

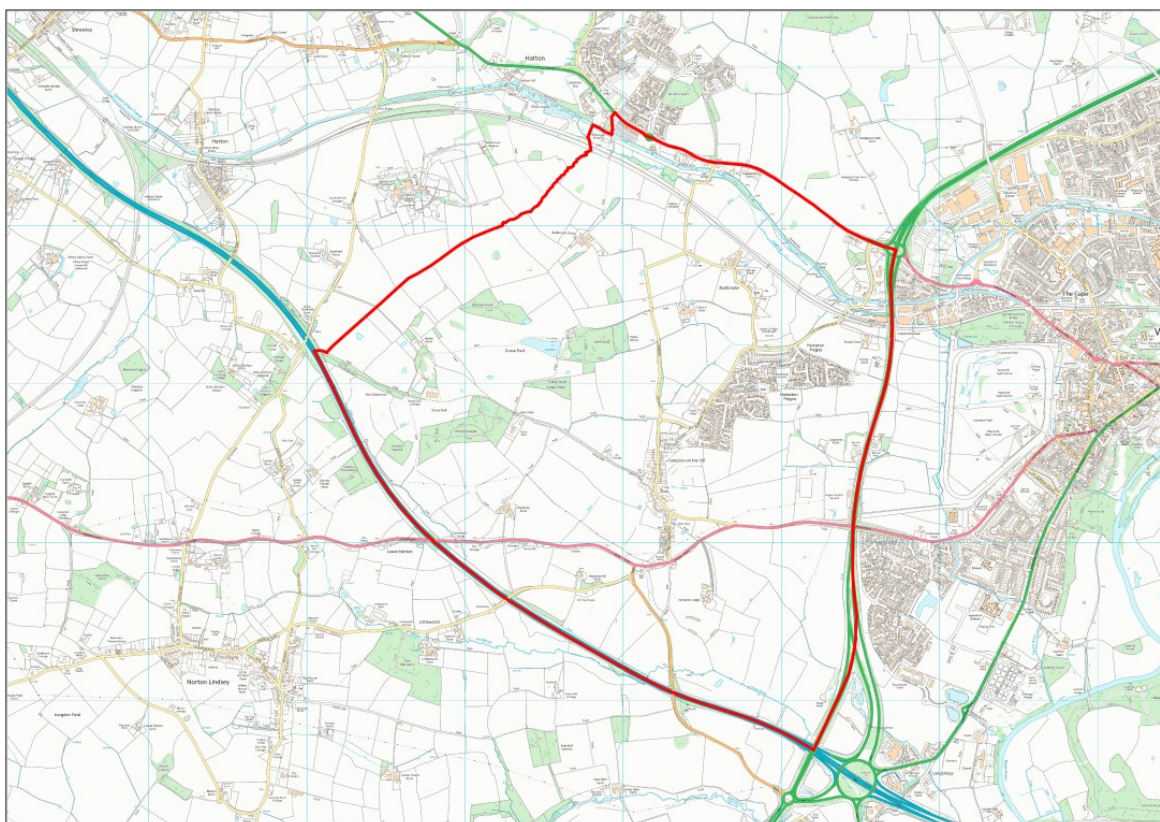
**Budbrooke Neighbourhood Plan**

**Strategic Environmental Assessment  
Screening Opinion**

**October 2015**

# **Budbrooke Neighbourhood Plan Strategic Environmental Assessment Screening Report**

## **Designation**



**Map 1 Budbrooke Designated Neighbourhood Area**

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# **Budbrooke Neighbourhood Plan Strategic Environmental Assessment Screening Report**

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# **Budbrooke Neighbourhood Plan Strategic Environmental Assessment Screening Report**

## **1. Introduction**

- 1.1 This screening report is designed to determine whether or not the content of the Budbrooke Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the Budbrooke Neighbourhood Plan is to provide locally derived and agreed guidance which will help inform planning decisions within the designated Neighbourhood Plan Area.
- 1.3 The legislative background set out below outlines the regulations that stipulate the need for this screening exercise. Section 3, provides a screening assessment of the Budbrooke Neighbourhood Plan which will be used to determine if there are likely to be any significant environmental effects and a requirement for a full SEA.

## **2. Legislative Background**

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 Sustainability appraisal of the type that is required for development plan documents is not required for neighbourhood development plans. This is because they are not 'Local Plans', or development plan documents as defined by the 2004 Planning Act. Neighbourhood development plans have their own designation: they are neighbourhood development plans produced by qualifying bodies under the Localism Act. Even when a neighbourhood development plan is made by a local authority following a successful referendum, and it becomes part of the development plan it does not change its designation into a development plan document (this does not mean it has any less status in terms of decision making though).
- 2.3 .Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example where:
- a neighbourhood plan allocates sites for development
  - the neighbourhood plan area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
  - the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan for the area.

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- 3.1 When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult English Heritage, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment) it should prepare a statement of its reasons for the determination.

### 3. Assessment

#### Neighbourhood Plan Screening Table/ Report

##### A: Summary of Plan

Details of Neighbourhood Plan	
<b>Name of Neighbourhood Plan</b>	Budbrooke Neighbourhood Plan 2014-2029
<b>Geographic Coverage of Plan</b>	<p>The parish of Budbrooke.</p> <p>The Parish is divided both geographically and historically into the following main areas</p> <ul style="list-style-type: none"> <li>• the ancient village of Budbrooke centred around St. Michael's Church,</li> <li>• Hampton-on-the-Hill, and</li> <li>• Hampton Magna</li> <li>• Surrounding rural areas</li> </ul>
<b>Key topics / scope of plan</b>	<p>The vision of Budbrooke Neighbourhood Plan is <i>"A Parish that retains its quiet rural charm, maintains the individual character of the settlements within it and grows in a way that is in keeping with the design of the surrounding area and reflects the needs of its residents."</i></p> <p>The Plan has the following objectives:</p> <p><b>Community Facilities and Infrastructure</b></p> <ol style="list-style-type: none"> <li>1. To protect and enhance community facilities</li> </ol> <p><b>Housing</b></p> <ol style="list-style-type: none"> <li>2. To ensure that the new housing allocation in Hampton Magna (H27) is designed to integrate with the existing community, and does not have any detrimental effect on the existing village.</li> <li>3. To ensure that new housing in Hampton-on-the-Hill is in keeping with the character and nature of the village.</li> <li>4. To ensure that new housing across the Parish is provided of a size, type and tenure to accommodate the identified needs of the community.</li> </ol> <p><b>Design, Natural and Built Environment</b></p> <ol style="list-style-type: none"> <li>5. To protect and preserve the size, form and character of the villages.</li> <li>6. To protect open and green spaces.</li> <li>7. To protect the local landscape and the setting of the villages.</li> </ol> <p><b>Traffic and Highways</b></p> <ol style="list-style-type: none"> <li>8. To reduce traffic problems and improve highway and pedestrian safety</li> </ol>

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	<p>9. To ensure that Hampton Magna has the appropriate transport improvements to support future projected growth in the village.</p> <p><b>Employment</b></p> <p>10. To support home working and small businesses appropriate to the rural area.</p>
<b>Key issues</b>	<p>Key issues that the plan is seeking to address include:-</p> <ul style="list-style-type: none"> <li>• The need to retain and improve valued local community facilities, open spaces and recreational areas</li> <li>• The need to accommodate new housing within the parish in a way that ensure high quality development that integrates within existing communities</li> <li>• The need to address local housing needs</li> <li>• The need to protect the character and nature of villages and landscape</li> <li>• The need to address congestion</li> <li>• The need to improve choice in relating to sustainable transport modes</li> <li>• The need to retain and encourage local employment</li> </ul>
<b>Date Screening opinion requested</b>	1 <sup>st</sup> October 2015
<b>Person requesting screening opinion</b>	Michael Wellock, Managing Director, Kirkwells

### B: Local Authority Details

<b>Local Authority Details</b>	Warwick District Council
Name and Job Title of officer producing Screening Opinion	Dave Barber (Planning Policy Manager)
Date of Assessment	9 <sup>th</sup> October 2015
Conclusion of assessment: Is an SEA required? Y / N	<b>No</b>
Reason for conclusion	<p>The characteristics of the Budbrooke NDP and their likelihood for causing significant effects on the environment have been assessed. It is considered that</p> <ul style="list-style-type: none"> <li>• The scale and location of housing development allocations proposed in the Budbrooke Neighbourhood Development Plan replicate those that have already been set out and subject to the SA of the emerging Local Plan (Warwick District Local Plan – Publication Draft April 2014). Given</li> </ul>

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	<p>this, and the scope of other environmental matters/ policies within the neighbourhood plan (also subject to consideration in the Local Plan), it is considered unlikely that there will be any significant environmental effects arising from the Budbrooke Neighbourhood Plan that were not given detailed consideration in the Sustainability Appraisal of the Warwick District Local Plan – Publication Draft April 2014.</p> <ul style="list-style-type: none"> <li>• The plan sets a framework for the consideration of a range of matters at the local level (see document attached) that due to their size, nature and location will not cause rise to significant environmental effects.</li> <li>• It is considered unlikely that the housing allocations / considerations set out within the Budbrooke NDP will have such an influence on other plans and programmes so as to prejudice their sustainability/ cause significant environmental effects.</li> <li>• The Budbrooke NDP makes provisions for a sustainable amount of new development in its area and ensures that any matters pertaining to the natural and historic environment are carefully managed / considered in future decisions.</li> <li>• Whilst identifying perceived local problems (such as traffic, community facilities and landscape ), it is not considered that the proposed response to these matters will cause any significant harm to the environment.</li> <li>• It is not considered that the scale of development proposed and issues to be addressed by the plan will have any transboundary environmental effects of a significant nature.</li> <li>• There are no sensitive sites such as SSSI'S in the Parish</li> </ul> <p>It is the opinion of this screening opinion report that <b>the Budbrooke Neighbourhood Plan does not require a full SEA</b> to be undertaken.</p>
Name and Job Title of officer approving Screening Opinion	Tracy Darke – Head of Development Services
Date of approval	8 <sup>th</sup> October 2015

### C: Summary of Consultation

Internal Consultation	
Officer (name and job title)	Summary of Comments
NONE UNDERTAKEN	

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External Consultation	
Officer (name and job title)	Summary of Comments
Natural England	
Historic England	
Environment Agency	
?????	

### D: Assessment

Stage	Y / N	Reason
1. Is the plan or programme subject to preparation / adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	This is a Neighbourhood Plan that is being prepared by a qualifying body (Budbrooke Parish Council) under the Localism Act 2011. Once independently assessed and subjected to a referendum, it will need to be formally “made” by the Local Planning Authority to be brought into force. At this stage it will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The neighbourhood plan is not a mandatory requirement; it is being prepared voluntarily at the discretion / choice of the local qualifying body (The Parish Council) in line with the provisions of the Localism Act.
3. Is the PP 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? (Art 3.2(a))	N	The plan is prepared for land use. Proposed use: Annex I- Not applicable (as no significant effects identified) Annex II- See sections 4 and 8 (below)  The Plan will inform the determination of planning applications (a form of development consent)
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats	N	In view of Budbrooke NP’s minimal environmental effects, and general conformity with the Local Plan the HRA screening report (May 2013) prepared for



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Directive? (Art. 3.2 (b))		the Warwick District Council Local Plan - Publication Draft) is considered relevant. Therefore Budbrooke NP does not require an assessment under Article 6 or 7 of the Habitats Directive.
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Neighbourhood Plan includes new sites for Housing, however, the allocations set out are in conformity with those included in the Warwick District Local Plan – Publication Draft April 2013.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When adopted, the Neighbourhood Plan will be statutory planning documents. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.
7. Is the PP's sole purpose to serve the 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? (Art 3.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The Neighbourhood Plan must be prepared in conformity with the Local Plan. The development of the Local Plan is subject to a detailed SA which is considered compliant with European Directive 2001/42/EC the Strategic Environmental Assessment Directive. A Habitats Regulation Assessment (HRA) of the Local Plan has also been produced and reported on separately that is also considered relevant in the assessment of the environmental effects of the Budbrooke Neighbourhood Development Plan. It is unlikely that the Budbrooke NDP will have a significant effect on important Habitat / Biodiversity assets.

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**4 Screening Outcome**

- 4.1 As a result of the screening assessment in section 3, it is considered unlikely there will be any significant environmental effects arising from the Budbrooke Neighbourhood Plan that were not covered/ addressed in the Sustainability Appraisal of the Local Plan. As such, **it is considered that the Budbrooke Neighbourhood Development Plan does not require a full SEA to be undertaken.**