

Charlton Neighbourhood Plan

**Strategic Environmental Assessment
(SEA) and Habitats Regulations
Assessment (HRA) Screening Opinion
Addendum**

June 2020

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1 INTRODUCTION

1.1 BACKGROUND

This screening report is designed to determine whether or not the content of the draft Charlton Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The plan was previously screened in October 2019, and concluded that the plan was unlikely to have a significant effect on the environment.

Whether a Neighbourhood Plan requires a SEA, and if so the level of detail needed, will depend on what is proposed in the draft Neighbourhood Plan. The National Planning Practice Guidance (NPPG) states that a SEA may be required, for example, where:

- the Neighbourhood Plan allocates sites for development;
- the Neighbourhood Plan Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through the SEA of the Local Plan in the area.

The screening report also examines the potential impact of the draft Charlton Neighbourhood Plan on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment) it should prepare a statement of its reasons for the determination.

As part of the Regulation 16 process, Natural England raised the issue of waste water from the proposed allocation in the plan. After further investigation, it was confirmed that the waste water from the plan area is discharged into the Fullerton Waste Water Treatment Works, which then discharges into the River Test. The River Test is in the Solent Catchment area.

The Solent has 2 internationally designated sites. Firstly the Solent European Marine Site which covers the harbours, estuaries, areas of open coast and inshore water around the Solent. The site stretches from Hurst Spit in the west to Chichester Harbour in the east and includes areas along the north coast of the Isle of Wight from Yarmouth to Bembridge Harbour, as well as the mainland shores. A second site lies

along the South Coast of the Isle of Wight and is known as the South Wight European Marine Site.

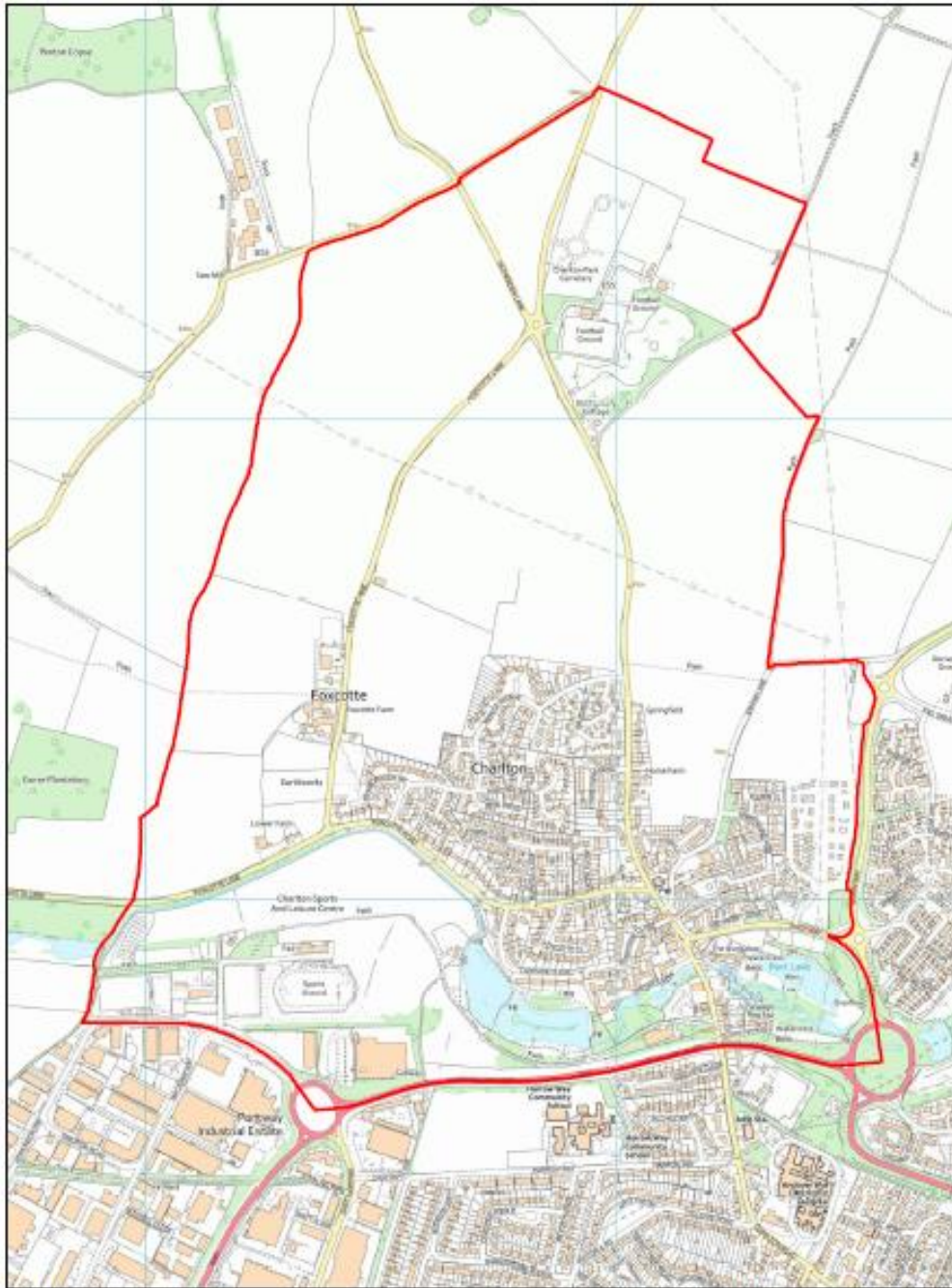
The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations as well as national protection for many parts of the coastline and their sea.

There are high levels of nitrogen and phosphorus input to this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species.

1.2 DRAFT CHARLTON NEIGHBOURHOOD PLAN SUMMARY

The Charlton Neighbourhood Plan is essentially a community-led framework for guiding future development and growth of the parish until 2029. 21 draft policies have been proposed, focusing on topics including Housing, the Natural Environment, Flooding and Drainage, Built Environment, Community, Local Business and Employment, and Transport and Highways. There is also a policy on Development Delivery.

1.3 CHARLTON DESIGNATED NEIGHBOURHOOD AREA



**Charlton Designated
Area**



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1.4 DRAFT CHARLTON NEIGHBOURHOOD PLAN POLICY SUMMARIES

DRAFT POLICY	SUMMARY
CNP1 Settlement Boundary/ Built up Area	This policy defines the Charlton Settlement Development Boundary, in line with that defined under the Local plan and seeks to strictly control development within the open countryside.
CNP2 Land to the North of Goch Way	This policy allocates the site for approximately 50 new homes, subject to 13 criteria that the development would have to follow.
CNP3 Housing Mix	This policy aims to achieve a balance of a mix of size and type of dwellings that reflect the requirement as set out in a housing needs survey.
CNP4 Retirement and Nursing	This policy concerns retirement and nursing home schemes that may come forward within the settlement boundary.
CNP5 Landscape Character and setting	This policy protects the landscape, countryside and rural areas against inappropriate development.
CNP6 Setting of the Local Gap	This policy protects the local gap and its setting against inappropriate development.
CNP7 Important Views	This policy identifies 30 notable views which are to be protected against inappropriate development that would have an adverse impact on those views.
CNP8 Maintaining and Enhancing Green Spaces and Green Corridors	This policy seeks to support new development that proposes public and private amenity space. Conserves green corridors improves and adds trees, wetlands, grassland, parks, woods, orchards and allotments. Creates links to the countryside and does not have a significant impact on priority habitats or result in the trees, woodland or hedgerows.
CNP9 Public Rights of Way	This policy supports the creation of new permissive and public rights of way and that development affecting a public right of way will need to mitigate any adverse impacts on users of the rights of way.
CNP10 Biodiversity and Enhancement of The Natural Environment	This policy requires that all development should deliver a biodiversity net gain for the parish.
CNP11 Charlton Lakes	This policy sets out 10 criteria that will need to be taken into consideration for development within the Charlton Lakes area.

CNP12 Local Green Space	This policy identifies thirteen areas of land as Local Green Spaces, within which development should not be permitted except in very special circumstances.
CNP13 Flooding and Drainage	This policy seeks to ensure that any surface water drainage will not cause any adverse impact to neighbouring properties and the surrounding environment, and that SuDS should be used where possible
CNP14 Design	The policy lists a number of design considerations which must be taken in to account, aiming to reinforce local distinctiveness, promote the use natural materials, minimise residential amenity impacts and include the provision of relevant landscaping.
CNP15 Sustainable Construction and Future Infrastructure Provision	This policy requires development to meet water efficiency standards and that 10% of the energy should be from decentralised and renewable or low carbon sources. It also encourages new and improved utility infrastructure to meet identified needs in the community.
CNP16 The Historic Environment	This policy seeks to safeguard the designated heritage assets in the plan area, and that support will be given for proposals to enhance the former village green.
CNP17 Community and Sports facilities – retention and enhancement	The policy supports proposals for a new community hall and also states that new developments should provide or contribute to sport and recreation facilities.
CNP18 Retention of local shops and businesses	This policy deals with the retention of local shops and businesses, unless they are no longer viable, and also includes a criteria basis for developments that affect Assets of Community Value.
CNP19 Employment	This policy supports development to provide workspace for new or existing small scale businesses subject to 5 criteria, including amenity of neighbours and traffic issues.
CNP20 Access and Road Safety	This policy has 5 parts which deal with connections to walking and cycling networks, traffic calming and cycle and pedestrian paths, no adverse impact on traffic flow and speed, sustainable travel modes and road safety.

<p>CNP21 Delivery and Pre-Application engagement on major development proposals</p>	<p>This policy requires applicants to follow the pre application protocol as contained in Appendix 5 of the plan, that ensures that developers engage with the local community and the Parish Council.</p>
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1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS

The basis for Strategic Environmental Assessment (SEA) legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed guidance on these regulations can be found in the Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (OPDM 2005).

The SEA process aims to ensure that likely significant environmental effects arising from a Plan are identified, assessed, mitigated, communicated and monitored, and that opportunities for public involvement are provided. It enables environmental considerations to be accounted for in decision-making throughout the production of a Plan in an integrated manner.

Figure 2 sets out the screening procedure and how a plan should be assessed against the SEA Directive criteria. This outline procedure has then been applied to the emerging draft Charlton Neighbourhood Plan in Table 1.

The implications of the policies and proposals in the Neighbourhood Plan were initially assessed against any European sites within 10km of the neighbourhood area boundary in order to establish the likelihood of a significant effect on the reason for designation of the European site in question. Given the updated information of the destination of the waste water from the proposed allocation discharging into the Fullerton Treatment Works and then into the River Test and that the River is within the Solent catchment area, the impacts on this international site also need to be assessed.

This assessment has been undertaken having regard to the results and information in the HRA screening assessment prepared for the Test Valley Local Plan, and in the light of the relevant European Commission guidance (as referred to above), which forms the basis for the assessment criteria set out below.

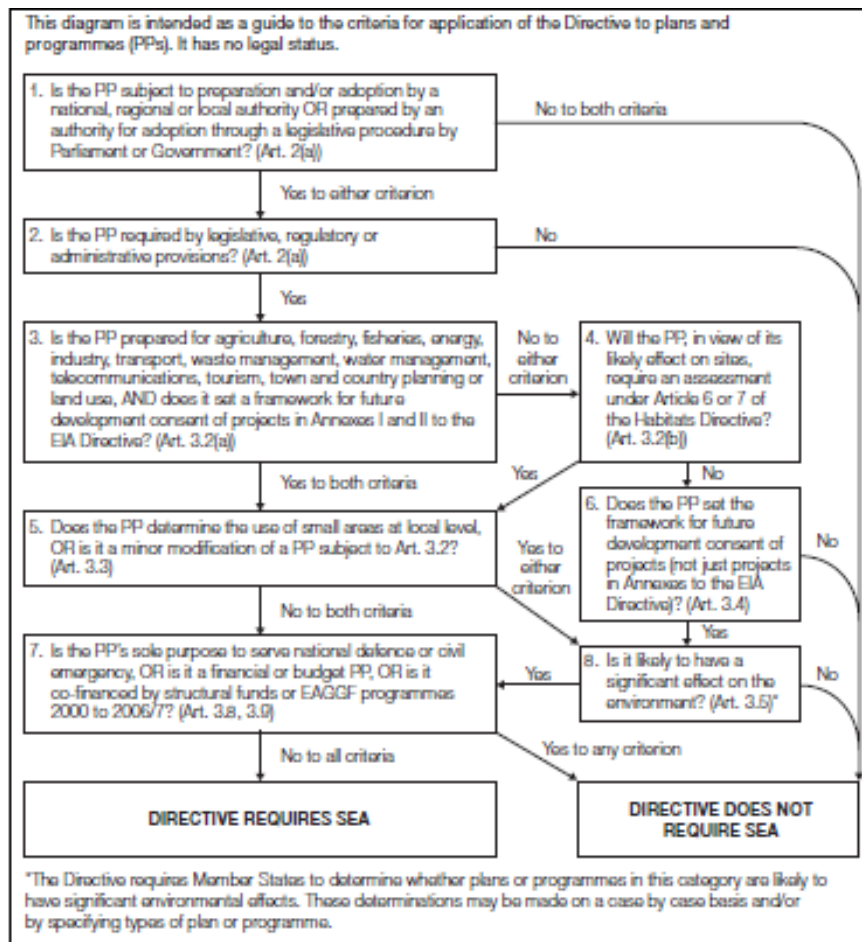


Figure 2 – Application of the SEA Directive to Plans and Programmes

Table 1: Assessment of the draft Charlton Neighbourhood Plan using SEA Directive Criteria

Stage	Y/N	Reason
1. Is the Charlton Neighbourhood Plan 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	This is a Neighbourhood Plan that is being prepared by a qualifying body the Localism Act 2011. If the Plan is passed by means of an Examination and Referendum, it will be formally made and adopted by the Local Planning Authority. It will then form part of the local development framework and be afforded significant weight in planning decisions.
2. Is the Charlton Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Neighbourhood Plans are not mandatory requirements, and the Charlton Neighbourhood Plan is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. If the Plan is adopted it will form part of the statutory development plan, and it is therefore considered necessary to answer the following questions to determine if an SEA is required.
3. Is the Charlton Neighbourhood Plan 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))	Y	The Plan is prepared for Town and Country planning and sets out a framework for future development consent of projects. The draft Charlton Neighbourhood Plan does allocate a site for 50 new homes, but this is below the threshold set out in Annexe II (10) (b) of more than 150 homes and is less than 5 ha. However it is within the Solent Catchment which is an environmentally sensitive area.
4. Will the Charlton Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	Y	See Screening Opinion for HRA in Section 3 of this report. This concludes that there is not enough information to rule out the likelihood of significant effects on the European sites in the Solent.

Stage	Y/N	Reason
5. Does the Charlton Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Charlton Neighbourhood Plan is made up of a number of policies which, when adopted, form part of the Local Development Framework and so will have significant weight in planning decisions. A Neighbourhood Plan can determine the use of small areas at the local level.
6. Does the Charlton Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When adopted, the Charlton Neighbourhood Plan will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.
7. Is the Charlton Neighbourhood Plan's sole purpose to serve the 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)	N	A Neighbourhood Plan does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The Charlton Neighbourhood Plan is likely to have a significant effect on the environment. Please see Table 2.

Based upon the initial screening carried out against the criteria in Table 1 above, the emerging draft Charlton Neighbourhood Plan is **likely to have a significant effect on the environment**. To explore these potential effects further, a case-by- case assessment has been conducted. The criteria used in the undertaking of such an assessment are drawn from Article 3.5 (Annex II) of the SEA directive, and the results are shown in Table 2.

1.6 HABITATS REGULATIONS ASSESSMENT (HRA) PROCESS

The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. The relevant European wildlife site designations are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), which together form part of the Natura 2000 network.

In addition to SPAs and SACs, Ramsar sites are also designated areas which, as a matter of government policy, are to be treated in the same way as European wildlife sites (although they are not covered by the Habitats Regulations). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

The legislation sets out a process to assess the potential implications of a plan on internationally designated wildlife sites. The first stage of this process is a screening exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the plan to have an impact.

2 SEA SCREENING

2.1 SEA SCREENING ASSESSMENT

European Directive 2001/42/EC requires a full Strategic Environmental Assessment to be undertaken for certain types of plans and programmes that would have a significant environmental effect or for those plans or programmes that require a HRA..

Table 2 below provides the screening determination of the need to carry out a full Strategic Environmental Assessment for the draft Charlton Neighbourhood Plan.

This has been made in accordance with the Regulations and has been subject to consultation with the strategic environmental bodies before the Council made its determination on the necessity for a full Strategic Environmental Assessment.

Table 2 – The Environmental Assessment of Plans and Programmes Regulations 2004: Schedule 1 - Criteria for determining the likely significance of effects on the environment.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
<p>1(a) the degree to which the draft Charlton Neighbourhood Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</p>	<p>Yes</p>	<p>The Charlton Neighbourhood Plan would, if adopted, form part of the statutory Development Plan and as such would contribute to the framework for future development consent of projects. The plan allocates a site for 50 new homes, and although this is within the overall requirement for Northern Test Valley which has a residual requirement of 743 units over the remainder of the plan period up to 2029 as set out in Table 6 of the Adopted Local Plan, Natural England has raised the issue of Nitrates in the Solent catchment area and the impacts that this is having on the international site.</p> <p>Given that the allocation will discharge to the River Test, there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent.</p>

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
1(b) the degree to which the draft Charlton Neighbourhood Plan influences other plans and programmes including those in a hierarchy;	NO	The policies contained within the draft Charlton Neighbourhood Plan are considered to be in general conformity with the TVBC Local Plan, and will be used alongside this document in the determination of planning applications when formally 'made' (adopted).
1(c) the relevance of the draft Charlton Neighbourhood Plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	NO	The policies of the draft Charlton Neighbourhood Plan are not considered to have a significant impact on the integration of environmental considerations.
1(d) environmental problems relevant to the draft Charlton Neighbourhood Plan;	YES	The proposed allocation in the draft Charlton Neighbourhood Plan will discharge to the River Test. Given this there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent.
1(e) the relevance of the draft Charlton Neighbourhood Plan for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);	NO	The policies of the draft Charlton Neighbourhood Plan are not considered to be relevant to the implementation of EC legislation.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
2(b) the cumulative nature of the effects of the draft Charlton Neighbourhood Plan;	YES	The policies of the draft Charlton Neighbourhood Plan could have a cumulative negative environmental impact on the Solent, in combination with other development within the catchment area
2(a) the probability, duration, frequency and reversibility of the draft Charlton Neighbourhood Plan;	YES	The proposed allocation in the draft Charlton Neighbourhood Plan will discharge to the River Test. Given this there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent.
2(c) the transboundary nature of effects of the draft Charlton Neighbourhood Plan;	NO	The draft Charlton Neighbourhood Plan could have a negative environmental impact on the Solent, which is well beyond the boundary of the Plan Area
2(d) the risks to human health or the environment (for example, due to accidents) due to the draft Charlton Neighbourhood Plan;	NO	There are unlikely to be any significant risks to human health, though there is an additional risk of harm to the environment during any construction works.
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	NO	The draft Charlton Neighbourhood Plan applies to the whole parish with a resident population of 1,901 (2011 census). The policies of the Neighbourhood Plan apply to the entirety of this area. However, given that the wastewater from the allocation in the plan ultimately discharges into the River Test and into the Solent the Plan could have a negative environmental impact on the Solent, which is well beyond the boundary of the Plan Area.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
<p>2(f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and 	Yes	<p>The policies of the draft Charlton Neighbourhood Plan could have a cumulative negative environmental impact on the Solent, on its own or in combination with other development within the catchment area</p>
<p>2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.</p>	NO	<p>The policies of the draft Charlton Neighbourhood Plan are unlikely to have a negative impact on any environmental designations in the Neighbourhood Area.</p>

2.2 SEA SCREENING OPINION

The assessment shown in Table 2 above identifies that there are uncertainties over the likelihood of significant negative effects arising from the draft Charlton Neighbourhood Plan. The plan also requires a HRA and therefore it is considered that it will **require a full SEA to be undertaken.**

3 HRA SCREENING

3.1 HRA SCREENING ASSESSMENT

There are no internationally designated wildlife sites located within the Charlton Neighbourhood Area.



3.2 HRA SCREENING OPINION

As a result of the above assessment, it is considered that the policies of the draft Charlton Neighbourhood Plan are in general conformity with those contained in the TVBC Local Plan. However, the Charlton Neighbourhood Plan allocates land for 50 new homes and Natural England has raised the issue of Nitrates in the Solent catchment area and the impacts that this is having on the international site.

Given that the allocation will discharge to the River Test, there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent. Given this uncertainty it is

concluded that the draft Charlton Neighbourhood Plan is **could have a negative impact on internationally designated wildlife sites within the river catchment therefore an Appropriate Assessment is required.**

4 REPRESENTATIONS FROM CONSULTATION BODIES

A screening report has been produced on behalf of Charlton Parish Council (Appendix 2). This was submitted to the Council on the 25th April 2019. The report concluded that a full SEA would not be required. In accordance with the regulations, Natural England, Historic England and the Environment Agency were consulted on the findings of the screening report. The consultation started on the 29th April for a five week period ending on 3rd June. A summary of the responses received and the Council's response is outlined in Table A. Copies of the responses from Consultation Bodies are included at Appendix 1

Table A: Summary of Responses

Consultation body (date of response)	Consultation response (summary)	Test Valley BC response
Environment Agency 03 June 2019	Thank you for consulting us on the SA/SEA screening opinion for the Charlton Neighbourhood Plan. We note that the NDP as drafted does not include any site allocations. We therefore consider that the Neighbourhood Plan <u>would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</u>	Given that the plan does allocate a site for development, this was pointed out to the EA, and they were asked to reconsider their position in light of the allocation. No response was received, despite 2 follow up e-mails. Please see Annex B for full e-mail trail.
Natural England 02 July 2019	Thank you for your email regarding the Charlton Neighbourhood Plan. In regards to an Appropriate Assessment for the plan, this would only be required if the HRA screening had been completed and concluded a likely significant effect could not be ruled out. From the information you have	Response noted

	<p>provided I cannot see that a screening has been completed, please do advise if I have missed this document.</p> <p>An assessment under the Habitat Regulations legislation is required where there is potential for a plan or project to have an adverse effect upon a European designated site.</p> <p>The neighbourhood plan does allocate more housing than the Test Valley Local Plan and therefore does need to consider the potential impacts from these additional dwellings. From the location and information submitted I understand that the allocation site is outside of the zone of influence of the New Forest and Solent designated sites where recreational impacts need to be considered and mitigated.</p> <p>You may wish to confirm where waste water from the site would be treated and if this is within one of the waste water treatment works that ultimately drains into the Solent designated sites. If it is then this issue will need to be considered further within an appropriate assessment, if not they potential impacts can be discounted and an appropriate assessment may not be needed.</p> <p>If you have any questions regarding these comments please contact me.</p>	
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<p>Historic England</p> <p>12 July 2019</p>	<p>Thank you for consulting Historic England on the screening for SEA of the Charlton Neighbourhood Plan.</p> <p>Unfortunately, on this occasion, we did not have capacity to respond to this consultation. Please accept our apologies for the lack of a response in this instance.</p>	<p>Comments noted</p>
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4.1 Neighbourhood Plan Examination.

The Regulation 16 consultation on the plan was from 6th February to 20th March 2020, and the Plan was submitted for examination on 15th April 2020. During the course of the examination, Natural England submitted the following consultation response:

From: Brown, Nicola
Sent: 05 May 2020 09:33
To: Neighbourhood Planning
Subject: 308089 Charlton Neighbourhood Plan Regulation 16 consultation

Dear Sir/Madam

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

Your assessment concludes that your authority can rule out the likelihood of significant effects arising from the proposal, both alone or in-combination.

On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects. In our previous consultation on this Neighbourhood Plan we advised that confirmation of where waste water from the proposed development site would be treated to identify whether there is likely to be significant effects on the Solent designated sites.

From the information provided in the HRA screening we are unable to ascertain the detail of where waste water will be treated. We also advise that if waste water is to be treated at a wastewater treatment works that drains into the River Avon that your HRA should consider impacts of increased phosphates on the River Avon designated sites

Natural England advises that additional information should be included within the neighbourhood plan. This would then provide an opportunity for your authority to repeat your screening to check for the likelihood of significant effects of the project as submitted (i.e. with all new information provided as part of the proposal) but excluding, at this stage, any measures specifically intended to avoid harmful effects on a European site(s).

If following the submission of additional information you conclude, as the competent authority, that there is a likelihood of significant effects, or uncertainties, you should undertake an appropriate assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European site(s) in question. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

5 CONCLUSIONS

The preceding assessment exercises have examined whether the Draft Charlton Neighbourhood Plan is likely to require a full Strategic Environmental Assessment or a Habitats Regulation Assessment Appropriate Assessment.

The SEA screening exercise featured in Section 2 concludes that the Draft Charlton Neighbourhood Plan does require a full Strategic Environmental Assessment to be undertaken. This is because the proposed allocation in the draft Charlton Neighbourhood Plan will discharge to the River Test. Given this there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent.

The HRA screening exercise featured in Section 3 concludes that the Draft Charlton Neighbourhood Plan **does require a full Habitats Regulation Assessment Appropriate Assessment** to be undertaken as the Charlton Neighbourhood Plan allocates land for 50 new homes and Natural England has raised the issue of Nitrates in the Solent catchment area.

Given that the allocation will discharge to the River Test, there is uncertainty as to whether the Plan will have a likelihood of significant effects on the Solent. Given this uncertainty it is concluded that the draft Charlton Neighbourhood Plan is **could have a negative impact on internationally designated wildlife sites within the river catchment therefore an Appropriate Assessment is required.**

In light of the screening exercises and in line with the updated views of the statutory consultation bodies, it is the conclusion of this screening opinion that the Draft Charlton Neighbourhood Plan **does require a full Strategic Environmental Assessment and Habitats Regulation Assessment Appropriate Assessment to be undertaken.**

6 APPENDICIES

APPENDIX 1: RESPONSES FROM STATUTORY CONSULTATION BODIES

Response from Natural England

From: SM-Defra-Plan Cons Area Team (Dorset Hampshire Isle of Wight) (NE)

Sent: 02 July 2019 15:46

To: Hughes, Sarah

Subject: RE: Screening Opinion for SA/SEA for the Charlton Neighbourhood Plan

Dear Sarah

Thank you for your email regarding the Charlton Neighbourhood Plan. In regards to an Appropriate Assessment for the plan, this would only be required if the HRA screening had been completed and concluded a likely significant effect could not be ruled out. From the information you have provided I cannot see that a screening has been completed, please do advise if I have missed this document.

An assessment under the Habitat Regulations legislation is required where there is potential for a plan or project to have an adverse effect upon a European designated site. The neighbourhood plan does allocate more housing than the Test Valley Local Plan and therefore does need to consider the potential impacts from these additional dwellings. From the location and information submitted I understand that the allocation site is outside of the zone of influence of the New Forest and Solent designated sites where recreational impacts need to be considered and mitigated. You may wish to confirm where waste water from the site would be treated and if this is within one of the waste water treatment works that ultimately drains into the Solent designated sites. If it is then this issue will need to be considered further within an appropriate assessment, if not they potential impacts can be discounted and an appropriate assessment may not be needed.

If you have any questions regarding these comments please contact me.

Kind regards

Nicola

Response from Historic England

From: South East ePlanning

Sent: 12 July 2019 23:10

To: Neighbourhood Planning

Subject: 2019-07-12 Charlton NP Screening HE RLS comments

Importance: High

To whom it may concern:

Thank you for consulting Historic England on the screening for SEA of the Charlton Neighbourhood Plan.

Unfortunately, on this occasion, we did not have capacity to respond to this consultation. Please accept our apologies for the lack of a response in this instance.

Yours faithfully

Robert Lloyd-Sweet

Robert Lloyd-Sweet | Historic Places Adviser | South East England | Historic England
4th Floor | Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA

Response from Environment Agency

From: Neighbourhood Planning

Sent: 14 June 2019 09:54

To: 'Lines, Charlotte A.'

Cc: Greenwood, Suz K

Subject: RE: Screening Opinion for SA/SEA for the Charlton Neighbourhood Plan

Importance: High

Dear Charlotte

The SEA questionnaire at Question 1 states that the plan is allocating one site for 50 homes and the detail of this can be found in the SEA supporting information at Page 18, where the location for the site is shown (Allocation CHA1)

I hope this helps

If you could come back to me as quickly as possible as the consultation period has ended and the group are looking for a prompt response

Kind regards

Sarah

Sarah Hughes MRTPI

Neighbourhood Planning Officer (Delivery)

Planning Policy

Test Valley Borough Council

From: Lines, Charlotte A

Sent: 10 June 2019 09:49

To: Neighbourhood Planning

Cc: Greenwood, Suz K

Subject: RE: Screening Opinion for SA/SEA for the Charlton Neighbourhood Plan

Hi Sarah,

Could you point me in the direction of where in the document it's allocating a site for 50 homes.

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

From: Neighbourhood Planning
Sent: 03 June 2019 13:59
To: Lines, Charlotte A.; Neighbourhood Planning
Cc: Greenwood, Suz K
Subject: RE: Screening Opinion for SA/SEA for the Charlton Neighbourhood Plan

Thanks Charlotte

The plan does allocate a site for 50 homes. With this in mind, will you need to reconsider your position?

Kind regards

Sarah

Sarah Hughes MRTPI
Neighbourhood Planning Officer (Delivery)
Planning Policy
Test Valley Borough Council

From: Lines, Charlotte A.
Sent: 03 June 2019 11:05
To: Neighbourhood Planning
Cc: Greenwood, Suz K
Subject: RE: Screening Opinion for SA/SEA for the Charlton Neighbourhood Plan

Dear Sarah,

Thank you for consulting us on the SA/SEA screening opinion for the Charlton Neighbourhood Plan. We note that the NDP as drafted does not include any site allocations. 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.

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

Additional Response from Natural England

From: Brown, Nicola
Sent: 05 May 2020 09:33
To: Neighbourhood Planning
Subject: 308089 Charlton Neighbourhood Plan Regulation 16 consultation

Dear Sir/Madam

Thank you for consulting Natural England on the Charlton Neighbourhood Plan.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

Your assessment concludes that your authority can rule out the likelihood of significant effects arising from the proposal, both alone or in-combination.

On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects. In our previous consultation on this Neighbourhood Plan we advised that confirmation of where waste water from the proposed development site would be treated to identify whether there is likely to be significant effects on the Solent designated sites. From the information provided in the HRA screening we are unable to ascertain the detail of where waste water will be treated. We also advise that if waste water is to be treated at a wastewater treatment works that drains into the River Avon that your HRA should consider impacts of increased phosphates on the River Avon designated sites

Natural England advises that additional information should be included within the neighbourhood plan. This would then provide an opportunity for your authority to repeat your screening to check for the likelihood of significant effects of the project as submitted (i.e. with all new information provided as part of the proposal) but excluding, at this stage, any measures specifically intended to avoid harmful effects on a European site(s).

If following the submission of additional information you conclude, as the competent authority, that there is a likelihood of significant effects, or uncertainties, you should undertake an appropriate assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European site(s) in question. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Appendix 2
Screening opinion questionnaire

Screening Opinion Questionnaire for Strategic Environmental Assessment (SEA)

1. Under the Environmental Assessment of Plans and Programmes Regulations 2004 (the regulations) the district council is required to determine whether or not a neighbourhood plan is likely to have significant environmental effects and consequently, whether a Strategic Environmental Assessment (SEA) is required to be produced alongside the neighbourhood plan.
2. In order determine whether a SEA is required to be produced alongside a particular neighbourhood plan, the council drafts a Screening Opinion, which follows the procedures set out in the regulations. The draft Screening Opinion is then sent to English Heritage, Natural England and the Environment Agency for comment. The final Screening Opinion is then published on the council's website.
3. If the Screening Opinion concludes that a SEA is required for the neighbourhood plan it is the responsibility of the neighbourhood plan steering group to produce a SEA that meets the regulations. From experience of neighbourhood plans so far, it is generally the case that if the plan is allocating sites then it will require a SEA, if sites aren't being allocated, a SEA might still be required.
4. It is particularly important that a Screening Opinion is published where it has found that a neighbourhood plan does not require SEA.
5. Please answer the following questions regarding the neighbourhood plan to enable the district council to draft a Screening Opinion.

1. Will the Neighbourhood Plan be allocating sites for the following uses? Please state the estimated number of sites and units/sqm as appropriate.

Housing (no. of sites & no. of units) **1 site – up to 50 units**

Employment (no. of sites & sqm)

Retail (no. of sites & sqm)

Community uses (no. of sites & sqm)

2. Are any policies likely to affect a designated area (such as Conservation Area, Area of Outstanding Natural Beauty, Flood Zone 2 or 3, Site of Special Scientific Importance or the Green Belt etc)? If yes, please explain how.

No – see evidence base

3. Do you know of any environmental issues in the neighbourhood area?

see evidence base

4. Do you think the neighbourhood plan is likely to have significant environmental effects on the neighbourhood area?

No - see evidence base

5. Briefly describe the main objectives of the plan
see attached

6. How certain are you that there will be no significant changes to the information given above? If significant changes are made you should inform the Planning Policy Team as soon as possible to find out whether the plan needs re-screening.

Neighbourhood Plan is drafted and unlikely to be altered significantly

7. Are you allocating land in addition to that set for the area in the Adopted Development Plan, if so, how much and why?

Yes – see policy CNP2 and site CHA1 – attached

This information is correct to the best of our knowledge. If there are any significant changes to the information given we will inform the Council.

Signed:S Brentnall (*on behalf of the Charlton NP Steering Group*)...