

Your ref: |  
Our ref: 6.3a BuNP  
Please ask David Marlow  
for:  
Direct dial no: 01424 787635  
Date: 19th October 2018



Donna Moles Consultancy  
[moles.consultancy@gmail.com](mailto:moles.consultancy@gmail.com)  
By email |

**Dr Anthony Leonard**  
**Executive Director**  
  
Town Hall  
Bexhill-on-Sea  
East Sussex TN39 3JX

Dear Donna,

### **SEA Screening for the Burwash Neighbourhood Plan**

Further to your request for an SEA screening opinion I have now received the comments of the Statutory Environmental Bodies (SEB's) which are as stated below :

#### Natural England

*Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.*

#### **Screening Request: Strategic Environmental Assessment**

*From the documents submitted our advisor was under the impression that the developments within the Burwash neighbourhood plan had already been assessed as part of the overarching Rother development and site allocations (DaSA).*

*If this is not the case then because the allocations are within the High Weald AONB then an SEA would be required if the allocations could lead to significant environmental effects.*

#### **Neighbourhood Plan**

*Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:*

- *a neighbourhood plan allocates sites for development*
- *the neighbourhood 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.*

*We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.*

*We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan.*

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*It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected. Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.*

*Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.*

### Historic England

*Thank you for the screening consultation for Burwash. I note that Donna has indicated three sites that are being considered for delivering the 52 residential units that the plan aims to deliver. Is there a map available showing where these sites are, or any other sites that have been considered but rejected? It isn't clear from her descriptions whether any of these contain, are near to, or could potentially affect the settings of any heritage assets (designated or otherwise). The environmental report they have done is an impressive document. One of the first I have seen that includes review of the Historic Environment Record without prompting.*

### Environment Agency

*Thank you for sending over the documents for the draft Burwash NP. Whilst we do not routinely comment at the screening stage, I have had a look at the documents and constraints we consider the following matters would need to be considered. Flood risk, Water Framework Directive (surface and groundwater quality, water quality), Fisheries and Biodiversity and Contaminated land issues (looking at the potential risk to groundwater).*

*We would welcome an opportunity to comment on the scoping stage.*

### **Conclusion**

In the opinion of the Local Planning Authority, an SEA should be undertaken for the Burwash Neighbourhood Plan (BuNP). I have set out the reasoning below in relation to the criteria for determining the likely significance of effects, as contained in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004.

1. The BuNP will allocate sites and form part of the 'development plan' and thereby exert a direct and substantial influence over development proposals coming forward in the period.
2. As regards the characteristics of the area covered by the BuNP (as set out in Schedule 1(2) of the regulations), I note particularly that:
  - a) the area is wholly within the High Weald AONB, which enjoys the highest status of protection in relation to landscape and scenic beauty;
  - b) The historic core of Burwash is a Conservation Area, sitting astride a principal High Weald ridge;



- c) Aside from the Conservation Area designation, there is a rich historic legacy in many Listed Buildings, many of which fall within an Archaeological Notification Area.

Also, to clarify the process in relation to the 'scoping' stage, RDC has already produced a 'Sustainability Appraisal Scoping Report' that is considered applicable to the SEA process of Neighbourhood Plans produced within the District. It can be found on our web-site here: <http://www.rother.gov.uk/index.cfm?articleid=5006>

Particular reference should be made to the 'Sustainability Appraisal Framework' (Task A4) which contains decision-aiding questions to help inform the SEA process. As the Scoping Report states, this framework *'is also considered relevant and applicable to Neighbourhood Plans produced within the District'*. The scope of information to be included in the environmental report should address the SEA objectives set out below. The level of detail should reflect the geographical extent of the NP as far as practicable, drawing on the Council's own Scoping Report referred to above and baseline information already provided and any available from other sources to meet regulatory requirements.

In relation to the SEA process for the Burwash Neighbourhood Plan, it is considered that the following objectives from the Sustainability Appraisal Framework should be screened in for SEA purposes:

- 7: Improve accessibility to services and facilities for all ages across the District
- 9: Improve efficiency in land use and encourage the prudent use of natural resources
- 10: Reduce road congestion and pollution levels and ensure air quality continues to improve by increasing travel choice and reducing car usage
- 11: Reduce emissions of greenhouse gases
- 12: Minimise the risk of flooding and resulting detriment to people and property
- 13: Maintain, improve and manage water resources in a sustainable way
- 14: Conserve and enhance bio-diversity and geo-diversity
- 15: Protect and enhance the high quality natural and built environment

In addition, whilst these objectives are likely to be most relevant to this particular Neighbourhood Plan in terms of potential significant environmental effects, you may wish to also consider the other SA/SEA objectives in the Framework for the purposes of assessing the overall sustainability of proposed policies.

If there are any queries we would be happy to advise further and please accept our apologies in the delay in getting this response to you.

Yours sincerely,



David Marlow  
Planning Policy Manager |

