



# **Winchfield Neighbourhood Plan 2022-37**

## **Screening Determination for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

**February 2023**

### **1 Introduction**

- 1.1 The purpose of this statement is to set out the Council's determination as to whether a Strategic Environmental Assessment (SEA) and/or appropriate assessment is required for the Winchfield Neighbourhood Plan, and the reasons for that determination. These are explained and considered in turn below.
- 1.2 In summary, the Council has determined that neither an SEA nor appropriate assessment is required for the Winchfield Neighbourhood Plan.

### **2 Strategic Environment Assessment**

- 2.1 SEA is a systematic process undertaken to evaluate the likely significant environmental effects of an emerging plan and reasonable alternatives. The requirement for SEA in England was introduced through the Environmental Assessment of Plans and Programmes ('SEA') Regulations (2004), which were prepared in order to transpose the EU SEA Directive (2001).
- 2.2 One of the 'Basic Conditions' that a neighbourhood plan is tested against is compatibility with European Union obligations, including obligations under the SEA Directive. Neighbourhood plans only require SEA where they are likely to lead to significant environmental effects. To decide whether a proposed Neighbourhood Plan is likely to lead to significant environmental effects, it should be screened having regard to the criteria set out in Annex 2 of the SEA Directive, which is transposed into the SEA Regulations as Schedule 1.
- 2.3 In essence, screening involves exploring potential cause-effect relationships between the plan and the environmental baseline.
- 2.4 Where it is determined that a neighbourhood plan is likely to have a significant effect on the environment, an SEA process is required. Where it is determined that the neighbourhood plan does not require SEA, a statement of reasons should be prepared and submitted alongside the plan.

- 2.5 An [SEA screening report](#) prepared by AECOM on behalf of Hart District Council concluded as follows:

### **5. Screening opinion**

*5.1 Whilst there are a range of environmental sensitivities locally, perhaps most notably in respect of biodiversity and the historic environment, **there is no potential for significant effects** because the neighbourhood plan will not allocate land for development.*

*5.2 Whilst the plan does propose to define two new settlement boundaries around existing areas of settlement, and is potentially somewhat supportive of a rural exception site coming forward in the future (likely for in the region of 6-9 homes), the plan will not directly lead to any development at all, let alone development of a scale that might generate significant effects.*

*5.3 A further consideration is that HRA screening (Appendix 1) has found that appropriate assessment is not required, hence the need for SEA is not triggered on HRA / appropriate assessment related grounds.*

*5.4 For these reasons, it is considered that SEA is not required.*

*5.5 The comments of the SEA statutory consultees are sought on this opinion.*

- 2.6 The relevant statutory bodies (Natural England, Historic England and the Environment Agency) were consulted for five weeks.
- 2.7 Natural England and Historic England responded to confirm that they agreed with the conclusion of the screening report. Their responses are set out at Appendices 1 and 2 of this statement.
- 2.8 The Environment Agency did not respond before the end of the SEA/HRA consultation period. They were prompted for response on 6 January 2023 but no response was received.
- 2.9 Based on the screening report and the responses from the statutory consultees, Hart District Council, as the responsible authority, has determined that no SEA is required.
- 2.10 It should be noted that whilst the screening report refers to *two* additional settlement boundaries being introduced through the neighbourhood plan, only one additional settlement boundary was carried forward into the version consulted on under Regulation 14. A settlement boundary increases the possibility of some development within those settlements, so removing a settlement boundary from the draft plan does not change the screening conclusion.

## **3 Habitat Regulations Assessment**

- 3.1 Under the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations) the Council must carry out

a habitats regulations assessment (HRA) to test if the Winchfield Neighbourhood Plan could significantly harm the designated features of a European site. [European sites](#) include Special Protection Areas (SPAs) – the Thames Basin Heaths SPA is 1.8km from the Winchfield parish boundary.

3.2 The first stage of any HRA is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as 'appropriate assessment' is required. The essential question is: "Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?" and this decision must take into account other plans and projects. The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant impacts upon European sites, usually because there is no mechanism for an interaction with European sites.

3.3 Appendix 1 of the [SEA screening report](#) by AECOM presents a statement on Habitat Regulations Assessment (HRA) screening. It concludes that:

*"There are no policies within the Neighbourhood Plan that will result in likely significant (adverse) effects on European sites including Thames Basin Heaths SPA. This is because none of the policies in the Neighbourhood Plan promote or allocate housing or employment development and no site allocations are made within the Neighbourhood Plan. Since the Neighbourhood Plan presents no mechanism for impacts on Thames Basin Heaths SPA, it will not do so in combination with other projects and plans.*

*Therefore, no appropriate assessment is required for this Neighbourhood Plan."*

3.4 The Council has considered and concurs with the opinions expressed in the report that no likely significant effects will arise on any European sites, either alone or in combination with other plans or projects.

3.5 Based on the screening report (and with no objections from Natural England) the Council has determined that no appropriate assessment is required.

3.6 Similarly as for the SEA screening, the Council considers that the removal of a settlement boundary from the plan between the version that was screened and the version for consultation under Regulation 14, does not alter the conclusions.

# Appendix 1 – Natural England response

Date: 05 January 2023  
Our ref: 411282  
Your ref: Winchfield Neighbourhood Plan 2022-2037



Hart District Council

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Sir/ Madam

## **Winchfield Neighbourhood Plan 2022-2037 - SEA & HRA Screening Opinion**

Thank you for your consultation on the above dated 01 November 2022 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.

### **Screening Request: Strategic Environmental Assessment & Habitats Regulations 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.

For any queries relating to the specific advice in this letter only please contact Jack Baribeau on [john.baribeau@naturalengland.org.uk](mailto:john.baribeau@naturalengland.org.uk). 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

Jack Baribeau  
Lead Adviser  
Sustainable Development  
Thames Solent Team

## Appendix 2 – Historic England response



Historic England

By email only to: [planningpolicy@hart.gov.uk](mailto:planningpolicy@hart.gov.uk)

Our ref: PL0071589

Your ref: Winchfield Neighbourhood Plan SEA

Main: 020 7973 3700

[e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)

[louise.dandy@historicengland.org.uk](mailto:louise.dandy@historicengland.org.uk)

Date: 17/01/2023

Dear Sir or Madam

### Winchfield Neighbourhood Plan SEA Screening Opinion

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Winchfield Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied.

There are a number of designated heritage assets within the area; the information supplied however indicates that the plan will not have any significant effects on the historic environment. We also note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this



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Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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Correspondence or information which you send us may therefore become publicly available.





Historic England

consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, via email if you have any queries.

Yours sincerely

**Louise Dandy**  
Historic Places Adviser



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Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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