

Mr Richard Hitchcock (Chairman)
Westbourne Parish Council

If calling please ask for: Andrew Frost
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Our ref:

Your ref:

25 October 2016

Dear Mr Hitchcock,

Westbourne Neighbourhood Development Plan

Strategic Environmental Assessment (SEA) Opinion Screening Determination under Regulation 9 and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

This letter addresses the issue of whether or not there is a need for environmental assessment of the further pre submission version of the Westbourne Neighbourhood Plan, and as such whether it meets one of the basic conditions that a neighbourhood plan must meet in order to proceed to referendum: that it does not breach, and is otherwise compatible with, EU obligations.

On the basis of the contents of the neighbourhood plan as now proposed, following amendments made as a result of the previous pre-submission consultation, and subsequent consultation with the relevant statutory agencies in accordance with Regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004, the following determination can be made.

The screening determination is that **an environmental assessment of the Westbourne Neighbourhood Plan is not required** due to there being no adverse comments from the Statutory Bodies and for the reasons set out in the Criteria and response of screening which are attached as part of this letter.

As such it is the opinion of Chichester District Council that the Westbourne Neighbourhood Plan is in accordance with the provisions of the European Directive 2001/42/EC as incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004.

This decision has been based on the information provided. If the contents of the Plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. any additional nature conservation or other environmental designations), then the comments contained in this decision would need to be reconsidered in order to take account of the changes.

Yours sincerely,

A handwritten signature in black ink that reads 'Andrew Frost'.

Andrew Frost
Head of Planning Services

Screening Report for the Westbourne Neighbourhood Plan
Criteria and response of screening

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Relevance in context of this screening report
The characteristics of plans and programmes	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The Westbourne Neighbourhood Plan (NP) would, if adopted, form part of the Statutory Development Plan and as such will establish the development management framework for Westbourne village and surrounding environs.</p> <p>The NP is prepared for town and country planning and land use and sets out a framework for future development in Westbourne parish. The nature of the NP includes housing, employment, community facilities, local green space, local gaps, and community balance.</p>
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The NP is the lowest tier in the planning hierarchy and must be in conformity with the National Planning Policy Framework, the strategic policies of the development plan and European Directives.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>Policy OA1 – Sustainable Development sets out a number of criteria that such development should meet. This includes: meeting the requirements of the development plan; the benefits should outweigh the harms; and being locally distinct in terms of design. In addition, proposals should not adversely impact local gaps, views and countryside as identified in the NP, local biodiversity, levels of activity, traffic, noise and disturbance, or designated or undesignated heritage assets and their setting.</p> <p>Policies SS1, SS2 and SS3 set out the details of three sites to allocate 28 dwellings.</p>
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this plan.
(e) the relevance of the plan or programme for the implementation of Community	This NP has no relevance to the implementation of Community legislation.

legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The NP is a land-use plan and sets the framework for future development consents within the Westbourne NP area.
Characteristics of the effects and of the area likely to be affected,	
(a) the probability, duration, frequency and reversibility of the effects;	The impact of the proposals for development in the Westbourne NP is not anticipated to produce any significant effects on Air Quality, Biodiversity, Flora, Fauna, Landscape, Material Assets, Cultural Heritage, Population, Health, Soils, Climate Change and Water in the Westbourne Parish.
(b) the cumulative nature of the effects;	The Proposals are in keeping with the objectives of the Chichester Local Plan: Key Policies 2014-2029. No cumulative effects are expected as a result.
(c) the transboundary nature of the effects;	The majority of the effects within Westbourne Parish will be localised, however due to the nationally important natural and historic assets, effects on these features may occur beyond the area of the Parish.
(d) the risks to human health or the environment (for example, due to accidents);	Westbourne does not currently have any AQMAs but there are three in Chichester City. The NP may increase traffic levels but not to an extent that is anticipated to cause significant effects on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	Westbourne is the largest settlement in the Parish. It is linked by the B2147 to Emsworth to meet with the wider road network to the west towards Portsmouth and east to Chichester and other villages along the A259. Due to minimal employment opportunities within Westbourne Parish, residents largely out commute. The indirect spatial extent of the plan may extend beyond the immediate area of the plan but are not anticipated to cause significant effects.
(f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	The main settlement of Westbourne is situated outside the South Downs National Park, as is the smaller area of Woodmancote. Land in the northern part of the parish, including Aldsworth, is located within the boundary of the National Park. Policy LD2 makes reference to the need to maintain and enhance the local character of

	<p>the landscape. Policy LD3 addresses issues concerning the historic environment and requiring development to preserve and where possible enhance the historic character and appearance of the Conservation Area; preserve or enhance the historic significance of designated and non-designated heritage assets and their setting; along with a requirement for archaeological investigation in areas of high archaeological potential.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The main settlement of Westbourne is situated outside the South Downs National Park, as is the smaller area of Woodmancote. Land in the northern part of the parish, including Aldsworth, is located within the boundary of the National Park. Policy LD2 makes reference to the need to maintain and enhance the local character of the landscape. Policy LD3 addresses issues concerning the historic environment and requiring development to preserve and where possible enhance the historic character and appearance of the Conservation Area; preserve or enhance the historic significance of designated and non-designated heritage assets and their setting; along with a requirement for archaeological investigation in areas of high archaeological potential.</p>

Comments received from South Downs National Park Authority

<p>South Downs National Park Authority</p>	
<p>SDNPA – reply – 26 September 2016</p>	<ul style="list-style-type: none"> • The scale of development covered by the plan (at least 25 houses over the plan period 2014–2029 excluding windfalls) is not likely to have a significant effect upon the environment, particularly as a number of these dwellings have already been granted permission at appeal; • The Neighbourhood Plan (NDP) proposed housing development for Westbourne is consistent with that allocated through the Chichester Local Plan that has already been subject to an SEA. It is not considered that a further SEA is required based upon the 3 locations identified for development. • Although the NDP will allocate sites to deliver a minimum of 28 dwellings, one site included in the NDP (Long Copse Lane) has already been granted permission. Therefore the remaining

	<p>allocation of 12 dwellings is not considered significant</p> <ul style="list-style-type: none">• The Environmental Assessment of Plans and Programmes Regulations 2004 Article 5.(6) states: “An environmental assessment need not be carried out—a. for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level;”• SDNPA does not envisage any significant effects upon existing Natura 2000 designations that would trigger an SEA under Article 3(2)(b) of the SEA Directive.
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**Westbourne Neighbourhood Plan
Summary of Statutory Consultations – Strategic Environmental Assessment (SEA)**

Statutory Consultee	Summary of Comments
Historic England	
Historic England (HE) – Reply 22 January 2016	<p>HE recognised that Westbourne parish has a conservation area and 60 listed building entries, including the grade I Church of St John the Baptist and the grade II* Westbourne House. It is, therefore, a sensitive historic environment.</p> <p>It noted the Plan allocates three sites for development, although Land at Long Copse Lane had been granted consent for development on appeal. Site 1, Land to the West of Monk’s Hill, is close to the grade II listed Monk’s Farmhouse, just to the north. However, if the site was developed for just six houses as shown, HE did not consider that it would be likely to have a significant effect on the historic significance of the farmhouse.</p> <p>Site 3, Land adjacent to Chantry Hall, is not far from the Conservation Area but note that the Conservation Area Character Appraisal does not identify the site as being important to the setting of the Area or in views to or from the Area. HE records show that the development of this site would not affect any other designated heritage assets.</p> <p>HE raised concerns in relation to the need for the NP to consider the potential for non-scheduled archaeological remains, and the Historic Environment Record (HER) and appropriate consultation with regard to the allocated sites should be undertaken. If such consultation determined that the development of these two sites would be unlikely to affect significant non-scheduled archaeological remains, or that if it did, the site(s) was (were) removed from the Plan or adequate safeguards were incorporated within the allocations policies, HE considered that the Westbourne Neighbourhood Plan would not be likely to have any significant effects on the historic environment, and that an SEA would not be required.</p> <p>Even if a formal SEA was not necessary, HE would suggest that the Plan is subject to a form of sustainability appraisal to assess potential site allocations against a set of agreed criteria and to assess and monitor the Plan’s policies and proposals against a set of agreed objectives.</p>
Historic England – Reply 10 February 2016	Further to the previous response HE replied noting CDC’s e-mail of 4 th February confirming that consultation with regard to the HER had now been undertaken as outlined. The consultation had led to the suggestion of some additions that the Neighbourhood Plan Steering Group is happy to incorporate.

	<p>With those additions HE is now satisfied that the historic environment of Westbourne has been adequately considered at this stage in the Neighbourhood Plan process, and that therefore there is no need for a formal Strategic Environmental Assessment.</p> <p>Previous comments in relation to sustainability appraisal as set out in HE's reply dated 22 January 2016 remain.</p>
Historic England – Reply 14 October 2016	<p>HE note that a number of amendments have been made to the Plan, the key ones of which were set out in the consultation letter. These do not appear to HE to be likely to lead to any significant environmental effects.</p> <p>Therefore, it is confirmed that HE's opinion remains that SEA of the Neighbourhood Plan is not necessary.</p>
Environment Agency	
Environment Agency – reply – 25 January 2016	<p>Based on the scale of development proposed through the Neighbourhood Plan, we consider the plan would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</p>
Environment Agency – reply – 30 September 2016	<p>EA has considered the key modifications that have been made since the EA last provided a response to the SEA screening opinion and do not feel that these changes alter the EA view. The scale of development proposed through the Neighbourhood Plan would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.</p> <p>However, please note that there are areas within Westbourne within Flood Zones 2 and 3. The EA would wish to see any proposed site allocations to be outside of these areas.</p>
Natural England	
Natural England – reply – 25 January 2016	<p>It may be argued that, although the development is relatively close to the National Park, its nature, scale and context are such that any effects are unlikely to be significant. On the matter of biodiversity the main issues are likely to be around coastal N2K designations. The Local Plan and its HRA may be enough to conclude that the proposals in the plan, either have been considered in sufficient detail and/or the adoption strategic mitigation, will allow the conclusion of no Likely Significant Effect.</p>
Natural England – reply – 13 October 2016	<p>NE confirms no additional concerns to add to previous comments.</p>

