

Mrs Lisa Roberts
Parish Clerk to Bosham Parish Council
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Our ref:

Your ref:

5 August 2015

Dear Mrs Roberts,

Bosham 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 Bosham Neighbourhood Plan, as modified by changes made to the Plan as a result of the Pre Submission consultation, 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 for amendment that will be the subject of a submission consultation 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 Bosham Neighbourhood Plan is not required** due to there being no adverse comments from the Statutory Bodies 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 Bosham Neighbourhood Plan is 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



Andrew Frost
Head of Planning Services

Screening Report for the Bosham 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 Bosham Neighbourhood Plan (NP) would, if adopted, form part of the Statutory Development Plan and as such will establish the development management framework for Bosham village and surrounding environs.</p> <p>The NP is prepared for town and country planning and land use and sets out a framework for future development in Bosham parish. The nature of the NP includes housing, open space, infrastructure and employment.</p>
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The NP 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>
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>Policy 2 of the NP seeks to allocate sites for some 63 dwellings.</p> <p>Policy 6 states it will be necessary for proposals to conserve, enhance and seek to better reveal the local distinctiveness and character of the historic environment and its designated and non-designated assets and their setting.</p> <p>Policy 7 requires new development to demonstrate that the natural beauty and locally distinctive features of the AONB are conserved and enhanced, that development reinforces and responds to rather than detracts from the distinctive character and special qualities of the AONB and the integrity of the predominantly open and undeveloped rural character of the AONB and wider parish is not undermined.</p> <p>Policy 8 requires development proposals to demonstrate that the biodiversity value of the site will be protected and enhanced.</p> <p>Policy 10 seeks to, amongst other things, minimise additional traffic generation and</p>

	movement and encourage sustainable modes of transport through the maintenance, upgrading and creation of footpaths and cycleways.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this plan.
(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).	This NP has no relevance to the implementation of Community legislation. The NP is a land-use plan and sets the framework for future development consents within the Bosham NP area.
Characteristics of the effects and of the area likely to be affected,	
(a) the probability, duration, frequency and reversibility of the effects;	The impact of the proposals for development in the Bosham NP is not anticipated to produce any significant effects on Air Quality, Biodiversity, Flora, Fauna, Landscape, Material Assets, Cultural Heritage, Population, Health, Soils, Climate Change and Water in the Bosham Parish.
(b) the cumulative nature of the effects;	The Proposals are in keeping with the objectives of the Chichester Local Plan: Key Policies 2014-2029. No cumulative effects are expected as a result.
(c) the transboundary nature of the effects;	The majority of the effects within Bosham Parish will be localised, however due to the nationally important natural and historic assets, effects on these features may occur beyond the area of the Parish.
(d) the risks to human health or the environment (for example, due to accidents);	Bosham does not currently have any AQMAs but there are three in Chichester City. The NP may increase traffic levels but not to an extent that is anticipated to cause significant effects on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	Bosham is the largest settlement in the Parish. It is linked by the A259 which acts as a commuter route to Chichester City and the wider environs via the A27. Due to minimal employment opportunities within Bosham Parish, residents largely out commute. The indirect spatial extent of the plan may extend beyond the immediate area of the plan but are not anticipated to cause significant effects.

<p>(f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and 	<p>(i) The majority of land area of Bosham Parish is located within the Chichester Harbour AONB. Although Policy 2 identifies allocations in the AONB, with the implementation of Policies 6 and 7 both the natural and cultural heritage of the area should be retained.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The majority of land area of Bosham Parish is located within the Chichester Harbour AONB. Policy 2 sets out relatively small scale allocations in the AONB but Policy 7 requires proposals conserve, enhance, reinforce and respond to locally distinctive features in the AONB.</p>

Bosham Neighbourhood Plan

Summary of Statutory Consultations – Strategic Environmental Assessment (SEA)

Note: An initial screening process for SEA of the Bosham Neighbourhood Plan was undertaken in Autumn 2014. As further work continued on the evolving Neighbourhood Plan no determination was made at that time. Subsequently, with the revisions made to the document, a further screening opinion was sought from Historic England, the Environment Agency and Natural England in June 2015. This has resulted in this SEA determination letter. For completeness, the comments below are shown for each screening process.

Statutory Consultee	Summary of Comments
Historic England (previously English Heritage)	
English Heritage – Reply – 14 October 2014	<p>EH recognised that Bosham is rich in heritage assets, and therefore has a sensitive historic environment. The emerging Local Plan allocated a minimum of 50 dwellings to the Parish, sites for these dwellings to be identified in the Neighbourhood Plan. Initial concern that there is the potential for the consequent site allocations to have a significant effect on the historic environment.</p> <p>The nature and level of these potential environmental effects will depend on location of sites and at this stage rigorous assessment of the environmental impacts of the sites was not complete. On this basis it was EH's view that the Bosham Neighbourhood Plan should be subject to a Strategic Environmental Assessment.</p>
Historic England (HE) (formerly English Heritage) (EH) – Reply – 30 June and 28 July 2015	<p>Since previous comments were made the Pre-Submission Neighbourhood Plan was published that identified four proposed housing allocation sites. In November 2014 EH advised that the development of these sites would not have any significant effects on designated heritage assets, but explained that the sites may have non-scheduled archaeological remains.</p> <p>Subject to the Parish Council confirming that the Historic Environment Record had been consulted in its site assessments, and if the adverse effects identified for Bullock Barns extension and Swan Field are because of their landscape rather than heritage impacts, EH advised that it would be satisfied that the development of the proposed sites would not have significant environmental impacts on the historic environment and would be happy to withdraw the opinion that a SEA was required.</p> <p>The revised version of the Neighbourhood Plan now includes a new site, Burnes Shipyard. HE do not consider that its redevelopment for two houses as proposed would be likely to have any significant effects on the Conservation Area although the Historic Environmental Record should be consulted for any archaeological find records.</p>

	<p>Following confirmation and comments from CDC's Archaeology Officer that the relevant Historic Environment Record has considered all relevant sites, HE is now of the view that it does not consider that the Bosham Neighbourhood Plan need be subject to a formal Strategic Environmental Assessment.</p> <p>HE continues to consider, however, that the Plan should include requirements that an archaeological investigation of the Bullock Barns and Burnes Shipyard sites be undertaken prior to development.</p> <p>The Neighbourhood Plan has now addressed this issue and made amendments accordingly.</p>
Environment Agency	
Environment Agency – reply – 22 October 2014	<p>Areas within Bosham lie within Flood Zones 2 and 3. We would wish to see any proposed site allocations to be outside of these areas.</p> <p>EA consider that the scale of development proposed through the Neighbourhood Plan would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</p>
Environment Agency – reply – 20 July 2015	<p>EA consider that the previous comments still stand and that the scale of development proposed through the Neighbourhood Plan would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</p> <p>EA noted that the Burns Shipyard site has now been included but although the EA had some concerns regarding this, due to the flood risk, these would not affect whether an SEA is required.</p>
Natural England	
Natural England – reply – 16 October 2014	<p>If SA/SEA of the Local Plan, was based on 50 dwellings in Bosham, NE is of the view that further work (relating to SA/SEA) will not be needed unless the environmental context demonstrably changes, provided:</p> <ul style="list-style-type: none"> • The site selection process is a matter of close consultation with the Chichester Harbour AONB Unit; <p>There are clear linkages between the NP and the “Interim Policy Statement on Development and Disturbance of Birds in Special Protection Areas and identified Compensatory Habitats (Effective April 2014)”, to provide some clarity on how development proposals will be considered in the period up to adoption of a new Local Plan.</p>

Natural England – reply –
6 July 2015

Note that the emerging Local Plan gives the Parish a minimum of 50 dwellings, whilst the Neighbourhood Plan (NP) process has identified sites with capacity for some 60 homes.

NE remain of the view that further work (relating to SA/SEA) will not be needed, unless the environmental context demonstrably changes and:

- provided the site selection process has been a matter of close consultation with the Chichester Harbour AONB Unit and
- given clear linkages with the “Interim Policy Statement on Development and Disturbance of Birds in Special Protection Areas and identified Compensatory Habitats (Effective April 2014)”, and the related Local Plan Policy 50.