

Neighbourhood Planning
Guidance Note 9a

Strategic Environmental Assessment

April 2013 - Revised June 2015



A Strategic Environmental Assessment may help to ensure that sustainable development is integral to your plan's production and embedded into your community's future. This guidance note highlights what a Strategic Environmental Assessment is and when one will be required.

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Introduction

A Strategic Environmental Assessment (SEA) of your Neighbourhood Development Plan **may be required** if:

- A Habitat Regulations Assessment is required
- Any development in Schedule II of the EIA Regulations is included

Herefordshire Council and yourselves as the parish council have joint responsibility for ensuring that your Neighbourhood Development Plan is compliant with the Strategic Environmental Assessment Regulations. Therefore, the Neighbourhood Planning team will assist you by undertaking an initial SEA Screening of your Neighbourhood Development Plan (see section 'How will I know if our Neighbourhood Development Plan requires a SEA?') This is to establish if a full SEA of your plan is necessary.

This guidance note is designed to highlight each of the stages of the process in undertaking the SEA, if your plan requires one.

What is a SEA?

The main objective of a SEA is *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development”*. (The Environmental Assessment of Plans and Programmes Regulations (2004).

The process of carrying out an SEA on your Neighbourhood Development Plan will form part of the evidence base for your plan and it can be an important tool in your plan making process.

The assessment is looking at the positive and negative environmental issues that your plan might have on your local environmental assets.

There are four main themes.

- social progress which recognises the needs of everyone;
- effective protection of the environment;

- prudent use of natural resources
- maintenance of high and stable levels of economic growth and employment

The nine individual aspects you need to be considering are:

- **Nature conservation** - if there are any impacts on any local wildlife sites, Sites of Special Scientific Interest and any European Sites.
- **Landscape** – what impact will your plan have on the landscape character of the local area? Landscape appraisals are available on the website to assist you.
- **Heritage** – what impact will your plan have on local heritage? Consider historic growth patterns and any listed or locally important buildings. If they are important to your local community you could possibly safeguard these through appropriate policies in your plan.
- **Air and climate** – how will your plan affect air quality and climate change? Will it improve or exacerbate existing problems? Consider how people will travel, both within and out of the Neighbourhood Area. Do you have enough footpaths, cycleways, safe bicycle parking or connection to public transport services?
- **Water** – will water quality or quantity be adversely affected or improved by your plan? When considering new developments, schemes such as sustainable drainage systems could help existing developments in the area. These systems can assist in improving flooding and water quality issues for existing and new developments. Flood alleviation schemes and storage of water for irrigation can help the regeneration of rivers/streams
- **Soil** – do you have any erosion concerns; high quality agricultural land? When considering potential allocation sites, consideration should be given to safeguarding the best and most versatile land to ensure its efficient use.
- **Human population** - what are the demographics of your area? The needs for an aging population and young families will have different impacts on your area. Do you have access to facilities in your community?

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- **Human health** - do you have good access to health facilities; Are you able to exercise easily e.g. use public footpaths?
- **'Material assets'** - which include a wide range of social, environmental and economic assets including: transport, waste and minerals, water, energy, industry, housing, schools, public buildings, shops, post office, library.

Not all of these will be relevant for all Neighbourhood Development Plans, but if you decide not to cover one of these topics the environmental statement will need to outline why it was not appropriate.

How will I know if our Neighbourhood Development Plan requires a SEA?

This will be done in a number of stages:

1. The initial screening will identify any physical environmental features which are within or in the vicinity of your neighbourhood area. These are referred to in the legislation as 'receptors'. This initial assessment will be done by the Neighbourhood Planning team at the same time as the Habitat Regulation Assessment (HRA) initial screening.

If these initial screenings identify the need for a full HRA then an SEA will also be required (see guidance note 9)

Your support officer will send copies of these initial screening reports to you at the appropriate opportunity.

Even if the initial HRA screening indicates that an SEA is not necessary at that stage other opportunities to conduct an SEA can arise at the following points in the NDP process.

2. As your draft vision, objectives, options and policies emerge, the Neighbourhood Planning team will assist you identify if any of these early proposals would trigger the need for a full SEA. This would be due to their potential adverse impacts upon any of the identified environmental features.

3. As your plan develops, reviews and reassessments will be needed to establish if any emerging proposals:

- Fall within 'schedule II developments in the Environmental Impact Assessment Regulations' or;
- Cause adverse impacts on any of the identified environmental features (receptors).

This will be done by checking your plan against the screening criteria:

- Size of development;
- The use of natural resources, such as energy and water;
- The production of waste;
- Pollution and nuisances, such as noise;
- Location of the development in relation to other uses and areas of nature conservation.

4. Prior to the finalising of your draft Neighbourhood Development Plan, checks should be done to determine if your plan is in general conformity with the Local Plan - Core Strategy.

Any differences will be adjudged on:

- Environmental impacts through the SEA process;
- The impacts the plan will have on other policies;
- The overall development strategy for the county, detailed in the Local Plan - Core Strategy;
- The local evidence provided

Although it is considered that most Neighbourhood Development Plans are unlikely to include proposals which could trigger a full SEA, the process detailed above will determine whether your plan does require one and also help with evidence to show that you have met the 'basic conditions' (See guidance note 35).

For the purpose of the SEA Regulations, consultation will be required with the relevant bodies prior to your Draft Plan Stage (Regulation 14). This will confirm whether a SEA of your plan

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is required and give the reasons why. The outcome of this consultation will need to be publicised on the Herefordshire Council website.

If it is identified that the plan will need an SEA, then there are a number of options for undertaking the work.

- The Parish council can undertake the SEA;
- Neighbourhood Planning team can assist you to undertake the SEA in partnership;
- Environmental Planning specialists could be commissioned by the parish council to undertake the work on your behalf.

If the parish decide to undertake the SEA, then a number of templates are available on request to assist with each stage (These templates are copyrighted to Herefordshire Council and are only to be used by a parish council working independently).

What are the different stages of the SEA?

The SEA process consists of different stages, which include:

- Stage A – Scoping Stage

This stage is carried out at the same time as you are gathering local information to identify issues and develop a vision and objectives for your Neighbourhood Development Plan. It sets out the SEA context and objectives, establishes the local baseline information and decide on the environmental scope of the SEA for your Neighbourhood Development Plan.

- Stage B – Developing objectives, options, policies and sites

This stage is carried out as you develop and refine your Neighbourhood Development Plan's objectives, options, policies, sites and assess their effects. It will typically take place once you have completed a first draft of your plan.

- Stage C – Environmental Report

In accordance with Regulation 14 of the Neighbourhood Planning Regulations an Environmental Report will need to be prepared to

accompany your draft Neighbourhood Plan.

- Stage D – Consultation Stage

Following the formal consultation on your draft Neighbourhood Development Plan and Environmental Report some changes may need to be made.

- Stage E – Monitoring Stage

To monitor the significant effects of implementing the Neighbourhood Development Plan.

Herefordshire Council will be responsible for monitoring the strategic elements of your adopted plan, such as housing numbers, employment land and retail provision. However, where the plan has very local specific policies, the monitoring of these is required to be done by the parish council undertaking the Neighbourhood Development Plan in accordance with the SEA Regulations.

This process will enable you to see whether your adopted plan policies are working and whether they are achieving the main plan objectives for the future. This review of plan policy implementation provides the opportunity to decide if your Neighbourhood Development Plan requires a review. This will ensure the protection of the environment, as the SEA Regulations intend. Monitoring is usually done on an annual basis, but this is dependent on the indicator that you are monitoring. Further advice can be obtained from the Neighbourhood Planning team.

Further Resources

The European Strategic Environmental Directive (SEA) [2001/42/EC] (The SEA Directive) available at: <http://ec.europa.eu/environment/eia/sea-legalcontext.htm>

The Environmental Plans and Programmes Regulations 2004 available at: <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

Planning Advisory Service/Department for Communities and Local Government (DCLG), A Practice Guide to SEA available at: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

Practical Guide to Environmental Assessment (2005) available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

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Appendix 1 SEA glossary

The following terms are often used in relation to SEA. You may therefore find these explanations of terms useful when carrying out your environmental assessment.

Air Quality Management Area (AQMA):	An area where national air quality objectives are unlikely to be met. Each area then requires a Local Air Quality Action Plan to be drawn up. Two such areas exist in the county, in Hereford and Leominster.
Annual Exceedance Probability (AEP):	A term used in flood risk assessment. Expressed as a percentage it provides an indication of the relative probability of a flood occurring expressed in terms of the likely severity. A flood or rainfall event with a 1 in 100 (1%) chance of being exceeded in any year has an Annual Exceedance Probability (AEP) of 1/100 or 1%. The smaller the % the greater the flood.
Baseline:	A description of the present and future state of an area, in the absence of any plan or programme, taking into account changes resulting from natural events and from other human activities.
Biodiversity:	Encompassing the diversity of all living things. Biodiversity describes the variety of all different organisms, but also relies on diversity of all the habitats in which they live, and healthy numbers of each species, subspecies and races etc., in order to maintain the viability of every organism's gene pool.
Carbon Emission:	Carbon Emissions are caused whenever fuels containing carbon are burnt. These fuels include petrochemicals, coal, gas, wood and other biomass. However wood and biomass are considered carbon neutral as they are only releasing carbon that is already in the biosphere.
Carbon Footprint:	A term used to describe the amount of carbon an activity releases into the atmosphere, usually expressed as a weight, such as Kilogrammes or tonnes
Catchment:	The area of land from which a particular river draws its water from.
Catchment Flood Hazard Index:	A single index intended to help identify which catchments may be subject to higher than average surface water flooding, flash flooding and climate change.
Consultation body (Statutory Environmental Body):	An organisation which must be consulted in accordance with the SEA Regulations. These are for England, Natural England; Historic England; and the Environment Agency.
Cumulative effect:	Cumulative effects can be defined as incremental effects of an action when added to other past, present and reasonably foreseeable future actions. These effects can result from individually minor but collectively significant actions taking place over a period of time.
DEFRA:	Dept for Environment Food and Rural Affairs.
Ecosystem:	A system that is formed by the interactions between the community of organisms that live within it. They can be as small as a raindrop or as big as an ocean and can contain numerous habitats within them.
Environmental Assessment:	A tool for integrating environmental considerations into decision-making by ensuring that significant environmental effects of the decision are taken into account. In the SEA Directive, an environmental assessment means "the preparation of an environmental report, the carrying out of consultations, the taking into account of the environmental report and the results of the consultations in the decision making and the provision of information on the decision", in accordance with the Directive's requirements.

Environmental Report:	Document required by the SEA Directive as part of an environmental assessment, which identifies, describes and evaluates the likely significant effects on the environment of implementing a plan or programme.
Exception Test (flooding):	This is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Proposed development must show that it will provide wider sustainability benefits to the community that outweigh the flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.
Flood Timing & Evacuation Index:	An index that uses the catchment hydrograph time to peak rankings. The higher the rank, the shorter the flood peak timing of the catchment; hence there is a greater possibility of flash flooding, reduced flood warning time, and/or capacity of emergency services to respond to an emergency.
Flora and Fauna:	Term used to describe all botanical organisms (Flora) and all animal life (Fauna). The phrase is often now replaced by Biodiversity.
Fluvial Flood:	Flooding that is caused by a river, or rivers, being unable to contain the quantity of water draining into them.
Fluvial Flood Risk Index:	A key index useful for current flood risk and used in the Sequential Test. It summarises the number of properties known to be at risk of flooding within a particular sub-catchment in a 1% AEP event.
Greenhouse Gas:	A gas that contributes towards the greenhouse effect and therefore drives climate change. Carbon Dioxide, Methane, Nitrous Oxide and Flourinated gases are considered the most significant.
Habitat:	A place that provides a particular home to species, sharing similar characteristics and different to the surrounding area. They can be very small (under a rotting log) or large (a meadow or woodland). See also Ecosystem.
Habitat Action Plans:	Within the Local Biodiversity Action Plans exist separate Action Plans for each of the Habitats that are mentioned. It details what actions each habitat requires in order to protect and promote its continued survival.
Indictors:	A feature that when measured and monitored over time provides an indication of the overall health of something bigger. Eg the status of 19 UK bird species are used as an indicator of the general quality of UK farmland.
Indirect effect/ impact:	Any aspect of a plan or programme that may cause an indirect (or secondary) effect.
Landscape Character Assessment (LCA):	The process of identifying and describing variation in the character of the landscape. It documents and explains the unique combination of elements and features, as well perceptions and experience that make landscapes distinctive. In Herefordshire there are approximately 23 different Landscape Character types (including Urban).
Local Nature Reserve (LNR):	A designation of a site that is usually managed by local agencies such as a Council, Wildlife Trust or partnerships. See also National Nature Reserve.
Local Biodiversity Action Plan (LBAP):	Complementing the National Biodiversity Action Plan the LBAP is a plan that identifies the habitats and species within the county that are in particular need of protection in order to conserve and enhance the biodiversity of that locality. In Herefordshire the LBAP contains 16 Habitat Action Plans and 14 Species Action Plans.

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Local Transport Plan (LTP):	The council's strategy for supporting economic growth, social inclusion and reducing the environmental impacts of transport. It also details the programme of investment for the period April 2013 to April 2016.
Mitigation:	Measures to avoid, reduce or programme that may cause an indirect (or secondary) effect.
Monitoring:	A continuing assessment of conditions at and surrounding the action. This determines if effects occur as predicted or if operations remain within acceptable limits, and if mitigation measures are as effective as predicted.
National Nature Reserve (NNR):	A designation of a site that is particularly important for biodiversity or geodiversity. These are usually managed by Natural England or via a partnership of local agencies and approved bodies. See also Local Nature Reserve.
Objective:	A statement of what is intended, specifying the desired direction of change in trends.
Parks and Gardens:	A type of Amenity Green Space specifically designed for public access and enjoyment and combining a variety of landscape and horticultural elements. This may contain buildings, sports and play facilities within them. (See Guidance Note 24 Recreational Areas).
Phosphates:	A type of chemical pollutant found in watercourses. They typically arise from either agricultural run-off or domestic sewerage.
RA1 and RA2 Policies:	The reference number for two of the Place Shaping Policies within the Herefordshire Core Strategy that are concerned with rural housing provision. RA1 relates to housing in rural areas and the provision of 5,300 extra homes across the county. RA2 relates to housing within villages to maintain and strengthen sustainable communities across the county.
Receptor:	People, living organisms and ecological systems (habitats, water courses etc) which may be harmed.
Regionally Important Geological and Geomorphological Site (RIGS):	A non-statutory local designation of the most important sites for geology and geomorphology outside the statutorily protected SSSI's in the UK.
Responsible authority:	In relation to a plan or programme, means, the authority by which or on whose behalf it is prepared.
Residual effects:	Effects that remain after mitigation has been applied.
Scoping:	The process of deciding the scope and level of detail of an SEA, including the environmental effects and alternatives which need to be considered, the assessment methods to be used, and the structure and contents of the Environmental Report.
Screening:	The process of deciding whether a plan or programme requires SEA.
SEA Directive:	Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.
SEA Regulations:	The Environmental Assessment of Plans and Programmes Regulations, 2004 (July 2004).
Secondary effect:	Effects that are not a direct result of an action, but occur away from the original effect or as a result of a complex pathway.

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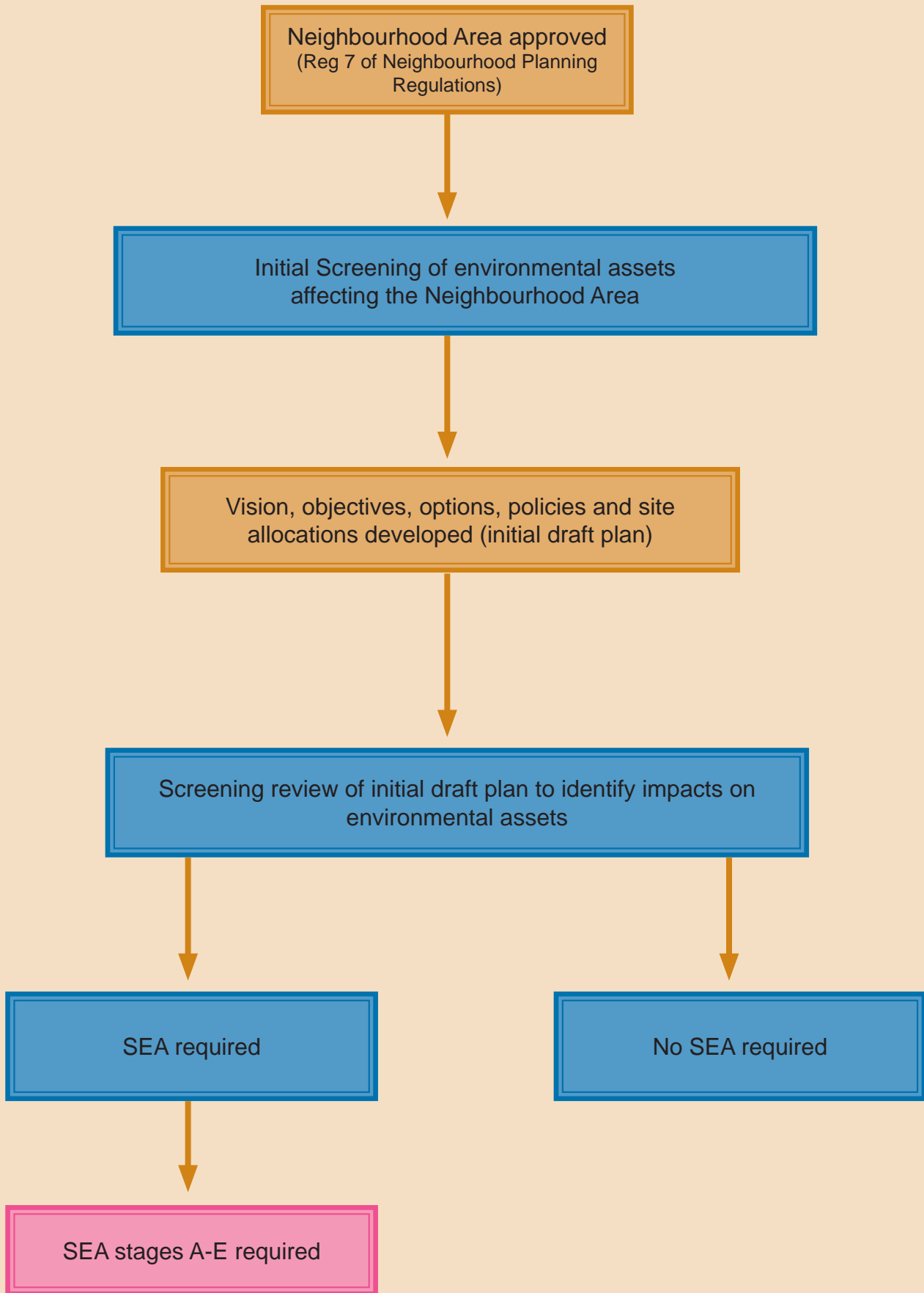
Semi Natural Green Space:	Type of green space that is typically within urban environments that existed before the developments surrounding it, or has colonised abandoned or disturbed sites, or has been made deliberately (such as a reclamation of an industrial area) (See Guidance Note 24 Recreational Areas).
Sequential Test (flooding):	This test is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding wherever possible. See also Exception Test.
Short-term effects:	Are typical of those that may occur during construction stage of a development, for example, the increased traffic going to and from the site during, say, a six month construction period.
Significant effect:	Effects which are significant in the context of the strategy or plan. (See SEA Directive Annex II: Criteria for determining the likely significance of effects).
Site of Importance for Nature Conservation (SINC):	One of the lowest designations used in conservation. They are identified by the Council, in consultation with the Wildlife Trust, on urban (Hereford City) sites that may have more local or community significance (rather than the scientific importance of other designations). They are a material consideration when planning applications are concerned. See also Special Wildlife Sites. SINC and SWS are essentially the same but given different names by different authorities before local government reorganisation.
Site of Special Scientific Interest (SSSI):	SSSIs are the county's very best wildlife and geological sites. They include some of the rarest and most vulnerable species and some of the most spectacular and beautiful habitats. Nationally they range in size from many thousands of hectares down to a few square metres. Owners of the land are legally required to manage it according to requirements laid down by Natural England.
SSSI Condition:	There are six categories that describe the condition of any SSSI; Favourable, Unfavourable (recovering), Unfavourable (no change), unfavourable (declining), part destroyed, destroyed.
Special Area of Conservation (SAC):	A strictly protected site designated under the EC Habitats Directive that forms part of a network of important high-quality sites that will make a significant contribution to conserving the 189 habitats and 788 species that are most in need of conservation at a European level.
Special Wildlife Site (SWS):	Special Wildlife Sites are one of the lowest designations used in conservation. They are identified by the Council, in consultation with the Wildlife Trust, on rural sites that may have more local or community significance (rather than the scientific importance of other designations). They are a material consideration when planning applications are concerned. (see also SINC. SINC and SWS are essentially the same but given different names by different authorities before local government reorganisation).
Species Action Plans:	Within the Local Biodiversity Action Plans exist separate Action Plans for each of the species that are mentioned. It details what actions each species require in order to protect and promote their continued survival.
Stakeholder:	Any person who has, or perceive that they have, a stake in the plan and/or SEA process or its outcomes. Includes statutory bodies, academics, individual members of the public and representatives of organisations/groups whether from the public, private, voluntary or community sectors.


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Standard Percentage Runoff:	A critical catchment measurement with regard to flood generation. The lower the SPR value the lower the response to rainfall. This will be because the ground is more permeable and takes longer to reach saturation point.
Statutory Environmental Body:	Synonymous with Consultation Body.
Strategic Environmental Assessment (SEA):	Generic term used internationally to describe environmental assessment as applied to policies, plans and programmes.
Strategic Flood Risk Assessment (SFRA):	An important planning document that helps to assess the level of flood risk across the county to avoid inappropriate development in areas at risk of flooding.
Sustainability Appraisal (SA):	Generic term used in this guidance to describe the form of assessment that considers environmental, social and economic effects, whilst also incorporating the requirements of the SEA Directive.
Synergistic effect:	Effects that interact to produce a total effect greater (or less than) than the sum of the individual effects.
Target:	Desired level of an attribute. May be based on (estimate of) an environmental carrying capacity or on a human need or want.
Time to Peak (Tp(t)):	In Flood Risk assessment this measurement determines how quickly the catchment responds to (be effected by) a rainfall event and enables like for like comparisons across catchments. This helps to determine the best place for development etc. The shorter the time to peak the relatively higher the level of flood hazard.
Water Framework Directive:	Emanating from the European Parliament this introduces an integrated approach to the protection, improvement and sustainable use of water resources, in order to reduce pollution, and reduce the effects of droughts and floods
Water Resource Zone (WRZ):	The fundamental planning unit when assessing the spatial impact of development demands upon water supply. Each water company divides up its infrastructure and operations into WRZs. All customers in a WRZ will therefore experience the same level of service and be subject to the same level of risk of supply failure.


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Appendix 2: Process for undertaking SEA Screening of Neighbourhood Development Plans

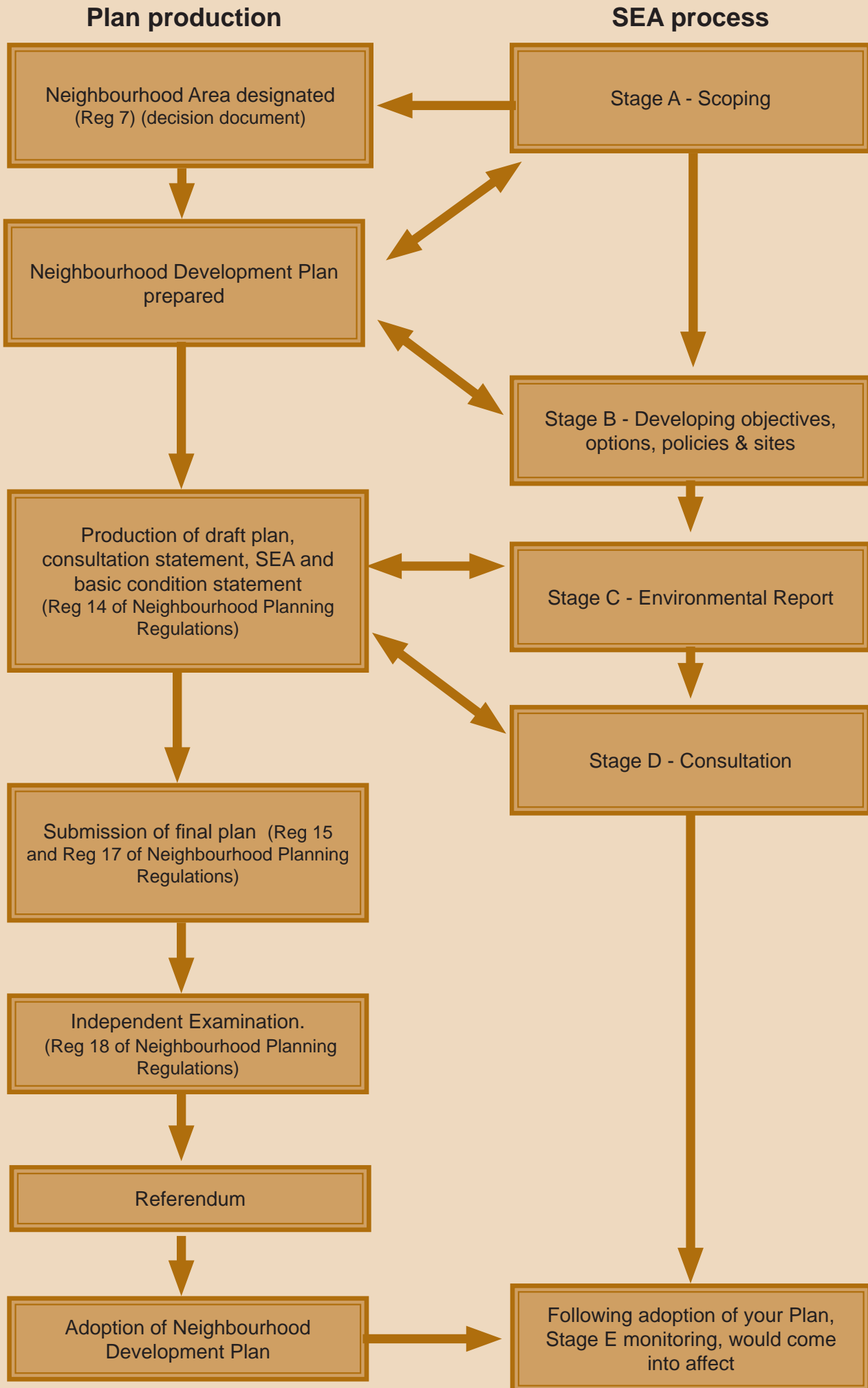


 SEA Screening Process
(Neighbourhood Planning team)

 Plan making process
(parish council)

 Both parish council and
Neighbourhood Planning
team

Appendix 3: SEA process alongside plan making process



Neighbourhood Planning guidance notes available:

Deciding to produce a Neighbourhood Development Plan

1. Which is the right tool for your parish
2. What is a Neighbourhood Development Plan
3. Getting started
4. A guide to procedures
5. Funding

Plan Production

6. Developing a Vision and Objectives
7. Generating options
8. Writing planning policies
9. Environmental Assessment
10. Evidence base and information requirements
11. Implementation and Monitoring
12. Best practice community engagement techniques
13. Statutory consultees
14. Writing a consultation statement
15. Planning and other legislation
16. Web enabling your plan
17. Using OS based mapping
18. Glossary of planning terms

Topics

19. Sustainable Water Management in Herefordshire
20. Guide to settlement boundaries
21. Guide to site assessment and choosing allocation sites
22. Meeting your housing requirements
23. Conservation issues
24. Recreational areas
25. Renewable energy
26. Transport issues
27. Community Infrastructure Levy

Additional Guidance

28. Setting up a steering group
29. Creating a questionnaire
30. Community facilities
31. Conformity with the Local Plan (Core Strategy)
32. Examinations of Neighbourhood Development Plans
33. Guide to Neighbourhood Development Plan Referendums
34. Tourism
35. Basic Conditions
36. Your plan - Contributing to sustainable development