

Peter Biggers BSc (Hons) MRTPI AIHBC

Examiner

Charlton Neighbourhood Plan

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**Telephone:** 01264 368150  
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**Your ref:**  
**Our ref:** Charlton NDP  
**Date:** 27 January 2021

Dear Mr Biggers

**Re: Charlton SEA**

Further to the e-mail from Penny O'Shea on 15 January 2021, and the request for further information from the statutory consultees, the steering group and the Borough Council on the Charlton SEA.

Please find attached the response from Natural England, Environment Agency and Historic England. You will see that they raise **no objections or significant concerns** on the document and its findings.

I understand that the Steering Group will be responding to you directly.

The Borough Council has the following comments to make:

**Process**

The Plan was submitted for Examination on 15th April 2020. This was accompanied by a Strategic Environmental Assessment (SEA) and HRA screening opinion (October 2019), prepared by Test Valley Borough Council. This concluded that the Plan did not require an HRA Appropriate Assessment, as there are no European designated biodiversity sites within the plan area or a 10km radius.

In May 2020 after the Regulation 16 consultation and the submission of the plan for examination, Natural England contacted the council to express concerns that there was not sufficient information available to screen the Plan out of the HRA process.

This was due to uncertainty regarding where wastewater from the proposed site allocation will be treated and therefore where this will ultimately be discharged. It was then confirmed that wastewater would be processed at Fullerton treatment works, which discharges into the River Test, which ultimately drains into Southampton Water and the Solent, which includes a number of European designated sites. Due to the existing problems of eutrophication in the Solent due to nitrate discharges from wastewater treatment works and agricultural runoff arising from rivers draining into the Solent, a likely significant effect from the 50 additional homes proposed in the NP could not be ruled out and an Appropriate Assessment was required in order to meet the Habitats Regulations.

This report was issued to Natural England and the Environment Agency for consultation in August 2020, and Natural England confirmed that they concur with the assessment conclusions including the recommendation of the insertion of additional text into CNP2 to ensure nutrient neutrality of the proposed allocation.

The need for an Appropriate Assessment automatically triggers the need for an SEA in line with Regulation 5(3) of the Environmental Assessment of Plans and Programmes Regulations (2004). Under normal circumstances an SEA would inform the plan throughout its evolution. However, due to the requirement for the need for a HRA coming at the Regulation 16 stage, this has not been possible for the plan.

## **SEA**

With the need for an SEA being established by virtue of a HRA being required, the steering group commissioned Aecom to undertake this work. The SEA was consulted upon with the mandatory statutory bodies. Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 leaves wider consultation to the discretion of the authority – it states that:

*13 (2) (b) take such steps as it considers appropriate to bring the preparation of the relevant documents to the attention of the persons who, in the authority's opinion, are **affected or likely to be affected by, or have an interest in the decisions involved in the assessment and adoption of the plan or programme concerned**, required under the Environmental Assessment of Plans and Programmes Directive ("the public consultees");*

In light of this, along with the mandatory statutory bodies, all of those consulted at the Regulation 14 and 16 stage as well as those who submitted representations to the Regulation 16 stage were consulted on the SEA / HRA. In addition a focussed Regulation 16 consultation was also undertaken at the same time, so that all consultees would have another opportunity to comment on the plan, taking the results of the SEA and HRA into account. These consultations ran from 17 November 2020 until 4 January 2021.

**Conclusion.**

The council is satisfied, that the consultation undertaken on the SEA and the focussed Regulation 16 consultation, has ensured that all those affected or likely to be affected by, or have an interest in the decisions involved in the assessment and adoption of the plan or programme have had the opportunity for comment on the SEA and the Plan.

Yours sincerely

Sarah Hughes

Senior Neighbourhood Planning Officer

Encs.

## Responses from Statutory Consultees

### Natural England

**From:** Allinson-Thomas, Liz

**Sent:** 20 January 2021 08:37

**To:** Neighbourhood Planning

**Subject:** RE: Charlton Neighbourhood Plan - Response required for examiner

**Our ref:** 336645

**Your ref:** Charlton Neighbourhood Plan - SEA / HRA Screening and additional Reg 16 Consultation

Dear Sarah,

Thank you for your email regarding the SEA for the Charlton Neighbourhood Plan. I can confirm that Natural England has reviewed the SEA and we have **no objections to raise**.

If you have any queries relating to the advice in this email please contact me.

Kind Regards

Liz

**Dr Liz Allinson-Thomas**

Sustainable Development Lead Advisor

Thames Solent Area Team

Natural England

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### Environment Agency

**From:** Lines, Charlotte

**Sent:** 19 January 2021 11:43

**To:** Neighbourhood Planning

**Cc:** Greenwood, Suz

**Subject:** RE: Charlton Neighbourhood Plan - Response required for examiner

Dear Neighbourhood Planning,

Thank you for consulting us on the additional Regulation 16 Consultation & Consultation on the Strategic Environmental Assessment SEA for the Charlton Neighbourhood Plan. We note that there is one allocation proposed within the plan. Whilst we have **no significant concerns**, it should be noted that the SEA is referring to and drawing conclusions from TVBC SFRA, which is out of date and does not use the most recent climate change allowances. We advise that this is taken into consideration when assessing sites, and if needed addressed in detailed site specific planning policy.

Many thanks,

Charlotte

Charlotte Lines | Principal Planning Officer Sustainable Places West | Solent and South Downs Area | Environment Planning and Engagement | Environment Agency | Romsey | Canal Walk | Romsey | SO51 7LP | Tel: 02084745838 [PlanningSSD@environment-agency.gov.uk](mailto:PlanningSSD@environment-agency.gov.uk)

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## Historic England

**From:** Lloyd Sweet, Robert

**Sent:** 29 January 2021 22:10

**To:** Neighbourhood Planning

**Subject:** Fw: Charlton Neighbourhood Plan - Response required for examiner

**Importance:** High

Dear Ms. Hughes

Thank you for providing this additional opportunity for Historic England to provide comments on the Charlton Neighbourhood Plan. Historic England is the government's advisor on planning for the historic environment, including advising on the conservation and enhancement of heritage assets and champion good design in historic places. As such we will comment only on those areas that fall within our remit and silence on other matters should not be treated as agreement or consent.

I am happy to confirm that we **do not wish to object to any of the proposals within the submission version of the neighbourhood plan.**

Having reviewed the site's considered for allocation and their potential effects for the historic environment, including the assessment set out in the Environmental Report by AECOM, we have the following observations:

### Reasonable Alternative Sites

Site C lies in close proximity to the Scheduled Monument of Foxcotte Deserted Medieval Village, which is an archaeological site of special or national interest, particularly well known as a result of a programme of archaeological investigations that were undertaken in the early 1970s and helpfully summarised

at: <https://hampshirearchaeology.wordpress.com/2017/02/21/hampshire-excavations-4/>.

The area of likely archaeological interest is well defined, partly as a result of early modern mapping, although there is potential for remains of archaeological interest beyond the designated area that have group value with the scheduled monument. The monument and the listed building of Foxcotte Manor and Foxcotte Tower have a relationship with the adjacent open landscape of farmland that forms their setting and it is therefore reasonable, at the level of detail required for SEA, to determine that there is potential for harm as a result of urbanising development through the loss of the open and rural character that enables understanding of these buildings and their historical association with their landscape context, in addition to affects on the setting of the scheduled monument. As such we feel that on

historic environment grounds this would be the least preferable of the four sites considered. We feel this is appropriately reflected in the Environmental Report

Site A, B and D. We note that the Hampshire Historic Environment Record (HER) includes records of several archaeological features that suggest a general background of human activity dating from the prehistoric, Roman, early and later medieval periods across the area of these three sites and to the south and east (parts of which were uncovered and recorded during the development of the suburban estates that have grown northwards from Andover Town Centre east and south of Site A). This includes remains of a pit containing Saxon pottery within Site D (HER reference 41419) and flint axes and tools found during field walking and a medieval pit next to or within Site A HER references 21378, 23124). In general these remains suggest the potential for presence of sites of probable local interest that should require development proposals in any one of these areas to be informed by archaeological investigation. This would help to ensure the layout of development seeks to preserve 'in-situ' any remains that could belong to previously unidentified non-designated heritage assets where possible. Where this is not merited in the local planning authority's judgement, it could then be ensured that an appropriate record is made of remains that would be lost. Such a process nevertheless provides a 'safety net' that would enable identification of any unexpected sites of greater archaeological interest to be identified prior to commencement of development, providing greater certainty in the planning process. Given the information presented (or lack of further investigation undertaken to demonstrate the presence or absence of archaeological remains within any of these sites), there is little to choose between them in terms of their impact to sites of archaeological interest. We note there has been an evaluation of land at Charlton recorded on the HER (reference 68559) that may provide evidence of the potential or lack thereof at site A and the examiner may wish to request this information from the HER via the steering group.

At present we would recommend that, whether the steering group's preferred site, or those sites B and D are considered for allocation, it would be advisable for the allocation policy to include the following requirement:

"Any application [of this land] for development should be informed by a programme of investigation agreed in writing with the Council's archaeological advisor. The layout of development should enable the preservation of remains of archaeological interest *in-situ*, with the greatest priority given to preserving remains of national importance. Where remains do not merit preservation and their loss is clearly justified by the delivery of public benefits, proposals should include provision for an appropriate record to be made by a competent archaeological organisation before their loss and for the information gained to be deposited with the Historic Environment Record and made available, including interpretation, within the neighbourhood plan area".

This is a formula used in numerous neighbourhood plans and we are happy to support it as applying the approach set out in the NPPF where there is a demonstrable potential for the presence of remains of archaeological interest of local importance.

We recommend that the Environmental Report is also updated to record the requirement for this mitigation of potential for moderate negative impacts to cultural heritage from the preferred option and alternative options B and D, to leave a residual potential for minor negative impacts. We would be happy to see this as a recommendation by the examiner to ensure the plan making process meets the basic conditions without need for further consultation.

We note that there is some, moderate potential for development of Site D to affect the setting of the Grade II listed building at Sundial Cottage (N. 88), Charlton Street, where the open fields to the west of the cottage maintain the rural setting seen from the cottage and its curtilage and provide glimpsed views to the green landscape beyond the cottage from the

road. As such this option, within our area of interest, has a slightly higher potential for negative impacts compared to Sites B and A. We feel this is adequately reflected in the Environmental Report.

**We are satisfied that the Plan has been informed by a Strategic Environmental Assessment based on an appropriate evidence base and Sustainability Framework.**

We hope these comments are of assistance to the examiner but would be pleased to answer any queries that may arise from them

Yours sincerely

Robert Lloyd-Sweet

Robert Lloyd-Sweet | Historic Places Adviser | South East England | Historic England  
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA