



Rotherwick Neighbourhood Plan 2016-2032 Basic Conditions Statement (Regulation 15)



Our Parish - Our Future - Our Say

Contents

1. INTRODUCTION	3
2. BACKGROUND	3
3. PRE-SUBMISSION PUBLIC CONSULTATION	4
4. APPROACH TAKEN BY THE NEIGHBOURHOOD PLAN.....	4
5. RELATIONSHIP WITH NATIONAL POLICY AND LOCAL STRATEGIC PLANNING POLICIES	5
6. CONTRIBUTION TO SUSTAINABLE DEVELOPMENT	8
7. EUROPEAN LEGISLATION	10
ANNEX A. Relationship of Plan policies to NPPF and Hart Local Plan	11
ANNEX B. Contribution of Plan policies to sustainable development.....	12
ANNEX C. SEA and HRA screening assessment	13

1. INTRODUCTION

- 1.1 This Basic Conditions Statement has been prepared by the Steering Committee on behalf of Rotherwick Parish Council to accompany the submission version of the Rotherwick Neighbourhood Development Plan (the “NDP”). These two documents along with a Consultation Statement will be submitted to Hart District Council under Regulation 15 of the Neighbourhood (General) Planning Regulations 2012. The plan period of the NDP is from 2016 to 2032.
- 1.2. The Basic Conditions Statement has been prepared to demonstrate how the NDP meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). A neighbourhood plan must meet these conditions if it is to proceed to a referendum and be made. The basic conditions are:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - In general conformity with the strategic policies contained in the development plan for the area or any part of that area; and
 - Does not breach, and is otherwise compatible with EU obligations – including the SEA Directive of 2001/42/EC
- 1.3. This Basic Conditions Statement addresses each of the four points and explains how the requirements of the basic conditions have been met.

2. BACKGROUND

- 2.1. Rotherwick Parish Council is the qualifying body responsible for the preparation of this NDP. The Parish Council submitted proposals to prepare a neighbourhood plan for the parish of Rotherwick (the “Parish”) based on the parish boundary.
- 2.2. Following a six-week public consultation, the Rotherwick Neighbourhood Area was formally approved and designated by Hart District Council in October 2014. Subsequently a Neighbourhood Plan Steering Committee was established, consisting of local people from the Parish. This Committee and its associated working groups have met regularly to prepare and develop NDP.
- 2.3. The NDP has been developed through effective consultation with the local community, including key stakeholders within the Parish. A robust community consultation supports the evidence base and justification for the development of the draft Plan and more importantly the policies.
- 2.4. The feedback of an extensive survey identified key priorities for the NDP to address and provided comprehensive feedback to support this submission version NDP. The Consultation Statement, which accompanies this Basic Conditions Statement and the NDP itself, details the consultation exercises that have taken place, and summarises the key findings of the survey.
- 2.5. The Parish Council and the Steering Committee has sought advice and guidance from Hart District Council throughout the preparation of the draft Plan.

3. PRE-SUBMISSION PUBLIC CONSULTATION

- 3.1. The NDP was the subject of a pre-submission public consultation for the statutory six-week period between the 18 December 2015 and 31 January 2016. The comments received have been recorded, considered and summarised in the separate Consultation Statement submitted with this NDP.

4. APPROACH TAKEN BY THE NEIGHBOURHOOD PLAN

General Approach

- 4.1. The NDP proposes a range of planning policies. It establishes a settlement boundary within which most development is expected to come forward. The Plan seeks to protect and enhance the open space and open countryside within the Neighbourhood Area. It also encourages economic activity to help achieve sustainable development.

Vision and Objectives

- 4.2. The Plan sets out its key vision as follows:

‘Our vision is to maintain the rural character and identity of Rotherwick Parish, preserving its heritage assets, listed buildings and conservation area so that it will remain a visually attractive, independent settlement, set in unspoilt, tranquil and accessible countryside, providing an excellent quality of life for residents, visitors and those who work in the Parish’.

This vision is then underpinned by a series of objectives as set out below. These objectives directly generate the suite of policies within the Plan

Environment Objectives

1. To conserve and enhance the natural environment and maintain important habitats and ecological corridors by protecting countryside features such as green space, woodlands, rights of way, hedgerows, ponds and streams.
2. To maintain and enhance the character of Rotherwick Parish and the Rotherwick Conservation Area in particular.

Built Environment Objectives

3. To ensure that any future development in the Parish is proportionate to the size of the existing settlement and does not lead to coalescence with neighbouring settlements.
4. To ensure that any future development in the Parish respects Rotherwick's unique rural character, independence and landscape setting in open countryside.
5. To ensure that any new development is of an appropriate type, size, density and quality that contributes towards meeting the needs of the community.
6. To ensure that any future development and its siting is planned with particular attention to the visual character of the Parish; impact on local amenities and infrastructure; environmental impact; sustainability; traffic flow; and quality of life.

Community Objectives

7. To encourage traffic calming and control measures which address traffic flow and speed through the Parish while minimising any visual impact of such measures.
8. To promote and retain local community facilities, businesses, school and farms, all of which are considered significant assets underpinning the vitality of the Parish.
9. To maintain recreational space supporting community activities for all ages which promote a thriving community for residents and visitors.

Procedural Matters

- 4.3. The policies in the NDP relate to the development and use of land in the designated Neighbourhood Area. They have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012. The Plan period covers the whole of the Parish for the period up to 2032. This is the same time period for which Hart District Council is preparing its emerging Local Plan.
- 4.4. The NDP does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990. The Plan does not relate to more than one Neighbourhood Area and there are no other neighbourhood plans in place within the Neighbourhood Area.

5. RELATIONSHIP WITH NATIONAL POLICY AND LOCAL STRATEGIC PLANNING POLICIES

- 5.1 The NDP has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and local strategic planning policies set out in the relevant Local Plan, being the saved Hart Local Plan described at paragraph 5.6 below.

National Planning Policy

- 5.2 This NDP has been prepared to have regard to national planning policy in general, and to the National Planning Policy Framework (NPPF) in particular. At the time of preparing this Basic Conditions Statement, consultation had just come to an end on potential changes to certain elements of the NPPF. Given the uncertainty that exists around how the government will respond to the consultation comments received this analysis has been carried out on the basis of the current Framework. Appropriate references are made to the NPPF in the various elements of supporting text throughout the Plan.
- 5.3 It is contended that the NDP has had full regard to national planning policy. It has been positively prepared to address a comprehensive range of issues and to plan for appropriate levels of growth throughout the Plan period that reflect the character and appearance of the Neighbourhood Area.
- 5.4 The NDP has been designed to align to the following core planning principles in paragraph 17 of the NPPF which have direct relevance to the Neighbourhood Area:

- Genuinely plan-led – the NDP has been underpinned by community support and its production has been actively encouraged by Hart District Council;
- Taking account of the different roles and character of different areas – the NDP concentrates growth within the settlement boundary and recognises the intrinsic character and beauty of the countryside in the Neighbourhood Area;
- Conserving heritage assets in a manner appropriate to their significance – the NDP proposes heritage policies and includes a Village Design Statement setting out design principles to secure high quality design;
- Actively managing patterns of growth – the NDP seeks to concentrate growth in the built up area of Rotherwick and proposes sustainable employment uses of traditional rural buildings.

5.5 In detail the NDP sets out to have regard to, and secure local implementation of the following elements of the NPPF:

Section 3 Supporting a prosperous local economy Paragraph 28

Policies in the NDP support the sustainable growth and expansion of local business through the conversion of existing buildings.

Policies in the NDP promote the retention and development of local services and community facilities.

Section 6 Delivering a wide choice of high quality homes Paragraphs 47- 55

Policies in the NDP (SP02/BE01/BE03) support the development of well-designed and sensitive infill subject to specific guidance on density to reflect local circumstances, with provision for sensitive redevelopment of existing buildings outside the settlement boundary.

The policy also reflects an approach which sets out to meet the specific housing needs of the local community.

Section 7 Requiring good design Paragraphs 56-68

Policies in the Plan reflect the particular character and appearance of the Plan area. Policies are included to provide detailed advice on design matters. The Plan includes a Village Design Statement which seeks to promote local distinctiveness in accordance with paragraph 60 of the NPPF without wishing to stifle innovation, originality or initiative.

Section 8 Promoting health communities Paragraphs 69 – 78

Policies in the NDP set out to preserve and consolidate a health and sustainable community in the plan area. Specific policies are included to safeguard footpaths and identified local green spaces and community facilities.

Section 11 Conserving the natural environment Paragraphs 109 – 125

Policies in the NDP (NE01-04) set out to preserve and safeguard the rich natural environment within the Neighbourhood Area. There is a particular focus on safeguarding biodiversity and existing green infrastructure.

Section 12 Conserving the historic environment Paragraphs 126 – 141

Policies in the NDP (BE01-02) set out to conserve the rich and varied historic environment in the plan area in general, and within the conservation area in particular. A Village Design Statement is included in the NDP at Annex D.

Hart Local Plan

- 5.6 The adopted Local Plan that covers the Neighbourhood Area is the Hart Local Plan. The Hart District Local Plan (Replacement) 1996-2006 was adopted on 23rd December 2002. In June 2006 the Council adopted First Alterations to the Hart District Local Plan (Replacement).
- 5.7 In September 2007 the Council received a direction from the Secretary of State following an application made by the Council to save certain policies in the original Hart District Local Plan (Replacement), (the “Saved Local Plan”).
- 5.8 Hart District Council is currently preparing its new Local Plan to meet the requirements of the NPPF. It is currently consulting on refined options for delivering new homes and on a draft Vision and Strategic Priorities. This consultation will conclude on 18 March 2016. Given the current uncertainty over the approach to be eventually adopted in the emerging Local Plan this Statement concentrates entirely on the Saved Local Plan. This approach has been agreed with Hart District Council. The local community has engaged enthusiastically in the various consultation stages on the emerging local plan. In particular, it has commented on the debate on SHLAA sites and the recent consultation on strategic priorities. Nevertheless, for practical purposes the approach adopted in the NDP is to produce a neighbourhood plan that is in general conformity with the strategic policies of the Saved Local Plan.
- 5.9 The approach adopted in the Saved Local Plan is one of concentrating growth within a series of identified settlements. This approach is captured in the following policies:
- | | |
|------------|-------|
| Fleet | F1-11 |
| Yateley | Y1-8 |
| Blackwater | B1-4 |
| Hook | H1-5 |
- 5.10 Rotherwick is identified as one of several rural settlements in the Saved Local Plan (Policy RUR1). Within these settlements policy RUR2 both restricts development to within identified settlement boundaries and safeguards the surrounding countryside.
- 5.11 The Saved Local Plan includes a rich variety of subject matter policies. The following sections have particular relevance to the NDP area:
- General (GEN)
 - Nature Conservation (CON)
 - Rural Economy and Countryside (RUR)
 - Transportation (T)
- 5.12 The NDP sets out a total of 15 local policies. Annex 1 shows these policies and how they relate to the Saved Local Plan and the NPPF.

6. CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

- 6.1. One of the basic conditions applying to neighbourhood plan production is that it should contribute towards the achievement of sustainable development in the designated neighbourhood area.
- 6.2. The Government's approach towards sustainable development is set out in the National Planning Policy Framework (NPPF). This is essentially about enabling growth for the current needs of the population and for future generations to come.
- 6.3. The NPPF describes three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- An Economic Role - Contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - A Social Role - Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - An Environmental Role - Contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4. There are many ways of demonstrating how neighbourhood plans contribute towards achieving sustainable development. Although neighbourhood plans are not required to carry out a Sustainability Appraisal, the basics of this methodology has been applied for the purposes of this Statement and to show how this NDP supports the achievement of sustainable development. The various policies in the NDP are assessed against the three broader elements of sustainable development and the various objectives set out in the Plan. This assessment is set out below and summarised in Annex 2.

The Economic Dimension

- 6.5 The NDP contributes to the promotion of the economic dimension of sustainable development in a variety of ways. In a general sense it seeks to preserve and enhance the range of existing community facilities within the Neighbourhood Area. These facilities allow the Neighbourhood Area to have a degree of independence and inherent sustainability. Facilities such as the Tylney Hall Country House Hotel, Rotherwick Village Hall and the two public houses act both as local community facilities and businesses in their own right. The focus of the NDP is for development to be concentrated within the settlement area but the NDP allows for replacement or conversion of existing buildings subject to criteria in policy BE03.
- 6.6 Policy CP03 has been designed to safeguard existing commercial facilities in the Neighbourhood Area. These include Tylney Hall Country House Hotel, agricultural

businesses, small motor vehicle repair and light engineering workshops, public houses and micro businesses. They provide local services, attract visitors and provide employment to residents and others. The implementation of this policy will do much to secure a well-balanced and sustainable community where local jobs are available and accessible for local people.

- 6.7 Policy CP04 sets out support for the conversion of traditional, vernacular rural or agricultural buildings for business use (Class B1) offering employment opportunities. This policy will both have the ability to generate employment opportunities and to make the best and most effective use of traditional buildings.
- 6.8 Policy BE03 sets out support for the replacement or extension of existing dwellings in the countryside and for conversion of existing buildings in the countryside to dwellings, subject to consideration of countryside and character impacts, providing that requirements of other policies are met. This policy ensures the continued effective use of buildings outside the settlement boundary.

The Social Dimension

- 6.9 A key part of the NDP is its attention to the community aspects of life in the Neighbourhood Area and how the NDP can safeguard and consolidate its future. This is achieved through a variety of policies.
- 6.10 Strategic Policies SP01/04 set out respectively to safeguard a sense of place and the quality of life in the Neighbourhood Area. Policy CP01 also addresses the rural character of the area and its intrinsic tranquillity.
- 6.11 Policy NE04 makes specific comments on footpaths and rights of way. These add much to the character of the Neighbourhood Area and to the quality of the life for local people and visitors to the area.
- 6.12 Policy CP02 identifies a variety of buildings and community facilities which add to the community value of the Neighbourhood Area. It also sets out how they will be safeguarded and how proposals for their re-use would be considered.

The Environmental Dimension

- 6.13 The environment is also at the heart of the NDP. It has a rich and diverse built and natural environment which is highly valued both by local residents and visitors alike. This dimension is addressed through a range of policies.
- 6.14 The natural environment section of the NDP includes policies to designate Local Green Spaces, to safeguard SINCs and to promote good standards of maintenance and protection to other biodiversity features in the Neighbourhood Area.
- 6.15 The built environment section of the NDP includes a general design policy and a specific policy for the Conservation Area. In order to address specific issues and to respond to the NPPF a Village Design Statement has been crafted to support the more general policy (BE01).
- 6.16 On the basis of this evidence it is submitted that the NDP contributes significantly to the achievement of sustainable development in the Neighbourhood Area.

7. EUROPEAN LEGISLATION

- 7.1. The NDP has had regard to EU obligations and the human rights requirements. It is compatible with all requirements.
- 7.2. The NDP has been prepared in a fashion designed to enable local residents and interested bodies to have full and free access to its emerging policies. Widespread consultation has taken place to ensure that no-one has been disadvantaged or otherwise prevented in taking part in this important plan for the future of the Rotherwick community. The consultation process is set out in more detail in the associated Consultation Statement.
- 7.3. In order to meet the basic conditions of the Neighbourhood Planning (General) Regulations 2012, the NDP including the proposals and policies set out in the plan must be screened / assessed to determine whether a Strategic Environmental Assessment (SEA) or a Habitat Regulation Assessment (HRA) is required and if any significant environmental effects are likely to occur from the NDP.
- 7.4. Hart District Council has carried out and prepared a screening assessment on the pre-submission version of the NDP. The screening assessment confirms there are no likely significant environmental effects arising from the Neighbourhood Plan and a SEA or HRA will not be required.
- 7.5. A reform in Neighbourhood Planning Regulations took effect from February 2015. It requires a neighbourhood plan to be accompanied with a statement of reasons, an environmental report, or an explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive, when it is submitted to a local planning authority. The screening assessment undertaken by Hart District Council fulfils this statutory requirement and is included at Annex 3 of this Basic Conditions Statement.

ANNEX A. Relationship of Plan policies to NPPF and Hart Local Plan

Plan Policy	NPPF	Hart Local Plan
SP01 Sense of Place	Core Planning Principles Sections 11/12	GEN 1/3/4 CON 13/22
SP02 Location and Nature of Development	Paras 50/55/93/97	GEN 3 CON 21/22 RUR 2/3/20/23/24
SP03 Countryside Features	Paras 109/114/117/118	GEN 3 CON 8/23 RUR 2/3
SP04 Quality of Life	Core Planning Principles Section 3	RUR 4/35
NE01 Local Green Spaces	Paras 76/77	GEN 1 CON 22 URB 21
NE02 Rural Features	Paras 109/113/114/117/ 118	CON 4/7/8/12/23
NE03 Biodiversity and Nature Conservation	Section 11	GEN 1/8/11 CON 3/7/8
NE04 Rights of Way	Section 8	CON 23
BE01 Design	Paras 57/61 (incl.)	GEN 1/4 CON 13
BE02 Conservation Area	Section 12	CON 12/13/14/17/18
BE03 Dwellings in the Countryside	Para 55	GEN2 RUR2/3/20/23/24
CP01 Rural Nature	Core Planning Principles Section 11	GEN 1/3 T 15
CP02 Community Facilities	Core Planning Principles Para 70	RUR 35
CP03 Commercial Premises and Land	Para 28	RUR 16
CP04 Employment	Para 28	RUR 12

ANNEX B. Contribution of Plan policies to sustainable development

Policy	Sustainable Development Dimension	Plan Objectives
SP01 Sense of Place	Social Environmental	1-6
SP02 Location and Nature of Development	Social Environmental Economic	1-6
SP03 Countryside Features	Environmental	1-6
SP04 Quality of Life	Social Environmental Economic	8/9
NE01 Local Green Spaces	Environmental	1-4, 6/8/9
NE02 Rural Features	Environmental	1-4, 6
NE03 Biodiversity and Nature Conservation	Environmental	1-4, 6
NE04 Rights of Way	Environmental Social	1/2/4/8/9
BE01 Design	Environmental	2/5/6
BE02 Conservation Area	Environmental	2/5/6
BE03 Dwellings in the Countryside	Social Environmental Economic	2/3/4/5/6
CP01 Rural Nature	Social Environmental	2/6/7
CP02 Community Facilities	Social Economic	8/9
CP03 Commercial Premises and Land	Social Economic	8
CP04 Employment	Social Economic Environmental	8

ANNEX C. SEA and HRA screening assessment

The SEA and HRA screening assessment prepared by Base Planning and Design Ltd on behalf of Hart District Council and published on 28 January 2016 from assessment of the Rotherwick Neighbourhood Plan of 18 December 2015 (pre-submission version) is included in this Annex C of the Basic Conditions Statement.

[This page intentionally left blank]

Rotherwick Neighbourhood Plan

Strategic Environmental Assessment (SEA)

Screening Statement - Determination under Regulation 9 of the SEA Regulations 2004

Habitats Regulations Assessment (HRA)

Screening Statement – Determination under Regulation 102 of the Conservation of Habitats and Species Regulations 2010

28 January 2016

Prepared by

base | TOWN PLANNING
URBAN DESIGN
ENVIRONMENT

Introduction

- 1.1. This Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening determination has been undertaken by Base Planning and Design Ltd on behalf of Hart District Council in their duty to determine whether the Rotherwick Neighbourhood Plan requires SEA or HRA. This screening assessment is based on draft Neighbourhood Plan policies provided December 2015, and is made on 28 January 2016.
- 1.2. Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires authority's to determine whether or not a Strategic Environmental Assessment is required for certain plans, policies or programmes. This statement also sets out the District Council's determination as to whether Appropriate Assessment is required under Regulation 102 of the Conservation of Habitats & Species Regulations 2010.
- 1.3. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive)) and Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent of projects or which require Appropriate Assessment must be subject to an environmental assessment.
- 1.4. 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.
- 1.5. In accordance with the provisions of the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the District Council must determine if a plan requires an environmental assessment. In accordance with Article 6 of the Habitats Directive (92/43/EEC) and Regulation 102 of the Conservation of Habitats & Species Regulations 2010 (as amended), the District Council is the competent authority for determining if a plan requires Appropriate Assessment.

Background to the Rotherwick Neighbourhood Plan

- 1.6. The Neighbourhood Planning (General) Regulations (2012) make provision for Parish Councils or Neighbourhood Forums to prepare Neighbourhood Plans. Whilst not forming part of a local authority's Local Plan, Neighbourhood Plans do form part of the Development Plan for an area as set out in Section 38 of the Planning & Compulsory Purchase Act 2004 (as amended). As such, Neighbourhood Plans are a material consideration in taking planning decisions and can contain policies on a range of issues including the allocation of sites/land for development.
- 1.7. The proposed Rotherwick Neighbourhood Plan covers all of the area within the jurisdiction of Rotherwick Parish Council which lies north of Hook in Hampshire. The Neighbourhood Area contains the settlements of Lyde Green and Rotherwick and is largely rural, characterised by a patchwork of agricultural plots bounded by hedgerows and interspersed with areas of woodland and small copses.
- 1.8. Some areas of woodland/copses are designated as ancient/semi ancient woodland and covered by Site of Importance for Nature Conservation (SINC) status. The Hart Biodiversity Action Plan identifies priority habitats and species, which for the Neighbourhood Area includes Woodlands (ancient semi-natural & pasture woodland/wooded common) and Grassland (agriculturally unimproved pastures) with associated species such as Stag Beetle and Silver Washed Fritillary.

The Neighbourhood Area is also within the Loddon/Lyde/Whitewater Catchment and Headwaters Biodiversity Opportunity Area (BOA) which is typified by the rivers rising from chalk escarpments and flowing north across clays and sands of the Thames basin. The BOA is recognised as predominantly agricultural in character but opportunities exist to restore and enhance wet grassland, fens, woodland and heathland.

- 1.9. A large proportion of the Parish is covered by Conservation Area status which was originally designated in 1976 and has since been extended. The Neighbourhood Area also contains 61 statutorily listed buildings, 49 of which sit within the Conservation Area. The area also contains a grade II* historic park and garden at Tylney Hall.
- 1.10. The proposed Rotherwick Neighbourhood Plan sets out a number of policies covering a range of issues and includes the following vision:
‘to maintain the rural character and identity of Rotherwick Parish, preserving its valued heritage assets, listed buildings and conservation area so that it will remain a visually attractive, independent settlement, set in unspoilt tranquil and accessible countryside, providing an excellent quality of life for residents, visitors and those who work in the Parish’.
- 1.11 The proposed plan contains various environmental and community focussed policies. The environmental policies are focussed on protecting the rural character and context of the Neighbourhood Area, including policies on the location of residential development, its scale and design, as well as policies which seek to conserve and enhance the historic built environment and features such as green spaces, woodlands and rights of way. Policies are also proposed to conserve and enhance biodiversity and protect landscape character.
- 1.12 The community focussed policies aim to protect and promote community facilities as well as protecting existing businesses and promoting the conversion of certain buildings for business use subject to criteria being met.
- 1.13 The Rotherwick Neighbourhood Plan (as drafted December 2015) does not allocate any land or sites for development.

Sustainability Appraisal

- 1.14 Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), local authority’s are required to carry out a Sustainability Appraisal (SA) for their Local Plan documents. This considers the social and economic impacts of a plan as well as the environmental impacts. Neighbourhood Plans are not however covered by this requirement and as such a Sustainability Appraisal is not required.

Habitats Regulations Assessment (HRA) – Screening

- 1.15 The need to undertake an Appropriate Assessment as part of an HRA is set out within the EC Habitats Directive 92/43/EEC and transposed into British Law by Regulation 102 of the Conservation of Habitats and Species Regulations 2010 (as amended). The Appropriate Assessment stage of HRA is only required should the preliminary screening assessment not be able to rule out likely significant effects.
- 1.16 The European Habitats Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 sets out a

general presumption that Neighbourhood Plans are not likely to have a significant effect on European sites. Schedule 2 also amends the Conservation of Habitats and Species Regulations 2010 (as amended) so as to apply its provisions to neighbourhood development orders and neighbourhood plans. It also inserts new regulation 78A which provides that a neighbourhood development order may not grant planning permission for development which is likely to have a significant effect on a European site.

1.17 Whilst Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 set out a general presumption that an HRA is unlikely to be required, it is still necessary to carry out a screening assessment.

1.18 The Habitats Directive states that any plan or project not connected to or necessary for a site's management, but likely to have significant effects thereon shall be subject to appropriate assessment. There are four distinct stages in HRA namely: -

Step 1: Screening – Identification of likely impacts on a European site either alone or in combination with other plans/projects and consideration of whether these are significant. This can include the consideration of avoidance measures.

Step 2: Appropriate Assessment – consideration of the impact on the integrity of the European Site whether alone or in combination with other plans or projects with respect to the sites structure, function and conservation objectives. Where there are significant effects, step 2 should consider potential mitigation measures.

Step 3: Assessment of Alternative Solutions – Assessing alternative ways of achieving the objectives of the plan/project which avoid impacts; and

Step 4: Assessment of Compensatory Measures – Identification of compensatory measures should impact not be avoided and no alternative solutions exist and an assessment of imperative reasons of overriding public interest (IROPI) deems that a project should proceed.

1.19 Should step 1 reveal that significant effects are likely or effect cannot be discounted because of uncertainty, then it is necessary to move onto step 2: Appropriate Assessment. If step 2 cannot rule out significant effect even with mitigation, then the process moves onto step 3 and finally step 4 if no alternative solutions arise.

Step 1 - Screening

1.20 There are four stages to consider in a screening exercise: -

Stage 1: Determining whether the plan/project is directly connected with or necessary to the management of the site;

Stage 2: Describing the plan/project and description of other plan/projects that have the potential for in-combination impacts;

Stage 3: Identifying potential effects on the European site(s); and

Stage 4: Assessing the significance of any effects.

Stage 1

- 1.21 It can be determined that the Rotherwick Neighbourhood Plan is not directly connected with or necessary to the management of a European site.

Stage 2

- 1.22 Information about the Neighbourhood Plan can be found in paragraphs 1.6 to 1.11 of this screening assessment. Table 1-1 lists those other plans and projects, which may have in-combination impacts.

Table 1-1: Other Key Plans/Projects

<p>Plan/Project</p>	<p>National Planning Policy Framework (2012): High level national planning policy covering topics such as housing, economy, employment, retail as well as biodiversity, flood risk and heritage.</p> <p>South East Plan 2009: Saved Policy NRM6 sets out protection for the Thames Basin Heaths SPA.</p> <p>Hart Local Plan (Replacement) 1996-2006 and First Alterations: Sets policies for the consideration of development with most policies 'saved' from 2007 onwards.</p> <p>Other Local Authority Local Plans within 5km or adjoining Thames Basin Heaths SPA: Housing target for areas around SPA set at 132,560 in the revoked South East Plan. Whilst these figures are revoked, they serve as a guide until Local Plans have been fully established post revocation.</p> <p>Large Scale Projects within 7km or adjoining the Thames Basin Heaths SPA: Large scale projects within 7km are listed in Table 1-2, however housing numbers associated with these are subsumed in the consideration of 'Other Local Authority Local Plans' above.</p> <p>Thames Basin Heaths Joint Delivery Framework 2009: Sets out the agreed Framework regarding the approach and standards for avoiding significant effects on the Thames Basin Heaths SPA.</p> <p>Environment Agency, Thames River Basin Management Plan (2009) & emerging update (2015): Sets out actions to improve water quality in the Thames Catchment. RBMP identifies Unit R2 (Lyde) running through the west of the Plan area in 'good' ecological status but unit R10 (Whitewater) is 'moderate' to achieve good status by 2027.</p> <p>Environment Agency, Thames Catchment Flood Management Plan (2009): Aim is to promote more sustainable approaches to managing flood risk. Will be delivered through a combination of different approaches.</p> <p>Environment Agency, River Loddon Catchment Abstraction Management Strategy (2012): identifies the upper Loddon as having water available for licencing, but this is overridden by the flow requirements of the Thames, which changes the status to 'Water not available for licencing'. However, groundwater licences which do not have a direct impact and immediate impact on river flow may be permitted all year.</p> <p>Environment Agency, Water Resources Strategy: Regional Action Plan for Thames Region (2009): Key priorities for Thames region include ensuring sufficient water resources are available, making water available in over-abstracted catchments and reducing demand.</p> <p>Hart Biodiversity Action Plan (2012): Action plan aims to conserve and enhance current resource and identify areas for biodiversity improvement. Includes 5 priority habitat types and associated species.</p>
----------------------------	---

Table 1-2: Proposed/Committed Major Schemes within 7km of SPA

Project	Location	No. Dwellings
Princess Royal Barracks	Deeput, Surrey	1,200
Aldershot Urban Extension	Aldershot, Hants	3,850
Bracknell Town Centre	Bracknell, Berks	1,000
Land at Amen Corner (south)	Binfield, Berks	725
Land North of Whitegrove	Warfield, Berks	2,200
Land at Transport Research Laboratory	Crowthorne, Berks	1,000
Arborfield Garrison	Aborfield, Berks	3,500
South of Wokingham	Wokingham, Berks	2,000
North of Wokingham	Wokingham, Berks	2,000
South of M4	Shinfield/Spencers Wood, Berks	3,500
Queen Elizabeth Barracks	Church Crookham, Hants	1,000
Total		21,975

Stage 3

- 1.23 Information regarding the European site(s) screened and the likely effects that may arise due to implementation of the Neighbourhood Plan can be found in Tables 1-3 and 1-4. All other European Sites were screened out of this assessment at an early stage as it was considered that their distance from the Neighbourhood Plan area coupled with the nature and content of the proposed Neighbourhood Plan meant that there is no pathway or mechanism which would give rise to significant effect.

Table 1-3: Details of Thames Basin Heaths SPA and Potential Effects Thereon

European site:	Thames Basin Heaths Special Protection Area (SPA).
Site description:	The Thames Basin Heaths SPA was proposed in October 2000, and full SPA status was approved on 9 March 2005. It covers an area of some 8,274 ha, consisting of 13 Sites of Special Scientific Interest (SSSI) scattered from Surrey, to Berkshire in the north, through to Hampshire in the west. The habitat consists of both dry and wet heathland, mire, oak, birch acid woodland, gorse scrub and acid grassland with areas of rotational conifer plantation.
Relevant international nature conservation features:	The SPA is of international importance as a habitat for heathland birds: nightjar (<i>Caprimulgus europaeus</i>), woodlark (<i>Lullula arborea</i>) and Dartford warbler (<i>Sylvia undata</i>). It is of European importance because the site qualifies under Article 4.1 of the Birds Directive (79/409/EEC) as it is used by 1% or more of the Great Britain population of a species listed in Annex I.
Environmental conditions which support the site	<ul style="list-style-type: none"> • Appropriate management • Management of disturbance during breeding season (March to July) • Minimal air pollution • Absence or control of urbanisation effects, such as fires and introduction of invasive non-native species • Maintenance of appropriate water levels • Maintenance of water quality
Potential effects arising from the Neighbourhood Plan	<ul style="list-style-type: none"> • Indirect effects arising from disturbance due to recreational activity on the SPA and potential for direct urbanising impacts.

Stage 4

1.24 The consideration of potential effects are set out in Table 1-4.

Table 1-4: Assessment of Potential Effects

<p>Indirect effect from recreational disturbance and urbanisation.</p>	<p>The likely effects of recreational disturbance have been summarised in the Underhill-Day study for Natural England and RSPB (2005); this provides a review of the urban effects on lowland heaths and their wildlife. The main issues relating to the conservation objectives and the integrity of the SPA as a whole are: fragmentation, disturbance, fires, cats, dogs (as a result of nest disturbance and enrichment), prevention of management, off-roading, vandalism and trampling.</p> <p>Natural England has advised that recreational pressure, as a result of increased residential development within 5km of the SPA, is having a significant adverse impact on the Annex I bird species. Woodlark and Nightjar are ground nesting and Dartford Warblers nest close to the ground. They are therefore sensitive to disturbance, particularly from dogs, but also from walkers, and cyclists etc. They are, in addition, vulnerable to other effects of urbanisation, in particular predation by cats.</p> <p>Joint work involving Natural England and the authorities affected by the SPA have agreed a mechanism to avoid impacts to the SPA from recreational activities in the form of SANG and from the impacts of urbanisation by allowing no net additional dwellings within 400m of the SPA.</p> <p>The Rotherwick Neighbourhood Plan does not allocate any land or sites for net additional dwellings within 5km of the Thames Basin Heaths SPA and no part of the plan area lies within the 400m zone. As such, there is no pathway either for indirect recreational impacts or direct urbanising impacts arising from the plan.</p> <p>As such, in-combination with other plans and projects it is considered, at the time of undertaking this assessment, that the Rotherwick Neighbourhood Plan will not give rise to likely significant effects on the Thames Basin Heaths SPA either alone or in-combination.</p>
--	--

1.25 It is the conclusion of this HRA that following a screening assessment it can be ascertained, in light of the information available at the time of assessment that the Rotherwick Neighbourhood Plan **will not** give rise to significant effects on the Thames Basin Heaths SPA either alone or in-combination with other plans and/or

projects. Given the findings of the screening assessment it is considered that a full appropriate assessment is not required.

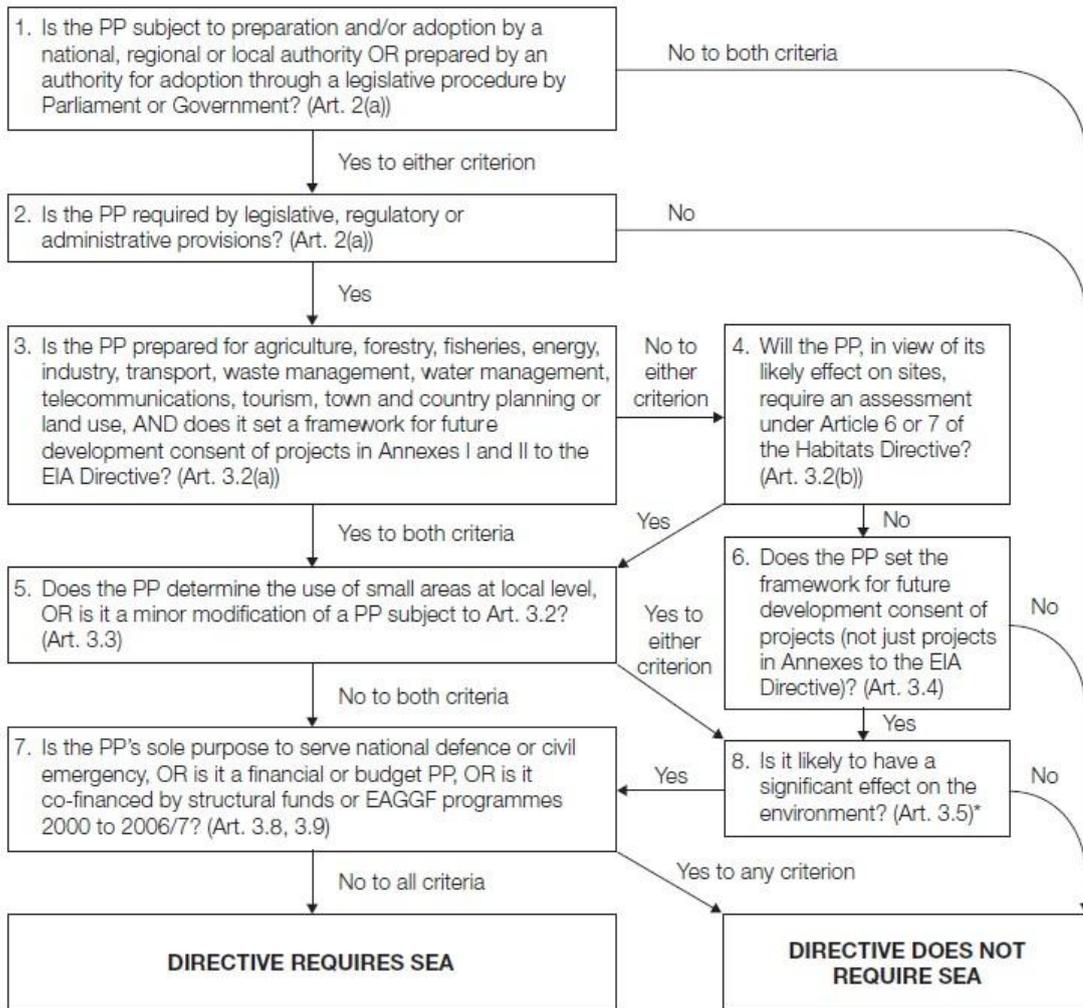
The SEA Screening Process

- 1.26 The process for determining whether or not an SEA is required is called 'screening'. For some types of plan or programme SEA is mandatory and includes the following:
- Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
 - Plans which have been determined to require an assessment under the Habitats Directive (this has already been screened out as set out in paragraphs 1.15 to 1.25 of this screening assessment).
- 1.27 However, the main determining factor when considering whether a plan or programme requires SEA is whether it will have significant environmental effects.
- 1.28 Within 28 days of making its determination, the determining authority must publish a statement, such as this one, setting out its decision. If it is determined that an SEA is not required, the statement must include the reasons for this.
- 1.29 This Screening Report sets out the Council's determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not SEA is required for the Rotherwick Neighbourhood Plan. The District Council must consult with the three statutory bodies (Environment Agency, Historic England, Natural England) and take their views into account before issuing a final determination. This is based on a two-step approach, the first of which is to assess the plan against the flowchart as set out in government guidance *A Practical Guide to the Strategic Environmental Assessment Directive*¹. The flow chart is shown in Figure 1.

¹ A Practical Guide to the Strategic Environmental Process (2005) ODPM. Available at: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

Figure 1:

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.

- 1.30 The second step is to consider whether the Rotherwick Neighbourhood Plan will have significant environmental effects when considered against the criteria set out in Annex II of the Directive and Schedule I of the Regulations. The findings of step one and step two are shown in Tables 1-5 and 1-6.

Table 1-5: SEA Screening Step 1

Stage in Flowchart	Y/N	Reason
<p>1. Is the plan/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? (Article 2(a))</p>	Y	<p>The provision to prepare and adopt Neighbourhood Plans is given by the Town & Country Planning Act 1990 (as amended). The Neighbourhood Plan will be prepared by Rotherwick Parish Council and 'made' by Hart District Council. The preparation and adoption procedure is set out in the Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012. Move to Stage 2</p>
<p>2. Is the plan/programme required by legislative, regulatory or administrative provisions? (Article 2(a))</p>	N	<p>There is no mandatory requirement to prepare and/or adopt Neighbourhood Plans. However, if the plan is 'made' it will form part of the Development Plan for Hart and therefore the possibility of significant effects should be considered. Move to Stage 3</p>
<p>3. Is the plan/programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))</p>	N	<p>The Rotherwick Neighbourhood Plan has been prepared for town & country planning and/or land use, however, it does not propose sites or land for allocation and as such does not set the framework for future development consent of projects under Annexes I or II of the Environmental Impact Assessment (EIA) Directive. Move to Stage 4</p>

Stage in Flowchart	Y/N	Reason
4. Will the plan/programme, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	N	HRA screening undertaken in paragraphs 1.13 to 1.23 of this assessment has determined that Appropriate Assessment is not required. Move to Stage 6
5. Does the plan/programme determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Article 3.3)	N/A	Not Applicable
6. Does the plan/programme set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Y	The Rotherwick Neighbourhood Plan does contain policies which could set the framework for projects outside of the EIA Directive for example with respect to the change of use/conversion of buildings to other uses in proposed policies CP03 and CP04. Move to Stage 8
7. Is the plan/programme's sole purpose to serve 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? (Article 3.8, 3.9)	N/A	Not Applicable
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	Effects on the environment and whether these are significant are considered in Table 1-6. If Significant Effects likely move to Stage 7

Table 1-6: SEA Screening Step 2

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)		Response	
Characteristics of the plan or programme			Significant Effect?
(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.	The Rotherwick Neighbourhood Plan sets out policies against which development proposals in the Neighbourhood Plan area will be considered. The policies are generally design-based or seek the protection and enhancement of the existing character and context of the area. The plan does not set targets for or allocate any sites or land for future development consents. Although the plan proposes policies for considering the change of use/conversion of buildings, this is in relation to how a decision maker may react rather than setting a framework for a development project.		N
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Neighbourhood Plan will form part of the Development Plan for Hart District Council and will sit alongside the saved policies from the Local Plan 1996-2006 (Replacement) and First Alterations. The saved policies of the Local Plan have informed the preparation of the proposed Neighbourhood Plan policies. The plan will also sit alongside the new Hart Local Plan once adopted. Whilst in preparing the new Local Plan, regard will be had to progress on emerging or adopted Neighbourhood Plans, it is the Local Plan that will identify the strategic approach to new development in the District.		N
(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 Plan proposes policies to protect and enhance environmental assets or features and seeks to promote sustainable development. As such, the plan should have positive effects on the built and natural environment including its local landscape character and local biodiversity interests such as designated sites, priority habitats and the Biodiversity Opportunity Area (BOA).		N
(d) Environmental problems relevant to the plan or programme.	Environmental problems include potential recreational or urbanising impacts to the Thames Basin Heaths SPA and the ecological status of the river Whitewater. As the Neighbourhood Plan does not allocate		N

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
	sites or land for net additional dwellings it will not have any significant effects on the Thames Basin Heaths SPA in terms of recreational or urbanising effects. The Neighbourhood Plan also proposes policy NE03 which seeks to protect and improve water quality and quantity in local river courses which should aid in the achievement of 'Good' ecological status and compliance with the EU Water Framework Directive.	
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The Neighbourhood Plan contains policies which seek to protect and/or enhance the natural and built environment, including biodiversity, water quality and heritage assets including the character of the designated conservation area and landscape. As such, the Neighbourhood Plan will aid in the implementation of other EU legislation with respect to biodiversity, water quality and the historic environment.	N
Characteristics of the effects and of the area likely to be affected		
(a) The probability, duration, frequency and reversibility of the effects.	The Neighbourhood Plan will not in itself set out or bring forward development plans or projects as it is largely interested in the protection and/or enhancement of the character and context of the area and its built and natural environment. As such, any effects are likely to be positive and last for the duration of the plan period and beyond.	N
(b) The cumulative nature of the effects	The Neighbourhood Plan proposes policies for the protection and/or enhancement of the built and natural environment and others which are largely design orientated. Along with the Conservation Area, Historic Parks & Gardens, Site of Importance for Nature Conservation designations, priority habitats in the Hart BAP and saved policies from the Hart Local Plan 1996-2006 (Replacement) and First Alterations, any cumulative effects are likely to be positive with respect to the character of the area, landscape, biodiversity features and its built and natural environment.	N

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
(c) The transboundary nature of the effects	Given the geographic scope of the Neighbourhood Plan, it is considered that no transboundary effects will arise.	N
(d) The risks to human health or the environment (for example, due to accidents)	None.	N
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The Neighbourhood Plan will cover the whole of the geographic area of the Parish of Rotherwick in Hampshire which covers an area of around 822ha with a population at the time of the 2011 Census of 564. Given the local scale and nature of the proposed Neighbourhood Plan, it is considered that effects will only be limited in magnitude.	N
(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; iii) Intensive land-use.	Given the nature of the Neighbourhood Plan: i) A large proportion of the Neighbourhood Plan area is covered by Conservation Area designation and the area as a whole contains some 61 listed buildings and a grade II* historic park & garden. The area is rural in character and contains features such as hedgerows, woodland copses, rights of way and agricultural uses. However, the plan proposes objectives and policies for the protection and enhancement of its historic and natural environment. ii) River Whitewater not meeting EA 'good' ecological status. However, plan proposes policy NE03 to protect local water courses. iii) None identified.	N
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	The effects on the Thames Basin Heaths SPA are dealt with in (d) above. In any event, an HRA screening assessment has determined no significant effects.	N
Conclusion	The Rotherwick Neighbourhood Plan is unlikely to give rise to significant environmental effects and as such an SEA is not required.	

- 1.31 On the basis of the Screening process it is determined that the Rotherwick Neighbourhood Plan does not require an SEA under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). This is because: -
- The Rotherwick Neighbourhood Plan does not set the framework for future consents under the EIA Directive;
 - An appropriate assessment under the Habitats Directive is not required;
 - There is no pathway or mechanism for significant environmental effects to arise as the Neighbourhood Plan does not allocate development or set development targets and its proposed policies are largely concerned with the protection and enhancement of the built and natural environment.

Conclusions

- 1.32 On the basis of the above it is concluded that the Rotherwick Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA Report. Similarly, the screening assessment concludes that no likely significant effects are likely to occur with regards to the integrity of any European sites and a full HRA is not required.
- 1.33 From 16 December 2015 to 22 January 2016 a consultation was undertaken on this screening report with Natural England, the Environment Agency and Historic England. Consultation responses were received from all three bodies and on the basis of the information provided, all three consultation bodies agreed with the draft Screening conclusions.