



Lewes District Council

Chailey Neighbourhood Development Plan

Strategic Environmental Assessment Screening Opinion

June 2017
Final Version

Introduction

1. Neighbourhood Development Plans are a relatively new tier of planning policy produced by local communities. When adopted, such plans will be used by local planning authorities to determine planning applications for the Neighbourhood Areas that they cover.
2. Chailey Parish Council has had its entire Parish designed as a Neighbourhood Area which allows it to produce a Neighbourhood Development Plan.
3. The Strategic Environmental Assessment (SEA) Regulations¹ transpose the European Union SEA Directive² into law. It requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

Screening Opinion

4. As part of the process of making the Neighbourhood Development Plan, the Parish Council has requested a screening opinion to see whether a SEA is required as part of the plan-making process. Such a requirement can be screened out if it is felt, based on the information available, that the Neighbourhood Development Plan would not have a likely significant environmental affect.
5. In order to assess the likely significance of the plan on the environment, the purpose of the plan has been appraised against the criteria detailed in the regulations and Directive. This analysis has been made in Table 1.
6. The District Council has based its screening opinion on the understanding that the Chailey Parish Council will prepare a Neighbourhood Development Plan that:
 - will have policies consistent with national policy;
 - will have policies consistent with existing and emerging local policies;
 - will not allocate sites for development;
 - will base policies on the evidence it has gained from documents such as the State of the Parish Report.
7. If it is presented with additional information that changes its understanding as to what the Chailey Neighbourhood Plan will cover, the District Council reserves the right to undertake another Screening Assessment which may have different conclusions.

Table 1: Screening Assessment

Criteria	Notes	Likely Significant Effect?
1. The characteristics of plans and programmes, having regard, in particular, to—		
(a) 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;	Neighbourhood Development Plans are the lowest-level statutory planning documents in the UK. As such, the Chailey Neighbourhood Development Plan does not set a framework for other projects or plans outside of the Parish but will be used for guiding development in the Parish until 2030.	No

¹ Known fully as The Environmental Assessment of Plans and Programmes Regulations 2004

² Known fully as Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

Criteria	Notes	Likely Significant Effect?
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Neighbourhood Development Plans are influenced by other plans, such as the adopted Lewes District Core Strategy, as well as national planning policy and guidance. The plan is at the base of the hierarchy of national policy and is not intended to influence other plans and programmes.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Neighbourhood Development Plan, as directed by the National Planning Policy Framework, will help promote sustainable development and will consider the environment of the Parish.	No
(d) environmental problems relevant to the plan or programme; and	The state of the environment has been considered by those making the plan to help with such consideration. Based on the information received to date, it is likely that the plan will attempt to reduce environmental problems and thus no significant negative impact is envisaged through the provisions in the Neighbourhood Development Plan.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	Not applicable for the Neighbourhood Development Plan	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
(a) the probability, duration, frequency and reversibility of the effects;	The Neighbourhood Development Plan will guide development in the parish until 2030, with the aim of having a positive impact on the parish and by promoting sustainable development.	No
(b) the cumulative nature of the effects;	Development in the Neighbourhood Plan is likely to be consistent with the amount	No

Criteria	Notes	Likely Significant Effect?
(c) the trans-boundary nature of the effects;	<p>of development proposed in the Joint Core Strategy.</p> <p>The Sustainability Appraisal (SA) (incorporating a SEA) of the Joint Core Strategy considered the impact of development in the Parish alongside development in other settlements and parishes, including neighbouring districts. Neighbouring authorities have not objected to these findings.</p> <p>The Habitats Regulations Assessment (HRA) of the Joint Core Strategy considered the effects of development on protected sites. Additional work is currently being carried out to consider the combined traffic impacts on protected sites (i.e. Ashdown Forest SAC/SPA).</p> <p>It is not anticipated that the Chailey Neighbourhood Plan will have direct negative trans-boundary impacts as it will only contain policies to guide development within the Parish up to 2030 and will not be allocating sites for development.</p>	No
(d) the risks to human health or the environment (for example, due to accidents);	It is not thought that anything in the Neighbourhood Development Plan will increase risks to human health.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Neighbourhood Development Plan, unlike most plans, is to be written for a small area and modest population. Its impacts are unlikely to be extensive.	No
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	<p>In collecting information for the Neighbourhood Development Plan, information has been gained on the characteristics of the area – including information on land use, listed buildings, TPOs and SSSIs. This information gathering will inform the contents of the Neighbourhood Development Plan.</p> <p>There are no known environmental quality standards being exceeded. The plan is not likely to lead to a significant intensification of land use nor is it felt that its provisions are likely to harm natural and cultural characteristics.</p>	

Criteria	Notes	Likely Significant Effect?
(g) the effects on areas or landscapes which have a recognised national, European Community or international protection status.	<p>The Neighbourhood Area does include nationally designated landscape including Chailey Common Site of Special Scientific Interest (SSSI). It is not envisaged that the SSSI will be significantly affected by the provisions of the Neighbourhood Development Plan as the Chailey neighbourhood Plan will not allocate sites for development.</p> <p>The northernmost portion of the Neighbourhood Area is within the 7 km zone of influence around the Ashdown Forest SAC/SPA and so could be of concern for recreation impacts. It is not anticipated that that Chailey Neighbourhood Plan will have direct negative effects on air quality and in particular nitrogen deposition on the SAC. This is because the Chailey Neighbourhood Plan will not allocate sites but only seek to provide additional policies to inform the planning application process within the Neighbourhood Area. Therefore it is thought that this issue should be considered at a strategic level.</p> <p>Additional work is currently being carried out on the HRA for the Joint Core Strategy to consider the combined traffic impacts resulting from new developments on protected European sites (i.e. Ashdown Forest SAC/SPA).</p> <p>Air quality monitoring on the Ashdown Forest SAC is ongoing and if any future results change our understanding of the associated impacts that information will be fed into the SEA of the Chailey Neighbourhood Plan at a later stage.</p>	No

8. The above analysis was undertaken by Lewes District Council on behalf of the Parish Council. In light of the analysis, it is not thought that the Neighbourhood Development Plan would have significant environmental effects.
9. This Screening Opinion was made available to the three statutory environmental bodies (Natural England, Environment Agency and English Heritage) for their views.
10. Comments were welcomed between Tuesday, 25th April and Tuesday, 6th June 2017. The following comments were made from Natural England: "Natural England agrees that the Neighbourhood Plan is unlikely to have significant environmental effects. This is for the reasons set out in Table 1, principally because the Plan is not intending to allocate sites."
11. After considering these comments, we have concluded that the Parish Council does not need to undertake a Strategic Environmental Assessment as part of the Neighbourhood Plan

Development process. This decision has been based on the assumption set out in paragraph (6) and for the following Statement on Reasons:

- The Chailey Neighbourhood Plan will not allocated sites for development
- The Chailey Neighbourhood Plan is not expected to have any significant environmental effects that had not already been considered through the Lewes District Core Strategy Sustainability Appraisal (incorporating a Strategic Environmental Assessment) which was an important consideration of the screening assessment