

# **SEA Screening Report**

## **Alvington Parish**

### **Appendix 23**






## Strategic Environmental Assessment (SEA) Screening Report

for the

## Alvington Neighbourhood Development Plan

Undertaken by Forest of Dean District Council

September 2019

	Version Submission Draft July 2019	Assessor: AC	Reviewer: NG
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<b>Contents</b>	<b>Page</b>
Summary	3
1.0 Introduction	4
2.0 Legislative Background	5
3.0 Screening for SEA	6
4.0 Assessment	8
5.0 Consultations	13
7.0 Statement of Reasons for Determination	13
<b>List of Tables</b>	
Table 1. Establishing the Need for SEA	8
Table 2. Assessment of the likely significant effects of the SPD/guidance	10
<b>Appendices</b>	
Appendix 1 Responses from Statutory bodies	14

## **Summary**

The assessment considers the Alvington Neighbourhood Development Plan for the period up to 2026 (A-NDP) and is a plan to which the Environmental Assessment of Plans and Programmes Regulations 2004 applies.

Following the assessment (tables 1 & 2) the Forest of Dean District Council has concluded that the A-NDP, will not result in significant environmental effects.

Therefore an Environmental Assessment is currently not required for the A-NDP

It has been concluded that:

- i. The geographic spread of the NDP is limited
- ii. The locations, scale and effects of the NDP are very limited
- iii. The NDP does not create a significant new framework or programme in addition to the existing Development Plan (Core Strategy & Allocations Plan).
- iv. The NDP is generally supportive and interpretive rather than instructive.
- v. The NDP in combination with the Development Plan contains environmental mitigation and 'cancelation' factors

The three statutory bodies (for the purposes of SEA Screening, English Heritage, the Environment Agency and Natural England) have been consulted on the assessment.

## **Limitations**

An objective assessment has been undertaken by the Forest of Dean District Council, the Local Planning Authority and is based on local knowledge and understanding of the area.

The copy of the plan used to complete the assessment was dated 17th May 2019 (Draft).

General consideration of the appropriateness or otherwise of the plan objectives or policies contained within the NDP has not been a considered as part of this assessment.

## 1.0 Introduction

1.1 This screening report is designed to determine whether or not the contents of the A-NDP, hereafter referred to as the NDP or 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.

1.2 NDP's can establish general or detailed planning policies for development and use of land in a local area (neighbourhood). NDP's must take account of higher plans such as those developed by District or County Councils.

1.3 When adopted an NDP forms part of the Development Plan for the area. An NDP is an influencing document in planning decisions and wider strategies/decisions.

1.4 When adopted NDP's form part of the development plan and will be used in considering planning applications along with other relevant planning policy documents and other material planning considerations. The NDP sets out the following vision and objectives for the plan area:

*"Alvington is a safe place which looks to the future, where people have the opportunity to live and work using the latest technology and enjoy the peace and tranquillity of the countryside".*

### **Objective 1 - Community Infrastructure**

To protect and enhance local community infrastructure and facilities.

### **Objective 2 - Flood Risk**

To guide new development to areas at lowest risk of flooding, and where appropriate, to ensure suitable mitigation measures are provided to reduce flood risk from new development.

### **Objective 3 - Natural Environment**

To protect and enhance the natural environment in the Parish so that new development will protect wildlife and landscape character.

### **Objective 4 - Built Environment**

To protect the built environment from inappropriate development within and outside the conservation area, and to encourage new development to be designed sensitively to the local character.

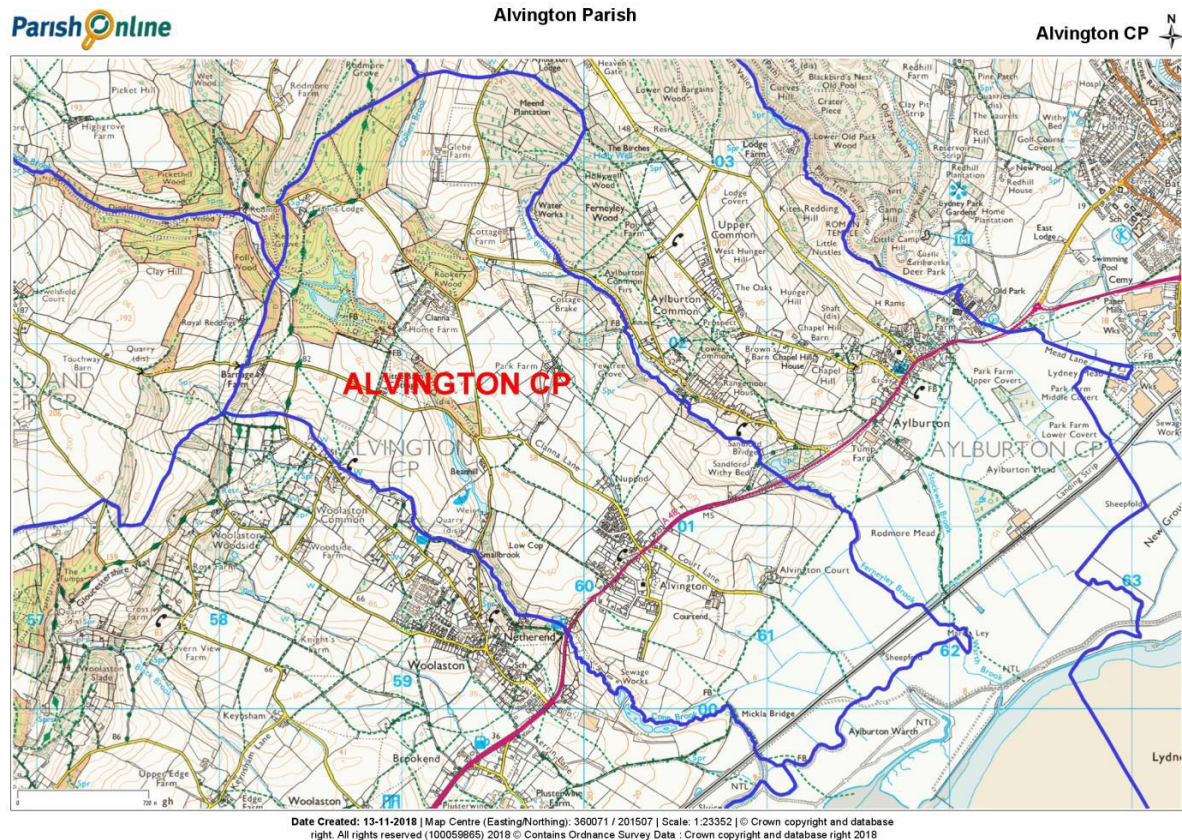
### **Objective 5 - Housing Mix**

To support provision of a mix of housing including affordable housing.

1.5 The plan contains 8 policies set within a framework set by the above 5 objectives.

1.6 The plan covers a period up to 2026, however it acknowledged that periods of review will be required through this epoch.

Figure 1 NDP Area



1.7 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4 provides a screening assessment of the likely significant environmental effects of the NDP and examines the need for a SEA.

## 2.0 Legislative Background

2.1 The requirement for a Strategic Environmental Assessment (SEA) stems from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (SEA Directive). This Directive was transposed in UK law by The Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations). This legislation places an obligation to undertake a SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects. Guidance on the SEA

process is provided in “A Practical Guide to the Strategic Environmental Assessment Directive (ODPM et al, 2005).

2.2 Under Article 3(3) and 3(4) of the SEA Directive, SEA is required for plans and programmes which “determine the use of small areas at a local level” or which only propose “minor modifications to plans and programmes”, and which would otherwise require SEA, only where they are determined to be likely to have significant environmental effects.

This screening opinion has been prepared by Forest of Dean District Council to ascertain whether or not a ‘full’ Strategic Environmental Assessment is required. This is to ensure that the NDP is in accordance with Regulations 5 and 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 and to meet the ‘Basic Conditions’ for Neighbourhood Development Plans set out in the Town and Country Planning Act 1990 (amended).

### **3.0 Screening for SEA**

3.1 The screening process is based upon consideration of criteria to determine whether the plan is likely to have “significant environmental effects”, this is known as ‘screening’. The three “consultation bodies” (Natural England, English Heritage and the Environment Agency) were be consulted on the outcome of the draft screening. No objections to the conclusions of the draft screening were raised by the consultation bodies.

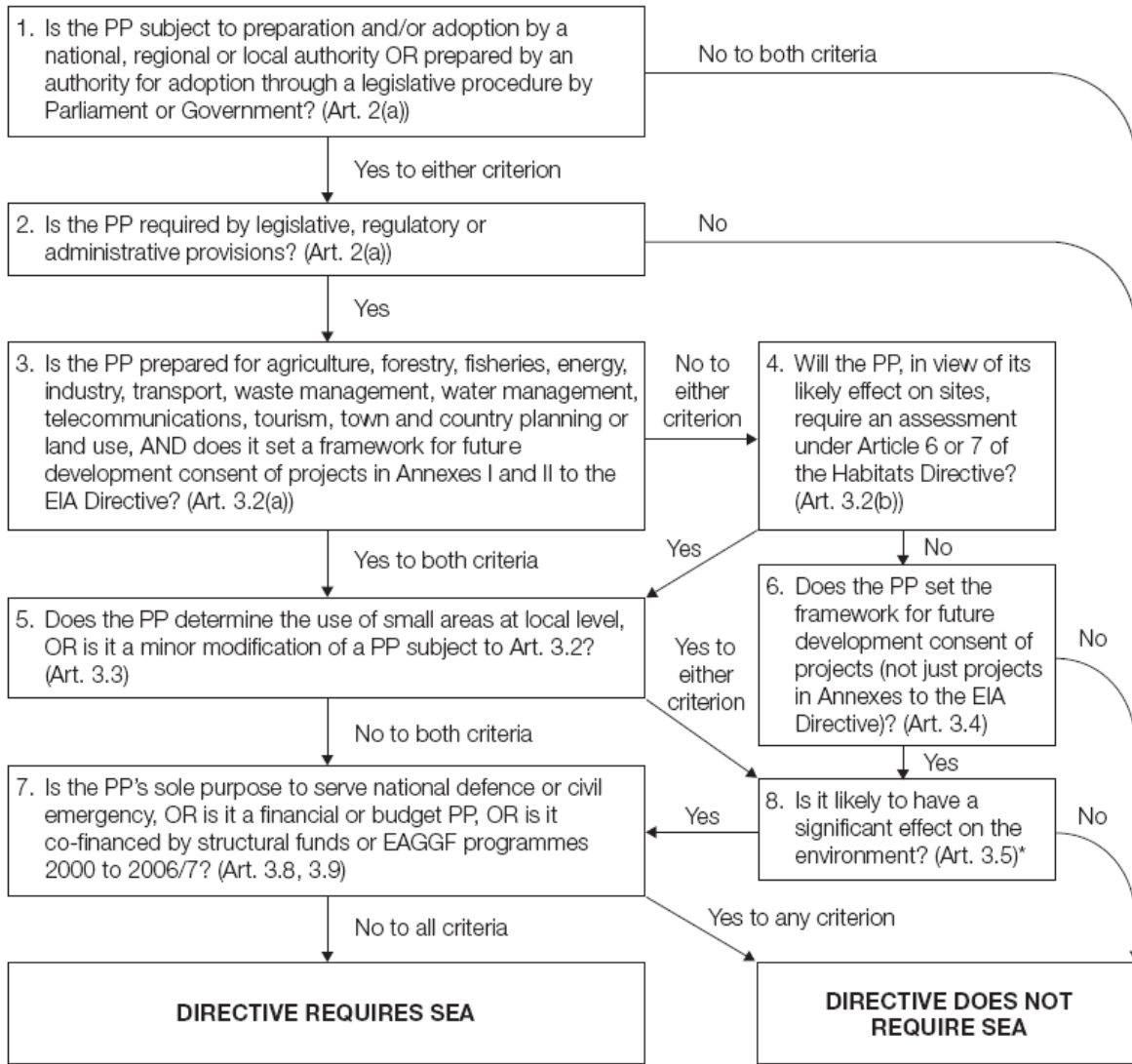
3.2 The ODPM publication A Practical Guide to the Strategic Environmental Assessment Directive (ODPM et al, 2005) provides a checklist approach based on the SEA Regulations to help determine whether SEA is required. This has been used as the basis for this assessment and is set out below.

3.3 Figure 2 below illustrates the process for screening a planning document to ascertain whether a plan or project (PP) is one to which SEA should apply. If the PP is one to which SEA applies the screening assessment will consider if the plan is likely to have significant environmental effects and therefore an environmental assessment must be undertaken.



**Figure 2 – Application of the SEA Directive to plans and programmes**

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Source: A Practical Guide to the Strategic Environmental Assessment Directive (Accessed 06.04.2017: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance> )

## 4.0 Assessment

4.1 Table 1 below considers whether the NDP is a plan or project to which SEA should apply. The questions below are drawn from and should be read in conjunction with Figure 2 above.

<b>Table 1: Establishing the Need for SEA</b>		
<b>Stage</b>	<b>Y/N</b>	<b>Reason</b>
1. Is the PP (plan or programme) 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	The NDP is adopted through a legislative procedure and forms part of a Local Plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Where one is undertaken it is controlled by regulatory and legislative provisions. It is required to be taken account of in relation to other PP's.
3. (a) Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND (b) does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?  (Both parts of this criterion (a & b) need to be answered 'yes' for SEA to apply. Art 3.2(a))	N	The NDP is for Town and Country Planning purposes (a), it does not set a consent framework for Annex I & II EIA projects.
4. Will the PP, 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 Fig 2	Due to the proximity of the Severn Estuary a Habitats Regulations screening assessment is required.

Alvington-NDP – SEA SCREENING SEPTEMBER 2019

<b>Table 1: Establishing the Need for SEA</b>		
5. Does the PP 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 NDP determines the use of small areas at a local level.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y See Fig 2	The NDP determines the use of small areas at a local level. The Core Strategy and Allocations plan as the main parts of the development plan set a wider framework for the District including this area. However there is the potential for the plan to set a development framework for smaller sites.
7. Is the PP'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 See Fig 2	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See Table 2 below 'Assessment of the likely significance of effects of the NDP.

4.2 In considering the results of table 1, in the context of figure 2, it can be seen that the SEA directive does apply when there are likely significant effects on the environment, see table 2.

4.3 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

<b>Table 2: Assessment of the likely significant effects of the A-NDP</b>		
<b>SEA Directive Criteria</b>	<b>Response</b>	<b>Is there a significant or specific effect beyond that anticipated by the parent policy framework? Yes/No</b>
1. The characteristics of plans and programmes, having regard, in particular, to:		
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The NDP is not considered to set a programme or framework for large scale projects. The plan is consistent with the district Development Plan, the local transport plan and therefore does not set an additional framework.	<b>No</b>
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The NDP will form part of the Development Plan for the District. The NDP would be an influencing document in planning decisions and transport strategies. It is considered 'supportive & interpretive' rather than 'instructive'.	<b>No</b>
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The NDP is developed within the framework for sustainable development as set out in the NPPF. The NDP provides supporting policies in respects of the, Housing, natural & built environment, community infrastructure and flooding.	<b>No</b>
1d) Environmental problems	The plan seeks to address/avoid	<b>No</b>

relevant to the plan or programme.	making worse localised flooding issues.	
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	None identified	<b>No</b>
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects.	Having regard to existing measures, controls and plans the NDP is considered to significantly restrict potential for any additional impacts by virtue of the small scale nature of proposals and overall policy requirements.	<b>No</b>
2b) The cumulative nature of the effects.	Cumulative impacts are those in connection with development proposals outlined in the Development Plan. The NDP does not contribute additionally to factors already identified as part of the development plan.	<b>No</b>
2c) The trans boundary nature of the effects.	Whilst the NDP is expected to influence a wider area than that of just the NDP area, no trans boundary effects are identified.	<b>No</b>
2d) The risks to human health or the environment (e.g. due to accidents).	None Identified	<b>No</b>
2e) The magnitude and spatial extent of the effects	The spatial coverage of the NDP is limited. On its own the spatial	<b>No</b>

(geographical area and size of the population likely to be affected).	extent of proposals is not considered to give rise to likely significant environmental effects.	
2f) The value and vulnerability of the area likely to be affected due to:		
i. special natural characteristics or cultural heritage.	Having regard to existing measures, controls and plans the NDP is considered to significantly restrict potential for any additional impacts by virtue of the small scale nature of proposals, the overall quantum of development proposed and restrictive environmental policies.	<b>No</b>
ii. exceeded environmental quality standards or limit values.	The NDP is not considered to set a programme or framework for larger scale development or impacts which will lead to environmental limits being exceeded.  In addition the plan also provides specific policy content which provides for environmental safeguards.	<b>No</b>
iii. intensive land-use.	On its own the intensification of land use is not considered to give rise to likely significant environmental effects.	<b>No</b>
2g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	Although the NDP borders the Severn Estuary, overall it is considered that the plan, NPPF and District Development Plan provide sufficient protection measures to this protected site.	<b>No</b>

Source: Annex 2 of SEA Directive 2001/42/EC

## **5.0 Consultation**

5.1 Three statutory bodies (for the purposes of SEA Screening, English Heritage, the Environment Agency and Natural England) were consulted (Appendix 1). No objections to the screening assessment were received. Acknowledgement of consultation was received from the Environment Agency no subsequent comments were made.

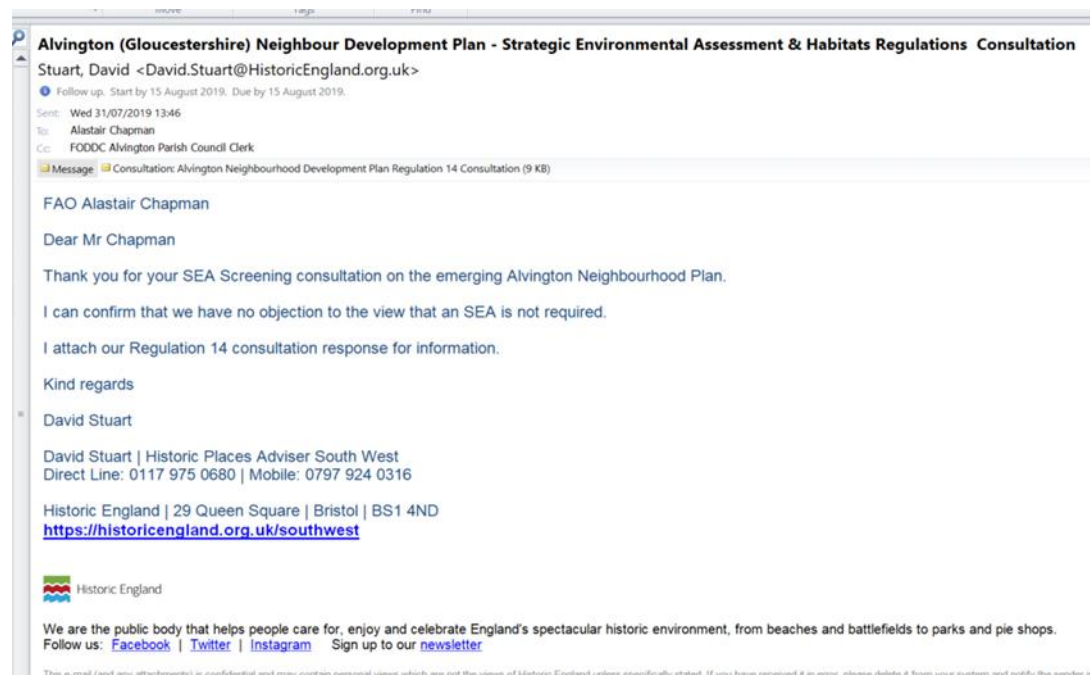
## **7.0 Statement of Reasons for Determination**

7.1 Following the assessment set out above (tables 1&2) and consultation with statutory bodies the Forest of District Council has concluded that the Alvington Neighbourhood Development Plan will not result in significant environmental effects.

- i. The plan: The geographic spread of the NDP is limited
- ii. The locations, scale and effects of the NDP are very limited
- iii. The NDP does not create a significant new framework or programme in addition to the existing Development Plan (Core Strategy & Allocations Plan).
- iv. The NDP is generally supportive and interpretive rather than instructive.
- v. The NDP in combination with the Development Plan contains environmental mitigation and 'cancelation' factors

# Appendix 1: Responses from Statutory bodies to consultation draft of SEA screening (1<sup>st</sup> September 2019)

## Historic England





## Environment Agency

Were consulted on two occasions (no response has been received (1-9-19))

From: Enquiries, Unit <enquiries@environment-agency.gov.uk>  
To: Alastair Chapman  
Cc:  
Subject: Ref: 190822/msr09 - 190719/GS13 FW: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation


Hi Alastair,

I have passed your email to the local sustainable places team who will be in touch in due course.

Kind Regards,

Matthew Richardson  
National Customer Contact Centre  
Environment Agency ☎ Tel: 03708 506 506  
Web Site: [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Click an icon to keep in touch with us:-



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From: Alastair Chapman [<mailto:Alastair.Chapman@publicgroup.uk>]  
Sent: 20 August 2019 08:35  
To: Enquiries, Unit <enquiries@environment-agency.gov.uk>  
Subject: FW: 190719/GS13 FW: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation

Hi,


I cannot see that we have received any response to the consultation below.

Could you confirm that you do not wish to make any comments.

Kind regards

**Alastair Chapman**  
Sustainability Team Leader  
Sustainability Team

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From: Enquiries, Unit <enquiries@environment-agency.gov.uk>  
To: Alastair Chapman  
Cc:  
Subject: Ref: 190822/msr09 - 190719/GS13 FW: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation

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**From:** Enquiries, Unit [<mailto:enquiries@environment-agency.gov.uk>]  
**Sent:** 19 July 2019 10:01  
**To:** Alastair Chapman  
**Subject:** 190719/GS13 FW: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation


Dear Alastair,

I have passed your email to the local Sustainable Places team to determine if any comment needs to be in regards to this proposal.

Kind regards,

Graham Shoebridge  
Customer Service Adviser  
National Customer Contact Centre  
Environment Agency  
☎ Tel: 03708 506 506  
Web Site: [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Click an icon to keep in touch with us:-



Alvington-NDP – SEA SCREENING SEPTEMBER 2019

From: Enquiries Unit <enquiries@environment-agency.gov.uk> Sent: Thu 22/08/2019 11:44  
To: Alastair Chapman

Subject: Ref: 190822/mu09 - 190719/0513 FW: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation  
From: Alastair Chapman [mailto:Alastair.Chapman@publicgroup.uk]  
Sent: 18 July 2019 11:23  
To: 'consultations@naturalengland.org.uk'; 'enquiries@environment-agency.gov.uk'; 'southwest@HistoricEngland.org.uk'  
Cc: FODDC Alvington Parish Council Clerk <alvingtonclerk@outlook.com>  
Subject: Alvington (Gloucestershire) Neighbour Development Plan - Strategic Environmental Assessment & Habitats Regulations Consultation

Dear Statutory Consultee,

Please find attached the Strategic Environmental Assessment Screening & Habitats Regulations Screenings for the draft Alvington NDP. Your views on the assessments and their conclusions are now sought.  
<https://alvingtonvillage.org/planning/alvington-ndp-documents-and-resources/>

In summary the screening assessment have concluded that neither SEA nor Habitats Regulations Appropriate Assessment is required because:

1. Habitats Regulations

The plan only contains policies for the assessment of the acceptability of proposed development and does not promote or identify substantial sites for development. Therefore the plan itself does not lead to new development. It is considered that the NDP will have no adverse effects alone or in combination on European Designated Nature Conservation Sites.

and

2. Strategic Environmental Assessment is currently not required for the NDP due to:

- i. The geographic spread of the NDP is limited
- ii. The locations, scale and effects of the NDP are very limited
- iii. The NDP does not create a significant new framework or programme in addition to the existing Development Plan (Core Strategy & Allocations Plan).
- iv. The NDP is generally supportive and interpretive rather than instructive.
- v. The NDP in combination with the Development Plan contains environmental mitigation and 'cancelation' factors

We would welcome your views on the SEA and HRA screenings as to whether you agree with the conclusions of the assessments by 07<sup>th</sup> August 2019. It would be helpful if you could copy in any responses to the NDP group: [alvingtonclerk@outlook.com](mailto:alvingtonclerk@outlook.com)

If you require any further information please do not hesitate to contact me or the Parish Council Clerk.

Yours faithfully

**Alastair Chapman**  
Sustainability Team Leader  
Sustainability Team

Date: 06 August 2019  
Our ref: 290068



Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 0GJ

T 0300 060 3900

Forest of Dean District Council

BY EMAIL ONLY

Dear Alastair

Thank you for your consultation on the above dated 18 July 2019 which was received by Natural England on 18 July 2019

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.

#### Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

#### Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood 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 a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local

wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

#### Habitats Regulations Assessment – screening and appropriate assessment requirements

Where a neighbourhood plan could potentially affect a [‘habitats site’](#), it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2017), as amended (the ‘Habitats Regulations’). Where likely significant effects are identified, it will be necessary to undertake an appropriate assessment of the neighbourhood plan and, if needed, identify and secure appropriate mitigation measures to ensure the plan does not result in an adverse effect on the integrity of the habitats site.

**In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012 (as amended), a neighbourhood plan cannot be made if it breaches the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended).**

A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on the habitats site(s). This will be particularly important if a neighbourhood plan is to progress before a local plan and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan. Where mitigation is necessary to ensure no effects then this will need to be properly assessed via an appropriate assessment

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 sincerely

Rebecca Underdown  
Planning for a Better Environment Team

