10th September 2014

Dear Sir/Madam

South Quay Masterplan – Strategic Environmental Assessment Determination Letter
The Environmental Assessment of Plans and Programmes (England) Regulations 2004

Introduction

The London Borough of Tower Hamlets (LBTH) has identified the need for a South Quay Masterplan to help manage the aspirations to deliver a significant amount of housing growth south of Canary Wharf and to secure the associated benefits for the wider community. Specifically, it is needed to ensure that development contributes to an overall high quality and sustainable morphology, to deliver an optimum level of affordable housing and to ensure infrastructure requirements are planned for and delivered. The Masterplan is envisaged to be adopted as a Supplementary Planning Document (SPD) to support the Local Plan.

A Strategic Environmental Assessment (SEA) is an assessment of the likely effects of a plan or programme on the environment. The requirement for SEA is set down in the EU Strategic Environmental Assessment Directive (2001/42/EC) which was transposed into UK law in 2004 through The Environmental Assessment of Plans and Programmes Regulations 2004 (known as the ‘SEA Regulations’).

The South Quay Masterplan is considered to be a plan/ programme as defined by the SEA Regulations. Regulation 9 of the SEA Regulations require the responsible authority (in this case LBTH) to determine whether or not a plan or programme is likely to have significant environmental effects and would therefore be subject to an SEA. This letter constitutes the Council’s determination letter.

Need for the Masterplan

The amount, scale and densities of proposed residential development in the South Quay area has not yet been seen in the UK. Initial density modelling across the area suggests that if these densities are pursued they will exceed the housing figures set out in the Council’s Local Plan. The Council recognises the potential of the area, however with nearly 30 development sites in the masterplan area under different land ownership, coordination between stakeholders is critical. This will help to ensure that the development capacity of individual
sites is optimised and not constrained by neighbouring schemes while recognising the need to integrate with surrounding areas.

As such, further guidance is required to help manage this growth and ensure affordable housing and infrastructure is planned for and delivered to accommodate new residents.

**LBTH Planning Policy**

The Council has previously undertaken Sustainability Appraisals for both the Core Strategy and the Managing Development Document (MDD).

The Sustainability Appraisals for the Core Strategy and MDD also satisfied the requirements of the EC Directive 2001/42/EC and SEA Regulations on the assessment of the effects of certain plans and programmes on the environment.

**Determination**

The aim of SEA is "to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of plans....with a view to promoting sustainable development".

SEA must take account of the likely significant effects on the environment, including on issues, such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.

LBTH has considered, taking into account the criteria specified in Schedule 1 of the SEA Regulations, the potential for likely significant effects as a result of the South Quay Masterplan. As required under Regulation 9(b) LBTH has liaised with consultees to discuss the South Quay Masterplan, and the potential for likely significant effects. LBTH has concluded that an SEA is required as significant effects are likely.

As required under Regulation 11(1) the SEA Regulations, this Determination Letter has been sent to the following consultation bodies within 28 days of making the determination:

- English Heritage;
- Natural England (previously English Nature); and
- Environment Agency.

As the Council has determined that an SEA for the South Quay Masterplan is necessary, the requirements of Regulation 11(b) do not apply. That said, the Council has produced a SEA Screening Flowchart for completeness, which is attached to this letter as Appendix A.

A copy of this Determination Letter will be available to view on the Council’s website (www.towerhamlets.gov.uk) and at the Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG.

**Next Stage**

The first stage of the SEA process is scoping. LBTH has produced is consulting on the SEA Scoping Report (as required under Regulation 12 (5) of the SEA Regulations) alongside sending the three consultation bodies this SEA Determination Letter, to ensure that the South Quay Masterplan can be progressed in a timely manner. The SEA Scoping Report will help to
decide on the scope and level of detail of the information to be included in the final SEA Report.

If you require any further assistance, please contact the Plan Making Team on 020 7364 3648 or email ldf@towerhamlets.gov.uk

Yours sincerely,

Owen Whalley  
Head of Planning and Building Control
Appendix A: SEA Flowchart

Box 1: SEA Screening Exercise for the South Quay Masterplan

Is the South Quay Masterplan 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))

Yes (it is subject to adoption by a local authority)

Is the Masterplan required by legislative, regulatory or administrative provisions? (Art. 2(a))

Yes (The SEA Guide notes that characteristics of “administrative provisions” are likely to be that they are publicly available, prepared in a formal way, probably involving consultation with interested parties.)

Is the Masterplan 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))

Yes (The Masterplan is prepared for town and country planning and land use, and sets a framework for future consent of projects that may be in Annexes I and II of the EIA Directive.)

Does the Masterplan determine the use of small areas at a local level, OR is it a minor modification of a PP subject to Art. 3.2?

Yes (The Masterplan will determine the use of small areas at the local level)

Is it likely to have a significant effect on the environment? (Art. 3.5)*

Yes (the Masterplan proposes development which could have significant environmental effects).

Is the Masterplan’s sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)

No – Directive requires SEA