

Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report of the Hermitage Neighbourhood Development Plan

1. Introduction

- 1.1. This document sets out whether or not the contents of the Hermitage Neighbourhood Development Plan (NDP) require a Strategic Environmental Assessment (SEA).
- 1.2. The purpose of the Hermitage NDP is to provide planning policies to guide development in the designated Hermitage Neighbourhood Area.
- 1.3. SEA is required for all plans which may have a significant effect on the environment. A SEA aims to protect the environment at a high level, and ensures the environment is considered during the preparation and adoption of plans. This promotes sustainable development.
- 1.4. Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan, and see if a significant effect is likely.
- 1.5. This document also assesses whether a Habitats Regulation Assessment (HRA) to consider potential impacts on sites of European importance for Nature Conservation is necessary. The HRA screening is set out on page 10-11.
- 1.6. The legislative background set out below outlines the regulations that require the need for this screening exercise. A screening assessment of the likely significant environmental effects of the Hermitage NDP and the need for a full SEA has been undertaken.

2. Legislative background

- 2.1. European Directive 2001/42/EC, transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004¹ (or SEA Regulations), requires a SEA to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The Regulations require that this is determined by a screening process, which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in a SEA Screening Statement which must be publically available.
- 2.2. In accordance with Regulation 9 of the Regulations, Hermitage Parish Council (as the qualifying body) asked West Berkshire District Council (WBDC) as the responsible authority, to screen the emerging Hermitage NDP to determine whether an environmental report is required due to significant environmental effects. In making this determination, WBDC have had regard to Schedule 1 of the Regulations.
- 2.3. In line with the advice contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the Plan's potential scope has been assessed against the criteria set out in Schedule 1 of the 2004 Environmental Assessment Regulations.

¹ The Environmental Assessment of Plans and Programmes Regulations 2004:
<https://www.legislation.gov.uk/uksi/2004/1633/contents/made>.

- 2.4. SEA can be required in some limited situations where a sustainability appraisal is not needed. Neighbourhood planning is one of these situations. Sustainability Appraisals (SAs) may incorporate the requirements of the Strategic Environmental Assessment Regulations, which implement the requirements of the 'Strategic Environmental Assessment Directive' on the assessment of the effects of certain plans and programmes on the environment.
- 2.5. A Sustainability Appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues and it is good practice to do one to understand how a plan is to deliver sustainable development. However, NPPF Planning Practice Guidance states that there is no legal requirement for a neighbourhood plan to undertake a Sustainability Appraisal as set out in Section 19 of the Planning and Compulsory Purchase Act 2004. It is down to the qualifying body to demonstrate whether the plan is likely to have significant environmental effects. This is the purpose of the SEA Screening Report.

3. The emerging Hermitage NDP

- 3.1. West Berkshire District Council (WBDC) designated a Neighbourhood Area for the whole of Hermitage Parish in April 2019. The Parish and Plan boundaries are the same and that is shown in Figure 3.1.

Figure 3.1: Hermitage Designated Neighbourhood Area



© Crown copyright and database rights 2022. West Berkshire District Council 0100024151.

3.2. The NDP will sit alongside, and complement the West Berkshire Local Plan which covers the period 2006 to 2026. The Local Plan comprises of the West Berkshire Core Strategy (2006-2026) Development Plan Document² (adopted July 2012), the

² West Berkshire Core Strategy (2006-2026) Development Plan Document:
<https://info.westberks.gov.uk/corestrategy>.

Housing Site Allocations Development Plan Document (HSA DPD)³ (adopted May 2017), and the West Berkshire District Local Plan 1991-1996 (Saved Policies 2006) as amended in July 2012 and May 2017⁴.

- 3.3. WBDC is currently preparing a review of the Local Plan to cover the period up to 2039, and upon adoption it will replace the documents that form the existing Local Plan. An emerging draft of the Local Plan Review (LPR) was published for a Regulation 18 consultation in December 2020. The publication of the proposed submission version of the LPR is proposed for late 2022.
- 3.4. In the adopted Core Strategy, the village of Hermitage is identified as a Service Village within the district Settlement Hierarchy meaning that, along with the other Service Villages, it has a more limited range of services and some limited development potential.
- 3.5. As aforementioned, the Hermitage NDP will supplement policies within the West Berkshire Local Plan. The Core Strategy and HSA DPD were both subject to Sustainability Appraisal (SA) and SEA. The SA/SEA for the West Berkshire Core Strategy was produced in order to ensure that sustainability issues were considered throughout the preparation of the Core Strategy. The SA/SEA was an iterative process which identified the likely significant effects of the Core Strategy and the extent to which its implementation would achieve social, environmental and economic objectives.
- 3.6. The SA/SEA was published at key stages of the Core Strategy process and updated as necessary. Each of the stages was assessed against the 11 SA framework objectives and the 29 sub objectives to determine the predicted economic, environmental and social effects of the Core Strategy on the District. At each stage, the findings of the SA/SEA were used to inform the formulation of policies, thereby improving the sustainability of the Core Strategy in the process. The process of the SA/SEA means that the overall spatial strategy and the housing distribution strategy of the Core Strategy have been tested.
- 3.7. The SA/SEA for the HSA DPD considered reasonable alternatives for the scope of the HSA DPD, and for each of the sites and policies included within the DPD. The SA/SEA clearly demonstrates the progression of the preferred strategy from the regulation 18 stage through to the submission stage. The social, economic and environmental dimensions were therefore taken into account throughout the preparation of the DPD to ensure sustainable development.
- 3.8. In order to realise the vision for Hermitage and meet the objectives, the draft Hermitage NDP proposes 9 policies grouped under the following themes:

Housing

- Policy HER1: Addressing Hermitage’s Housing Needs

Design and views

- Policy HER2: Design
- Policy HER3: Countryside Views Between Properties

Sustainable design and environment

- Policy HER4: Low Energy and Energy Efficient Design
- Policy HER5: Wildlife-Friendly Development

³ Housing Site Allocations Development Plan Document (2006-2026): <https://info.westberks.gov.uk/hsa>.

⁴ West Berkshire District Local Plan 1991-2006 (Saved Policies 2007): <https://info.westberks.gov.uk/article/28783>.

- Policy HER6: Irreplaceable Habitats and Local Wildlife-Rich Habitats
- Policy HER7: Local Green Spaces

Heritage

- Policy HER8: Non-Designated Heritage Assets

Movement

- Policy HER9: Access for Walking and Cycling

3.9. No site allocations are proposed in the NDP.

3.10. Section 5 below provides a summary of the policies proposed in the draft Hermitage Neighbourhood Plan. It also considers the potential for environmental effects to occur as a result of these policies. It is based on the emerging draft (final Reg 14 Version v1 October 2022) of the NDP as at October 2022.

4. The SEA screening process

4.1. Producing the Hermitage NDP requires the Council to look at whether a SEA is required; this is known as the screening process. The screening is based on the criteria set out in Annex II of European Directive 2001/42/EC and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and considers the likely significant environmental effects as a result of the NDP.

5. SEA determination and reasons for determination

5.1. The Council has assessed the Hermitage NDP against the criteria set out within Annex II of European Directive 2001/42/EC and Schedule 1 of the Regulations (as summarised in Table 5.1).

Overview of the plan area

5.2. Hermitage is located north east of Newbury in the heart of the North Wessex Downs, AONB to the centre of West Berkshire district. The main settlement within the Parish is the village of Hermitage.

5.3. There are various constraints to development in Hermitage. The River Lambourn Special Area of Conservation Nutrient Neutrality Zone (NNZ) covers the western part of the parish, whilst the North Wessex Downs Area of Outstanding Natural Beauty washes over the whole parish.

5.4. Other constraints include a Scheduled Ancient Monument (Grimsbury Castle), several Grade II Listed Buildings, Local Wildlife Sites, and areas of ancient semi-natural woodland and ancient replanted woodland.

Screening analysis

Housing

5.5. No housing allocations are proposed in the NDP.

5.6. The draft NDP includes a policy (Policy HER1 Addressing Hermitage's Housing Needs) in relation to housing mix, dwelling size and type and the suitability of an alternative dwelling mix that is considerate of other development requirements.

- 5.7. It is unlikely that this policy will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in minor improvements in the local area.

Design and Views

- 5.8. A policy in the draft NDP (Policy HER2 Design) supports high quality design and layout which respects the local character of the Parish identified in the Hermitage Design Guidelines and Codes 2022 (or any successor document) and outlines principles and documents that should be considered as part of design proposals.
- 5.9. A policy in the draft NDP (Policy HER3 Countryside Views Between Properties) seeks to preserve the Parishes setting within the North Wessex Downs AONB by incorporating design in a manner which safeguards views of the surrounding countryside that occur between buildings for developments within or adjacent to the settlement boundary.
- 5.10. It is unlikely that this policy will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in minor improvements in the local area.

Movement

- 5.11. A policy in the draft NDP (Policy HER9 Access for Walking and Cycling) seeks to ensure access to the countryside is promoted through protection and maintenance of the existing Public Rights of Way (PROW) network and provision of bridleways, and the safety of users of rural roads and lanes where possible. The policy takes a restrictive approach to any development which leads to the loss or degradation of any PROW while it should provide clear and demonstrable benefits for the wider community. In addition the policy seeks to enhance PROWs by improving existing routes and improving connectivity through the creation of new routes and any proposals to develop the Eling Way for safe off-road access by walkers, cyclists and horse riders is encouraged.
- 5.12. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in minor improvements in the local area.

Heritage

- 5.13. There is a policy in the draft NDP (Policy HER8 Non-Designated Heritage Assets) which seeks to protect non-designated heritage assets and considers the loss or alteration of assets where they are structurally unsound, beyond feasible and viable repair, and efforts to sustain or find an alternative use/user has been investigated. The policy also considers the scale of any harm or loss and the significance of the heritage asset.

Sustainable Design and Environment

- 5.14. There is a policy in the draft NDP (Policy HER4 Low Energy Efficient Design) which seeks for all new development proposals to demonstrate how the design and site layouts minimise consumption of energy, water, minerals, materials and other natural resources in order to provide resilience to the effects of climate change and incorporate measures to adapt to climate change. This includes the orientation of new buildings to maximise resistance and resilience to climate change, the use of

trees and other planting, minimising surface water runoff to prevent off-site flooding through the design of a suitable sustainable drainage system (SuDS), and mitigation and resilience measures for any increase in flood risk that may occur due to climate change.

- 5.15. There are two policies in the draft NDP (Policy HER5 Wildlife-Friendly Development and Policy HER6: Irreplaceable Habitats and Local Wildlife-Rich Habitats) which seek to increase biodiversity gains through all new development proposals and to create or enhance green wildlife corridors, incorporate design features to encourage and ensure local wildlife thrives, to retain trees, shrubs and hedgerows of arboricultural, habitat and amenity value on-site and to conserve and enhance connectivity to the wider green infrastructure networks. New planting should consist of native tree species, shrubs and grasses acting as stepping stones for wildlife. In addition, the policies seek to protect the Parishes irreplaceable habitats of ancient woodland and veteran trees, and restore and improve the management of Local Wildlife Sites as necessary.
- 5.16. There is a policy in the draft NDP (Policy HER7 Local Green Spaces) which seeks to designate several Local Green Spaces and supports built development in these Spaces only in very special circumstances.
- 5.17. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in some improvements to the local environment.
- 5.18. The Council has assessed the Hermitage NDP against the criteria set out within Annex II of European Directive 2001/42/EC and Schedule 1 of the Regulations (as summarised in Table 5.1 below).

Table 5.1: Assessment of likely significant effects (screening)

Criterion (Schedule 1 of Regulations)	West Berkshire District Council's Response
<i>1. Characteristics of plans or programmes, having regard, in particular, to:</i>	
(a) The degree to which the plan or programme sets a (a) framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The NDP, if adopted, will become part of the development plan for the area. It will not set a framework for other plans or policies outside of the Hermitage NDP area (see Figure 3.1 on page 3 above). It will help inform decisions within the parish relating to development up to 2036.</p> <p>It sets out a local policy framework for development proposals. It supports the implementation of policies in the Local Plan which have been subject to SEA and assessed as having no significant effects.</p> <p>Overall there would be no significant effect.</p>
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The NDP does not influence other plans or programmes in the Local Plan; instead it supplements them. The NDP will form part of the Development Plan for the District and will only apply to the designated Neighbourhood Area, the parish of Hermitage. Neighbourhood Plans by their nature are locally driven</p>

Criterion (Schedule 1 of Regulations)	West Berkshire District Council's Response
	<p>and focused, providing detailed guidance to local development.</p> <p>Overall there would be no significant effect.</p>
<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>	<p>The plan seeks to promote sustainable development that can be considered to be in conformity with the NPPF. This is a 'basic condition'/requirement of the Neighbourhood Plan making process.</p> <p>The draft plan includes support for sustainable design and energy efficiency. It incorporates measures regarding climate change and minimising surface water runoff to prevent off-site flooding through SuDS.</p> <p>It also proposes net biodiversity gains, the creation, enhancement and restoration of green wildlife corridors and encourages improved access for walkers, cyclists and horse riders.</p> <p>The draft plan encourages the planting of native species, the improved management of Local Wildlife Sites and supports Local Green Spaces and seeks to protect non-designated heritage assets.</p> <p>Overall there would be no significant effect, and it is likely that the draft policies proposed will result in minor improvements to the local environment.</p>
<p>(d) Environmental problems relevant to the plan or programme</p>	<p>The draft Hermitage NDP seeks to minimise existing environmental problems in the area. The plan does not propose development that would give rise to environmental problems.</p> <p>Overall there would be no significant effect, and it is likely that the draft policies proposed will result in improvements to the local environment.</p>
<p>(e) The relevance of the plan or programme for the implementation of Community legislation on the environment (eg. plans and programmes linked to waste management or water protection)</p>	<p>Strategies relating to waste disposal or water protection, and other community legislation on the environment, are dealt with in higher tier plans which have already been tested in full. The NDP will not impact on Community legislation on the environment.</p> <p>Overall there would be no significant effect.</p>
<p>2. Characteristics of the effects and of the area likely to be affected [by the plan or programme], having regard, in particular, to:</p>	
<p>(a) The probability, duration, frequency and reversibility of the effects</p>	<p>The Hermitage NDP will provide a context and framework to guide future development within the Neighbourhood Area and will supplement adopted planning policy. It will guide development up to 2036.</p> <p>It includes policies that seek to protect and improve the environment, and to minimise the effects of</p>

Criterion (Schedule 1 of Regulations)	West Berkshire District Council's Response
	<p>development on its immediate surroundings and ensure development is delivered to high levels of sustainability.</p> <p>No significant effects are envisaged due to the scope and duration of the NDP.</p>
(b) The cumulative nature of the effects	<p>As above.</p> <p>No significant effects are envisaged.</p>
(c) The transboundary* nature of the effects <i>* Transboundary effects are understood to be in other Member States</i>	<p>Effects will be local with limited effects on neighbouring areas. No transboundary effects are expected.</p> <p>The NDP will supplement adopted policy and is not envisaged, in itself, to have a significant effect.</p>
(e) The risks to human health or the environment (eg. due to accidents)	<p>No risks to human health have been identified as a result of the proposed policies in the NDP. Policies relating to environmental nuisance, pollution control and noise pollution are included in higher tier planning documents.</p> <p>Overall there would be no significant effect.</p>
(f) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<p>The designated Neighbourhood Area is about 6.34 square kilometres in size, and covers 0.9% of West Berkshire District. At the last census in 2011, the population of Hermitage was 1,943.</p> <p>Neighbourhood Plans cover small geographical areas and their policies must be in general conformity with the strategic policies of the Local Plan. As such they contain non-strategic development plan policies to address specific local issues. (NPPF paragraph 29).</p> <p>The NDP will provide a context and framework to guide future sustainable development in the area. The majority of effects would be focused within Hermitage Parish.</p> <p>Overall there would be no significant effect.</p>
(g) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> • special natural characteristics or cultural heritage • exceeded environmental quality standards or limit values • intensive land-use <p>And</p>	<p>The built and natural environmental designations within or adjacent to the Neighbourhood Area, along with the proposed NDP policies to protect these are considered below.</p> <p>Hermitage Parish has the following:</p> <ul style="list-style-type: none"> • 2 Grade II Listed Buildings (The Dairy Wellhouse Farm Eling Hermitage and Barnaby Thatch Newbury Road); • There are 6 Local Wildlife Sites; • Tree Preservation Orders; • Areas of Ancient Semi-Natural Woodland and Ancient Replanted Woodland; • 1 Scheduled Monument (Grimsbury Castle);

Criterion (Schedule 1 of Regulations)	West Berkshire District Council's Response
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<ul style="list-style-type: none"> • River Lambourn SAC Nutrient Neutrality Zone partially falls within the Parish. <p>Within the NDP area there are no known:</p> <ul style="list-style-type: none"> • SACs; • SPAs; • SSSIs; • World or National Heritage Sites; • Registered Historic Parks and Gardens; • Regionally Important Geological and Geomorphological Sites or Local Geological Sites. <p>Within the NDP area there are no known:</p> <ul style="list-style-type: none"> • International conservation designations (or adjacent to it), outside of those listed above. <p>It is not considered that the NDP is likely to have any significant effects on local heritage assets or nature conservation interests and it is likely that the draft policies proposed will result in minor improvements to the local environment. As such, an SEA of the plan is not considered necessary.</p>

- 5.19. Based on these findings, the Council's initial conclusion is that a SEA of the Hermitage NDP is not necessary under the SEA Directive and Regulations because it has been demonstrated that there are unlikely to be significant environmental effects as a result of the NDP.

Habitat Regulation Assessment Screening Report

- 6.1. A Habitats Regulations Assessment (HRA) is required to determine if a neighbourhood plan would have a significant impact upon the integrity of nature conservation sites of international importance, ie. Ramsar sites, Special Areas of Conservation (SAC), and Special Protection Areas (SPA). The principal aim of this part of the document is to 'screen' the potential of the Hermitage NDP for its likely effect, either alone or in combination, on these sites.
- 6.2. This was a requirement under EC Habitats Directive 92/43/EEC⁵, and has been transposed into British law by Regulation 102 of the Conservation of Habitats and Species Regulations 2010⁶. The Directive states that any plan or project not connected or necessary to a sites management, but likely to have significant effects, shall be subject to Appropriate Assessment. An Appropriate Assessment determines the impact that plans and projects would have on internationally important nature conservation sites.
- 6.3. Within West Berkshire there are three SACs (River Lambourn, Kennet and Lambourn floodplain and Kennet Valley Alderwoods), and no Ramsar sites or SPAs. None of these sites fall within the Hermitage Neighbourhood Area.

⁵ EC Habitats Directive 92/43/EEC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992L0043:20070101:EN:PDF>

⁶ Conservation of Habitats and Species Regulations 2010: http://www.legislation.gov.uk/uksi/2010/490/pdfs/ukxi_20100490_en.pdf

- 6.4. An Appropriate Assessment of all Core Strategy policies has been undertaken to ensure that either alone or in combination with other plans and projects, the policies do not adversely affect any of the SACs or the buffer area for the Thames Basin Heath SPA.
- 6.5. In addition, a HRA screening was undertaken on the HSA DPD and this concluded that an Appropriate Assessment was not required because the allocations and policies would not result in impacts and effects divergent to those assessed in the Core Strategy. The screening also concluded that there would be no negative effects on nature conservation sites of international importance.
- 6.6. The Neighbourhood Area is not in any close proximity to the SPAs or the Thames Basin Heaths SPA buffer area. The Hermitage NDP is therefore considered unlikely to have significant effects on nature conservation sites of international importance (alone or in combination with other plans or projects) and therefore, an Appropriate Assessment for the Hermitage NDP is not considered necessary.

SEA and HRA findings

- 7.1. Based on the findings in Sections A and B, WBDC's initial conclusion is that a SEA of the Hermitage NDP is not required under the SEA Directive and Regulations because it has been demonstrated that there will be no significant environmental effects as a result of the NDP.
- 7.2. It is also WBDC's initial conclusion that a HRA is not required because there are no internationally designated sites within or adjacent to the Neighbourhood Area.
- 7.3. Nonetheless, a final determination cannot be made until the three statutory bodies (Historic England, Environment Agency, and Natural England) have commented on this SEA Screening Report. This SEA Screening Report is now subject to such consultation for a five week period commencing on **Friday 21st October 2022** and running through **until 5pm on Friday 25th November 2022**. The responses received will then be analysed and this SEA/HRA Screening Report updated as appropriate.
- 7.4. Comments should be returned to:

Planning Policy
Development and Regulation
West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

or

Email: planningpolicy@westberks.gov.uk
Tel: 01635 519 111

- 7.5. In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, within 28 days of making its determination, the Council will publish a statement outlining whether a SEA is required or not, with reasoning provided if a SEA is not required.