

# **Beech Neighbourhood Plan**

## **Strategic Environmental Assessment (SEA)**

Screening Statement - Determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

**Draft Determination**

**29/11/2018**

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## **1. Introduction**

- 1.1. This statement sets out Beech Parish Council's determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the Beech Neighbourhood Plan .

### **Strategic Environmental Assessment**

- 1.2. Under the Environmental Assessment of Plans and Programmes Regulations 2004 (implementing Directive 2001/42/EC known as the Strategic Environmental Assessment (SEA) Directive) , specific types of plans that set out the framework for future development consent of projects must be subject to an environmental assessment.
- 1.3. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications, if it has been determined that the plan is unlikely to have significant environmental effects.
- 1.4. A draft neighbourhood plan must meet a set of basic conditions in order to be put to a referendum. One of these conditions is that the plan does not breach, or is otherwise compatible with, EU obligations such as (where appropriate) the requirement for an SEA. Under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, a responsible authority (such as a parish council in the case of an emerging neighbourhood development plan) must determine if a neighbourhood development plan requires an environmental assessment. Where Beech Parish Council determines that an SEA is not required then under Regulation 9(3), it must prepare a statement setting out the reasons for this determination. The need for an SEA is considered under Section 3 of this report.

### **Sustainability Appraisal**

- 1.5. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), a local planning authority must carry out an appraisal of the sustainability of its proposals when preparing a local plan. Neighbourhood development plans are excluded from this requirement, but they must still contribute to the achievement of sustainable development. The Sustainability Appraisal for the East Hampshire District Local Plan incorporates the requirements of an SEA, and so the Local Plan's

Sustainability Appraisal (SA) provides relevant information for determining the potential environmental effects of implementing the draft neighbourhood development plan, and their significance. The East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014) and supporting documents have been reviewed. The list of supporting documents reviewed are detailed in Appendix A

## **2. Scope of the draft Beech Neighbourhood Plan**

- 2.1 The purpose of the Beech Neighbourhood Development Plan (NDP) is to preserve and protect Beech's characteristics as a rural village, with ample ready access to the surrounding countryside; while at the same time ensuring that it remains a vibrant, safe, and welcoming community, and an attractive location for people to live. It will support policies detailed in Appendix B below, which cross reference the Beech NDP policies to the policies of the East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014) and will apply to the parish of Beech.
- 2.2 The Beech NDP includes no development proposals. It does include design criteria for all planning applications and policies for the protection of wild life, its habitat, the environment and the countryside within the Beech designated neighbourhood planning area.
- 2.3 In relation to the above proposals, this document presents a "screening" opinion as to whether they are likely to have significant environmental effects.

## **3. Strategic Environmental Assessment (SEA)**

### **The SEA Screening Process**

- 3.1 The process for determining whether or not an SEA is required is called screening. In order to conduct this screening exercise, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Schedule I of the 2004 Regulations. Table 2 provides details of the screening assessment for the Beech NDP. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.
- 3.2 Within 28 days of making its determination the authority, East Hampshire District Council (EHDC) must publish a statement such as this one, setting out

its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

## SEA Determination and Reasons for Determination

3.3 Before making a determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the three consultation bodies are being consulted. The responses received will be set out in Table 1 below:

**Table 1 – Comments received by Consultation bodies**

Consultation Body	Comments
Environment Agency	<p>We note that the NDP is not intending to allocate sites. We therefore consider that the Neighbourhood Plan would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</p>
Historic England	<p>We note from the copy of the draft Neighbourhood Plan that you kindly provided that that there are no policies proposed allocating any specific sites for development.</p> <p>We also note that the policy discussed at the Parish Council meeting on 19<sup>th</sup> February 2018 (the minutes of which you also kindly provided), which would have allowed new residential development outside the settlement boundary subject to certain requirements at Wyards Farm, has been omitted from the Plan.</p> <p>Although we are not being asked to comment on the Plan at this time, we welcome this policy not being taken forward as we would have been concerned that new residential development within the setting of the Grade II* listed Wyards Farmhouse and the Grade II listed Wyards Farm Granary could have adversely affected their significance and the appreciation of that significance.</p> <p>We are therefore satisfied, on the basis of the information currently available to us, that the proposed Beech Neighbourhood Plan is not likely to have any significant effects on the (historic) environment and thus does not need to be subject to strategic environmental</p>

Consultation Body	Comments
	<p>assessment. We therefore agree with East Hampshire District Council's draft screening opinion. (However, we may wish to revise our view should there be any changes to the draft Plan that would lead to potential impacts on the historic environment).</p> <p>We hope these comments are helpful.</p>
Natural England	<p>It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there are unlikely to be significant environmental effects from the proposed plan. We are therefore satisfied that an SEA is not required in support of the Neighbourhood Plan.</p> <p>I have also had the opportunity to look through your draft plan and welcome the strong focus on conserving the biodiversity and landscape of the parish.</p>

Criteria (from Annex II) of SEA Directive and Schedule I of the Regulations.	Neighbourhood Plan Qualifying Body Comments
<b>Characteristics of the plan or programme</b>	
a) The degree to which the plan or programme sets a framework for projects and other activities, either with regards to the location, nature, size and operating conditions or by allocating resources.	Beech is a small village and the aim of the plan is retain its key characteristics. No major building projects other than local development of single (or a handful of) properties are covered by the Beech NDP. The Beech NDP will be in general conformity with EHDC's Local Plan and therefore has less of an influence on development projects than the Local Plan itself. The Beech NDP is lower in the hierarchy of planning documents in East Hampshire and therefore adds detail to the framework for planning decisions established by the Local Plan
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Beech NDP complements EHDC's Local Plan, providing additional safeguards to protect the community. The Beech NDP is subsidiary to, and will have little direct influence on, the Local Plan, although it will effectively supersede the implementation of Saved Policies from the East Hampshire Local Plan.
c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	The plan is relevant for the integration of environmental considerations and helps to promote sustainable development by protecting the natural environment and landscape, and views around the village settlement. The plan policies are designed to protect the local green spaces and the character of the landscape.
d) Environmental problems relevant to the plan or programme.	The single environmental problem addressed by the Beech NDP is flash flooding in the village streets caused by rainwater flowing from the surrounding hillsides.
e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example plans and programmes linked to waste management or water protection).	The Beech NDP is not directly relevant for the implementation of EU legislation.

**Characteristics of the effects and of the area likely to be affected**

<p>a) The probability, duration, frequency and reversibility of the effects.</p>	<p>Providing the Beech NDP policies are adhered to, we see no adverse effects due to any likely development. Though there is a limited risk of harm to the environment during construction this will be limited to building extensions or new development on plots within the settlement. These would be unlikely to be permanent and be reversed after construction is completed as there are conditions that will be applied in accordance with Local Plan and national planning policy to avoid or mitigate the harm.</p>
<p>b) The cumulative nature of the effects</p>	<p>It is unlikely that individual effects on the environment will, cumulatively, add up to anything significant.</p>
<p>c) The transboundary nature of the effects</p>	<p>There will be no transboundary effects (in relation to other EU member states).</p>
<p>d) The risks to human health or the environment (for example, due to accidents)</p>	<p>There are unlikely to be any significant risks to human health or to the environment. Local highways management and environmental policies mitigate any such risk.</p>
<p>e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The effects are likely to be small in scale and very localised (i.e. within the neighbourhood area, which covers approximately 4,500 hectares with a population of about 540). However EHDC's Local Plan mitigates against these effects.</p>
<p>f) The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>i) Special natural characteristics or cultural heritage;</li> <li>ii) Exceeding environmental quality standards or limit values;</li> <li>ii) Intensive land-use</li> </ul>	<p>There are existing policies in the Local Plan to protect against such impacts. There are a number of SINCs and listed buildings which could be affected (including their setting) but they enjoy the protection of national policy and the Local Plan.</p>
<p>g) The effects on areas or landscapes which have recognised national, community or international protection status.</p>	<p>The neighbourhood area includes no Areas of Outstanding Natural Beauty, though there is some visibility of the area from the South Downs National Park. These visible areas are valued by the locality, are highlighted in the Beech Landscape Character Assessment, and are offered protection from development by the Beech NDP. Therefore no such effects are expected.</p>

## Other Considerations

3.4 In reviewing the criteria of Table 2 and coming to a conclusion, Beech Parish Council has also had regard to the following:

- The draft Beech NDP has been written to support policies from the East Hampshire District Joint Core Strategy (adopted June 2014), which was subject to an SEA (as part of a Sustainability Appraisal) at a higher tier.

## SEA Conclusion

3.5 Having regard to the considerations above (Table 2), Beech Parish Council considers that Beech Neighbourhood Plan is unlikely to have any significant environmental effects and therefore will not require a Strategic Environmental Assessment.

3.6 This draft determination was made on **29/11/2018** and is subject to review, having regard to the responses of consultation bodies.

## Appendix A

EHDC Local Plan, Northern Villages LIPS, and JCS 2014

EHDC Green Infrastructure Study August 2011

Northern Villages - Sustainable Future EHDC Local Interim Planning Statement 2014

EHDC Settlement Policy Boundaries EHDC Local Plan: Second Review (2006).

EHDC Gaps between Settlements Draft Methodology 2006

EHDC Settlement Policy Boundary Review: Methodology Paper 2018

EHDC Cycle Plan 2004

EHDC Land Availability Assessment 2014

East Hampshire District Council Authority Monitoring Report 2016/2017

## Appendix B

BPC001	CP2; CP19 ; CP20 ;CP21;CP28;CP30
BPC002	CP23
BPC003	CP8; CP16; CP17; CP18; CP21;
BPC004	CP2; CP6 ; CP29
BPC005	CP24; CP25; CP26; CP27; CP29
BPC006	CP10; CP11; CP12; CP13; CP14;
BPC007	CP4; CP6; CP8; CP9
BPC008	CP29; CP31
BPC009	CP29
BPC010	CP3; CP5; CP6
BPC011	CP25; CP31