

# Scoping Report for Strategic Environmental Assessment (SEA) of Selsey Neighbourhood Plan

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## 1. Introduction

- 1.1 Selsey Neighbourhood Plan must meet certain Basic Conditions, including the requirement that the making of the plan “does not breach, and is otherwise compatible with, EU obligations.” One of these obligations is Directive 2001/42/EC ‘on the assessment of the effects of certain plans and programmes on the environment’ or the Strategic Environmental Assessment (SEA) Directive.
- 1.2 The SEA Directive “seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes.” The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations or SEA Regulations 2004. It is these regulations that neighbourhood plans will need to comply with.
- 1.3 Selsey Neighbourhood Plan has been informed by a wide range of evidence and the SEA is a component of the evidence base. The SEA ensures that the plan promotes sustainable development by ensuring that the significant environmental impacts of proposals and policies are understood and these impacts are considered in the plan.

## 2. The Strategic Environmental Assessment Process

- 2.1 The purpose of the SEA is to ensure that the environmental implications of options within the neighbourhood plan have been assessed.
- 2.2 In accordance with the SEA Regulations, the main stages of the SEA Process are as follows:
  - Stage A: The Screening Stage – determining whether the neighbourhood plan is likely to have significant environmental effects and consulting the environmental assessment consultation bodies;**
  - Stage B: The Scoping Stage – Setting the context and objectives, establishing the baseline and deciding on the scope and consultation;**
  - Stage C: Main SEA of neighbourhood plan – Developing and refining alternatives and assessing effects;**
  - Stage D: Preparing the Environmental Report;**
  - Stage E: Consultation – publishing and consulting on the Environmental Report;**
  - Stage F: Post plan making reporting and monitoring.**
- 2.3 The first stage of the SEA is the screening stage whereby the local planning authority, in this case Chichester District Council, will determine whether a neighbourhood plan will require SEA. The main factor in determining this is whether the plan is likely to have significant effect on the environment. The SEA Directive makes SEA a mandatory requirement for:
  - a) 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
  - b) Plans which have been determined to require an assessment under the Habitats Directive.

- 2.4 In the case of Chichester Local Plan Area, the majority of neighbourhood plans have been determined to require an appropriate assessment under the Habitats Directive. This is because the so called “Sweetman II / People over wind” judgement of the CJEU (April 2018) requires plans and projects that rely on mitigation measures to only consider the effects of mitigation through the Appropriate Assessment (AA) stage of Habitats Regulations Assessment. Neighbourhood Plans rely on the strategic mitigation schemes that are in place to protect the Special Protection Areas of the District and so trigger the requirement for AA. The requirement for AA means that Neighbourhood Plans that need AA will also require Strategic Environmental Assessment.
- 2.5 Since Selsey Neighbourhood Plan required Appropriate Assessment under the Habitats Directive, it will also require Strategic Environmental Assessment.

### **3.1 Stage B: Scoping**

- 3.1.1 The second stage in the Strategic Environmental Assessment is the scoping stage which gathers information about what is happening in the neighbourhood plan area. This information informs the assessment by setting the context and objectives, establishing the baseline and establishing the scope of the SEA. More specifically it involves:
1. Identifying relevant policies, plans and programmes and sustainability objectives;
  2. Collecting baseline information;
  3. Identifying sustainability issues and problems;
  4. Developing the strategic environmental assessment framework;
  5. Consulting the environmental assessment consultation bodies on the scope of the strategic environmental assessment.

### **3.2 Plans and Programmes**

- 3.2.1 The first activity in determining the scope of the SEA is identifying the relevant policies, plans and programmes that will influence the scope. These documents are presented in Figure 2 below.

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
INTERNATIONAL/EUROPEAN LEVEL				
	European Communities Directive on the conservation of natural and semi-natural habitats and of wild fauna and flora (The Habitats Directive 92/43/EEC)	Member states must take measures to maintain in a favourable condition, the selected sites, or take action to restore them; conserve threatened habitats and species; designate Special Areas of Conservation; encourage management of features which are of major importance for wild flora and fauna. The Habitats Directive is transposed into UK law through the Habitats Regulations (1994)	Need for Appropriate Assessment (AA) of the neighbourhood plans, under the Habitats Directive as SACs are part of the Natura 2000 network. Will also trigger the need for Strategic Environmental Assessment.	<a href="https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML">https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML</a>
	European Communities Directive on the conservation of wild birds (The Birds Directive 79/409/EEC)	Member states must take measures to maintain in a favourable condition, the selected sites, or take action to restore them. Prevent or avoid the destruction and pollution of bird habitats of certain identified species. Designate Special Protection Areas. See also managing Natura 2000 sites: The provisions of article 6 of the Habitats Directive	Need for Appropriate Assessment (AA) of the neighbourhood plan, under the Habitats Directive as SPAs are part of the Natura 2000 network. Will also trigger the need for Strategic Environmental Assessment.	<a href="http://europa.eu.int/eur-lex/en/consleg/pdf/1979/en_1979LO4609_do_001.pdf">http://europa.eu.int/eur-lex/en/consleg/pdf/1979/en_1979LO4609_do_001.pdf</a>
	European Strategic Environmental Assessment Directive (2001/42/EC)	Ensures that environmental consequences of certain plans and programmes are identified and assessed during their preparation and before their adoption.	Ensure that environmental assessment of policy options is built into Strategic Environmental Assessment to meet requirements of Directive.	<a href="http://europa.eu.int/comm/environment/eia/ea-legalcontext.htm">http://europa.eu.int/comm/environment/eia/ea-legalcontext.htm</a>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	The Ramsar Convention (1971) – The Convention on Wetlands of International Importance especially as Waterfowl Habitat	The Convention has three main pillars of activity: the designation of wetlands of international importance as Ramsar sites; the promotion of the wise-use of all wetlands in territory in each Country; and international cooperation with other countries to further the wise-use of wetlands and their resources.	Government has issued policy statements which extend the same protection at a policy level to listed Ramsar sites in respect of new development as that afforded to sites which have been designated under the EC Birds and Habitats Directives as part of the EU Natura 2000 network.	<a href="https://www.ramsar.org/about/the-ramsar-convention-and-its-mission">https://www.ramsar.org/about/the-ramsar-convention-and-its-mission</a>
<b>NATIONAL LEVEL</b>				
	Planning and Compulsory Purchase Act (2004)	The Act makes Sustainable Development the purpose of the entire land use planning system. The provisions introduce powers which allow for the reform and speeding up of the plan system and an increase in the predictability of planning decisions; the speeding up of the handling of major infrastructure projects and the need for simplified planning zones to be identified in the strategic plan for a region. They support policies relating to investment in major infrastructure and regeneration.	Sustainability must be at the heart of the Neighbourhood Plan.	<a href="https://www.legislation.gov.uk/ukpga/2004/5/c/ontents">https://www.legislation.gov.uk/ukpga/2004/5/c/ontents</a>

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	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Natural Environment White Paper - The Natural Choice: securing the value of nature (2011)	Outlines the Government's vision for the natural environment over the next 50 years. It aims to set a clear institutional framework to achieve the recovery of nature: 1) establish Local Nature Partnerships (LNPs); 2) create new Nature Improvement Areas (NIAs); 3) reforms to the planning system. Specific actions include: 1. removing barriers to learning outdoors; 2. creating a new Local Green Areas designation; and 3. establishing a Green Infrastructure Partnership.	The Neighbourhood Plan should allow for a strategic approach to planning for nature within the Local Plan area.	<a href="http://www.official-documents.gov.uk/document/cm80/8082/8082.pdf">http://www.official-documents.gov.uk/document/cm80/8082/8082.pdf</a>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	National Planning Policy Framework (2019)	<p>Under section 2. Achieving sustainable development: 13. The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.</p> <p>Under section 15. Conserving and enhancing the natural environment: 171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in the Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.</p>	NPPF replaces planning policy guidance and statements. It aims to support economic growth but also to promote strong communities and the need to protect and enhance the environment. Neighbourhood plans must be prepared in accordance with the NPPF.	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf</a>
	Wildlife and Countryside Act 1981	This act aims to prevent loss of diversity of flora and fauna by making it illegal to intentionally damage wild plants and animals or their habitats.	Neighbourhood plans will not have to repeat legal protections under the criminal law.	<a href="https://www.legislation.gov.uk/ukpga/1981/69">https://www.legislation.gov.uk/ukpga/1981/69</a>



Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Countryside and Rights of Way Act 2000	Provides for the public's ability to enjoy the countryside whilst also providing safeguards for landowners and occupiers. It provides a statutory right of access to open country and registered common land, modernises the rights of way system, protects Sites of Special Scientific Interest (SSSIs), manages arrangements for Areas of Outstanding Natural Beauty (AONBs), and strengthens wildlife enforcement legislation.	Maintain rights of way, and provide enhanced access to them where possible. Protect SSSI from degradation through development. Maintain and enhance the natural beauty of AONBs.	<a href="https://www.legislation.gov.uk/ukpga/2000/37/contents">https://www.legislation.gov.uk/ukpga/2000/37/contents</a>
	UK Post 2010 Biodiversity Framework (2012) - superseding the UK Biodiversity Action Plan 1994	Commits detailed plans for the protection of the UK's biological resources, through Species Action Plans and Habitat Action Plans.	Plans will need to ensure the best wildlife sites are protected.	<a href="http://jncc.defra.gov.uk/page-6189">http://jncc.defra.gov.uk/page-6189</a>
	Natural Environment and Rural Communities Act 2006	Section 40: requires all public bodies (including district and parish councils) in exercising its functions to have regard to the purpose of conserving biodiversity.	Plans will need to ensure that they are in accordance with the duty and the purpose of conserving biodiversity.	<a href="https://www.legislation.gov.uk/ukpga/2006/16/schedule/3">https://www.legislation.gov.uk/ukpga/2006/16/schedule/3</a>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system	Brings together advice on various nature conservation topics. Part I deals with the conservation of internationally designated sites; Part II deals with Sites of Special Scientific Interest (SSSI) and the consultation and notification processes; Part III covers planning for nature conservation outside the designated sites; Part IV deals with conservation of species and Part V provides advice on other duties and use of statutory powers.	Re-iterates the circumstances whereby neighbourhood plans will require Appropriate Assessment; neighbourhood plans must not result in the damage of the special interest features of SSSIs; the impact of development on priority habitats or species or protected species are a material consideration in the preparation of the neighbourhood plan; re-iterates the circumstances whereby Strategic Environmental Assessment of the neighbourhood plan is required.	<a href="https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005">https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005</a>
SUB-REGIONAL				

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	<p>South Downs Local Plan 2014-2033 (Submission version)</p> <p>Adoption due Summer 2019</p>	<p>The objectives to meet the National Park Vision are: To conserve and enhance the landscapes of the National Park; To conserve and enhance the cultural heritage of the National Park; To conserve and enhance large areas of high-quality and well-managed habitat to form a network supporting wildlife throughout the landscape; To achieve a sustainable use of ecosystem services thus enhancing natural capital across the landscapes of the National Park and contributing to wealth and human health and wellbeing; To protect and provide opportunities for everyone to discover, enjoy, understand and value the National Park and its special qualities; To adapt well to and mitigate against the impacts of climate change and other pressures; To conserve and enhance the villages and market towns of the National Park as thriving centres for residents, visitors and businesses; To protect and provide for the social and economic wellbeing of National Park communities supporting local jobs, affordable homes and local facilities. The spatial strategy for the South Downs Local Plan is for a medium level of growth dispersed across the towns and villages of the National Park.</p>	<p>Neighbourhood plans should not impact on the ability of the SDNPA to achieve the objectives within its Local Plan. It will need to consider access to services by those settlements within the National Park and also connectivity for wildlife.</p>	<p><a href="https://www.southdowns.gov.uk/wp-content/uploads/2019/02/MM_LP_Change_Final.pdf">https://www.southdowns.gov.uk/wp-content/uploads/2019/02/MM_LP_Change_Final.pdf</a></p>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Chichester Harbour AONB Management Plan (2019)	The relevant key concepts within the Management Plan are: 1) Conserving and enhancing the special qualities of the AONB; 2) Sustainability and wise Use of the Harbour; 3) Increasing knowledge and understanding of the Harbour; 4) Helping people to enjoy Chichester Harbour; 5) Support sustainable development; 6) Working in partnership.	Neighbourhood plans will need to: consider the policy to protect the special qualities of the AONB; minimise the impact of recreational disturbance on the designated habitats and species; encourage appropriate agricultural land uses; ensure development is appropriate and conserves the landscape, wildlife and historic environment of the AONB; ensure development complies with the protective framework for sites designated for nature conservation and where appropriate, mitigation measures are incorporated; safeguard the socio-economic activities supporting the AONB and its communities; ensure developments of commercial sites are sympathetic with the AONB; support and encourage marine-related businesses through safeguarding marine sites and employment uses; promote better public and sustainable transport options both to and within the AONB.	<a href="http://chichester.moderngov.co.uk/documents/s13876/Chichester%20Harbour%20AONB%20Management%20Plan%202019-2024%20-%20Appendix%20-%20Online%20Only.pdf">http://chichester.moderngov.co.uk/documents/s13876/Chichester%20Harbour%20AONB%20Management%20Plan%202019-2024%20-%20Appendix%20-%20Online%20Only.pdf</a>
LOCAL				

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Chichester District Local Biodiversity Action Plan 2015 - 2019	The proposed outcomes from the LBAP are: 1) A comprehensive record of the presence and location of important habitats and species within the District has been established and maintained; 2) Chichester District's Ecological Networks are comprehensive and resilient through the protection, management and enhancement of important wildlife sites and habitats, the components that connect them and the species that use them; 3) Projects and initiatives that halt the decline of important species and habitats are supported through advice and signposting; 4) protection and improvement of the natural environment is a core objective of the planning system in Chichester District; 5) Residents of Chichester District are well informed on the wealth of biodiversity within the District, particularly CDC's Parks and Gardens.	Positive planning policies to secure enhancement as well as conservation. Protect Sussex BAP species and habitats in addition to legally protected species and designated sites. Identify, protect and enhance wildlife corridors and other connective features.	<a href="http://www.chichester.gov.uk/CHttpHandler.ashx?id=23393&amp;p=0">www.chichester.gov.uk/CHttpHandler.ashx?id=23393&amp;p=0</a>
	Adopted Chichester Local Plan: Key Policies 2014 - 2029	The Local Plan provides the broad policy framework and a long-term strategy to manage development, protect the environment, delivery infrastructure and promote sustainable communities within Chichester District, excluding the area within the South Downs National Park and covers the period until 2029.	Neighbourhood plans will need to be consistent with the Local Plan and the National Planning Policy Framework. Parishes will be expected to ensure that its Neighbourhood Plan satisfies at least the required number of homes assigned in the Local Plan, as a minimum (policy 5).	<a href="http://www.chichester.gov.uk/CHttpHandler.ashx?id=24759&amp;p=0">http://www.chichester.gov.uk/CHttpHandler.ashx?id=24759&amp;p=0</a>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Brent Geese Strategy 2010	The Strategy relates to internationally important Brent Goose and wading bird populations within and around the SPAS of the Solent Coast. The strategy sets out how the feeding and roosting sites supporting the Solent's designated water and Brent Geese populations are functionally important for the integrity of the designated sites.	<p>The neighbourhood plan will need to recognise the importance of wading bird and Brent Goose sites outside of the designated areas.</p> <p>Proposals which could affect important wading bird and Brent Goose sites outside of the statutory designated areas need to demonstrate level of impact, alone and in combination. Where a negative impact upon an important wading bird or Brent Goose site cannot be mitigated, and the tests of the Habitats Regulations are met as necessary, appropriate compensatory measures will be sought.</p>	<a href="https://solentwbgs.files.wordpress.com/2017/02/solent-waders-and-brent-geese-strategy.pdf">https://solentwbgs.files.wordpress.com/2017/02/solent-waders-and-brent-geese-strategy.pdf</a>
	Bird Aware Strategy: Solent Recreation Mitigation Strategy 2017	The Strategy aims to prevent the disturbance of over-wintering birds within the three Special Protection Areas in the Solent (including Chichester Harbour) through a series of measures which encourage visitors to enjoy their visits in a responsible manner.	The measures are funded by 'developer contributions' for new homes built within 5.6km of the SPAs. Some developments may require additional mitigation due to their size or proximity to a SPA.	<a href="http://www.birdaware.org/CHttpHandler.ashx?id=29372&amp;p=0">http://www.birdaware.org/CHttpHandler.ashx?id=29372&amp;p=0</a>

Figure 2: Plans, Programmes or Policies

	Plan, Programme or Policy	Environmental Issues	Implications for the Neighbourhood Plan	Source
	Pagham Harbour Recreational Disturbance Joint Strategy	<p>The aim of the strategy is to set out the proposed joint scheme of mitigation at Pagham Harbour to ensure that development, with the increases in population, does not have a negative impact on the bird population of the SPA at Pagham Harbour.</p> <p>The mitigation measures will be funded by developer contributions for development that occurs within 3.5km of the boundary of Pagham Harbour SPA within Chichester Local Plan area.</p>	For all new dwellings within 3.5km of the boundary of the Pagham Harbour SPA, developers will need to contribute to the mitigation scheme.	<a href="http://chichester.moderngov.co.uk/documents/s9052/Recreational%20Disturbance%20at%20Pagham%20Harbour%20-%20Revision%20to%20the%20Joint%20Approach%20to%20Mitigation%20with%20Arun%20.pdf">http://chichester.moderngov.co.uk/documents/s9052/Recreational%20Disturbance%20at%20Pagham%20Harbour%20-%20Revision%20to%20the%20Joint%20Approach%20to%20Mitigation%20with%20Arun%20.pdf</a>
	Sussex Bat Special Area of Conservation: Planning and Landscape Scale Enhancement Protocol (DRAFT)	The aim of the protocol is ensure that the bat populations associated with The Mens, Ebernoe Common and Singleton and Cocking Tunnels Special Areas of Conservation (SAC) thrive and development around these SACs avoids impacts on them.	Neighbourhood plans will not only need to consider the SACs but also the habitat outside the SACs but which are functionally linked to the SACs. Proposals within 6.5km of the SACs will need all impacts assessed. Proposals within 12km of the SACs will need significant impacts or severance to flightlines to be considered.	<a href="https://www.southdowns.gov.uk/wp-content/uploads/2018/04/TLL-15-Draft-Sussex-Bat-SAC-Protocol.pdf">https://www.southdowns.gov.uk/wp-content/uploads/2018/04/TLL-15-Draft-Sussex-Bat-SAC-Protocol.pdf</a>

### 3.3 Baseline Information and Key Environmental Issues

3.3.1 The SEA Regulations require that the environmental baseline considers the following:

- Biodiversity, fauna and flora
- Population and human health
- Water and soil
- Air
- Climate Factors
- Cultural heritage and landscape

3.3.2 However only those issues where significant effects are likely, need to be included in Environmental Report at Stage D of the SEA process. Due to the fact that the need for SEA of the Selsey Neighbourhood Plan is triggered solely by biodiversity issues and the other environmental issues listed above were considered in detail under the Sustainability Assessment of the Adopted Local Plan, the following issues have been scoped out on the basis that significant effects are unlikely:

- Population and human health
- Water and soil
- Air
- Climate Factors
- Cultural heritage and landscape

3.3.3 However since Selsey Neighbourhood Plan has been determined to require an assessment under the Habitats Directive, this automatically triggers the mandatory requirement for Strategic Environmental Assessment. Therefore it is clear that the impact of the plan on the European sites will need consideration.

3.3.4 The European Sites within the Chichester Local Plan Area and those sites which are linked to development within the Local Plan boundary were considered for inclusion in the scope of the SEA process. However for the following sites the Neighbourhood plan area is too far from the European site and there is no potential mechanism of impact:

- Ebenoe Common SAC
- The Mens SAC
- Kingley Vale SAC
- Singleton and Cocking Tunnels SAC
- Duncton to Bignor Escarpment SAC
- Arun Valley SAC / SPA / Ramsar site

3.3.5 However those European sites which will need to be included in the scope are listed below with baseline information and key environmental issues for the site.



### 3.4 Chichester and Langstone Harbours SPA and Ramsar site

Chichester and Langstone Harbours Special Protection Area	
Qualifying Criteria	Qualifying Features
<p>Under Article 4.1 of the Birds Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p>Under Article 4.2 of the Directive by supporting populations of European importance of the following migratory species:</p>	<p>During the breeding season:</p> <ul style="list-style-type: none"> <li>• Common Tern <i>Sterna hirunda</i>: 0.3% of the breeding population in Great Britain (5-year mean, 1992 – 1996)</li> <li>• Sandwich Tern <i>Sterna sandvicensis</i>: 0.2% of the breeding population in Great Britain (5-year mean, 1993-1997); and</li> <li>• Little Tern <i>Sternula albifrons</i>: 4.2% of the breeding population in Great Britain (5-year mean, 1992-1996).</li> </ul> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Bar-tailed Godwit <i>Limosa lapponica</i>: 3.2% of the wintering population in Great Britain (5-year peak mean 1991/92-1995/96).</li> </ul> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Pintail <i>Anas acuta</i>: 1.2% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Shoveler <i>Anas clypeata</i>: 1% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Teal <i>Anas crecca</i>: 0.5% of the population (5-year peak mean 1991/92-1995/96);</li> <li>• Wigeon <i>Anas penelope</i>: 0.7% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Turnstone <i>Arenaria interpres</i>: 0.7% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Dark-bellied Brent Goose <i>Branta bernicla bernicla</i>: 5.7% of the population (5-year peak mean 1991/92-1995/96);</li> <li>• Sanderling <i>Calidris alba</i>: 0.2% of the population (5-year peak mean 1991/92-1995/96);</li> <li>• Dunlin <i>Calidris alpina alpina</i>: 3.2% of the population (5-year peak mean 1991/92-1995/96);</li> <li>• Ringed Plover <i>Charadrius hiaticula</i>: 3% of the population in Great Britain (5-year peak mean 1991/92- 1995/96);</li> <li>• Red-breasted Merganser <i>Mergus serrator</i>: 3% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Curlew <i>Numenius arquata</i>: 1.6% of the population in Great Britain (5-year peak mean 1991/92-1995/96);</li> <li>• Grey Plover <i>Pluvialis squatarola</i>: 2.3% of the population (5-year peak mean 1991/92-1995/96);</li> <li>• Shelduck <i>Tadorna tadorna</i>: 3.3% of the population in Great Britain (5-year peak mean 1991/92-1995/96); and</li> <li>• Redshank <i>Tringa totanus</i>: 1% of the population (5-year peak mean 1991/92-1995/96).</li> </ul> <p>Under Article 4.2 of the Directive by supporting an internationally important assemblage of birds. Over winter, the area regularly supports 93,230 individual waterfowl (5-year peak mean 01/04/1998) including: Wigeon, Bar-tailed Godwit, Dark-bellied Brent Goose, Ringed Plover, Grey Plover, Dunlin, Redshank, Shelduck, Curlew, Teal, Pintail, Shoveler, Red-breasted</p>

	Merganser, Sanderling and Turnstone.
<b>Conservation Objectives</b>	<p>With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
<b>Chichester and Langstone Harbours Ramsar site</b>	
<b>Ramsar Criterion</b>	<b>Qualifying Features</b>
1 – A wetland should be considered internationally important if contains a representative, rare, or unique example of a natural or near-natural wetland type found within the appropriate biogeographic region.	Two large estuarine basins linked by the channel divide Hayling Island from the main Hampshire coastline. The site includes intertidal mudflats, saltmarsh, sand and shingle spits and sand dunes.
5 – A wetland should be considered internationally important if it regularly support assemblages of water	76,480 waterfowl (5-year mean 1998/99-2002/03)
6 – A wetland should be considered internationally important if it regularly supports 1% of the individuals in a population of one species or subspecies of	<p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> <li>• Ringed plover <i>Charadrius hiaticula</i>: 853 individuals, representing an average of 1.1% of the population (5-year peak mean 1998/99–2002/03)</li> <li>• Black-tailed godwit <i>Limosa limosa islandica</i>: 906 individuals, representing an average of 2.5% of the population (5-year peak mean 1998/99–2002/03).</li> </ul>

waterbird.	<ul style="list-style-type: none"> <li>• Common redshank <i>Tringa totanus totanus</i>: 2577 individuals, representing an average of 1% of the population (5-year peak mean 1998/99–2002/03)</li> </ul> <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>• Dark-bellied Brent goose <i>Branta bernicla bernicla</i>: 12,987 individuals, representing an average of 6% of the populations (5-year peak mean 1998/99–2002/03).</li> <li>• Common shelduck <i>Tadorna tadorna</i>: 1,468 individuals, representing an average of 1.8% of the GB population (5-year peak mean 1998/99–2002/03). Grey plover <i>Pluvialis squatarola</i>: 3,043 individuals, representing an average of 1.2% of the population (5-year peak mean 1998/99–2002/03).</li> <li>• Dunlin <i>Calidris alpina alpina</i>: 33,436 individuals, representing an average of 2.5% of the population (5-year peak mean 1998/99–2002/03).</li> </ul> <p>Species regularly supported during the breeding season:</p> <ul style="list-style-type: none"> <li>• Little tern <i>Sternula albifrons albifrons</i>: 130 apparently occupied nests, representing an average of 1.1% of the breeding populations (Seabird 2000 census)</li> </ul>
<b>Medmerry Nature Reserve</b>	
<b>Medmerry Compensatory Habitat</b>	Identified Compensatory Habitat – under paragraph 176 of the National Planning Policy Framework (2019), such compensatory habitat must be treated as a European designated site. Although Medmerry doesn't currently have specific official conservation objectives or designated interest features, it is assumed that the interest features will be similar to that of Chichester and Langstone Harbour SPA and Solent Maritime SAC.
<b>Solent Maritime SAC</b>	
<b>Qualifying Criteria</b>	<b>Qualifying Features</b>
Habitats Directive Annex 1 habitats	<ul style="list-style-type: none"> <li>• Estuaries</li> <li>• Cord-grass (<i>Spartina</i>) swards (<i>Spartinion maritimae</i>);</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>);</li> <li>• Subtidal sandbanks (sandbanks which are slightly covered by seawater all the time);</li> <li>• Intertidal mudflats and sandflats (mudflats and sandflats not covered by seawater at low tide);</li> <li>• Lagoons (coastal lagoons) Annual vegetation of drift lines;</li> <li>• Coastal shingle vegetation (perennial vegetation of stony banks);</li> <li>• Glasswort (<i>Salicornia</i>) and other annuals colonising mud and sand; and</li> <li>• Shifting dunes with marram (shifting dunes along the shoreline with <i>Ammophila arenaria</i> 'whitedunes').</li> </ul>

Habitats Directive Annex II species	<ul style="list-style-type: none"> <li>• Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>)</li> </ul>
Compensatory Objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and</li> <li>• The distribution of qualifying species within the site.</li> </ul>
<p><u>Site Condition</u></p> <p>Natural England condition assessment of Chichester Harbour SSSI indicates 22% of the site was in favourable conditions, with the remaining 78% recovering from unfavourable statuses.</p> <p>Natural England assessment of Langstone Harbour SSSI indicates 9% of the site is in favourable condition, with the remaining 91% recovering from an unfavourable status.</p>	
<p><u>Key Environmental Issues at the Site</u></p> <ol style="list-style-type: none"> <li>1. Urbanisation – development within 400m of the SPA/Ramsar site, could affect the European sites through urbanisation effects;</li> <li>2. Recreational Pressure - Solent Disturbance and Mitigation Project identified that survival rates for curlew and a variety for other bird species were predicted to decrease under an increase in visitor rates due to disturbance of the birds while feeding. The Solent Recreation Mitigation Strategy sets out the joint measures to mitigate the impact of recreational disturbance on the SPA with the increase in visitor numbers predicted with increased development. This included identifying a 5.6km zone of influence around European sites and that mitigation for recreational pressure impacts would need to be associated with all new housing within this zone.</li> <li>3. Reduced Water Quality – Development within the southern part of the Local Plan area is served by Waste Water Treatment Works which discharge into Chichester Harbour. The main relevant WwTW are Apuldrum (Chichester) WwTW, Bosham WwTW and Thornham WwTW. The Water Quality Assessment for the Local Plan Review identified that the potential increased nitrates from development could contribute to an in combination adverse effects on the European sites.</li> <li>4. Loss of Functionally Linked Supporting Habitat for Birds – although the SPA and Ramsar site are notified partly for their over-wintering populations of Brent geese and wading bird species, studies have identified that many feeding and roosting sites fall outside of the designated site boundaries. The majority of Brent Goose feeding sites are amenity/recreation grasslands with little intrinsic nature conservation interest, and therefore are vulnerable to loss or damage from development. There are several parishes that support functionally linked habitat for over-wintering populations of Brent geese and</li> </ol>	

wading bird species as follows: East Wittering; Fishbourne; Chidham and Hambrook; and Southbourne.

### 3.5 Pagham Harbour SPA and Ramsar site

Pagham Harbour SPA	
Qualifying Criteria	Qualifying Features
<p>Under Article 4.1 of the Birds Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p>Under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:</p>	<p>During the breeding season:</p> <ul style="list-style-type: none"> <li>• Common Tern <i>Sterna hirundo</i>: 0.5% of the breeding population in Great Britain (1996); and</li> <li>• Little Tern <i>Sternula albifrons</i>: 0.3% of the breeding population in Great Britain (5-year mean, 1992-1996).</li> </ul> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Ruff <i>Philomachus pugnax</i>: 1.4% of the population in Great Britain (5-year peak mean 1995 – 1999)</li> </ul> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Dark-bellied Brent Goose <i>Branta bernicla bernicla</i>: 0.6% of the population (5-year peak mean 1991/2 – 1995/6)</li> </ul>
Conservation Objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
Pagham Harbour Ramsar Site	
Ramsar Criterion	Qualifying Criteria
6 – A wetland should be considered internationally important if it regularly supports 1% of the	<p>Dark-bellied Brent goose <i>Branta bernicla bernicla</i>: 2512 individuals, representing an average of 1.1% of the populations (5-year peak mean 1998/99 – 2002-03)</p> <p>Black-tailed godwit <i>Limosa limosa islandica</i>: 377 individuals, representing an average of 1% of the population (5-year peak</p>

individuals in a population of one species or subspecies of waterbird.	mean 1998/99 – 2002/03)
<p><b>Site Condition</b>  The Natural England conditions assessment of Pagham Harbour SSSI indicated that 93% of the site was in favourable condition.</p> <p>Studies by the Environment Agency indicate that existing sewage discharges are not having a significant adverse effect on the integrity of the Pagham Harbour SPA/Ramsar site.</p>	
<p><b>Key Environmental Issues at the Site</b></p> <ol style="list-style-type: none"> <li>1. Recreational Pressure – research by Footprint Ecology indicated that approximately 53% of winter visitors and 76% of summer visitors to the western parts of Pagham Harbour come from within the District (Selsey, Chichester City, Sidlesham, Lodsworth, Bosham, Mundham, Hunston, Emsworth/Southbourne and Midhurst). Three settlements (Selsey, Chichester and Sidlesham) make the greatest contribution to visitors to Pagham Harbour, accounting for 48% of all winter visitors and 66% of all summer visitors. Selsey is responsible for the majority of visitors. 96% of visitors with dogs (who are likely to have the greatest potential disturbance effect on SPA birds) live south of Chichester, emphasising the local catchment of the site. The core recreational catchment on the Chichester side of the harbour has been identified as 3.5km and net increases in residential development within that zone will be required to provide mitigation for the SPA/Ramsar site. Large amounts of new development at Selsey (in particular); Chichester City or Sidlesham would potentially have the greatest effect on visitor pressure within Pagham Harbour.</li> <li>2. Loss of Functionally Linked Supporting Habitat for Birds – Pagham Harbour is partially notified for its breeding population of Common and Little tern species and over-wintering populations of Brent geese and wading bird species including ruff. However, research has indicated that many feeding and roosting sites fall outside of the designated site boundaries and therefore proposals close to but not within the designated sites will need to consider the loss of functionally linked habitat (particularly at East Wittering and Selsey).</li> </ol>	

### 3.6 Solent and Dorset Coast potential Marine SPA (pSPA)

Solent and Dorset Coast potential SPA	
Qualifying Criteria	Qualifying Features
Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:	<p>During the breeding season:</p> <ul style="list-style-type: none"> <li>• Common Tern <i>Sterna hirundo</i></li> <li>• Little Tern <i>Sternula albifrons</i></li> <li>• Sandwich Tern <i>Sterna sandvicensis</i></li> </ul>

Conservation Objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
<p>Natural England sought views on the proposal to designate the marine sites as potential Special Protection Area. The consultation ended in January 2017 and more information has been sought by Minister before the make a decision on the classification of the site.</p>	
<p>The main environmental issue at the site is recreational disturbance.</p>	

## 4.0 Developing the Strategic Environmental Assessment Framework for Selsey Neighbourhood Plan

4.1 The SEA framework is the working heart of the SEA process and it is against the framework that options can be assessed to determine their impact on the environment. It is not essential that the SEA process uses sustainability objectives but they are widely used to ensure that the right level of consideration is achieved. The SEA objectives are a statement of what is intended or the outcome against which options are assessed. As indicated earlier it is only the impact on European sites where there is likely to be significant effects and therefore it is the following main objective against which the Selsey Neighbourhood Plan will need to be assessed:

***Will the proposals maintain or restore the integrity of the European sites?***

4.2 Considering the Environmental Issues identified during the collection of baseline information, the following assessment criteria have been developed to define the SEA framework for Selsey Neighbourhood Plan as follows:

Objective	Assessment Criteria Based on Environmental Issues	Indicators
1. The integrity of Chichester and Langstone Harbours SPA is maintained and restored.	<p>1a) Will the option reduce urbanisation effects on the SPA?</p> <p>1b) Will the option prevent increases in recreational pressure on the SPA?</p> <p>1c) Will the option improve water quality within Chichester Harbour?</p> <p>1d) Will the option prevent the loss of functionally linked habitat?</p>	<ul style="list-style-type: none"> <li>• Distance of proposal from the SPA (i.e. Greater than or less than 400m)</li> <li>• Is the proposal within 5.6km of Chichester and Langstone Harbours SPA?</li> <li>• The results of the Water Quality Assessment for the Local Plan Review</li> <li>• The results of the Solent Waders and Brent Goose Study 2010.</li> </ul>
2. The integrity of Pagham Harbour SPA is maintained and restored	<p>2a) Will the option prevent increases in recreational pressure on the SPA?</p> <p>2b) Will the option prevent the loss of functionally linked habitat?</p>	<ul style="list-style-type: none"> <li>• Is the proposal within 3.5km of the SPA?</li> <li>• The results of the Solent Waders and Brent Goose Study 2010.</li> </ul>
3. The integrity of the Solent and Dorset Coast potential	<p>3a) Will the option prevent increases in recreational pressure on the potential</p>	<ul style="list-style-type: none"> <li>• Distance from the potential SPA</li> </ul>



Objective	Assessment Criteria Based on Environmental Issues	Indicators
Marine SPA is maintained and restored	SPA?	

4.3 The proposals within the neighbourhood plan can be assessed against each of the assessment criteria above and based on the level of effect or impact as follows:

Assessment symbol	Explanation
++	Significant positive effects
+	Positive effects, benefits clearly outweigh any disadvantages.
0	Overall neutral, effects both positive and negative roughly balancing each other
-	Negative effect, disadvantages clearly outweighing benefits
--	Significant negative effects
N/a	<b>Either</b> no interaction between the policy option and assessment criteria, <b>or</b> the effect is not location specific

## 5.0 The Consultation Exercise

5.1 The draft SEA Scoping Report and SEA Framework for Selsey Neighbourhood Plan will be subject to a 5-week consultation exercise. Consultees are invited to comment on any aspect of the report and following the consultation, amendments will be made to the document and framework as appropriate. The lists of consultees are as follows:

- a) Statutory consultees:
  - Environment Agency
  - Natural England
  - Historic England
  
- b) Additional consultees:
  - Havant BC
  - East Hampshire DC
  - Arun DC
  - South Downs National Park Authority
  - Highways England
  - West Sussex County Council

## 6.0 The Next Steps

6.1 Following the consultation exercise the amended (as necessary) SEA Framework will be used to assess the objectives/policies within Selsey Neighbourhood Plan during Stage C of the SEA Process: Developing and refining alternatives and assessing effects.

