

# Alton Neighbourhood Plan Review

## Strategic Environmental Assessment (SEA)

Screening Report - Determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

**Final Determination**

**10/02/2021**



**East  
Hampshire**  
DISTRICT COUNCIL

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## **1. Introduction**

- 1.1. This report sets out the East Hampshire District Council's final determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether a Strategic Environmental Assessment is required for the Alton Neighbourhood Plan Review .

### **Strategic Environmental Assessment**

- 1.2. Under the Environmental Assessment of Plans and Programmes Regulations 2004 (implementing Directive 2001/42/EC known as the Strategic Environmental Assessment (SEA) Directive), specific types of plans that set out the framework for future development consent of projects must be subject to an environmental assessment.
- 1.3. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications, if it has been determined that the plan is unlikely to have significant environmental effects. The Review of the Neighbourhood Plan is seeking to manage future development on specific sites relating to a small area of land, in a small parish (Town Council boundary) level area within the wider Local Planning Authority area. It is unlikely that the Review will have any significant trans-boundary effect, taken primarily to mean impacting on another EU member state, as defined in the EIA Regulations. Even if 'transboundary' were to be defined as impacting on the jurisdiction of other administrative areas within the UK (for example between parishes or districts) the effect would be minimal.
- 1.4. A neighbourhood plan must meet a set of basic conditions in order to be adopted and if necessary, put to a referendum. One of these conditions is that the plan does not breach or is otherwise compatible with EU obligations such as (where appropriate) the requirement for SEA. Under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, a responsible authority (such as a parish council in the case of an emerging Neighbourhood Plan) must determine if a neighbourhood plan requires an environmental assessment. Where East Hampshire District Council determines that SEA is not required then under Regulation 9(3), it must prepare a statement setting out the reasons for this determination. The need for SEA is considered under Section 5 of this report.

## **Sustainability Appraisal**

- 1.5. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), a local planning authority must carry out an appraisal of the sustainability of its proposals, when preparing a local plan. Neighbourhood plans are excluded from this requirement; however, they must still contribute to the achievement of sustainable development. The Sustainability Appraisal for the East Hampshire District Local Plan incorporates the requirements of SEA, and so the Local Plan's Sustainability Appraisal (SA) provides relevant information for determining the potential environmental effects of implementing the neighbourhood plan, and their significance. The East Hampshire District Joint Core Strategy (Adopted June 2014) and supporting documents have.

## **2. Background**

- 2.1. The Alton Neighbourhood Plan Area, covering the entire Parish, was designated by East Hampshire District Council on 30 May 2014, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2. The Alton Neighbourhood Plan (2011-2028) was submitted to East Hampshire District Council on 17 June 2015. The Regulation 16 consultation took place between Friday 10 July and Friday 21 August 2015 whereby the Plan was publicised, and comments were invited from the public and stakeholders.
- 2.3. East Hampshire District Council appointed an Independent Examiner to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4. The Examiner's Report concluded that the Plan meets the Basic Conditions, and that subject to the modifications in the examiner's report, the plan should proceed to referendum.
- 2.5. Following a positive referendum result, East Hampshire District Council made the Alton Neighbourhood Plan ("the Plan") part of the Development Plan at a Council meeting on Thursday 12 May 2016

## **Background to SEA**

- 2.6. East Hampshire undertook a SEA Screening report at the early stages of the Neighbourhood Plan preparation. The final assessment is appended to this report at appendix 1 which concluded that:

“Following its assessment against Schedule 1 of the EAPP Regulations it is the unanimous view of the three statutory bodies as well as the LPA that the Plan will not give rise to any significant environmental effects. Therefore, a full Environmental Report is not required in support of the Alton Neighbourhood Development Plan.”

## **3. Scope of the review of the Alton Neighbourhood Plan**

- 3.1 The purpose of the Alton Neighbourhood Plan Review is to review and update the HO3 residential allocation policies. The review will only consider:
1. Where existing Neighbourhood Plan Allocations can be removed as a result of being at the advanced stages of build out and complete or almost complete
  2. Where existing allocations should be retained as a result of either being at the early stages of being built out or have not yet commenced.
  3. Where existing allocations should be modified in terms of development capacity (likely reduced) due to now having further detailed information regarding site constraints.
  4. Potential new housing sites for allocation that are within the existing Settlement Policy Boundary and are either coming forward through the planning application process now or could come forward as windfall in line with JCS Policies CP2 and CP10.
- 3.2 The review to the Neighbourhood Plan is being undertaken in conformity with the adopted East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014).

## **4. Purpose of the review**

- 4.1 The reason for this focussed review is to ensure (in the absence of an up to date Local Plan) that the Neighbourhood Plan continues to support Policies CP2 and CP10 of the East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014).

- 4.2 In light of revisions to the NPPF and its accompanying guidance and in the absence of an up to date Local Plan, the review of the Alton Neighbourhood Plan intends to continue to provide homes to meet local needs, boost town centre viability, improve services and facilities, as well as enhance public open spaces. Allocating more homes in relation to the minimum 700 dwelling target in the JCS will help strive further to meeting these opportunities and will also ensure paragraph 14 of the National Planning Policy Framework (NPPF) is engaged, essentially maintaining full weight of its policies for a further two-year period, following adoption. This will allow Alton and its residents to have a say on the location of growth and avoid the risk of speculative development

## 5. Strategic Environmental Assessment (SEA)

- 5.1 In relation to the above proposals, this document presents a final “screening” opinion as to whether they are likely to have significant environmental effects.

### The SEA Screening Process

- 5.2 The process for determining whether an SEA is required is called screening. To conduct this screening exercise, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Schedule I of the 2004 Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.
- 5.3 Within 28 days of making its determination the authority must publish a statement such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

### SEA Determination and Reasons for Determination

- 5.4 Before making a final determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the three consultation bodies were consulted. The responses received are set out in Table 1 below:

**Table 1 – Comments received by Consultation bodies**

| Consultation Body  | Comments              |
|--------------------|-----------------------|
| Environment Agency | No response received. |
| Historic England   | 29/01/2021            |

| Consultation Body | Comments  |
|-------------------|---|
|                   | <p>Historic England agrees with the council's opinion that SEA is not required, for the following reasons. The quantum of development for Alton was established by the East Hampshire District Joint Core Strategy 2014, which was itself the subject of a sustainability appraisal and the two new proposed site allocations within the Review of the Alton Neighbourhood Plan are both located within the existing settlement policy boundary. We therefore conclude that the Review does not establish a new framework for future development: it is a lower tier plan in a hierarchy of plans where the framework for development has already been set, and been subject to sustainability appraisal, by a higher tier plan.</p>  |
| Natural England   | <p>26/01/2021</p> <p>Natural England agrees with the judgment of the Council that the modifications do not have the potential for significant environmental effects and an SEA will not be necessary.</p> <p>09/02/2021</p> <p>Having taken a look at the screening document and based on the proximity to designated sites we would agree with the conclusion that SEA would not be required in this instance – as per our previous response back in 2015 and that an HRA would equally not be required as part of this process. We would however suggest that the LPA records this fact in a short document to ensure they have the decision is noted for reference should it be required as our opinion in this instance is purely an advisory one and it is down to the responsible authority to make the final decision.</p> |

## **SEA Screening Final Determination of the Alton Neighbourhood Plan Review**

- 5.5 Appendix 1 provides details of the screening assessment dated 11 June 2015 for the existing Alton Neighbourhood Plan (2011-2028). East Hampshire District Council has reviewed its contents in light of the proposed scope and purpose of the Neighbourhood Plan Review and concludes that the focussed review of the plan relates to an overall small area of land which supports policies from the East Hampshire District Joint Core Strategy (adopted June 2014), namely CP2 and CP10, which was subject to SEA (as part of a Sustainability Appraisal) at a higher tier and as such the review falls within the scope of the evidence base that supported the Joint Core Strategy 2011-2028.
- 5.6 In addition to the above, the Neighbourhood Plan Review will be focused on reviewing and updating existing allocations, as well as the addition of approximately 300 dwellings. Any potential new housing sites for allocation will be in the existing Settlement Policy Boundary and are either already coming forward via the planning application process or could come forward via windfall in line with current Joint Core Strategy Policies. For example, approximately 220 dwellings, a care home and associated living units are associated with the former Molson Coors Brewery site, which was given resolution to grant planning permission in November 2020. Therefore, this focused review of the Neighbourhood Plan relates to a small area, even when covered cumulatively, and the existing Joint Core Strategy SA (including SEA) has already considered the issues of strategic merit.
- 5.7 Having regard to the considerations above and those in appendix 1, East Hampshire District Council considers that the Alton Neighbourhood Plan Review is unlikely to have any significant environmental effects and therefore will not require a Strategic Environmental Assessment.
- 5.8 This **final determination** was made on **10/02/2021** having regard to the responses of the consultation bodies. It may need to be revised and updated, should the proposals of the emerging Alton Neighbourhood Plan Review change from those that have been described in this document.

## Appendix 1