

# **West Dean and West Tytherley Neighbourhood Plan**

## **SEA Screening determination**

August 2021

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# 1 INTRODUCTION

## 1.1 BACKGROUND

This screening report is designed to determine whether or not the content of the draft West Dean and West Tytherley 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.

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.

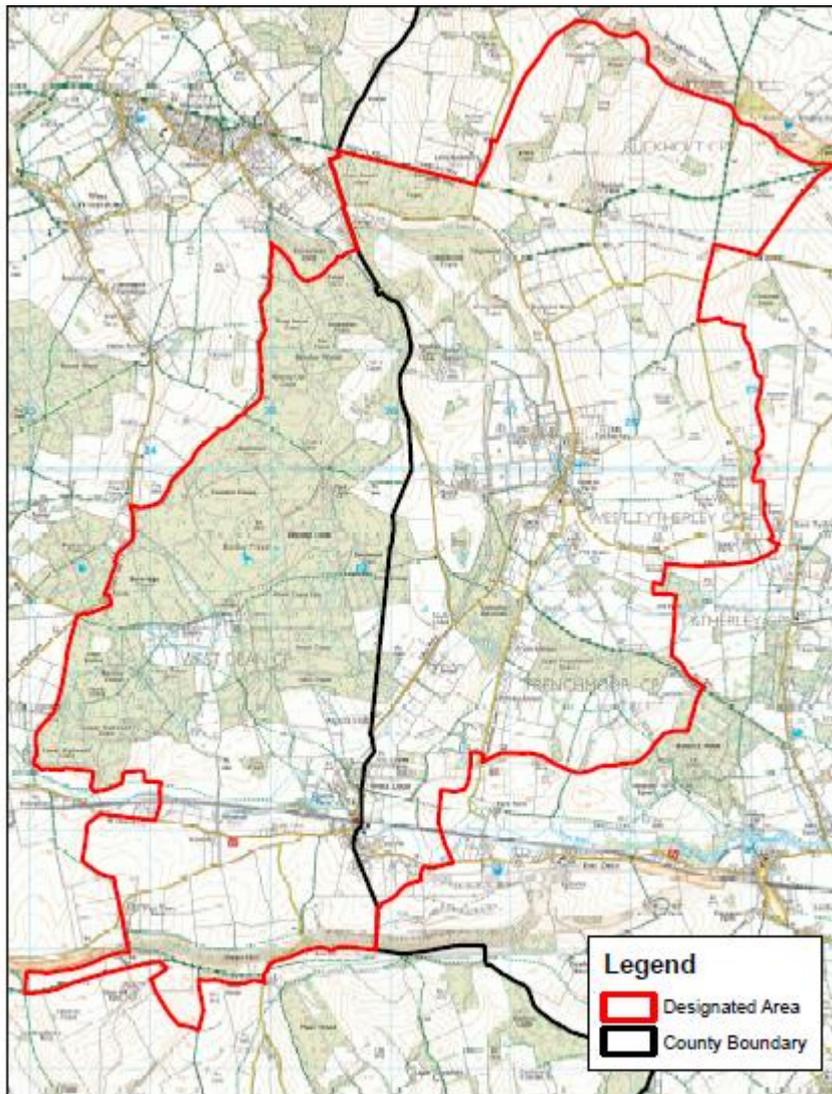
The screening report also examines the potential impact of the draft West Dean and West Tytherley Neighbourhood Plan on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

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.

## 1.2 DRAFT WEST DEAN AND WEST TYTHERLEY NEIGHBOURHOOD PLAN SUMMARY

The West Dean and West Tytherley Neighbourhood Plan is essentially a community-led framework for guiding future development and growth of the parish until 2035. 24 draft policies have been proposed, focusing on topics including the Historic Environment, Landscape, Natural Environment, Housing, Flooding, Built Environment, Community, and Transport and Highways.

### 1.3 WEST DEAN AND WEST TYTHERLEY DESIGNATED NEIGHBOURHOOD AREA



Designated Area



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## 1.4 DRAFT WEST DEAN AND WEST TYTHERLEY NEIGHBOURHOOD PLAN POLICY SUMMARIES

Policy	Summary of policy wording
Policy EL1: Countryside protection and the village setting	Development proposals that conserve and if possible, enhance the character of both parishes and their settings in a beautiful rural landscape will be supported.
Policy EL2: Preserve the historic environment	Retain and enhance both designated and non-designated heritage assets and archaeology. Also includes criteria for conversion of historic buildings.
Policy EL3: Conservation Area	Within Conservation Area and sites adjacent, development proposals will be required to conserve and enhance their character and appearance and must meet criteria listed in the policy.
Policy EL4: Protection of views	Any development proposal will need to ensure it protects and if possible enhances the important natural and rural views within and on the fringes of the two villages and those in the Conservation Area. 24 views identified in the policy.
Policy EL5: Protect natural features such as trees and hedgerows.	Development proposals to conserve and enhance trees and hedgerows
Policy EL6: Conservation of the environment, ecosystems and biodiversity	Development should preserve and if possible enhance well-established features of the environment, ecosystems, and biodiversity, including mature trees, species-rich hedgerows, watercourses, and other ecological networks, together with the habitats alongside them, including ponds.
Policy EL7: Preservation and enhancement of SSSIs, CWSs and SINC.	Development within (or nearby where such development could adversely affect the site) these areas will not be supported and consideration must be given to the stepping stones or habitat corridors for protected species. The level of protection and mitigation must be proportionate to the status of the habitat or species.
Policy EL8: Conserve and maintain agricultural and equestrian land, including public rights of way	Development will only be supported on agricultural fields, equestrian land or other greenfield sites in the open countryside when special circumstances can demonstrated as set out in criteria including where there is an overriding need for the development in proposed location (e.g. Rural worker) and for the re-use of old buildings.

Policy	Summary of policy wording
Policy EL9: Local green space designations	Allocates 3 sites as LGS. Development proposals on the allocated LGS will not be supported other than where it is necessary to meet utility infrastructure needs.
Policy EL10: Maintain dark skies and minimise light and noise pollution	New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting. Any development must address where appropriate the broad range of planning considerations to reduce noise pollution
Policy HD1: Housing Mix	Community supported housing development within or adjoining the settlement boundary or built up area of the villages should include a range of house types (market and affordable) with the majority being one to three bedroom homes. Housing developments will need to comply with the affordable housing thresholds and requirements in force at the time of the application.
Policy HD2: Characteristics of infill development	Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road) for housing or small business needs. Any proposed infill development should ensure that immediate neighbours are not adversely affected with a range of considerations. Any infill development should meet all the other policies (EL and IC) required in this joint NDP, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP core settlement hierarchies.
Policy HD3: Development within residential gardens	Development proposals for new dwellings on sites that form part of an existing residential garden or groups of gardens must meet criteria listed in the policy. Proposals to create separate unit accommodation for dependent persons or business use must meet criteria listed in the policy.
Policy HD4: Design of new development and energy efficiency.	Development proposals must demonstrate how they will contribute to the character of the area, incorporating design principles that reflect the local vernacular and must meet criteria listed in the policy.
Policy HD5: Landscape	New landscape features will need early consideration in the design process to ensure they are well integrated into new developments and must meet criteria listed in the policy.
Policy HD6: Flooding and drainage mitigation	Planning applications must demonstrate how any new development will provide, through the installation of the

Policy	Summary of policy wording
	<p>necessary infrastructure, mitigation against flooding and drainage issues. A site-specific flood risk assessment should be produced taking full account of the current Flood Zones and the specific drainage system in each village.</p> <p>Sustainable Drainage systems (SuDS) should be used to manage water run-off from any new development. Systems that retain rainwater for domestic use are encouraged.</p>
Policy IC1: Infrastructure	Any new development should set out the direct and indirect infrastructure implications for its build particularly with regard to its size and location within the settlement.
Policy IC2: Impact of new development on use of transport infrastructure	Support will be given to highways or other transport improvements which facilitate safe access for pedestrians, disabled, mobility vehicles, runners, riders and cyclists through and between all parts of the village, and the linkages between outlying settlements.
Policy IC3: Parking standards	All new residential development including alterations and extensions which provide extra bedrooms must provide resident and visitor car parking spaces on site and avoid on street parking especially that restricts free flow of traffic. Standards are included in the policy.
Policy IC4 : Public or community transport	<p>The Parish Councils will keep under review the feasibility of coordinating and improving community transport including volunteer drivers.</p> <p>Any new development, including affordable housing, must allow for easy access of occupants to local services</p>
Policy IC5: Traffic calming	Developments need to demonstrate they do not increase risks to pedestrians or exacerbate parking issues
Policy IC6: Enhanced utilities and services	<p>Proposed development should not create an unacceptable impact on the amenities of local residents nor on a feature of natural or biodiversity importance.</p> <p>ii. Development proposals must ensure that the supporting ground-based infrastructure (utility or communications) does not cause damage to, or reduce the effectiveness of, existing infrastructure, roads, footpaths or cause harm to the Conservation Areas or Heritage sites.</p> <p>iii. Design of new buildings that include green improvements, such as rainwater harvesting for household water usage, will be encouraged.</p> <p>iv. New development must demonstrate how it will provide, through the installation of the necessary infrastructure and ducting, the ability for occupiers to connect to high speed broadband. Mobile connectivity, including 5G when introduced nationally, will be essential.</p> <p>v. Particular care should be taken in any renewable project to mitigate the impact of power lines and pylons and sub stations on surrounding countryside and views.</p>

Policy	Summary of policy wording
IC7: Support for new and existing businesses	Development proposals within existing businesses and new small scale businesses will be supported if they meet criteria listed in the policy.
Policy IC8: Protect or enhance community facilities	Proposals to encourage retention, improvement or reuse of facilities including Assets of community value will be strongly supported

## 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 draft West Dean and West Tytherley Neighbourhood Plan in Table 1.

The implications of the policies and proposals in the Neighbourhood Plan have been 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.

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.

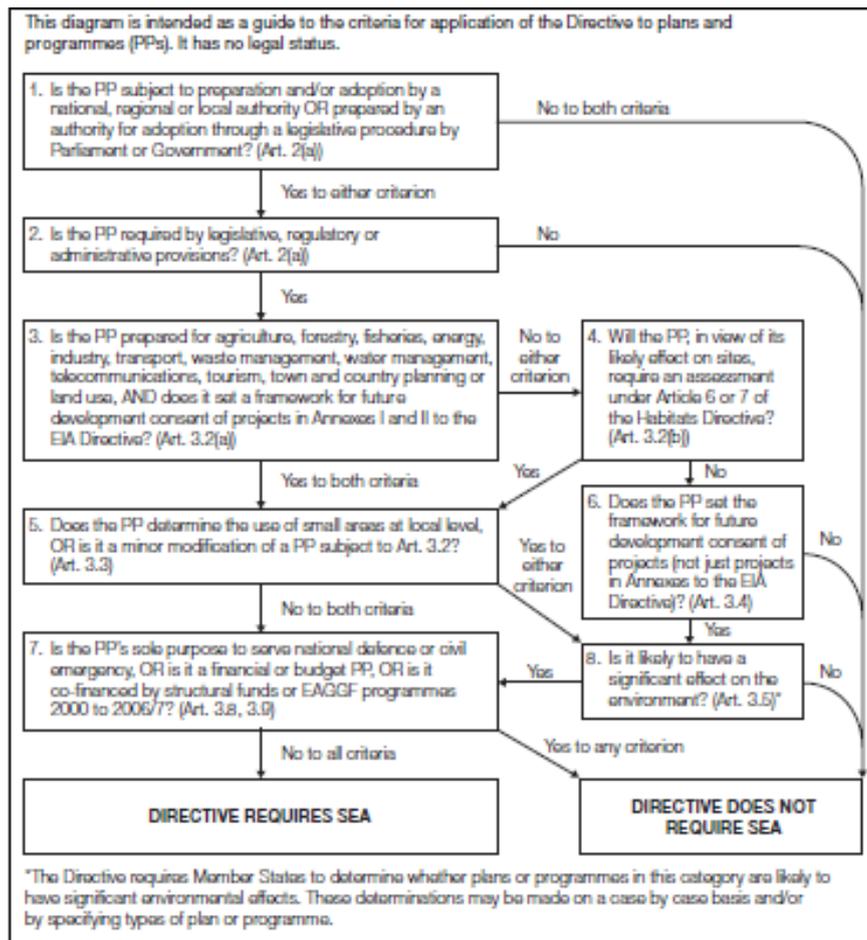


Figure 2 – Application of the SEA Directive to Plans and Programmes

**1.6 Table 1:** Assessment of the draft West Dean and West Tytherley Neighbourhood Plan using SEA Directive Criteria

Stage	Y/N	Reason
1. Is the West Dean and West Tytherley 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 West Dean and West Tytherley Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Neighbourhood Plans are not mandatory requirements, and the West Dean and West Tytherley 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 West Dean and West Tytherley 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 West Dean and West Tytherley Neighbourhood Plan does not allocate any homes.

<p>4. Will the West Dean and West Tytherley 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))</p>	<p><b>Y</b></p>	<p>A HRA has been undertaken for the plan. Providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan <b>would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b></p>
<p>5. Does the West Dean and West Tytherley 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)</p>	<p><b>Y</b></p>	<p>The West Dean and West Tytherley Neighbourhood Plan is made up of a number of policies which, when adopted, will form part of the Local Development Framework and so will have significant weight in planning decisions. A Neighbourhood Plan can only determine the use of small areas at the local level.</p>
<p>6. Does the West Dean and West Tytherley Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p><b>Y</b></p>	<p>When adopted, the West Dean and West Tytherley 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.</p>
<p>7. Is the West Dean and West Tytherley 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)</p>	<p><b>N</b></p>	<p>A Neighbourhood Plan does not deal with any of these categories of plan.</p>

8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	A HRA has been undertaken for the plan. Providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Section 3, <b>it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan would not lead to any adverse effects on integrity of any European sites, either alone or in combination with other plans.</b>
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Based upon the initial screening carried out against the criteria in Table 1 above, the emerging draft West Dean and West Tytherley Neighbourhood Plan is **unlikely 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.

## **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.

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

This has been made in accordance with the Regulations and will be subject to consultation with the strategic environmental bodies before the Council makes 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
1(a) the degree to which the draft West Dean and West Tytherley 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;	<b>NO</b>	The West Dean and West Tytherley 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 does not allocate any sites for development.
1(b) the degree to which the draft West Dean and West Tytherley Neighbourhood Plan influences other plans and programmes including those in a hierarchy;	<b>NO</b>	The policies contained within the draft West Dean and West Tytherley Neighbourhood Plan have been produced by the local community to influence the Parish areas. The policies 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 West Dean and West Tytherley Neighbourhood Plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	<b>NO</b>	The NP is a land-use plan that promotes sustainable development, in general conformity with the Local Plan and national planning guidance, and is not a Plan specifically relating to the integration of environmental considerations, although there are environmental considerations in the Plan. There are policies of the draft West Dean and West Tytherley Neighbourhood Plan that seek to conserve and enhance

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
		biodiversity (EL6), to preserve and enhance designated sites such as SSSI's and SINCS. The plan also designates 3 areas as local Green Space Designations.
1(d) environmental problems relevant to the draft West Dean and West Tytherley Neighbourhood Plan;	<b>NO</b>	Parts of the Plan area are located within the New Forest SPA recreation zone, the Mottisfont Bats SAC and within the catchment for the Solent and Southampton Water SPA and Solent Maritime SAC. The plan has been subject to a HRA and providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan <b>would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b>
1(e) the relevance of the draft West Dean and West Tytherley Neighbourhood Plan for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);	<b>NO</b>	The policies of the draft West Dean and West Tytherley 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 West Dean and West Tytherley Neighbourhood Plan;	<b>NO</b>	The plan has been subject to a HRA and providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan <b>would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b>
2(a) the probability, duration, frequency and reversibility of the draft West Dean and West Tytherley Neighbourhood Plan;	<b>NO</b>	The plan does not allocate any sites for development. It is considered unlikely that there will be any irreversible damaging environmental impacts associated with the draft West Dean and West Tytherley Neighbourhood Plan. The plan features policies which seek to protect and enhance the natural, built and historic environment, and the plan is therefore likely to result in beneficial rather than damaging effects. <b>The Appropriate Assessment concluded that providing the Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b>

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
2(c) the transboundary nature of effects of the draft West Dean and West Tytherley Neighbourhood Plan;	<b>NO</b>	No transboundary effects with other EU countries are considered likely to be significant.
2(d) the risks to human health or the environment (for example, due to accidents) due to the draft West Dean and West Tytherley Neighbourhood Plan;	<b>NO</b>	There are unlikely to be any significant risks to human health arising from the Plan
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<b>NO</b>	<p>The draft Neighbourhood Plan applies to the whole parishes of West Dean, West Tytherley, Frenchmoor and Buckholt of with a combined resident population of about 890 (2011 census). The policies of the Neighbourhood Plan apply to the whole of the parishes, and are unlikely to significantly affect areas beyond the Neighbourhood Area boundary.</p> <p>The Council has determined that Regulation 5(6) of the SEA Regulations is relevant to this Plan, given the nature of the Plan, its policies and what it is seeking to achieve, and that this Plan can be considered as determining a <b><i>'small area at a local level'</i></b>.</p>

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"> <li>(i) special natural characteristics or cultural heritage;</li> <li>(ii) exceeded environmental quality standards or limit values; or</li> <li>(iii) intensive land-use; and</li> </ul>	<b>NO</b>	<p>The plan does not allocate any sites for development. and contains policies that seek to conserve and enhance the landscape and the village setting (Policy EL1), Retain and enhance both designated and non-designated heritage assets (Policy EL2), to conserve and enhance the character and appearance of the Conservation Areas (Policy EL3) and to protect and enhance the 24 village and countryside views (Policy EL4). Therefore it is not considered that the Plan will have significant environmental effects due to special natural characteristics or cultural heritage, exceeded environmental quality standards, limit values or intensive land-use.</p> <p>The magnitude of the effects will be regulated by the relatively small number of units to be supported by the Plan, meaning the effects are likely to be largely localised (i.e. within the neighbourhood area).</p>
<p>2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<b>NO</b>	<p>The plan does not allocate any sites for development. The policies of the draft West Dean and West Tytherley Neighbourhood Plan are unlikely to have a negative impact on any environmental designations in the Neighbourhood Area. The policies seek to conserve and enhance the</p>

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
		<p>landscape and the village setting (Policy EL1), Retain and enhance both designated and non-designated heritage assets (Policy EL2), to conserve and enhance the character and appearance of the Conservation Areas (Policy EL3) and to protect and enhance the 24 village and countryside views (Policy EL4)</p> <p><b>The Appropriate Assessment concluded that providing the Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b></p>

## 2.2 SEA SCREENING OPINION AND DECISION.

The assessment shown in Table 2 above identifies no potential significant negative effects arising from the draft West Dean and West Tytherley Neighbourhood Plan, and as such it is considered that it **is not likely to have significant environmental effects** and accordingly **a Strategic Environmental Assessment is not required.**

### Screening Decision.

The consultation with the statutory consultees raised no objections to the Screening Opinion, therefore the Council is required to issue a statement of its reasons for the determination.

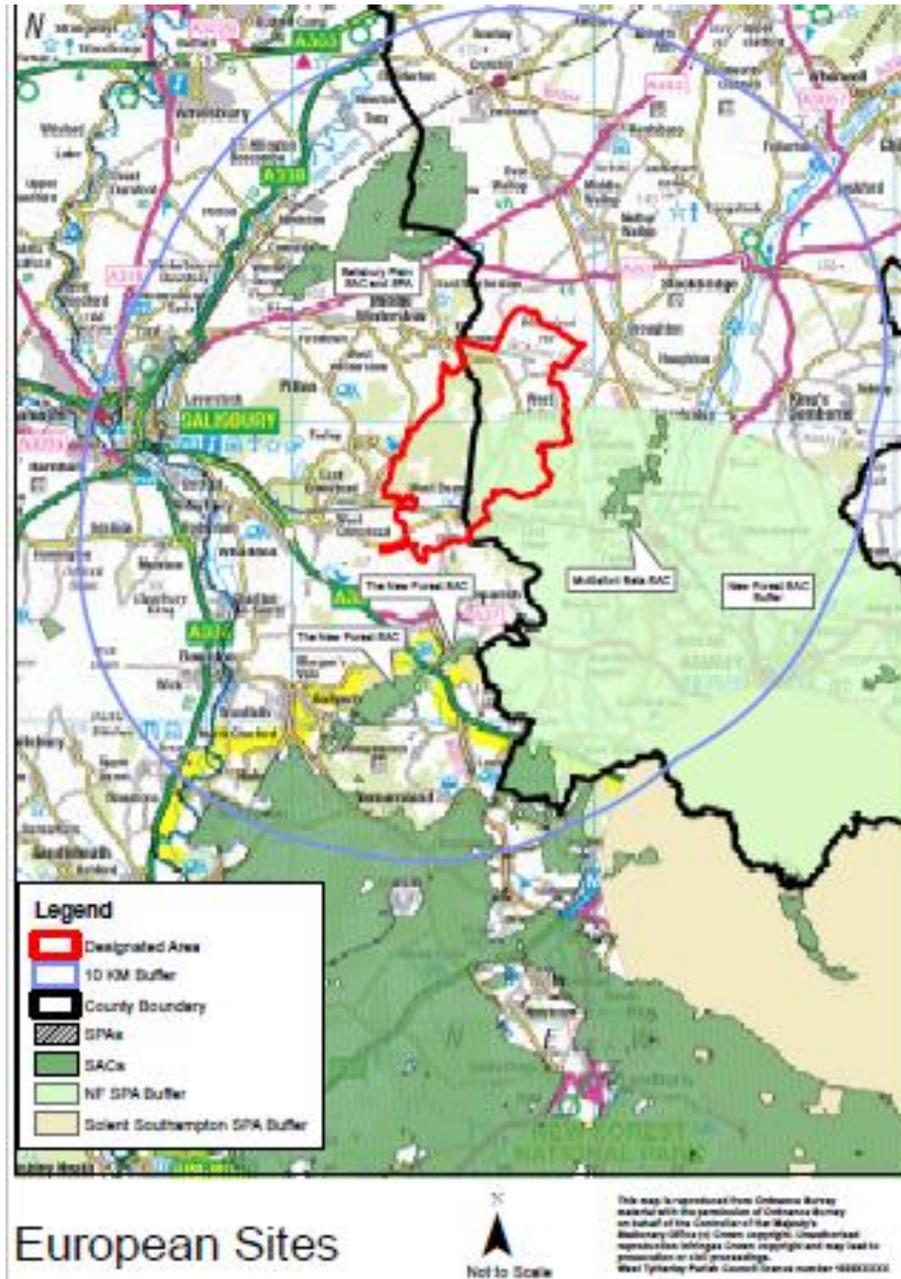
### **A Strategic Environmental Assessment is not required for the following key reasons:**

1. The Plan is not allocating any sites for development within the parish.
  2. The Plan is seeking to maintain the rural setting of the parish, to conserve and enhance the Historic Environment, Landscape and Natural Environment as well as protecting valued local green spaces.
  3. The plan has been subject to a HRA and providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Section 3, it can be concluded that **the policies contained within the West Tytherley and West Dean Neighbourhood Plan would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans and projects.**
- 1.1 This screening decision is based on the November 2020 Regulation 16 Submission Plan. If any changes are subsequently made to the Plan that may be likely to have significant environmental effects then a revised SEA screening determination should be requested from the Council.
  - 1.2 This screening decision was sent to Natural England, the Environment Agency and Historic England (the “consultation bodies”), requesting comments within a 5-week period, from 1 June 2021 to 6 July 2021 and from 9 July to 13 August 2021. Comments were received from all three statutory consultees **who agreed with the decision that a SEA is not required.** Comments are presented in Appendix A.

# 3 HRA SCREENING

## 3.1 HRA SCREENING ASSESSMENT

There are four internationally designated wildlife sites located within or within the catchment of the West Dean and West Tytherley Neighbourhood Area: Mottisfont Bats SAC, New Forest SPA Solent and Maritime SAC and the Solent and Southampton Water SPA



### 3.2 HRA SCREENING OPINION AND APPROPRIATE ASSESSMENT

The plan has been subject to an Appropriate Assessment, due to potential impacts on the European sites. The report outlines the methods used and the findings arising from the Appropriate Assessment stage of the Habitats Regulations Assessment for the West Dean and West Tytherley Neighbourhood Plan. The AA considered the Mottisfont Bats SAC, New Forest SPA, Solent and Maritime SAC and the Southampton Water SPA in and around the plan area.

The report concludes that the Regulation 16 plan as submitted will have a likely significant effect on European sites in the absence of avoidance and mitigation measures. Therefore, further wording is advised for relevant policies within the NP to address the impacts as shown in Table 2

Providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Table 2, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan **would not lead to any adverse effects on integrity of any European sites, either alone or in combination with other plans.**

However, further HRA and AA are likely be required for relevant developments at the planning application stage, in which further avoidance and mitigation measures will be required.

**Table 2 - Conclusions and Recommendations from the Appropriate Assessment**

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
Policy EL2: Preserve the historic environment	C and D for Mottisfont Bats SAC	<p><i>Retain and enhance both designated and non-designated heritage assets and archaeology. Also includes criteria for conversion of historic buildings.</i></p> <p>Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	D for New Forest SPA	Additional dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<i>practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i>  <i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i>
	C and D for Solent and Maritime SAC and Solent and Southampton Water SPA	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.	<i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to</i>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
			<i>which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i>
Policy EL10: Maintain dark skies and minimise light and noise pollution	C and D for Mottisfont Bats SAC	<p><i>New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting.</i></p> <p><i>Any development must address where appropriate the broad range of planning considerations to reduce noise pollution</i></p> <p>Barbastelle bats require darker conditions than most bat species. Lighting can affect roosts, commuting routes and foraging habitat.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
Policy HD1: Housing Mix	C and D for Mottisfont Bats SAC	<p><i>Community supported housing development within or adjoining the settlement boundary or built up area of the villages should include a range of house types (market and affordable) with the majority being one to three bedroom homes. Housing developments will need to comply with the affordable housing thresholds and requirements in force at the time of the application.</i></p> <p>West Dean and West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	D for New Forest SPA	Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i>
	C and D for Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.	<i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
Policy HD2: Characteristics of infill development	C and D for Mottisfont Bats SAC	<p><i>Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road) for housing or small business needs. Any proposed infill development should ensure that immediate neighbours are not adversely affected with a range of considerations.</i></p> <p><i>Any infill development should meet all the other policies (EL and IC) required in this joint NDP, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP core settlement hierarchies.</i></p>	<p><i>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</i></p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best</i></p>
		<p>West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.</p>	

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	New Forest SPA	Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<p><i>practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p> <p><i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i></p>
	C and D for Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.	<p><i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
			<i>which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i>
Policy HD3: Development within residential gardens	C and D for Mottisfont Bats SAC	<p><i>Development proposals for new dwellings on sites that form part of an existing residential garden or groups of gardens must meet criteria listed in the policy.</i></p> <p><i>Proposals to create separate unit accommodation for dependent persons or business use must meet criteria listed in the policy.</i></p> <p>Gardens have potential to contain mature trees / outbuildings with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	D for New Forest SPA	Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<i>Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i>
	C and D for Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.	<i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i>  <i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to</i>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
			<i>which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i>
IC7: Support for new and existing businesses	C and D for Mottisfont Bats SAC	<p><i>Development proposals within existing businesses and new small scale businesses will be supported if they meet criteria listed in the policy.</i></p> <p>Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
			<i>Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i>

## 4 REPRESENTATIONS FROM CONSULTATION BODIES

A screening report has been produced on behalf of West Dean and West Tytherley Parish Council (Appendix 2). 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 1 July 2021 for a five week period ending on 6 July 2021. 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**

<b>Consultation body (date of response)</b>	<b>Consultation response (summary)</b>	<b>Test Valley BC response</b>
Environment Agency SE	We note that the NDP as drafted does not include any site allocations. We therefore consider that the Neighbourhood Plan <b>would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</b>	Response noted
Environment Agency SW	Our response is on behalf of both regions as we have co-ordinated this between us.	Response noted
Natural England SE	Providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Table 2, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan <b>would not lead to any adverse effects on integrity of any European sites, either alone or in-combination with other plans.</b>  We therefore agree with the conclusion of the SEA screening report that a <b>Strategic Environmental Assessment for the Draft West Dean and West Tytherley Neighbourhood Plan would not be required.</b>	Response noted
Natural England SW	Natural England agrees with the Appropriate Assessment that policies EL1, EL2, EL8, HD1, HD2 and HD3 <b>would not result in adverse effects</b>	Response noted

	<p>upon the Solent region international sites, provided permitted development complies with the nutrient neutral strategy agreed by Test Valley Borough Council.</p> <p>We can concur with the conclusion of the AA that <b>adverse effects on the integrity of the designated sites in question can be ruled out subject to the inclusion of the proposed explanatory text.</b></p>	
Historic England SE	<p>I am happy to agree that we do not feel the plan has potential for likely significant effects within our areas of interest and, as such <b>agree with the Council's determination to screen out the need for SEA.</b></p>	Response noted
Historic England SW	<p>Our colleagues in our South East team are handling our involvement with this Plan and I note that they have already been consulted on the SEA Screening and that you have received a response from my colleague Rob Lloyd-Sweet.</p> <p>Please therefore accept this as our corporate response to the SEA Screening of the Plan <b>with no additional contributions to come from the South West office.</b></p>	Response noted

## 5 CONCLUSIONS

The preceding assessment exercises have examined whether the Draft West Dean and West Tytherley Neighbourhood Plan is likely to require a full Strategic Environmental Assessment

The SEA screening exercise featured in Section 2 concludes that the Draft West Dean and West Tytherley Neighbourhood Plan **does not require a full Strategic Environmental Assessment to be undertaken.**

In light of the screening exercises and in line with the views of the statutory consultation bodies, it is the conclusion of this screening opinion that the Draft West Dean and West Tytherley Neighbourhood Plan **does not require a full Strategic Environmental Assessment to be undertaken.**

## **6 APPENDICIES**

**APPENDIX 1:  
RESPONSES FROM STATUTORY  
CONSULTATION BODIES**

## Response from Natural England SE

Date: 05 July 2021  
Our ref: 357956  
Your ref: West Tytherley and West Dean Neighbourhood Plan



Test Valley Borough Council,  
Beech Hurst,  
Weyhill Road,  
Andover,  
SP10 3AJ.

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

### BY EMAIL ONLY

Dear Sarah Hughes

### West Tytherley and West Dean Neighbourhood Plan - Screening Opinion for SA/SEA

Thank you for your consultation on the above dated 28<sup>th</sup> May 2021 which was received by Natural England on the same date.

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.

### Strategic Environmental Assessment Screening

Natural England considers that, based on the material supplied with the consultation, in so far as our strategic environmental interests are concerned, significant environmental effects resulting from the neighbourhood plan are unlikely providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in Table 2, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan **would not lead to any adverse effects on integrity of any European sites, either alone or in combination with other plans.**

We therefore agree with the conclusion of the SEA screening report that a Strategic Environmental Assessment for the Draft West Dean and West Tytherley Neighbourhood Plan would not be required.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance.

### **Habitats Regulations Assessment Screening**

Natural England welcomes the consideration given to the Habitats Regulations. We agree with the conclusion of the report of no likely significant effect upon the named European designated site and therefore advise that further Habitats Regulations Assessment is not required.

*Nearby habitats sites : Mottisfont Bats SAC, New Forest SPA Solent and Maritime SAC and the Solent and Southampton Water SPA.*

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully

Alex Wilson  
Lead Advisor. Thames Solent

## Response from Natural England SW

Date: 30 July 2021  
Our ref: 359177/359175  
Your ref: West Tytherley and West Dean Joint Neighbourhood Plan



Emma Fisher  
Economic Development and Planning

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Sir/Madam

**Planning consultation:** West Tytherley and West Dean Joint Neighbourhood Plan, Reg 16 Consultation & Appropriate Assessment

Thank you for your consultation on the above dated 21st June 2021. 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 is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this neighbourhood plan.**

Natural England support the inclusion in the plan of policies to protect and enhance the natural features and sites within the area and the landscape setting of the neighbourhood. We have no specific comments to make.

Appropriate Assessment

Natural England agrees with the Appropriate Assessment that policies EL1, EL2, EL8, HD1, HD2 and HD3 would not result in adverse effects upon the Solent region international sites, provided permitted development complies with the nutrient neutral strategy agreed by Test Valley Borough Council.

We note that the Neighbourhood Development Plan does not propose specific allocations for development but may facilitate development which could impact the designated sites of the New Forest SAC/SPA/Ramsar or Mottisfont Bats SAC. In combination effects can have an impact on European designated sites (also known as Habitats Sites) however, this neighbourhood development plan does not make any allocations.

**We can concur with the conclusion of the AA that adverse effects on the integrity of the designated sites in question can be ruled out subject to the inclusion of the proposed explanatory text.**

For any queries relating to the specific advice in this letter only, please contact Alex Wilson on the number below.

For any new consultations, or to provide further information on this consultation please email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours  
Faithfully  
Alex Wilson  
Lead Advisor Thames Solent  
Team

## Response from Historic England - SE

**From:** Lloyd Sweet, Robert

**Sent:** 07 July 2021 18:42

**To:** Hughes, Sarah

**Subject:** FW: Screening Opinion for SA/SEA for the West Tytherley and West Dean Neighbourhood Plan

Dear Sarah

Thank you for inviting Historic England's comment on the screening of the West Tytherley and West Dean Neighbourhood Plan for Strategic Environmental Assessment. As Historic England's remit is limited to advising on the implications of planning for the historic environment, our assessment of the plan's potential environmental effects has been limited to these areas.

I am happy to agree that we do not feel the plan has potential for likely significant effects within our areas of interest and, as such **agree with the Council's determination to screen out the need for SEA.**

We hope these comments are of assistance

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



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## Response from Historic England - SW

**From:** Stuart, David  
**Sent:** 09 July 2021 16:26  
**To:** Neighbourhood Planning  
**Cc:** Lloyd Sweet, Robert  
**Subject:** RE: Screening Opinion for SA/SEA for the West Tytherley and West Dean Neighbourhood Plan

Dear Sarah

Thank you for your consultation on the SEA Screening for the emerging West Tytherley and West Dean Neighbourhood Plan.

Our colleagues in our South East team are handling our involvement with this Plan and I note that they have already been consulted on the SEA Screening and that you have received a response from my colleague Rob Lloyd-Sweet.

**Please therefore accept this as our corporate response to the SEA Screening of the Plan with no additional contributions to come from the South West office.**

Kind regards

David

David Stuart | Historic Places Adviser

Historic England | South West  
1st Floor Fermentation North | Finzels Reach | Hawkins Lane | Bristol | BS1 6WQ  
<https://historicengland.org.uk/southwest>



Historic England

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## Response from Environment Agency SE

**From:** Lines, Charlotte  
**Sent:** 09 July 2021 15:02  
**To:** Hughes, Sarah  
**Cc:** Greenwood, Suz  
**Subject:** RE: Screening Opinion for SA/SEA for the West Tytherley and West Dean Neighbourhood Plan

Dear Sarah,

Thank you for consulting us on the SEA screening opinion for the West Tytherley and West Dean 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.**

Kind Regards,

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 | [PlanningSSD@environment-agency.gov.uk](mailto:PlanningSSD@environment-agency.gov.uk)

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- \*Healthy air, land and water
- \*Green growth and a sustainable future

## Response from Environment Agency SW

**From:** Rabone, Anna  
**Sent:** 29 July 2021 16:38  
**To:** Hughes, Sarah  
**Cc:** Sustainable Places,  
**Subject:** RE: Screening Opinion for SA/SEA for the West Tytherley and West Dean Neighbourhood Plan

Dear Sarah,

Apologies, I was unaware that Charlotte had responded. Our response is on behalf of both regions as we have co-ordinated this between us.

If you have any further queries, please do not hesitate to contact me.

*Kind regards,*  
Anna

**Anna Rabone**  
Sustainable Places Advisor | Solent and South Downs  
**Environment Agency** | Oving Road, Chichester, West Sussex, PO20 2AG

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**Appendix 2**  
**HRA Screening opinion**

## Habitats Regulations Assessment Screening

### West Dean and West Tytherley Neighbourhood Development Plan

#### **Introduction**

This HRA has been prepared by Test Valley Borough Council as the responsible authority to comply with Regulation 105 of the Habitats Regulations 2017, in which a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures, the competent authority must undertake an appropriate assessment to examine the effects of the plan on the conservation objectives of the European Sites in question, consult the appropriate nature conservation body and have regard to its representations. Both the screening and any subsequent appropriate assessment, must consider the impacts of the plan alone and in combination with other plans or projects.

It is usually the case that a plan of this nature does not go into the detailed aspects of development proposals, particularly where the plan does not allocate any development. Therefore the full effects of potential development cannot be accurately assessed at the plan making stage. Those details will typically be identified through a planning application which would be subject to further, more detailed HRA. The principle that a HRA need only consider the effects of a proposal or policy in as much detail as is specified by the plan was explained by Advocate General Kokott in a judgement brought against the UK government in 2005:

*“Many details are regularly not settled until the time of the final permission. It would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure.”*

Where appropriate assessment is undertaken, the competent authority may go on to authorise the plan or project provided that it will not adversely affect the integrity of any European sites. Otherwise the plan cannot be authorised unless it meets specific statutory tests.

#### **Methodology**

Each element of the plan has been categorised against screening criteria developed by Natural England to provide a clear audit trail for the screening assessment.

The screening criteria used are as follows:

- Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development;
- Category A2: The policy is intended to protect the natural environment;
- Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
- Category A4: The policy would positively steer development away from European sites and associated sensitive areas;
- Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in

the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.

- Category B – no significant effect;
- Category C – likely significant effect alone; and
- Category D – Likely significant effects in combination.

The effect of each policy has been considered both individually and in combination with other plans and projects (see table in section 4 below). Where potential for likely significant effects have been identified, an appropriate assessment is undertaken in subsequent sections.

### **Natura Sites considered within Test Valley**

The following parameters were identified and assessed for the following Natura 2000 sites.

*Recreation – Natura 2000 sites within 5km of the plan area, or where Salisbury Plain SPA/SAC or New Forest SAC / SPA is within 15km of the plan area:*

- Salisbury Plain SAC and SPA
- River Avon SAC
- New Forest SAC / SPA

*Hydrology / Hydrogeology - Sites that fall wholly or partly within the Wessex Water / Southern Water Resource Zones may be susceptible to impact:*

- Solent and Maritime SAC
- Southampton Water SPA
- Salisbury Plain SAC / SPA
- River Avon SAC

*Air Pollution / Nitrogen Deposition – Natura 2000 sites within 200m of a main road*

- Southampton Water SPA
- Porton Down SPA
- Salisbury Plain SAC / SPA
- River Avon SAC

*Physical Damage / Interruption of Flight Lines / Disturbance*

- Porton Down SPA
- Mottisfont

### **Screening of policies within the West Dean and West Tytherley Neighbourhood Development Plan**

The proposed NP outlines a number of policies which have triggered the need for further Appropriate Assessment as currently written and as detailed within the table 1 below.

Taking into account the scale, location and nature of the proposals, there is potential for three European sites to be effected. This includes the Mottisfont Bats SAC, New Forest SPA and the Solent and Maritime SAC. All parts of the draft plan have been screened for potential impacts which may

arise from the plan alone or in combination with other plans and projects. Several policies have the **potential to give rise to significant effects and are therefore taken forward to appropriate assessment**, as outlined below.

Other policies would either not lead directly to development or would have no significant effects either alone or in combination with other plans and projects due to the scale and nature of the proposals in the plan.

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**Table 1: Habitats Regulation Assessment Screening for the West Dean and West Tytherley Neighbourhood Development Plan**

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy EL1: Countryside protection and the village setting	A2/A3	Development proposals that conserve and if possible, enhance the character of both parishes and their settings in a beautiful rural landscape will be supported.	Category A2: The policy is intended to protect the natural environment; Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
Policy EL2: Preserve the historic environment	C and D for Mottisfont Bats SAC  D for New Forest SPA  C and D for Solent and Maritime SAC and Solent and Southampton Water SPA	Retain and enhance both designated and non-designated heritage assets and archaeology. Also includes criteria for conversion of historic buildings.	Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.  Additional dwellings within 8km of the New Forest SPA will lead to effects in-combination  There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy EL3: Conservation Area	A3	Within Conservation Area and sites adjacent, development proposals will be required to conserve and enhance their character and appearance and must meet criteria listed in the policy.	Category A3: The policy is intended to conserve or enhance the natural, built or historic environment.
Policy EL4: Protection of views	A2	Any development proposal will need to ensure it protects and if possible enhances the important natural and rural views within and on the fringes of the two villages and those in the Conservation Area. 24 views identified in the policy.	Category A2: The policy is intended to protect the natural environment.
Policy EL5: Protect natural features such as trees and hedgerows.	A2	Development proposals to conserve and enhance trees and hedgerows	Category A2: The policy is intended to protect the natural environment.
Policy EL6: Conservation of the environment, ecosystems and biodiversity	A2	Development should preserve and if possible enhance well-established features of the environment, ecosystems, and biodiversity, including mature trees, species-rich hedgerows, watercourses, and other ecological networks, together with the habitats alongside them, including ponds.	Category A2: The policy is intended to protect the natural environment.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy EL7: Preservation and enhancement of SSSIs, CWSs and SINCs.	A2	Development within (or nearby where such development could adversely affect the site) these areas will not be supported and consideration must be given to the stepping stones or habitat corridors for protected species. The level of protection and mitigation must be proportionate to the status of the habitat or species.	Category A2: The policy is intended to protect the natural environment.
Policy EL8: Conserve and maintain agricultural and equestrian land, including public rights of way	A2	Development will only be supported on agricultural fields, equestrian land or other greenfield sites in the open countryside when special circumstances can demonstrated as set out in criteria including where there is an overriding need for the development in proposed location (e.g. Rural worker) and for the re-use of old buildings.	Category A2: The policy is intended to protect the natural environment.
Policy EL9: Local green space designations	A2	Allocates 3 sites as LGS. Development proposals on the allocated LGS will not be supported other than where it is necessary to meet utility infrastructure needs.	Category A2: The policy is intended to protect the natural environment.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy EL10: Maintain dark skies and minimise light and noise pollution	C and D for Mottisfont Bats SAC	New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting. Any development must address where appropriate the broad range of planning considerations to reduce noise pollution	Barbastelle bats require darker conditions than most bat species. Lighting can affect roosts, commuting routes and foraging habitat.
Policy HD1: Housing Mix	C and D for Mottisfont Bats SAC D for New Forest SPA  C and D for Solent and Maritime SAC	Community supported housing development within or adjoining the settlement boundary or built up area of the villages should include a range of house types (market and affordable) with the majority being one to three bedroom homes. Housing developments will need to comply with the affordable housing thresholds and requirements in force at the time of the application.	West Dean and West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.  Dwellings within 8km of the New Forest SPA will lead to effects in-combination  There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy HD2: Characteristics of infill development	C and D for Mottisfont Bats SAC  New Forest SPA  C and D for Solent and Maritime SAC	Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road) for housing or small business needs. Any proposed infill development should ensure that immediate neighbours are not adversely affected with a range of considerations. Any infill development should meet all the other policies (EL and IC) required in this joint NDP, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP core settlement hierarchies.	West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.  Dwellings within 8km of the New Forest SPA will lead to effects in-combination  There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.
Policy HD3: Development within residential gardens	C and D for Mottisfont Bats SAC	Development proposals for new dwellings on sites that form part of an existing residential garden or groups of gardens must meet criteria listed in the policy. Proposals to create separate unit accommodation for dependent persons or	Gardens have potential to contain mature trees / outbuildings with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.  Dwellings within 8km of the New Forest SPA will lead to effects in-combination

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
	D for New Forest SPA  C and D for Solent and Maritime SAC	business use must meet criteria listed in the policy.	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.
Policy HD4: Design of new development and energy efficiency.	A1	Development proposals must demonstrate how they will contribute to the character of the area, incorporating design principles that reflect the local vernacular and must meet criteria listed in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy HD5: Landscape	A1	New landscape features will need early consideration in the design process to ensure they are well integrated into new developments and must meet criteria listed in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy HD6: Flooding and drainage mitigation	A1	Planning applications must demonstrate how any new development will provide, through the installation of the necessary infrastructure, mitigation against flooding and drainage issues. A site-specific flood risk assessment should be	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		produced taking full account of the current Flood Zones and the specific drainage system in each village. Sustainable Drainage systems (SuDS) should be used to manage water run-off from any new development. Systems that retain rainwater for domestic use are encouraged.	
Policy IC1: Infrastructure	A1	Any new development should set out the direct and indirect infrastructure implications for its build particularly with regard to its size and location within the settlement.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC2: Impact of new development on use of transport infrastructure	B	Support will be given to highways or other transport improvements which facilitate safe access for pedestrians, disabled, mobility vehicles, runners, riders and cyclists through and between all parts of the village, and the linkages between outlying settlements.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC3: Parking standards	A1	All new residential development including alterations and extensions which provide extra bedrooms must provide resident and visitor car parking spaces on site and avoid on street parking especially that restricts free flow of traffic. Standards are included in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy IC4 : Public or community transport	A1	The Parish Councils will keep under review the feasibility of coordinating and improving community transport including volunteer drivers. Any new development, including affordable housing, must allow for easy access of occupants to local services	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC5: Traffic calming	A1	Developments need to demonstrate they do not increase risks to pedestrians or exacerbate parking issues	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC6: Enhanced utilities and services	A1	Proposed development should not create an unacceptable impact on the amenities of local residents nor on a feature of natural or biodiversity importance. ii. Development proposals must ensure that the supporting ground-based infrastructure (utility or communications) does not cause damage to, or reduce the effectiveness of, existing infrastructure, roads, footpaths or cause harm to the Conservation Areas or Heritage sites. iii. Design of new buildings that include green improvements, such as rainwater harvesting for household water usage, will be encouraged.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		<p>iv. New development must demonstrate how it will provide, through the installation of the necessary infrastructure and ducting, the ability for occupiers to connect to high speed broadband. Mobile connectivity, including 5G when introduced nationally, will be essential.</p> <p>v. Particular care should be taken in any renewable project to mitigate the impact of power lines and pylons and sub stations on surrounding countryside and views.</p>	
IC7: Support for new and existing businesses	C and D for Mottisfont Bats SAC	Development proposals within existing businesses and new small scale businesses will be supported if they meet criteria listed in the policy.	Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.
Policy IC8: Protect or enhance community facilities	B	Proposals to encourage retention, improvement or reuse of facilities including Assets of community value will be strongly supported	Category B – no significant effect.

## **Conclusion**

The HRA screening exercise featured in Table 1 concludes that the Draft West Dean / West Tytherley Neighbourhood Plan **does require a full Habitats Regulation Assessment Appropriate Assessment** to be undertaken.

**April 2020**