



Crowhurst Neighbourhood Development Plan 2018-2028: Strategic Environmental Assessment Adoption Statement

July 2019

1. Introduction

- 1.1. Rother District Council made the [Crowhurst Neighbourhood Plan](#) part of the Development Plan at Full Council on 8 July 2019 following a favourable outcome at Referendum.
- 1.2. This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 Regulation 16 (1)¹, which requires a statement to be produced on adoption of a plan or programme, to detail:
 - a) How environmental considerations have been integrated into the plan or programme;
 - b) How the environmental report has been taken into account;
 - c) How opinions expressed through public consultation have been taking into account;
 - d) The reasons for choosing this plan or programme as adopted, in light of the other reasonable alternatives dealt with; and
 - e) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

2. How environmental considerations have been integrated into the plan

- 2.1. The [Strategic Environmental Assessment Report \(SEA\)](#) for the Crowhurst Neighbourhood Plan sets out the baseline information about the Parish of Crowhurst as the Neighbourhood Plan Area. The Plan identifies the environmental issues affecting the plan area.
- 2.2. Additionally, the Crowhurst Neighbourhood Plan SEA has been informed though detailed [Evidence Base Documents](#) which identify key plans, policies, and guidance, which have influenced the content of the Neighbourhood Plan. The issues identified informed the setting of environmental objectives, which the objectives for the Crowhurst Neighbourhood Plan were assessed against. These objectives have helped ensure that the most sustainable location options were identified. The identification of environmental issues also helped shape the policy requirements for each site that is allocated or identified in the Crowhurst Neighbourhood Plan.

¹ <http://www.legislation.gov.uk/ukxi/2004/1633/regulation/16/made>

3. How the Environmental Report has been taken into account

- 3.1. The SEA has contributed to the development of the Crowhurst Neighbourhood Plan in that it provides a distinct assessment, specifically against environmental objectives, independent of the plan objectives, of the site options for possible allocation, and of the policies which make up the Plan itself.
- 3.2. In 2018, Crowhurst Parish Council prepared the SEA alongside the development of the Neighbourhood Plan. The SEA process began with a request for a Screening Opinion, which the Parish Council sent to Rother District Council. Upon receiving advice from the Statutory Consultees, Rother District Council confirmed on 24 January 2017 that the Neighbourhood Plan would need an SEA. The Parish Council prepared an SEA, which was consulted upon at both Regulation 14 and 16 stages of the Neighbourhood Planning Regulations². Statutory Environmental Bodies and other key consultees were invited to make representations.
- 3.3. The baseline for the SEA was also informed by the Sustainability Appraisal of Rother District Council's Core Strategy, with those environmental objectives of greatest relevance to the Neighbourhood Plan selected.
- 3.4. A screening opinion was issued by Rother DC who assessed whether Habitat Regulations Assessment (HRA) was required for the CNDP. The Screening considered possible impact on European sites, in particular potential air quality impacts on the Ashdown Forest SAC. Given the small scale of development at Crowhurst, and the distance of this SAC from the Parish (approximately 25km), the screening conclusion is that:

“on the basis of the housing numbers advised, any likely significant effects upon European sites as a consequence of the Crowhurst Neighbourhood Plan, even in combination with other relevant plans and projects, can reasonably be screened out.”
- 3.5. The CNDP was also screened out in the AECOM first stage HRA of the Rother DC Development and Site Allocation Plan (currently at examination), which also considered neighbourhood plans in development. The AECOM HRA report considered potential impact from the CNDP and concluded that it, and the development proposed in it, was not likely to have a significant effect on European sites (page 26 AECOM Sept18 Report).

² <http://www.legislation.gov.uk/ukxi/2012/637/regulation/14/made>

3.6. An SEA Environmental Report was submitted with the CNDP. A draft version of this report was consulted on at Reg14 alongside the draft CNDP, and amendments made in the light of comments received. A Strategic Environmental Assessment (SEA) was required for the Plan due to its potential impact on the High Weald AONB and the substantial number of natural and historic assets within the Parish. The SEA Report has considered options for policy issues such as the development boundary and site allocations and assessed the impact of the CNDP policies. It concludes that there are no likely significant effects on the environment as a result of the Plan (para 5.81). SEA and HA are the main environmental requirements in EU law and Directives that neighbourhood plans need to comply with, and it is considered that the CNDP has complied with the Basic Conditions with regard to being compatible with EU obligations.

4. How opinions expressed through public consultation have been addressed

- 4.1. Key Environmental Bodies: The Strategic Environmental Assessment Directive 2001 requires that authorities referred to in Article 6(3)³ shall be consulted when deciding upon the scope and the level of detail in the SEA. In England, the key bodies are: Environment Agency; Historic England; and Natural England. These bodies were all consulted by Rother District Council when screening/scoping the Neighbourhood Plan prior to Regulation 14. They were also consulted during respective public consultations throughout the Neighbourhood Plan process.
- 4.2. Public Participation: Article 6(2) of the Strategic Environmental Assessment Directive requires the public to have an early and effective opportunity within appropriate timeframes to express their opinion on the draft plan or programme, and the accompanying Environmental Report, before the adoption of the plan or programme or its submission to the legislative procedure.
- 4.3. The SEA was consulted upon alongside the Crowhurst Neighbourhood Plan for six weeks at the Neighbourhood Plan Regulation 14 stage (16 January to 28 February 2018), and for a further six weeks alongside the Neighbourhood Plan Regulation 16 Submission Consultation (7 December 2018 to 25 January 2019). Responses to comments made to the SEA are embraced within the Consultation Statement. Changes were made to the draft SEA as a consequence of consultation.

³ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

5. The reasons for choosing the plan or programme as ‘made’, in the light of other reasonable alternatives dealt with

- 5.1. Paragraph 12(2b) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires environmental reports to examine reasonable alternatives for the plan or programme while taking account of the objectives and the scope of the plan or programme. This statement is required to set out the reasons for choosing the plan or programme as ‘made’ in light of other reasonable alternatives.
- 5.2. At both stages of the neighbourhood planning process, policies were assessed against alternatives such as not having a Neighbourhood Plan or not allocating sites or allocating other sites.
- 5.3. In respect of the SEA the Examiner concluded that *“The Basic Conditions Statement evaluates in a table each policy’s impact on the social, economic and environmental goals of sustainable development and shows mostly positive or neutral impact. The SEA Report also concludes that the Plan will have a generally positive impact on sustainability. I accept that the Plan does contribute to sustainable development in line with the Basic Conditions and has demonstrated this well.”*
- 5.4. The final Crowhurst Neighbourhood Plan has been ‘made’ in line with the recommendations of the Examiner which stated as follows: *‘That subject to the modifications recommended the Plan meets the basic conditions and may proceed to referendum’*. She also recommended that the referendum area be Crowhurst Parish.

6. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme

- 6.1. The SEA process does not finish with the publication of the document. Under Regulation 17 of the Environmental Assessment of Plans and Programmes Regulation 2004⁴, the Crowhurst Neighbourhood Plan will be subject to on-going monitoring. This will be carried out by jointly Crowhurst Parish Council and Rother District Council. The latter will monitor the continuing suitability of the Neighbourhood Plan’s policies, including in terms of significant environmental effects, through its Local Plan Monitoring Report.

7. Further Information

- 7.1. The Crowhurst Neighbourhood Plan, the SEA and related documents can be viewed online at: <http://www.rother.gov.uk/Crowhurst-Neighbourhood-Plan>

⁴ <http://www.legislation.gov.uk/ukxi/2004/1633/regulation/17/made>