

Ms Beverley Weddell (Clerk)
Plaistow & Ifold Parish Council

If calling please ask for: Andrew Frost
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Our ref:

Your ref:

18 November 2016

Dear Ms Weddell,

Plaistow & Ifold Parish Neighbourhood Development Plan

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

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

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

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

As such it is the opinion of Chichester District Council that the Plaistow & Ifold Parish Neighbourhood Plan will need to have a formal Strategic Environmental Assessment for it to be in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004.

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

Yours sincerely

A handwritten signature in black ink that reads 'Andrew Frost'.

Andrew Frost
Head of Planning Services

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

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Relevance in context of this screening report
The characteristics of plans and programmes	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The Plaistow & Ifold Neighbourhood Plan would, if adopted, form part of the Statutory Development Plan and as such will establish the development management framework for Plaistow and Ifold and surrounding environs.</p> <p>The Neighbourhood Plan is prepared for town and country planning and land use and sets out a framework for future development in Plaistow & Ifold Parish. The nature of the Neighbourhood Plan includes policies for environment and heritage, community infrastructure, housing, economy and employment, and transport.</p>
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The Neighbourhood Plan is the lowest tier in the planning hierarchy and must be in conformity with the National Planning Policy Framework, the strategic policies of the development plan and European Directives.</p> <p>The Neighbourhood Plan is not intended to influence other plans or programmes.</p>
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>The Neighbourhood Plan aims to provide sustainable development in accordance with the strategy set out in the adopted Chichester Local Plan: Key Policies 2014-2029 (CLP:KP) and makes some provision within its own policies for the integration of development with the environment.</p> <p>There is no overarching policy relating to sustainable development. Policy H1A allocates land for up to 11 units, in accordance with CLP:KP Policy 5, and requires development to comply with various criteria including, amongst other things, to positively respond to the prevailing character of the area, have reference to the historic surrounding dwellings, to protect the setting of the Plaistow Conservation Area and nearby listed buildings and buildings noted as having townscape value, and retain mature trees and hedges.</p>

	<p>Policy EH6 identifies a rural brownfield site for mixed use (B1(c) light industrial, A1 retail, C3 residential). The policy seeks, amongst other things, development to reflect the rural character of the area and avoid harmful impact on adjacent Ancient Woodland.</p> <p>Policy H2 addresses development within the Ifold Settlement Boundary. This will be supported provided a number of criteria are met including the development should not adversely affect heritage assets, result in the loss of valuable trees, hedges and other natural features that form the character of Ifold, and biodiversity is maintained or enhanced.</p>
(d) environmental problems relevant to the plan or programme; and	As drafted there is concern over the likely significant environmental effects of the Neighbourhood Plan. In particular this is in relation to the impact of the proposals on the historic environment including heritage assets of acknowledged importance.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	<p>This Neighbourhood Plan has no relevance to the implementation of Community legislation.</p> <p>The Neighbourhood Plan is a land-use plan and sets the framework for future development consents within the Plaistow & Ifold Parish Neighbourhood Plan area.</p>
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects;	<p>The impact of the proposals for development in the Plaistow & Ifold Parish NP is not anticipated to produce any significant effects on Air Quality, Biodiversity, Flora, Fauna, Material Assets, Population, Health, Soils, Climate Change and Water in the Plaistow & Ifold Parish.</p> <p>The proposals in the Neighbourhood Plan would be likely to have significant environmental effects on the historic environment and heritage assets, in particular the Plaistow conservation area, its setting, and nearby listed buildings.</p> <p>It is also important to consider the potential for non-scheduled archaeological remains.</p>

	The Historic Environment Record has not yet been examined and there is currently no reference to non-scheduled archaeological records in the overall site assessment.
(b) the cumulative nature of the effects;	The proposals are in keeping with the objectives of the CLP:KP 2014-2029 in so far as they relate to the provision of housing. However, they are likely to have a significant impact on the historic environment. It is not envisaged that there would be a cumulative effect in relation to this aspect.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary ¹ impacts.
(d) the risks to human health or the environment (for example, due to accidents);	Plaistow & Ifold Parish does not have any AQMAs. It is not thought that the Neighbourhood Plan will increase risks to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The main areas of settlement at Plaistow and Ifold are situated outside the South Downs National Park (SDNP). Smaller areas of settlement lie at Shillinglee and Durfold Wood. The parish is generally rural and lies in the north of Chichester District away from major towns and villages.</p> <p>The proposals in the Neighbourhood Plan would be likely to have significant environmental effects on the historic environment and heritage assets, in particular the Plaistow conservation area, its setting, and nearby listed buildings.</p>
(f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	<p>The main areas of settlement at Plaistow and Ifold are situated outside the South Downs National Park (SDNP). Only a small area of countryside in the north west of the parish lies within the SDNP.</p> <p>Plaistow has a conservation area (CA) that is focused on a triangular street pattern enclosing buildings as well as large areas of green space. The CA includes key buildings such as the Church, The Sun Public House and the village primary school and of special note is the high concentration of listed buildings (nearly 30) which can be seen</p>

¹ Transboundary effects are understood to be in other Member States

	<p>mainly in The Street. The undulating topography allows both short and long views across, out of, and into the CA. Two mature oaks lie close to the potential access point for the site allocated in Policy H1A. Overall it is considered that this is a sensitive historic environment.</p> <p>Policy EH1 aims to protect the area's valuable heritage and historic assets. Policies EH2 and EH3 seek to protect the natural environment, trees, woodlands and natural vegetation.</p> <p>Policy H1A includes criteria that seek to ameliorate development into the historic environment. However, it is unclear how this development may be achieved and implemented without compromising Policies EH1, EH2 and EH3.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The main areas of settlement at Plaistow and Ifold are situated outside the SDNP.</p> <p>A small area of land in the north west part of Plaistow & Ifold Parish lies within the boundary of the SDNP. Policy EH2 seeks to protect the natural environment including the landscape and scenic beauty of the National Park.</p> <p>The proposals would be unlikely to have a significant impact on the landscape setting of the South Downs National Park (SDNP).</p>

Comments received from South Downs National Park Authority

South Downs National Park Authority	
<p>SDNPA – reply – 12 October 2016</p>	<ul style="list-style-type: none"> • The scale of development covered by the plan (up to 11 units over the plan period excluding windfalls) is not likely to have a significant effect upon the environment; • The Neighbourhood Plan (NP) proposed housing development for Plaistow / Ifold is consistent with that allocated through the Chichester Local Plan (about 10 dwellings), which has already been subject to an SEA. It is not considered that a further SEA is required based upon the location identified for development. • The Environmental Assessment of Plans and Programmes Regulations 2004 Article 5.(6) states: “An environmental assessment need not be carried out— a. for a plan or programme of the description set out in paragraph (2) or (3)

which determines the use of a small area at local level;”

- SDNPA do not envisage any significant effects upon existing Natura 2000 designations that would trigger an SEA under Article 3(2)(b) of the SEA Directive.

**Plaistow & Ifold Parish Neighbourhood Plan
Summary of Statutory Consultations – Strategic Environmental Assessment (SEA)**

Statutory Consultee	Summary of Comments
Historic England	
<p>Historic England (HE) – Reply 19 October 2016</p>	<p>HE note that the Draft Plan proposes the allocation of a site at land adjacent to The Dairy for up to 11 dwellings. According to HE records, this site contains no designated heritage assets but it does abut the Plaistow Conservation Area and may be within the setting of the grade II listed Golden Cross and Stone House. There is, therefore, the potential for significant effects on the historic environment arising from this allocation.</p> <p>However, draft Policy H1A contains criteria intended to protect the setting of the Conservation Area and the nearby listed buildings, which may be sufficient to ensure that the development of this site would not have a significant adverse effect on the special interest of the Conservation Area and significance of the listed buildings.</p> <p>Doubt that a SEA would suggest more in the way of mitigation but Lone Le Vay should be able to advise on the likely impact of the development of this site on these designated heritage assets, and I would be interested in any comments she has.</p> <p>It is also important to consider the potential for non-scheduled archaeological remains. The Historic Environment Record should be examined on the proposed site at an early stage (HE note that there is no reference to non-scheduled archaeological records in the SHLAA assessment).</p> <p>As it stands, HE cannot be confident that the Plaistow and Ifold Neighbourhood Plan would not have significant environmental effects in respect of non-scheduled archaeological remains and are therefore unable at this stage to be confident that the Plan should not be subject to SEA.</p> <p>However, HE would be pleased to review this conclusion if it is determined that the development of this site would be unlikely to affect significant non-scheduled archaeological remains, or that if it did, the site was removed from the plan or adequate safeguards were incorporated within Policy H1A.</p> <p>Finally, HE note the reference in paragraph 1.5 of the Plan to AECOM having conducted a sustainability appraisal of the proposed housing sites to be considered for inclusion in the Plan. HE question whether this appraisal considers the proposed housing site and non-scheduled archaeological interest? If it does, then, although HE has not seen this appraisal, there would appear to be no need for a further appraisal in respect of this proposed site.</p>

Historic England (HE) –
Reply 26 October 2016

Further to HE's letter of 19th October CDC has drawn HE's attention to the fact that an extension to the Plaistow Conservation Area was approved in 2013 and CDC has provided HE with a copy of the AECOM assessment of alternative sites in the parish.

The extension to the Conservation Area is to the south of The Dairy to include both part of a field and Edmund's Hill Cottage beyond. The field is the site of the proposed housing allocation in the draft Neighbourhood Plan, so that the proposed site is partly within the Conservation Area rather than adjacent to it. HE is grateful to CDC for advising of this situation.

HE noted in the previous letter that there is the potential for significant effects on the historic environment arising from this allocation. With the site being partly within the Conservation Area where the access to the site would be, HE can be more confident that there will be impacts, which are more likely to be significant. This would suggest, therefore, that strategic environmental assessment of the Plan should be required.

However, as previously noted, HE sees that draft Policy H1A contains criteria intended to protect the setting of the Conservation Area and the nearby listed buildings. Given that the site is partly within the Conservation Area, this policy will need to be amended to reflect the need to conserve and enhance the special interest, character and appearance of the Conservation Area as well as its setting. This may then be sufficient to ensure that the development of this site would not have a significant adverse effect on the special interest, character and appearance of the Conservation Area and significance of the listed buildings.

HE doubts that a SEA would suggest more in the way of mitigation and therefore do not consider it absolutely essential that the Plan be subject to such an assessment. However, as the development of this site would, in HE's initial view, impact adversely on the special qualities, appearance and character of the Conservation Area, if it is taken forward in the Neighbourhood Plan, HE will expect to see full justification why this site is being proposed rather than any other which might not have the same adverse impacts for the historic environment. An SEA would be a way of demonstrating that this site is the best overall when assessed against a number of sustainability objectives.

HE would, in any event, normally suggest that such an assessment of potential alternative sites be undertaken even if not part of a formal SEA. In this instance, HE is aware of the AECOM site assessment which HE has now seen and which, HE notes, does not consider the proposed site at The Dairy to be the most suitable site for housing development in the plan area.

In addition, HE considers that the (AECOM) statement that The Dairy site “offers the potential for enhancement of the village conservation area through sensitive design within the Conservation Area on the frontage to Rickman’s Lane” to be rather optimistic – HE is not aware that the existing undeveloped land fronting The Street/Rickman’s Lane detracts from the Conservation Area in its present state (it is not identified as a negative feature in the Character Appraisal and it is unlikely that it would be recommended for inclusion within the Area if it was), and HE is not clear how development along the frontage to The Street/Rickman’s Lane would enhance the Conservation Area.

Although HE is not being invited to comment on the Plan itself at this time, and has yet to view the site, it might be helpful to explain that, as noted above, HE is of the initial opinion that the development of up to 11 units on this site with the requisite access would be likely to be harmful to the special interest, character and appearance of the Conservation Area, notwithstanding the criteria in the allocation policy. If the Parish Council or District Council does not agree with this conclusion, then an independent objective SEA could be the arbiter.

As noted in HE’s previous letter, it is also important to consider the potential for non-scheduled archaeological remains. The Historic Environment Record should be examined on the proposed site at an early stage (HE notes that there is no reference to non-scheduled archaeological records in the SHLAA assessment).

In conclusion, therefore, HE does not consider an SEA to be essential given the criteria regarding the Conservation Area and the nearby listed buildings in Policy H1A (subject to the possible existence of non-scheduled archaeological remains on the site and provided that the policy is amended to recognise that the site lies partly within the Conservation Area).

Nevertheless, given that the site lies partly within the Plaistow Conservation Area, it appears to HE that it might be prudent to undertake an SEA of the Plan. This, however, is a decision for CDC as the relevant local authority, but as CDC and the Parish Council are aware, one of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive). The responsibility for ensuring that the Plan meets the basic conditions lies with the qualifying body and CDC as the authority that will make the Plan if it passes the referendum.

HE hopes these comments are helpful and would be pleased to review this conclusion when it is determined whether or not the development of this site would be likely to affect significant non-scheduled archaeological remains.

Environment Agency

Environment Agency –
reply – 17 October 2016

Based on the scale of development proposed through the Neighbourhood Plan i.e. about 10 dwellings on one site, it is considered the plan would not have significant environmental effects and as such would not require an SEA in relation to the issues in the EA's remit.

Natural England

Natural England – reply –
7 October 2016

Natural England's advice is that this Neighbourhood Plan does not require a SEA, as it is unlikely to have significant effects on the environment.