

Hartley Wintney 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

7 September 2017

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 Hartley Wintney Neighbourhood Plan requires SEA or HRA. This screening assessment is based on the 'draft Plan' June 2017 (Draft 8).
- 1.2. Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities 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 Hartley Wintney Neighbourhood Plan

- 1.6. The Neighbourhood Planning (General) Regulations 2012 (as amended) 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 Hartley Wintney Neighbourhood Plan covers all of the area within the jurisdiction of Hartley Wintney Parish Council¹ and lies east of Basingstoke and west of Fleet in Hampshire. The plan area contains the settlement of Hartley Wintney and Phoenix Green and is characterised by a mix of residential and commercial development including retail uses along the High Street in Hartley Wintney. The area also contains the Hartley Wintney Commons as well as numerous sports pitches and clubs and incidental amenity space. To the east of Hartley Wintney lies the Hartley Wintney Golf Club. The area outside of the settlement is predominantly rural in character characterised by open field patterns to the west interspersed with small

¹ Hartley Wintney Parish Council – Covering Letter and Neighbourhood Plan Area Map and Survey August 2014. Available at: <https://www.hart.gov.uk/hartley-wintney>

stands of woodland and wooded areas. To the east lies the heathland area of Yateley Heath Wood and to the north Hazely Heath.

- 1.8. The A30, which forms the main highway route between London and Basingstoke runs north-east to south-west through the Neighbourhood Plan area and cuts through the settlements of Hartley Wintney and Phoenix Green and forms the High Street in Hartley Wintney. A plan of the designated area is shown in Plan 1-1.

Plan 1-1: Map of the Designated Area for the Hartley Wintney Neighbourhood Plan



- 1.9. There are several areas of woodland/copses which are designated as either ancient/semi ancient woodland or replanted ancient woodland. This includes, Damale's Copse, Dipleyp Copse, Hulford Copse, Tobridge Copse and part of Dogtails Copse which are also covered by Site of Importance for Nature Conservation (SINC) status. Other areas covered by SINC status include the Hartley Wintney Wooded Greens, Hartley Wintney Green, West Green Common and the Heronry. There are three Sites of Special Scientific Interest (SSSI) in the Neighbourhood Plan area, Unit 10 of Hazely Heath SSSI, Units 2 & 3 of Bramshill SSSI and Units 1, 6 & 13 of Castle Bottom to Yateley and Hawley Commons SSSI.
- 1.10. In terms of the Hazely Heath SSSI, Unit 10 is in an unfavourable but recovering condition. Units 2 & 3 of the Bramshill SSSI are also in unfavourable but recovering condition as are Units 1 & 6 of the Castle Bottom to Yateley and Hawley Commons SSSI. Unit 13 of the Castle Bottom to Yateley and Hawley Commons SSSI is in a favourable condition. All SSSI units within the Neighbourhood Plan area meet the PSA target of 95% to be within favourable or unfavourable recovering status. All three of the SSSI's form part of the Thames Basin Heaths Special Protection Area (SPA) and part of the Neighbourhood Plan area including parts of the Hartley Wintney

settlement are within the 400m Thames Basin Heaths exclusion zone and the whole Neighbourhood Plan area is within the 5km zone of influence.

- 1.11. The Hart Biodiversity Action Plan identifies priority habitats and species, a number of which fall within the Hartley Wintney Neighbourhood Plan area including Woodlands (ancient semi-natural, pasture woodland/wooded common and other woodland which contains important woodland community types), Unimproved and semi-improved grassland, areas of freshwater and sites which support one or more notable species. Associated species include Stag Beetle, Silver Washed Fritillary, Dormouse, Nightingale, Skylark, Orchids and Great Crested Newts.
- 1.12. The Plan area is within the Thames Basin Heaths Biodiversity Opportunity Area (BOA) with targets and opportunities for Lowland Dry Acid Grassland, Lowland Heath, Purple Moor Grass and Rush Pastures and Lowland Meadow wet woodlands, meadows, pastures, deciduous woodland, acid grassland and heaths.
- 1.13. From a heritage perspective, the Plan area contains a number of statutorily and locally listed buildings and structures, including the Grade II* Elvetham Court, Lodge Farm Barn, Fouracre, St Mary's Church and the National Trust's West Green House. The Grade II Elvetham Hall historic park and garden also lies within the Plan area. There are a number of conservation areas in the Neighbourhood Plan area, including Elvetham, Elvetham Farm, Hartfordbridge, Hartley Wintney & Hartley Wintney Church House as well as West Green. Significant archaeological features include the area around Elvetham Hall and St Mary's Church.
- 1.14. The Hartley Wintney Neighbourhood Plan 'Draft Policies' sets out a vision for Hartley Wintney as well as 20 objectives. The vision is for Hartley Wintney to retain the character of the historic built environment, meeting its own local housing needs, enhancing connections to other areas by cycling and to protect and enhance its green spaces. Objectives for the Neighbourhood Plan are set out under a series of themes including:
 - Housing;
 - Environment & Character;
 - Transport & Accessibility;
 - Economy;
 - Infrastructure
- 1.15. Key objectives include meeting a need for 24 dwellings, not allowing residential development over 50 dwellings, including and enhancing green spaces, protecting distinct views and gaps to surrounding areas as well as protecting the historic environment. The 'Draft Plan' document also contains 13 draft policies covering a range of subjects and based around the objectives above.
- 1.16. At the time of writing this assessment, Hart District Council has published a Draft Hart Local Plan 2011-2032. This document sets out a number of draft policies covering a variety of topic areas including the overall housing target for the district and where development will be located. Although in draft form at the Regulation 18 stage of consultation, the draft Local plan gives an indication of the direction of travel for future allocations and spatial strategy. In terms of Hartley Wintney, the Hart Draft Local Plan does not set any target for additional residential units for the neighbourhood area and does not identify specific sites, leaving these decisions to the Neighbourhood Plan. As such, it will be for the Neighbourhood Plan to allocate sites if it wishes to do so and

the 'Draft Plan' document for the Hartley Wintney Neighbourhood Plan identifies 3 sites for residential development providing no more than 24 dwellings in total.

Sustainability Appraisal

- 1.17 Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), a local authority is 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

- 1.18 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.
- 1.19 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.
- 1.20 Whilst Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 sets out a general presumption that an HRA is unlikely to be required, it is still necessary to carry out a screening assessment.
- 1.21 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.

- 1.22 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

- 1.23 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

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

Stage 2

- 1.25 Information about the Neighbourhood Plan can be found in paragraphs 1.6 to 1.16 of this screening assessment. Table 1-1 lists those other plans and projects, which may have in-combination impacts.

- 1.26 In relation to Table 1-2, it should be noted that the Hart Draft Local Plan proposes a number of strategic allocations including, 1,800 residential units at Murrell Green, 1,500 at Hartland Village and 320 at Sun Park. However, at the time of writing this assessment, these sites are proposals only and have yet to be considered through the Local Plan examination process. As such, these sites have not been included in the list of in-combination projects.

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 District Management Plan (2015): Sets out actions to improve water quality, with the Neighbourhood Plan area falling within the river Loddon catchment. Future aims include improving River Whitewater structures and habitat to improve the status for fish in the River Whitewater and to encourage sustainable development for the water environment to aid climate change adaptation and mitigation.</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 licensing’. 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	Deepcut, 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
Land to the North of London Road	Hook, Hants	550
Edenbrook, Hitches Lane	Fleet, Hants	550
Land at Watery Lane	Church Crookham, Hants	300
Total		23,375

Stage 3

- 1.27 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, 1-4 and 1-5. 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. This includes screening out the following protected areas, East Hampshire Hangers SAC (18km from Plan area), Thursley, Hankley & Frensham Commons SAC (17km) and Wealden Heaths Phase II SPA (15km from Plan area).

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.

Table 1-4: Details of Thursley, Ash, Pirbright & Cobham Common SAC and Potential Effects Thereon

International site:	Thursley, Ash, Pirbright & Cobham Common Special Area of Conservation (SAC).
Site description:	The Thursley, Ash, Pirbright & Chobham Common SAC was proposed in January 1996 and designated in April 2005. It covers an area of some 5,138 ha and comprises 4 SSSI units

	and habitat containing predominantly dry and wet heaths with coniferous woodland, bogs, marshes and inland water bodies.
Relevant international nature conservation features:	<p>The SAC is of international importance for Northern Atlantic wet heaths with <i>Erica tetralix</i> for which it is considered to be one of the best areas in the United Kingdom; and</p> <p>European dry heaths for which it is considered to be one of the best areas in the United Kingdom; and</p> <p>Depressions on peat substrates of the <i>Rhynchosporion</i> for which it is considered to be one of the best areas in the United Kingdom.</p>
Environmental Conditions which Support the Site	<ul style="list-style-type: none"> • Appropriate management; • Managed recreational pressure; • 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"> • Effect on provision of SANG and therefore indirect effect from recreational disturbance on the SPA and SAC.

Stage 4

1.28 The consideration of potential effects are set out in Table 1-5.

Table 1-5: Assessment of Potential Effects

Indirect effect from recreational disturbance and urbanisation.	<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/SAC 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/SAC, 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</p>
---	--

	<p>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/SAC have agreed a mechanism to avoid impacts to the SPA/SAC from recreational activities in the form of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management & Monitoring (SAMM) and from the impacts of urbanisation by not allowing any net additional dwellings within 400m of the SPA/SAC.</p> <p>Although the Hart Draft Local Plan 2011-2032 does not allocate a housing target or sites to the neighbourhood planning area of Hartley Wintney, the 'Draft Plan' document dated June 2017 allocates 3 sites for net additional dwellings within 5km of the Thames Basin Heaths SPA or the Thursley, Ash, Pirbright & Cobham Common Special Area of Conservation SAC but not within the 400m exclusion zone of the SPA/SAC. As such, there is potential for the 'Draft Plan' document to allocate sites within 5km of the SPA/SAC and there is a potential pathway for indirect recreational impacts due to the likelihood of additional dwellings within 5km of the SPA/SAC.</p> <p>The 'Draft Plan', whilst allocating 3 sites for development (all of which are for 10 dwellings or less), makes no mention in the plan policies of the Thames Basins Heaths SPA or the need to avoid impact through the use of SANG and SAMM. The proposed allocations themselves are too small to provide their own on-site SANG solution and will therefore have to rely on shared SANG solutions provided by Hart District Council or other SANG providers. At the time of writing this screening assessment there appears to be only limited shared SANG availability with priority given to schemes of 5 or less dwellings to a partial release of land at Bramshot Farm SANG. There also appears to be no or only limited availability at the two other SANG in the District at Hitches Lane and Hawley Meadows & Blackwater Park. As such, there is no certainty at this moment in time that any of the proposed allocations will benefit from SANG availability at the time they are implemented.</p> <p>Saved Policy NRM6 of the South East Plan sets out the concept for SANG as avoidance measures for net additional dwellings within 5km of the SPA/SAC and large sites within 7km of the SPA/SAC as well as holding a presumption against net additional dwellings within 400m. Hart District Council has also adopted a SPA Interim Avoidance Strategy in 2010 which sets</p>
--	--

	<p>out the requirement for developments proposing net additional dwellings within 5km of the SPA/SAC to avoid impacts through the use of SANG and SAMM. Further, the Hart Draft Local Plan 2011-2032 also proposes draft policy NE1 which would continue the restrictive approach to the SPA/SAC as set out in Policy NRM6 and the Interim Avoidance Strategy.</p> <p>Both saved Policy NRM6 of the South East Plan and Hart's Interim Avoidance Strategy set out the requirement for avoidance measures as well as the presumption against net additional dwellings in the 400m zone. As such, should a scheme allocated for net additional dwellings come forward within the Neighbourhood Plan area there is already a mechanism in place to avoid impacts.</p> <p>Policy NRM6 of the South East Plan forms part of the Development Plan and is unlikely to be revoked until all local authorities affected by the SPA/SAC, including Hart District Council, have their own bespoke Local Plan policies in place. Any planning application proposing net additional dwellings within 5km or the 400m zone will therefore be determined against the development plan which includes Policy NRM6. However, in order that the Hartley Wintney Neighbourhood Plan remains consistent with Policy NRM6 and the Interim Avoidance Strategy, a policy clearly setting out the approach to allocations within the 5km zone of influence and the need for avoidance in the form of SANG and SAMM should be included. This should ensure that a decision maker is clear on how to react for any proposals for any net additional dwellings within the 5km of the SPA/SAC or large sites within 7km.</p> <p>In-combination with other plans and projects it is considered, at the time of undertaking this assessment, it cannot be concluded that the Hartley Wintney Neighbourhood Plan will not give rise to likely significant effects on the Thames Basin Heaths SPA or the Thursley, Ash, Pirbright and Chobham Common SAC either alone or in-combination without inclusion of a policy(s) consistent with the approach in Policy NRM6 of the South East Plan and the Hart Interim Avoidance Strategy to only allow allocated sites to come forward where they can demonstrate they can avoid impact to SPA/SAC by securing appropriate SANG capacity and SAMM contributions, and the identification of deliverable SANG.</p>
--	---

- 1.29 It is the conclusion of this HRA that in light of the information available at the time of assessment it cannot be concluded that the Hartley Wintney Neighbourhood Plan **will not** give rise to significant effects on the Thames Basin Heaths SPA or Thursley, Ash, Pirbright and Chobham Common SAC either alone or in-combination with other plans and/or projects. In line with advice with Natural England, the neighbourhood Plan should include a policy on the Thames Basin Heaths SPA, and identify that SANG provision is available for the allocated sites proposed. A further screening assessment will then be needed, to ascertain whether there is a need for a full Habitat Regulation Assessment.

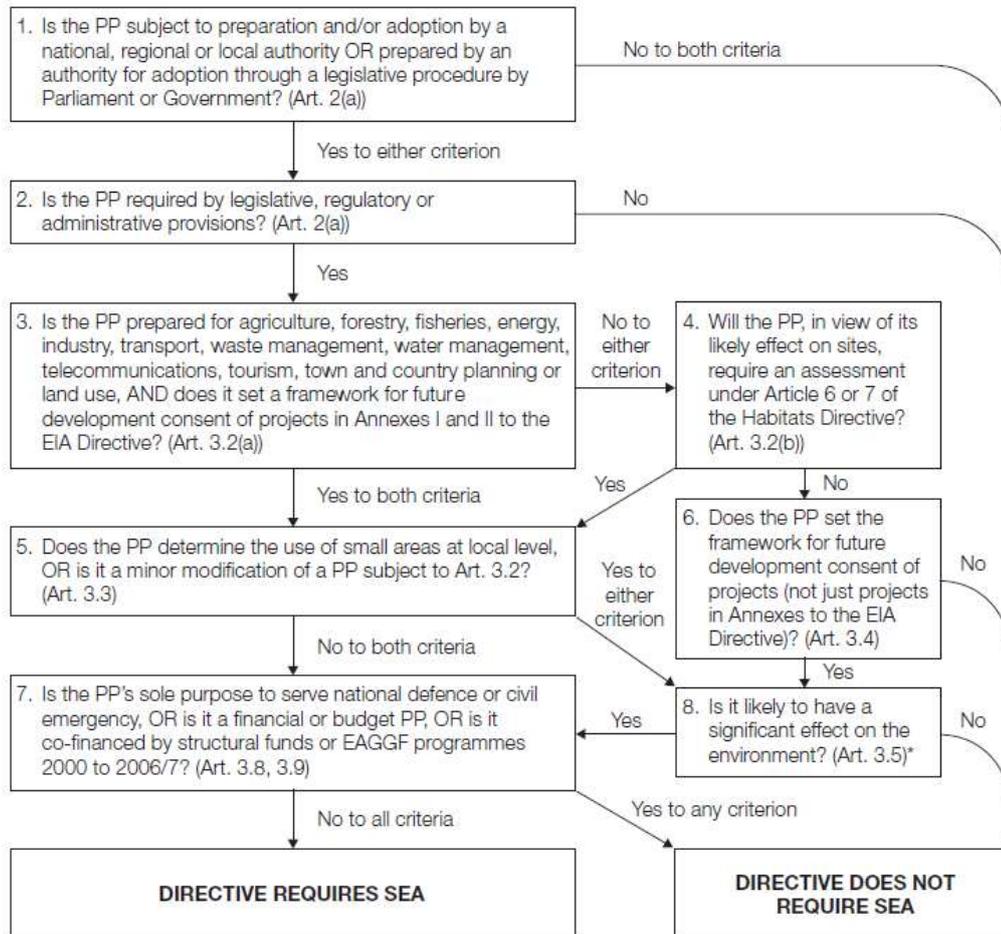
The SEA Screening Process

- 1.30 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 as set out in paragraphs 1.18 to 1.29 of this screening assessment).
- 1.31 However, the main determining factor when considering whether a plan or programme requires SEA is whether it will have significant environmental effects.
- 1.32 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.
- 1.33 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 Hartley Wintney Neighbourhood Plan. The District Council has consulted with the three statutory bodies (Environment Agency, Historic England, Natural England) and taken 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*². The flow chart is shown in Figure 1.

² 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.

1.34 The second step is to consider whether the Hartley Wintney 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 1 and step 2 are shown in Tables 1-6 and 1-7.

Table 1-6: SEA Screening Step 1

Stage in Flowchart	Y/N	Reason
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))	Y	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 Hartley Wintney 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
2. Is the plan/programme required by legislative, regulatory or administrative provisions? (Article 2(a))	N	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
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))	N	The Hartley Wintney Neighbourhood Plan has been prepared for town & country planning and/or land use. The 'Draft Plan' document dated June 2017 does contain sites for allocation, although these are small in scale and not projects large enough to trigger the requirement for an EIA. As such, it is unlikely that the plan has the potential to 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
4. Will the plan/programme, in view of its likely effect on sites, require an assessment under	N	The HRA screening undertaken in paragraphs 1.18 to 1.29 of this assessment has determined that the Neighbourhood Plan contains

Stage in Flowchart	Y/N	Reason
Article 6 or 7 of the Habitats Directive? (Article 3.2(b))		policy(s) to ensure a consistent approach with Policy NRM6 of the South East Plan and the Hart Interim Avoidance Strategy in relation to the Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham Common SAC, and identifies appropriate SANG mitigation.
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)	Y	<p>The 'Draft Plan' document does set out sites for allocation in the Hartley Wintney Neighbourhood Plan area above that already contained in the adopted Hart Local Plan 1996-2006 (Replacement) and the Hart Local Plan currently under preparation. As such the Hartley Wintney Neighbourhood Plan has the potential to determine the use of small areas at a local level. The plan is not a minor modification of an existing plan.</p> <p>Move to Stage 8</p>
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	<p>The 'Draft Plan' document for the Hartley Wintney Neighbourhood Plan does allocate sites. As such the plan has the potential to set the framework for projects outside of the EIA Directive.</p> <p>Move to Stage 8</p>
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	<p>The Hartley Wintney Neighbourhood Plan will not have the sole purpose to serve national defence or civil emergency and it will not be a financial or budgetary plan. Neither will it be co-financed by structural or EAGGF Programmes.</p>

Stage in Flowchart	Y/N	Reason
8. Is it likely to have a significant effect on the environment? (Article 3.5)	Y	Effects on the environment and whether these are significant are considered in Table 1-7. If Significant Effects likely move to Stage 7

Table 1-7: SEA Screening Step 2

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	Significant Effect?
Characteristics of the plan or programme		
(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 Hartley Wintney Neighbourhood Plan will set out policies against which development proposals in the Neighbourhood Plan area will be considered. The 'Draft Policies' document indicates a suite of policies under a number of themes ranging from housing, the environment & character including the historic environment, transport as well as the economy. The 'Draft Policies' document also allocates sites for development. As such the Neighbourhood Plan has the potential to set the framework for future projects.	Y
(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	The 'Draft Plan' document indicates that the Neighbourhood Plan will propose policies to protect and enhance environmental assets or features such as trees and hedgerows as well as protecting and enhancing green space areas and promoting good design including protecting and where possible	Y

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
promoting sustainable development.	enhancing the historic environment. As such, the plan should have some positive effects on the built and natural environment including its local character and heritage. The protection of green infrastructure, should promote biodiversity interests however, there are no policies which specifically seek to enhance or promote biodiversity including designated sites, priority habitats and the Biodiversity Opportunity Area (BOA). As the plan seeks to allocate sites, one of which lies within a conservation area, there could be pathways which give rise to significant environmental effects.	
(d) Environmental problems relevant to the plan or programme.	Environmental problems include potential recreational or urbanising impacts to the Thames Basin Heaths SPA and Thursley, Ash, Pirbright & Chobham Common SAC. Paragraphs 1.18 to 1.29 of this assessment sets out the effects of the Neighbourhood Plan on the SPA/SAC in terms of recreational or urbanising effects and has determined the need for further screening once the plan contains 'failsafe' policies consistent with Policy NRM6 of the South East Plan and the Hart Interim Avoidance Strategy and draft Local Plan, and identification of appropriate SANG capacity. Whilst the SSSI units in the Plan area are in unfavourable but recovering status and not therefore an environmental problem, the 'Draft Plan' approach of protecting green spaces should generally be positive, although this could be strengthened with a greater emphasis on biodiversity issues.	N
(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 'Draft Plan' document indicates the Neighbourhood Plan will contain policies which seek to protect green spaces, the character of the area including the historic environment as well as protection of distinct views and gaps between settlements. As such, the Neighbourhood Plan could aid in the implementation of other EU legislation.	N

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)		Response
Characteristics of the effects and of the area likely to be affected		
(a) The probability, duration, frequency and reversibility of the effects.	The 'Draft Plan' document allocates 3 sites for residential development. The potential for development at locations within the plan area, although small in scale, could increase the probability of effects to arise. The frequency of effects in terms of developing sites is likely to be low given the scale of development proposed. Short term effects due to construction will be reversible but effects resulting from land use will be relatively permanent, although all 3 sites are considered to be previously developed. Effects of protecting character and the historic environment as well as distinct views and policies for the economy should have a generally positive effect, with a reasonably high degree of frequency, but effects could be reversible in the longer term, depending on future policy approaches beyond the plan period.	Y
(b) The cumulative nature of the effects	The Neighbourhood Plan proposes policies for the protection of green spaces, character of the area and the historic environment as well as distinct views, gaps between settlements and the local economy. These policy approaches when taken in combination with the SSSIs, 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 as well as saved Policy NRM6 of the South East Plan and Hart's Interim Avoidance Strategy, should provide cumulative effects which are likely to be positive with respect to the character of the area, historic environment as well as green spaces and views. The protection of green spaces in general may also give rise to positive synergistic effects for biodiversity although the Neighbourhood Plan lacks a specific approach to biodiversity. However, the potential for development in the plan area could, in combination with other developments give rise to cumulative effects on issues such as air quality and noise and as such significant effects cannot be	Y

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
	discounted at this stage.	
(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 Hartley Wintney Parish Council in Hampshire. The area covered is around 2,222ha with a population at the time of the 2011 Census of 3,153. Given the scale and nature of the proposed Neighbourhood Plan, it is considered that effects may be significant.	Y
(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) The Neighbourhood Plan area contains three SSSIs which also form part of the Thames Basin Heaths SPA, but also Sites of Importance for Nature Conservation and listed buildings/structures as well as conservation areas. The area is a mixture of urban area within the settlements of Hartley Wintney and Phoenix Green which does contain features such as open space, playing pitches, incidental amenity, but is predominantly rural outside of the settlement area with wooded copses, open field patterns and heathland areas to the east. The 'Draft Plan' document refers to objectives and policies for the protection of green spaces, character and the historic environment which should generally have positive effects for the built and natural environment, although policy(s) to ensure consistency with Policy NRM6 of the South East Plan and the Hart Interim Avoidance Strategy and draft Local Plan should be included. However, as there are sites for the allocation of development, these positive effects could be reduced and significant effects arise.	Y

Criteria (from Annex II of SEA Directive and Schedule I of the Regulations)	Response	
	ii) The three SSSIs in the Plan area are meeting PSA target of 95% of SSSIs in favourable or unfavourable recovering condition. Protection of green spaces should have a generally positive effect for the SSSI, but policies which seek to protect and enhance biodiversity could also be included to reinforce positive effects. iii) None identified, other than the urban nature of the settlements of Hartley Witney and Phoenix Green.	
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	The effects on the Thames Basin Heaths SPA and Thursley, Ash, Pirbright & Chobham Common SAC are dealt with in (d) above.	N
Conclusion	The Hartley Wintney Neighbourhood Plan could give rise to significant environmental effects and as such an SEA is required.	

1.35 On the basis of the Screening process it is determined that the Hartley Wintney Neighbourhood Plan does require an SEA under the SEA Directive and Environmental Assessment of Plans and Programmes Regulations (2004). This is because: -

- The Hartley Wintney Neighbourhood Plan could set the framework for future development consents;
- There are pathways or mechanisms for significant environmental effects to arise as the Neighbourhood Plan seeks to develop sites.

Conclusions

1.36 From 24 July to 30 August 2017 a consultation on a Draft Screening was undertaken with Natural England, the Environment Agency and Historic England. The consultation responses are summarised below. On the basis of the information received, all respondents agreed with the conclusions regarding the need for an SEA. Natural England advised that it considered that the Plan would struggle to meet the requirements of the Habitats Regulations 2010. The Plan should include a specific Policy on the Thames Basin Heaths Special Protection Area and should identify appropriate SANG provision. This Screening has been amended in the light of these comments.

Respondent	Summary of Comments
Environment Agency	No comments received.
Historic England	Agree with the Screening conclusion that the Plan should be subject to SEA. The high number and value of the heritage assets within the plan area and the proposed allocation of sites, some of which have potential impacts on heritage assets means the plan would be considered as having potential for likely significant effects.
Natural England	<p>Advise that as the Neighbourhood Plan proposes to allocate sites for development within the zone of influence of the Thames Basin Heaths Special Protection Area and has not secured mitigation measures for these developments then it will currently require a full Appropriate Assessment under the Habitats Regulations 2010 and a full Strategic Environmental Assessment.</p> <p>However they advise that if the Plan includes a policy on the TBHSPA and identifies SANG provision then a further screening should be undertaken. A further screening should include sites included in the Draft Hart Local Plan.</p> <p>The policy wording could go further regarding net gains for nature.</p>