could be introduced. Council will seek to control the impact of such activities through the planning application process, where required, and in consultation with North Yorkshire Police. The HTCSM proposes the preparation of a co-ordinated strategy to manage the evening economy in Harrogate, taking into account the changes in the composition of the town centre that may occur as a result of the HTCSMs implementation.

#### *SA Objective 8 – biodiverse and attractive natural environment:*

Differentiating Harrogate's retail, leisure and events offer may introduce uses that are less compatible with the objective to protect and enhance biodiversity and the natural environment in the town centre. However, this would be against the HTCSMs vision for the town centre and the Council would control the impact of land use proposals through the planning application process.

#### *SA Objective 10 – transport network which maximises access:*

This objective is concerned with increasing access and reducing traffic impacts. Increasing the town's competitiveness against alternative retail, leisure and events destination is likely to attract a greater number of both domestic and overseas visitors to the town. This could potentially increase congestion in the town if done so without corresponding improvements in public transport and the development of an integrated approach to traffic management. Whilst these are measures that are proposed in the HTCSM there is some uncertainty over their delivery.

### ***HTCSM Strategic objective 4: Growing Harrogate's visitor economy by better integrating its existing strengths, broadening its appeal and raising its profile.***

#### *SA Objective 8 – biodiverse and attractive natural environment:*

Growing the towns visitor economy may impact on the ability to protect and enhance the towns historic heritage assets and the biodiverse and attractive natural environment. In the detailed design and implementation of HTCSM proposals the Council will seek to minimise and mitigate against the impacts on these assets.

#### *SA Objective 10 – transport network which maximises access:*

This objective is concerned with increasing access and reducing traffic impacts. Growth in in the town's visitor economy, attracting a greater number of both domestic and overseas visitors, has the potential to increase congestion in the town if done so without corresponding improvements in public transport and the development of an integrated approach to traffic management. Whilst these are measures that are proposed in the HTCSM there is some uncertainty over their delivery.

***HTCSM Strategic objective 5: Managing the future growth of the town centre to ensure that existing weaknesses are not exacerbated.***

*SA Objective 1 - quality housing available to everyone:*

The Council's ability to deliver affordable housing in Harrogate town centre is often compromised by development viability, either due to the presence of abnormal site constraints or the historic importance of land and buildings.