

Ms Beverley Weddell (Clerk)
Plaistow & Ifold Parish Council

If calling please ask for: Andrew Frost
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Our ref:

Your ref:

4 May 2017

Dear Ms Weddell,

Plaistow & Ifold Parish Neighbourhood Development Plan

Strategic Environmental Assessment (SEA) Opinion Screening Determination under Regulation 9 and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

This letter addresses the issue of whether or not there is a need for environmental assessment of the revised pre submission version of the Plaistow & Ifold Parish Neighbourhood Plan, and as such whether it meets one of the basic conditions that a neighbourhood plan must meet in order to proceed to referendum: that it does not breach, and is otherwise compatible with, EU obligations.

On the basis of the contents of the neighbourhood plan as now proposed, following amendments made as a result of the previous determination and further consideration of the contents of the previous version of the draft plan, and subsequent consultation with the relevant statutory agencies in accordance with Regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004, the following determination can be made.

The screening determination is that **an environmental assessment of the Plaistow & Ifold Parish Neighbourhood Plan is required** due to there being a likely significant environmental effect as a result of the proposals in the plan. This view is informed by comments received from Historic England (HE) and for the reasons set out in the Criteria and response of screening which are attached as part of this letter.

HE has set out its comments in detail and suggested that it may be possible for policies in the evolving neighbourhood plan to provide mitigation for the development of the new allocation of land opposite The Green. However, HE has also suggested that as the site lies within the setting of the Plaistow Conservation Area and at least one listed building it may be prudent to undertake an SEA of the Plan.

Taking these comments into account and after careful consideration of the location of the site in this sensitive historic environment, it is therefore the opinion of Chichester District Council that overall therefore the Plaistow & Ifold Parish Neighbourhood Plan will need to have a formal Strategic Environmental Assessment, including an assessment of alternative sites, for it to be in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004.

This decision has been based on the information provided. If the contents of the Plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. any additional nature conservation or other environmental designations), then the comments contained in this decision would need to be reconsidered in order to take account of the changes.

Yours sincerely

A handwritten signature in black ink that reads "Andrew Frost". The signature is written in a cursive style with a horizontal line under the letter 't'.

Andrew Frost
Head of Planning Services

Screening Report for the Plaistow & Ifold Parish Neighbourhood Plan
Criteria and response of screening

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Relevance in context of this screening report
The characteristics of plans and programmes	
(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;	<p>The Plaistow & Ifold Neighbourhood Plan would, if adopted, form part of the Statutory Development Plan and as such will establish the development management framework for Plaistow and Ifold and surrounding environs.</p> <p>The Neighbourhood Plan is prepared for town and country planning and land use and sets out a framework for future development in Plaistow & Ifold Parish. The nature of the Neighbourhood Plan includes policies for environment and heritage, community infrastructure, housing, economy and employment, and transport.</p>
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The Neighbourhood Plan is the lowest tier in the planning hierarchy and must be in conformity with the National Planning Policy Framework, the strategic policies of the development plan and European Directives.</p> <p>The Neighbourhood Plan is not intended to influence other plans or programmes.</p>
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>The Neighbourhood Plan aims to provide sustainable development in accordance with the strategy set out in the adopted Chichester Local Plan: Key Policies 2014-2029 (CLP:KP) and makes some provision within its own policies for the integration of development with the environment.</p> <p>There is no overarching policy relating to sustainable development. Policy H1 allocates land for up to 11 units, in accordance with CLP:KP Policy 5, and requires development to comply with various criteria including, amongst other things, to positively respond to the prevailing character of the area, is of a bespoke design to reflect the village vernacular, have reference to the historic surrounding dwellings, protect the setting of the Plaistow Conservation Area and nearby listed buildings and retain mature trees and hedges.</p>

	<p>Policy EH6 (incorrectly referenced in draft NP document, should state Policy EE4) identifies a rural brownfield site for mixed use (B1(c) light industrial, A1 retail and C3 residential). The policy seeks, amongst other things, development to reflect the rural character of the area and avoid harmful impact on adjacent Ancient Woodland.</p> <p>Policy H2 addresses development within the Ifold Settlement Boundary. This will be supported provided a number of criteria are met including the quantum of development and site coverage will not be an over-development of the site in relation to the characteristics of neighbouring sites in respect of built form, massing and building line, should not adversely affect heritage assets, result in the loss of valuable trees, hedges and other natural features that form the character of Ifold, biodiversity is maintained or enhanced, development protects the residential amenity of neighbours and account is taken of density and design principles in the emerging Plaistow an Ifold village design statement.</p>
(d) environmental problems relevant to the plan or programme; and	As drafted there is concern over the likely significant environmental effects of the Neighbourhood Plan. In particular this is in relation to the impact of the proposals on the historic environment including heritage assets of acknowledged importance.
(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).	<p>This Neighbourhood Plan has no relevance to the implementation of Community legislation.</p> <p>The Neighbourhood Plan is a land-use plan and sets the framework for future development consents within the Plaistow & Ifold Parish Neighbourhood Plan area.</p>
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects;	The impact of the proposals for development in the Plaistow & Ifold Parish NP is not anticipated to produce any significant effects on Air Quality, Biodiversity, Flora, Fauna, Material Assets, Population, Health, Soils, Climate Change and Water in the Plaistow & Ifold Parish.

	<p>The proposals in the Neighbourhood Plan would be likely to have significant environmental effects on the historic environment and heritage assets, in particular the Plaistow conservation area, its setting, and nearby listed buildings.</p>
(b) the cumulative nature of the effects;	<p>The proposals are in keeping with the objectives of the CLP:KP 2014-2029 in so far as they relate to the provision of housing. However, they are likely to have a significant impact on the historic environment. It is not envisaged that there would be a cumulative effect in relation to this aspect.</p>
(c) the transboundary nature of the effects;	<p>The effects of the Plan are unlikely to have transboundary¹ impacts.</p>
(d) the risks to human health or the environment (for example, due to accidents);	<p>Plaistow & Ifold Parish does not have any AQMAs. It is not thought that the Neighbourhood Plan will increase risks to human health.</p>
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The main areas of settlement at Plaistow and Ifold are situated outside the South Downs National Park (SDNP). Smaller areas of settlement lie at Shillinglee and Durfold Wood. The parish is generally rural and lies in the north of Chichester District away from major towns and villages.</p> <p>The proposals in the Neighbourhood Plan would be likely to have significant environmental effects on the historic environment and heritage assets, in particular the Plaistow conservation area, its setting, and nearby listed buildings.</p>
(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>The main areas of settlement at Plaistow and Ifold are situated outside the South Downs National Park (SDNP). Only a small area of countryside in the north west of the parish lies within the SDNP.</p> <p>Plaistow has a conservation area (CA) that is focused on a triangular street pattern enclosing buildings as well as large areas of green space. The CA includes key buildings such as the Church, The Sun Public House and the village primary school and of special</p>

¹ Transboundary effects are understood to be in other Member States

	<p>note is the high concentration of listed buildings (nearly 30) which can be seen mainly in The Street. The proposed site is within the setting of Stone House, listed grade II. The undulating topography allows both short and long views across, out of, and into the CA. Overall it is considered that this is a sensitive historic environment.</p> <p>Policy EH1 aims to protect the area's valuable heritage and historic assets. Policies EH2 and EH3 seek to protect the natural environment, trees, woodlands and natural vegetation.</p> <p>Policy H1 includes criteria that seek to ameliorate development into the historic environment. However, it is unclear how this development may be achieved and implemented without compromising Policies EH1, EH2 and EH3.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The main areas of settlement at Plaistow and Ifold are situated outside the SDNP.</p> <p>A small area of land in the north west part of Plaistow & Ifold Parish lies within the boundary of the SDNP. Policy EH2 seeks to protect the natural environment including the landscape and scenic beauty of the National Park.</p> <p>The proposals would be unlikely to have a significant impact on the landscape setting of the South Downs National Park (SDNP).</p>

Comments received from South Downs National Park Authority

South Downs National Park Authority	
<p>SDNPA – reply – 5 April 2017</p>	<ul style="list-style-type: none"> • The scale of development covered by the plan (up to 11 units over the plan period excluding windfalls) is not likely to have a significant effect upon the environment; • The Neighbourhood Plan (NP) proposed housing development for Plaistow / Ifold is consistent with that allocated through the Chichester Local Plan (about 10 dwellings), which has already been subject to an SEA. It is not considered that a further SEA is required based upon the location identified for development. • The Environmental Assessment of Plans and Programmes Regulations 2004 Article 5.(6) states: “An environmental assessment need not be carried out— a. for a plan or

	<p>programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level;”</p> <ul style="list-style-type: none">• SDNPA do not envisage any significant effects upon existing Natura 2000 designations that would trigger an SEA under Article 3(2)(b) of the SEA Directive.
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**Plaistow & Ifold Parish Neighbourhood Plan
Summary of Statutory Consultations – Strategic Environmental Assessment (SEA)**

Statutory Consultee	Summary of Comments
Historic England	
<p>Historic England (HE) – reply 27 March 2017</p>	<p>HE provided an opinion on the previous version of the Plan, on 19th October 2016, that there was the potential for significant effects on the historic environment arising from the then proposed housing allocation south of The Dairy. Attention was drawn to the fact that an extension to the Plaistow Conservation Area was approved in 2013 which included part of the proposed housing site. HE wrote again on 26th October advising that it could be more confident that there would be impacts on the historic environment, which were more likely to be significant.</p> <p>This suggested that strategic environmental assessment of the Plan should be required although it was noted draft Policy H1A contained criteria intended to protect the setting of the Conservation Area and the nearby listed buildings which, if amended to reflect the fact that the then proposed site was partly within the Conservation Area, HE considered may be sufficient to ensure that the development of this site would not have a significant adverse effect on the historic environment of the parish.</p> <p>HE recognises that the Plan has been revised in a number of ways, including the deletion of The Dairy site from consideration and the inclusion of a new allocation of land opposite The Green. This new site is outside the Conservation Area, although abuts it along the western and northern boundaries, and is within the setting of the grade II listed Stone House.</p> <p>Policy H1, allocating the site, contains a criterion relating to the protection of the setting of the Conservation Area and nearby listed buildings; Policy EH1 of the revised Plan, whilst needing improvement, still seeks to afford protection to heritage assets in the Plan area. Again HE doubts that a SEA would suggest more in the way of mitigation.</p> <p>Consider that the Historic Environment Record (HER) and James Kenny should be consulted on the proposed site at an early stage; note that there is no reference to non-scheduled archaeological records in the SHLAA assessment. (<i>Note: See further response from HE dated 4 April 2017 below</i>)</p>

	<p>Also note the revised Plan includes an explanation of how the choice of the site now proposed was made, being the site that AECOM considered the third best option. HE therefore see no need for a formal SEA to undertake an assessment of alternative sites.</p> <p>HE do not therefore consider it essential the Plan undergoes Strategic Environmental Assessment given the criteria regarding the Conservation Area and the nearby listed buildings in Policy H1 and Policy EH1 (subject to the possible existence of non-scheduled archaeological remains on the site).</p> <p>Nevertheless, given that the site lies within the setting of the Plaistow Conservation Area and at least one listed building, it might be considered prudent to undertake an SEA of the Plan. This decision is for CDC as the relevant local authority as the responsibility for ensuring that the Plan meets the basic conditions lies with the qualifying body and CDC as the authority that will make the Plan if it passes the referendum.</p>
Historic England (HE) – reply 4 April 2017	Further response from HE in relation to the Historical Environment Record (HER). HE confirms that this is entirely satisfactory and that there therefore appears to be nothing in the HER that indicates that a SEA is necessary.
Environment Agency	
Environment Agency (EA) reply – 30 March 2017	<p>Appreciate a neighbourhood development plan may require a strategic environmental assessment (SEA) under the Directive and early SEA screening is advised. EA may be able to assist the Local Planning Authority at this stage by advising on whether the plan will result in significant environmental impacts within our remit. Please note that we do not advise on whether the plan falls under the requirements of the SEA Directive.</p> <p>Based on the scale of housing proposed and environmental constraints, EA does not feel that the plan has the potential to give rise to significant effects for areas within the EA's remit.</p>
Natural England	
Natural England (NE) reply – 31 March 2017	NE advice, on the basis of the material supplied with the consultation, that, in so far as NE's strategic environmental interests are concerned (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 SEA Directive is contained within the National Planning Practice Guidance and 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.

NE has checked its records and based on the information provided, confirms that in the view of NE the proposals in the plan will not have significant effects on sensitive sites that NE has a statutory duty to protect.

NE is 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, NE 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.

NE 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 made.