



*Basingstoke  
and Deane*



# Neighbourhood Planning Screening Report – St Mary Bourne

Strategic Environmental Impact  
Assessment  
and  
Habitats Regulations Assessment

**Basingstoke and Deane Borough Council**

**September 2015**

## Table of contents

1. Non-technical summary	3
2. Introduction	5
3. Generic screening assessment of Neighbourhood Plans	8
4. Description of the Neighbourhood Plan	12
5. SEA screening assessment	14
6. HRA screening assessment	19
7. Conclusions	22
Appendix 1 - Environmental constraints	23
Appendix 2 - Details of European sites within 10km of Basingstoke and Deane Borough Council	25
Appendix 3 - Maps of European sites within 10km of Basingstoke and Deane Borough	35
Appendix 4 – Responses from ‘Consultation Bodies’	40

## 1. Non-technical Summary

- 1.1 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which are likely to have a significant effect on the environment.
- 1.2 The purpose of SEA is to provide a high level of protection for the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.3 The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. For example, if a plan proposes a housing development it may have an impact on the wildlife of the area or have an impact on landscape. If a significant effect is possible, the assessment requires the consideration of alternative options and for the evaluation of the potential effects on the environment.
- 1.4 To ascertain if SEA is required, a “screening” exercise is undertaken which looks at the proposals and policies in a Neighbourhood Plan to see if a significant effect on the environment is likely. The criteria for making the screening assessment are set out in the relevant legislation.
- 1.5 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on what are termed ‘European sites’. In relation to the Basingstoke and Deane area the relevant European sites are a number of Special Protection Areas (SPA) and Special Areas of Conservation (SAC) outside of, but within 10km of the borough.
- 1.6 The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each European site within a reasonable distance of the Neighbourhood Plan area. The next stage is to consider the potential impact of the proposals within the plan on any European sites which could be affected.
- 1.7 **This report concludes that an SEA is considered to be required to accompany the Neighbourhood Plan but that it would not need to be subject to HRA.**
- 1.8 The preliminary version of the SEA and HRA screening assessment was sent to the three statutory consultees (the Environment Agency, English Heritage and Natural England) for comment, and their views have been factored into the finalised conclusions. The results of this consultation are included in Appendix 4 and a formal screening opinion

has been issued to St Mary Bourne Parish Council detailing the outcomes of the screening stage.

## 2. Introduction

- 2.1 The St Mary Bourne Neighbourhood Plan must comply with EU obligations. An important element of this requirement is that the borough council needs to determine whether the neighbourhood plan should be subject to a Strategic Environmental Impact Assessment (SEA) and/or Habitat Regulations Assessment (HRA). This is an important legal requirement and a screening process in relation to this legislation should form an integral part of the neighbourhood planning process as early as possible. The main consideration will be whether the plan is likely to have significant environmental effects (in relation to SEA) or a significant effect on a European site (i.e. a site protected by the Habitats Directive).

### Strategic Environmental Assessment

- 2.2 The need for environmental assessment of Neighbourhood Plans stems from EU Directive 2001/42/EC – known as the SEA Directive. The SEA Directive applies to a wide range of public plans and programmes (e.g. on land use, transport, energy, waste, agriculture, etc. and includes those at the ‘local level’). The SEA Directive 2001 has been transposed into English law via The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPP).
- 2.3 As per the information set out in the National Planning Practice Guide, it will be necessary for the borough council to screen the proposed Neighbourhood Plan in order to determine whether the plans/programmes are likely to have significant environmental effects<sup>1</sup>. The screening procedure is based on criteria set out in Schedule 1 of the EAPP Regulations 2004. This report assesses the Neighbourhood Plan against those criteria, and on that basis sets out whether an SEA (in the form of an Environmental Report) is required. Figure 2.1 below sets out the basic framework for establishing whether an SEA will be required.

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<sup>1</sup> The national practice guide states the following:

#### **Does a neighbourhood plan require a strategic environmental assessment?**

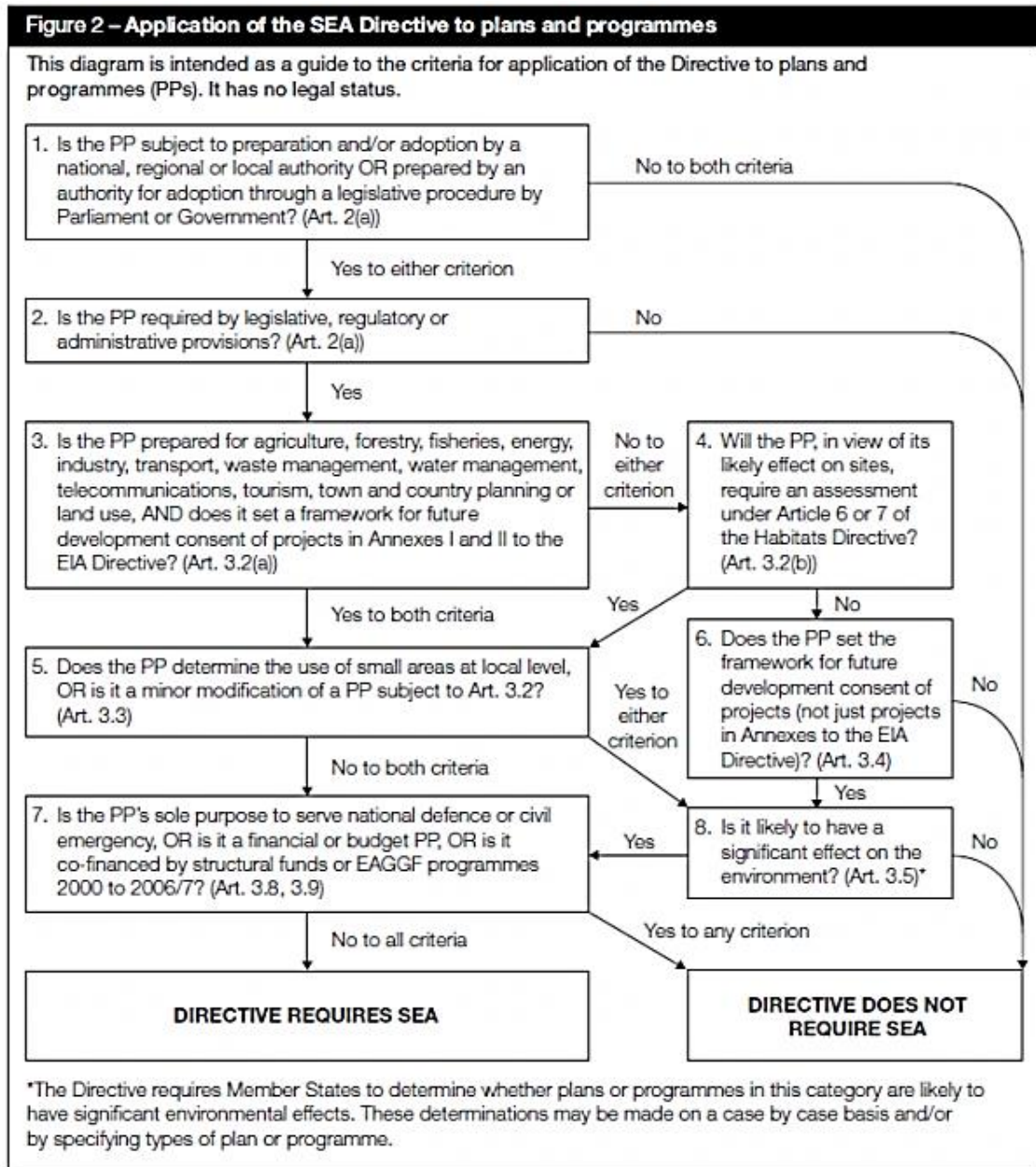
In some limited circumstances, where a [neighbourhood plan](#) could have significant environmental effects, it may fall within the scope of the [Environmental Assessment of Plans and Programmes Regulations 2004](#) and so require a strategic environmental assessment. One of the basic conditions that will be tested by the [independent examiner](#) is whether the making of the neighbourhood plan is compatible with European obligations.

Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, 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](#).

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/does-a-neighbourhood-plan-require-a-sustainability-appraisal/>

Figure 2.1 – Diagram indicating whether an SEA is required for a plan or project



## Habitats Regulations

- 2.4 In addition to the screening of Neighbourhood Plans in relation to SEA, there is a need to assess the likelihood of proposals or policies within a Neighbourhood Plan having an adverse impact on European sites<sup>2</sup>. This Habitats Regulations Assessment (HRA) is required by the

<sup>2</sup> In relation to the Basingstoke and Deane area, relevant European sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

Habitats Directive as transposed into English law via The Conservation of Habitats and Species Regulations 2010.

- 2.5 A Habitats Regulations Assessment may be required depending on the contents of the Neighbourhood Plan and the potential impact of the plan on European sites. A case by case assessment of Neighbourhood Plans will need to be undertaken to see if a full HRA is required.
- 2.6 The approach to assessing the potential impact of a Neighbourhood Plan on a European site, and the need for an HRA, include consideration of the reasons for designation and conservation objectives for each site within a reasonable distance from the Neighbourhood Plan area (which was set at 10km in the borough council's Habitats Regulations Screening Assessment supporting the emerging Local Plan). Where relevant the key environmental conditions that support the site are assessed below against the proposals within the Neighbourhood Plan.
- 2.7 Once the preliminary assessments of the requirement for both SEA and HRA had been undertaken, the Environment Agency, Natural England and English Heritage were consulted on the preliminary conclusions. This report incorporates the consultation responses provided by these consultation bodies, which have informed the finalised conclusions.

### 3. Generic Screening Assessment of Neighbourhood Plans

- 3.1 In the first instance, in order to establish if a Neighbourhood Plan potentially needs to be accompanied by a full SEA, a generic assessment of Neighbourhood Plans has been undertaken with the results of this assessment being set out below in Figure 3.1. The Assessment criteria set out in Figure 3.1 is derived from the government guidance produced to accompany the EAPP Regulations 2004: A Practical Guide to the Strategic Environmental Assessment Directive<sup>3</sup>.
- 3.2 The assessment below illustrates that Neighbourhood Plans can be subject to the SEA Directive, and concludes that the need for an SEA in respect of any particular Neighbourhood Plan will ultimately come down to whether the Neighbourhood Plan is likely to have a significant effect on the environment. Therefore, Neighbourhood Plans will need to be screened on a case by case basis.

Figure 3.1 - Generic screening assessment of Neighbourhood Plans

Assessment criteria	y/n	Assessment
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	yes	Neighbourhood Plans are prepared by parish or town councils (as the “qualifying body”) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the Plan has been prepared, and subject to examination and referendum, it will be “made” by Basingstoke and Deane Borough Council as the Local Planning Authority
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	It is not a requirement for a parish to produce a Neighbourhood Plan. However, a Neighbourhood Plan, once “made” does form part of the statutory Development Plan and will be used when making decisions on planning applications.

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)



<p>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the Environmental Impact Assessment Directive? (Art 3.2(a))</p>	<p>yes</p>	<p>Neighbourhood plans will cover town and country planning/land use, and may also cover other issues in the list set out. In addition, it will also set part of the framework for possible future consents covered by Annex II of the EIA Directive. Development under Annex I however, would be excluded development.</p>
<p>4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</p>	<p>?</p>	<p>Given that there are no sites designated under the Habitats Directive in the borough, the only impact on such sites could be on those outside the borough, and any effect on those sites is unlikely given the separation distances involved. However, a case by case assessment should still be carried out and included within the screening report.</p>
<p>5. Does the Neighbourhood Plan Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	<p>yes</p>	<p>A Neighbourhood Plan can determine the use of small areas at the local level.</p>
<p>6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>yes</p>	<p>A Neighbourhood Plan forms part of the development plan and therefore will be used in the decision making process in relation to planning applications. The policies in a Neighbourhood Plan therefore set the framework for future development proposals.</p>
<p>7. Is the Neighbourhood Plan sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF(European Agricultural Guarantee Fund) programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>No</p>	<p>A Neighbourhood Plan does not deal with any of these categories of plan.</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>?</p>	<p>The impact of a Neighbourhood Plan on the environment will depend on the proposals and policies included. For this</p>

**reason a case by case assessment of each Neighbourhood Plan will be required.**

- 3.3 Given that Neighbourhood Plans may be subject to the requirement for an SEA where they are likely to have a significant effect on the environment, the next step is to establish how to determine whether such effects are likely when assessing each plan on a case by case basis. The criteria for making that assessment are set out in Schedule 1 of the EAPP Regulations 2004. Please see figure 3.2 below for a full list of the relevant criteria.
- 3.4 The list set out below forms the basis for the full assessment of the Neighbourhood Plan in question, which is set out in section 5 below.

Figure 3.2 - Criteria for determining likely significance of effects on the environment (as per section 9 of the EAPP Regulations 2004, this list is taken from Schedule 1 of the EAPP Regulations 2004).

**Schedule 1 - criteria for determining the likely significance of effects on the environment**

1. The characteristics of plans and programmes, having regard, in particular, to –
  - (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;
  - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
  - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - (d) environmental problems relevant to the plan or programme; and
  - (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to –
  - (a) the probability, duration, frequency and reversibility of the effects;
  - (b) the cumulative nature of the effects;

- (c) the trans-boundary nature of the effects;
- (d) the risks to human health or the environment (e.g. due to accidents);
- (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (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
- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

## 4. Description of the Neighbourhood Plan

- 4.1 St Mary Bourne is a historic settlement which may initially have developed in the vicinity of the church as the line of the Portway Roman Road crosses the Bourne Rivulet close by. The settlement has since developed in an irregular linear pattern following the route of the B3048, which winds along the bottom of the valley. The historic buildings are generally irregularly placed in small groupings along this route on either side of the road and the Bourne Rivulet. The possible exception to this pattern is one, apparently planned, 'regular' row of buildings in the vicinity of, and including, the church. Where development has occurred it has been as infill within the village. The exception is the area of modern settlement to the north-east, ascending the valley side.
- 4.2 The Neighbourhood Area also includes the hamlet of Stoke. The settlement has two foci of development. The first is the crossroads and bridge over the Bourne in the centre of the village; the second lies around the 16th century Manor Farmhouse. The two foci have now effectively joined along the lane running to the north-east following 19th and 20th century infill development.
- 4.3 Between St Mary Bourne and Stoke, irregular development has taken place, the pattern of which is closely aligned to the routes of the two roads which run along the river valley.
- 4.4 Turning the neighbourhood plan itself, this aims to achieve the following:
- A 'balanced parish', by which is meant a mix of housing types in order to serve a broad range of people
  - Focusing of new housing on brownfield sites or redundant farm buildings
  - Encourage limited new development in the 'Hamlets'
  - Minimise the impact of new development on the character of the neighbourhood area, including its environment and landscape
  - Improve 'Key Assets' and protect them from 'adverse developments'
  - Support the local economy
  - Reduce traffic congestion and noise
- 4.5 In light of the above the following policies are being proposed:
- Restriction on the number of new dwellings on any 1 site to 6 units
  - Housing mix required to be 50% smaller units
  - 25% of new units should be non-market rental properties

- Requirements for at least 50% of non-market housing to be offered first to people with a local connection
- Setting parameters for exceptions sites
- Supporting re-development/enhancement of existing affordable housing sites
- Support for limited development in the 'Hamlets'
- Requirements for how to minimise the impact of new development on the character of the area and respect key features of local distinctiveness
- Expectations in relation to sustainable design standards and renewable energy
- Prevention of light pollution
- Protection of footpaths and provision of additional allotments
- Support and protection for community facilities and services
- Provision of additional car parking for the school
- Encourage the provision of a pre-school
- Set requirements for parking provision for new housing
- Restricting changes of use of public houses.

## 5. SEA Screening Assessment

- 5.1 At this stage in the Neighbourhood Planning process it is difficult to know exactly what will be proposed in the final version of the Neighbourhood Plan. However, the approximate parameters of the development and policies being proposed for inclusion in the draft Neighbourhood Plan, as set out in Section 4 of this report, have been used to undertake this screening assessment.
- 5.2 If it is found that an SEA is required in relation to the Neighbourhood Plan, any changes to the quantum of development can be assessed for environmental impact through the SEA process. If the conclusion of a screening exercise is that an SEA is not required, any changes to the quantum of development and/or policies being proposed should be subject to a further screening assessment to ensure that significant effects are not likely.
- 5.3 Under Criteria 8 of the assessment in Figure 3.1, it was concluded that Neighbourhood Plans may have a significant effect on the environment depending on the specific policies and proposals within it and that a case by case assessment is required. The criteria for undertaking such an assessment are set out in Annex II of the SEA Directive. Figure 5.1 below outlines the results of this assessment against the Annex II parameters.

### SEA Assessment of neighbourhood plan

Figure 5.1 - Assessment of likelihood of significant effects on the environment

Significant effect criteria	Assessment
The characteristics of the plan having regard to:	
(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;	The Neighbourhood Plan will set a framework for various types of projects and activities, and in so doing will influence the size, location and operating conditions of the development in question. The policies in the Plan will also set criteria which will be applied to planning applications.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Though unlikely, the Plan could inform supplementary planning documents (such as design guidance), development briefs or site specific guidance.

(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Plan will have regard to the objective of achieving sustainable development in the local area. It will be in conformity with the strategic policies in the Adopted Local Plan, and will have regard to the policies in the emerging Local Plan.
(d) environmental problems relevant to the plan or programme; and	The Plan will seek to address environmental, economic and social issues in the neighbourhood area.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The Plan is relevant to various aspects of Community legislation, such as environmental protection and conservation of biodiversity.
Characteristics of the effects likely having regard, in particular, to:	
(a) the probability, duration, frequency and reversibility of the effects;	The Plan will set the local vision, objectives and policies to guide new development in neighbourhood area. It is likely to result in long-term effects associated with changes to land use and physical development of land.
(b) the cumulative nature of the effects;	There are likely to be some fairly limited local cumulative effects arising from and between the different proposals and policies in the Plan, and those in the adopted and emerging Local Plan.
(c) the transboundary nature of the effects;	There will be no transboundary effects (in relation to other EU member states).
(d) the risks to human health or the environment (e.g. due to accidents);	There are unlikely to be any significant risks to human health, though there is a limited risk of harm to the environment during construction works.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude of the effects will be regulated by the relatively small number of units likely to be supported by the Plan, meaning the effects are likely to be largely localised (i.e. within the neighbourhood area). However, there could be limited effects over a moderately larger area in relation to issues such as landscape impact and highways.

<p>(f) the value and vulnerability of the area likely to be affected due to –</p> <p>(i) special natural characteristics or cultural heritage; .</p> <p>(ii) exceeded environmental quality standards or limit values; or .</p> <p>(iii) intensive land-use; and</p>	<p>There are various parts of the Neighbourhood Area which are both highly valued and vulnerable, namely the various SINCs, and the Conservation Area. There are also Listed Buildings which could be affected (in terms of setting). There is also a Scheduled Monument within the neighbourhood area.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>All of the neighbourhood area is within an AONB.</p>

5.4 The National Planning Practice Guide (NPPG) states that:

*“In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment.”*

The NPPG sets out the following matters for consideration when assessing whether an SEA is required:

*“Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, 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.”<sup>4</sup>*

5.5 In relation to the considerations set out above the following factors are considered to be particularly pertinent. Firstly, the neighbourhood plan does not allocate any specific development sites. This suggests that an SEA is less likely to be required. However, there are other considerations, and of particular relevance is the fact that virtually all of the neighbourhood area is within a ‘sensitive area’ – the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

5.6 Another consideration is that whilst the neighbourhood plan does not allocate specific development sites, it does seek to facilitate some new housing development, namely redevelopment of redundant farm buildings and some limited new development in the ‘hamlets’. In addition, the exact amount of development this will constitute cannot be

<sup>4</sup> Paragraph: 046 Reference ID: 11-046-20150209



precisely quantified at this stage, nor can the potential impacts in relation to sensitive natural or heritage assets be inferred at present.

5.7 There are also other environmental considerations pertaining to the neighbourhood area. In particular, there are Flood Zone 2 and 3 areas running through the centre of St Mary Bourne (village). There are also a large number of listed buildings and a designated conservation area within the centre of the village. The same environmental sensitivities also apply to the neighbouring hamlet of Stoke. There are also a number of SINC's distributed around the neighbourhood area, and a Scheduled Monument.

5.8 During the course of the consultation on the draft version of this report, Historic England provided the following comments:

*“As noted in the Screening Report, St Mary Bourne has a substantial number of designated heritage assets and therefore has a sensitive historic environment. We note that it is anticipated that the Plan will not allocate a specific site or sites for housing development, although it will be supportive of limited development in the “hamlets” and the redevelopment of redundant farm buildings (which may be of historic interest, even if not designated).*

*Given that the emerging Local Plan allows for 150 homes to be identified in neighbourhood plans for settlements such as St Mary Bourne we find this situation to be too vague to be able to firmly conclude that there are unlikely to be any significant effects on the historic environment of the Parish and are therefore reluctant to conclude at this stage that a formal SEA is not required, bearing in mind that the SEA need only be proportionate in detail to the environmental impacts that are likely to be significant and for the content and level of detail in the Plan.*

*We therefore currently consider that the St Mary Bourne Neighbourhood Plan should be subject to a proportionate SEA, but we would be happy to review that opinion if some other form of rigorous detailed assessment of the potential impacts of this policy approach on the historic environment of the parish has already been, or is, undertaken, or the policy approach is sufficiently refined (such as a definition of “limited”) in the Neighbourhood Plan. (We note the SEA of the emerging Local Plan concludes, for the chosen Option 2, “Dispersal of development could impact on the historic rural settlements with Conservation Areas”, which does not provide us with any comfort).”*

5.9 It is therefore considered that, in light of the above, on balance, a Strategic Environmental Impact Assessment is required in order to support the preparation of the St Mary Bourne Neighbourhood Plan, and this will need to be submitted with the Neighbourhood Plan<sup>5</sup> at Regulation 15 stage. This is considered to be the most appropriate conclusion in light of the following factors:

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<sup>5</sup> Regulation 2(4) of The Neighbourhood Planning (General) (Amendment) Regulations 2015. [http://www.legislation.gov.uk/ukxi/2015/20/pdfs/ukxi\\_20150020\\_en.pdf](http://www.legislation.gov.uk/ukxi/2015/20/pdfs/ukxi_20150020_en.pdf)

- The location of the vast majority of the parish within a sensitive area (AONB)
- The relatively large number of listed buildings and both St Mary Bourne and Stoke being designated as a Conservation Area
- Difficulty in quantifying the amount and form of development likely to be facilitated by the neighbourhood plan, and its associated implications
- The comments provided by Historic England (which stated that an SEA should be required).

## 6. HRA Screening Assessment

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for what are termed 'European sites'. Such sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA). There is also an international designation known as RAMSAR sites, which whilst being covered by different legislation should be subject to the same consideration as European sites.
- 6.2 There are no European sites in the borough. However, there are a number of SPAs and SACs located outside of the borough which could be affected by development taking place within the Basingstoke and Deane borough (please see Appendix 2 for the details of those areas). Therefore, it is still necessary to consider whether there could be any potential impact on European sites stemming from neighbourhood planning.
- 6.3 European sites are offered the highest level of protection under European law and the consequent national legislation transposing it into English law (The Conservation of Habitats and Species Regulations 2010, known as the Habitats Regulations). The Habitats Regulations sets out the process to assess the potential implications of a Neighbourhood Plan on European sites.
- 6.4 The first stage is to screen the Neighbourhood Plan in order to establish whether it may have a significant effect on a European site. Only if there may be such an effect will it be necessary to undertake a process called 'appropriate assessment'<sup>6</sup> in relation to a European site.
- 6.5 In undertaking the screening to establish whether there will be a significant effect, the 'precautionary principle' will need to be followed. The requirement to adhere to the precautionary approach is established by case law and clarified by European Union and domestic government guidance<sup>7</sup>. The use of the precautionary principle requires that when considering the likelihood of a possible effect on a European site it will be assumed that such impacts will occur if there is insufficient evidence to the contrary.

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<sup>6</sup> The Conservation of Habitats and Species Regulations 2010

**61.**—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

<sup>7</sup> Landelijke Vereniging tot Behoud van de Waddenzee v. Secretary of State for Agriculture, Nature Conservation and Fisheries (Case C127/02), ECJ 7/9/04

6.6 In carrying out the screening assessment, the borough council has addressed the various requirements set out in the European Commission guidance<sup>8</sup>. The guidance sets out various steps which need to be followed:

- i) description of project or plan
- ii) characteristics of the European site
- iii) assessment of significance

The description of the Neighbourhood Plan has been set out in section 4 above. Therefore, this section focuses on the characteristics of any relevant European sites, their significance, and ultimately whether there are likely to be any significant effects.

6.7 The Basingstoke and Deane Borough Council emerging Local Plan has been subject to a Habitats Regulations Screening Assessment. This contains a detailed assessment of each of the 8 European sites within 10km of the borough boundary. These are set out in Appendix 2 below, and inform the assessment process documented in this report. Appendix 3 includes maps of these sites, also taken from the Habitats Regulations Screening Assessment.

6.8 The implications of the policies and proposals in the Neighbourhood Plan have been assessed against each of the European sites within 10km of the neighbourhood area boundary in order to establish the likelihood of a significant effect on the reason for designation of the European site in question. This assessment has been undertaken having regard to the results and information in the HRA screening assessment prepared for the emerging Local Plan for Basingstoke and Deane Borough Council, and in the light of the relevant European Commission guidance (as referred to above), which forms the basis for the assessment criteria set out below.

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<sup>8</sup> [http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)  
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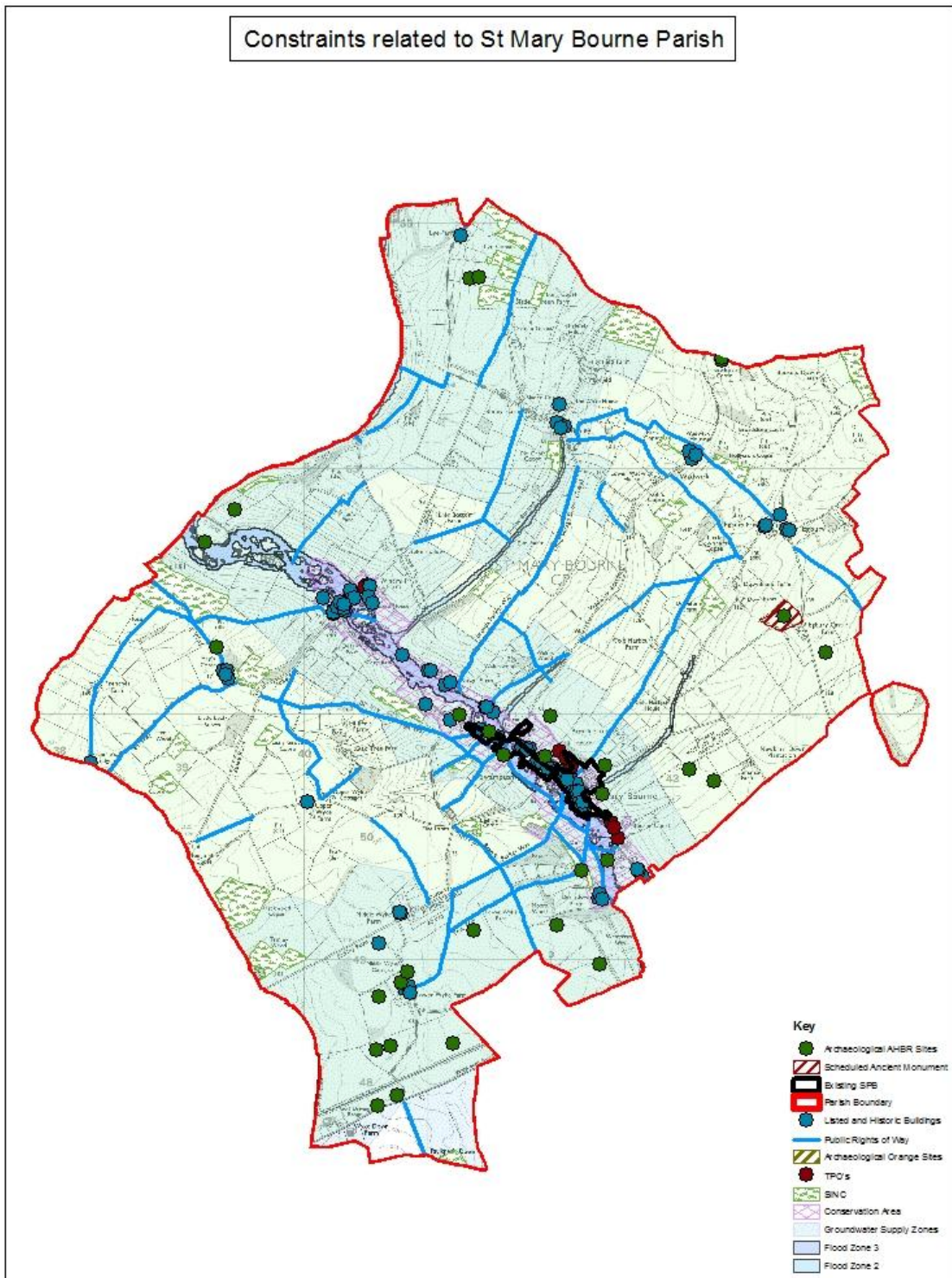
## **Assessments of any European sites with 10km of the neighbourhood area**

- 6.9 **There are no European sites within a 10km radius of the neighbourhood area. Therefore, it is considered that there are not likely to be significant effects on any European sites flowing from the Overton Neighbourhood Plan. Accordingly, an Appropriate Assessment is not required.**

## 7. Conclusions

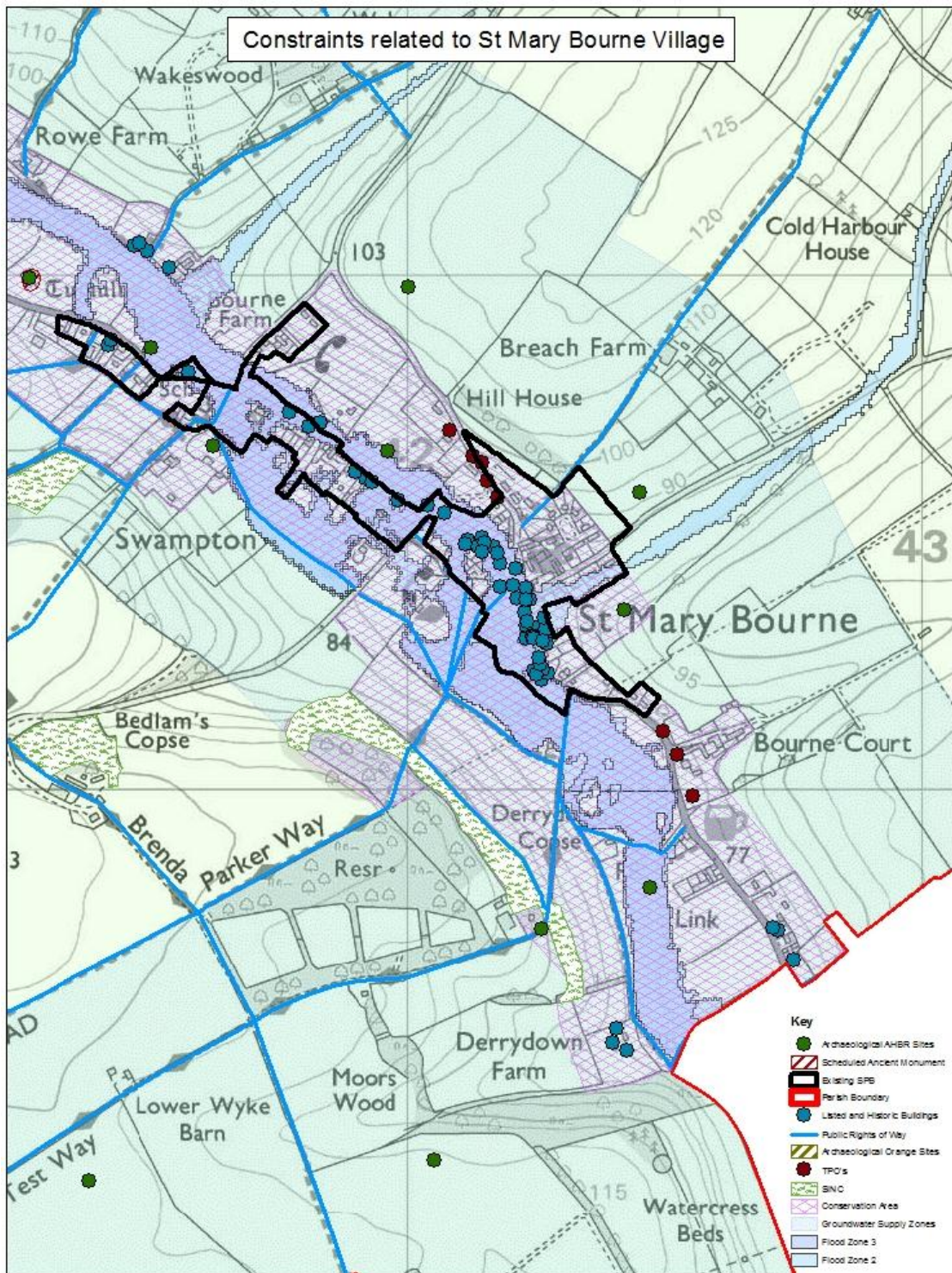
- 7.1 This report contains the assessment as to whether the St Mary Bourne Neighbourhood Plan should be subject to the requirement for the submission of an Environmental Report as required by the EAPP Regulations 2004 and/or Appropriate Assessment as required by the Habitats Regulations 2010.
- 7.2 The assessment for both of these requirements has been undertaken on the basis of proposals and policies outlined in Section 4 of this report and within the strategic framework established by the 'saved policies' of the Basingstoke and Deane Borough Local Plan Review Adopted Local Plan Review 1996-2011. The assessment also takes account of the relevant evidence base supporting the emerging Local Plan.
- 7.3 **The Local Authority's conclusion, in light of the comments from the consultation bodies, is that based on the above assessment, a Strategic Environmental Assessment is required but that the Plan should not be subject to Habitat Regulations Assessment.**
- 7.4 Accordingly, Regulation 2(4) of The Neighbourhood Planning (General) (Amendment) Regulations 2015 requires that environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 is submitted with the Neighbourhood Plan when it is submitted to the Local Planning Authority at Regulation 15 stage.

## Appendix 1 – Environmental Constraints



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Scale 1:40,000



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Scale 1:9,500



## **Appendix 2 – Details of European sites within 10km of Basingstoke and Deane Borough Council**

### **Thames Basin Heaths SPA**

#### **Introduction**

The Thames Basin Heaths cover an area of 8,400 hectares and comprise a rare example of lowland heathland across Surrey, Hampshire and Berkshire. The heaths support significant populations of 3 important bird species and consist of 13 Sites of Special Scientific Interest (SSSI). Hazeley Heath SSSI is the nearest part of the SPA to the borough (located within 5km of the borough boundary).

Due to the size, location and nature of this site and the surrounding development pressure, English Nature published a draft Delivery Plan for the Thames Basin Heaths SPA in May 2006. This was updated by the „Thames Basin Heaths Special Protection Area Delivery Framework“ published in January 2009 (Thames Basin Heaths Joint Strategic Partnership Board). The document sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

#### **Features of European Interest**

Annex I birds and regularly occurring migratory birds not listed on Annex I:

- *Caprimulgus europaeus* (nightjar)
- *Lullula arborea* (woodlark)
- *Sylvia undata* (Dartford warbler)

#### **Key environmental conditions/ vulnerability of the site**

The mosaic of habitats which form the internationally important lowland heathland are dependent on active heathland management. Lack of grazing and other traditional management practices therefore pose a threat.

Development pressure on neighbouring land, urbanisation issues and the cumulative and indirect effects of neighbouring developments also pose a potential long-term problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Thames Basin Heaths Area Based Delivery Project. This seeks to address the detrimental impacts of recreational pressure, particularly dog walking, on ground nesting bird populations.

## Wealden Heaths phase II SPA

### Introduction

The Wealden Heaths Phase II SPA is located across the counties of Surrey, Hampshire and West Sussex and comprises 4 Sites of Special Scientific Interest, namely Woolmer Forest SSSI and SAC, Broxhead and Kingsley Commons SSSI, Bramshott and Ludshott Commons SSSI and Devil's Punchbowl SSSI. A small area to the south east of the borough is located within 10km of the SPA.

### Features of European Interest

Annex I birds and regularly occurring migratory birds not listed on Annex I:

- *Caprimulgus europaeus* (nightjar)
- *Lullula arborea* (woodlark)
- *Sylvia undata* (Dartford warbler)

### Key environmental conditions/ vulnerability of the site

The heathland habitats of the Special Protection Area are very dependent upon grazing and other traditional management practices. The SPA is vulnerable to urbanisation issues, fly tipping and heathland fires and there is increasing pressure for development associated with military training activities. Formal and informal recreation activities are a potential threat to the breeding success of Annex 1 birds. The heaths are also dependent on high water tables to maintain their features of interest, and are therefore sensitive to any potential lowering of water levels due to water abstraction. In the most recent condition assessment process, parts of the heathland were not in favourable condition, with concerns about inappropriate vegetation species, vehicle damage and invasive species.

## East Hampshire Hangers SAC

### Introduction

The East Hampshire Hangers SAC is a large complex of predominantly broadleaved deciduous woodland comprising seven Sites of Special Scientific Interest:

- Upper Greensand Hangers: Wyck to Wheatley
- Wick Wood and Worldham Hangers
- Coombe Wood and The Lythe
- Selborne Common
- Noar Hill
- Wealden Edge Hangers
- Upper Greensand Hangers: Empshott to Hawkley

### Features of European Interest

The East Hampshire Hangers qualify as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Dry grasslands and scrublands on chalk or limestone, including important orchid sites: Noar Hill in particular, has an outstanding assemblage of orchids, including one of the largest UK populations of the nationally scarce musk orchid *Herminium monorchis*;
- Beech forests on neutral to rich soils: the site is extremely rich in terms of vascular plants;
- Mixed woodland on base-rich soils associated with rocky slopes: along with Rook Clift SAC, in the south-east of England, this habitat is only represented here;
- Dry grasslands or scrublands on chalk or limestone (though not a primary reason for site selection);
- Yew-dominated woodland (though not a primary reason for site selection).

Secondly, the site contains the Habitats Directive Annex II species early gentian *Gentianella anglica* and *Triturus cristatus* (great crested newt).

The key environmental conditions that have been defined for this site are:

- Maintenance of grazing;
- Absence of direct fertilisation; and
- Low nutrient runoff from surrounding land although the Hanger woodlands are vulnerable to nutrient run-off leading to eutrophication;
- Minimal air pollution – nitrogen deposition may cause reduction in diversity, sulphur deposition can cause acidification;
- Well-drained soils.

### **Key environmental conditions / vulnerability of the site**

Being steep and narrow, the Hanger woodlands are vulnerable to nutrient runoff from adjacent agricultural land, leading to eutrophication and growth of ruderal vegetation when, for example neglected coppice is cut. Within the Hangers over-maturity and outbreaks of beech disease have been observed. Management is hampered by sparse mast years, few seed trees, the presence of deep litter layers and difficulties in extracting felled timber due to the steep slopes present.

Natural England will be exploring mechanisms that can be put in place to curtail damaging agricultural activities in the vicinity of the site. Natural England is liaising closely with the Forestry Commission regarding positive management of these woodlands through Woodland Grant Schemes and, for example, the Challenge Fund.

## **Kennet & Lambourne Floodplain SAC**

### **Introduction**

The Kennet and Lambourn Floodplain SAC is a composite site of approximately 114 hectares located within West Berkshire and Wiltshire. The site has the general character of 59% bogs, marshes and water fringed vegetation, 40% humid and Mesophile grassland, and 1% standing or running water.

The cluster of sites selected in the Kennet and Lambourn valleys support one of the most extensive known populations of Desmoulin's whorl snail (*Vertigo moulinsiana*) in the UK. The conservation objective related to the sites' designation is to maintain in favourable condition, the habitat for the population of Desmoulin's whorl snail (*Vertigo moulinsiana*).

### **Features of European Interest**

The Kennet and Lambourne Floodplain SAC qualify as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

Secondly, the site contains the Habitats Directive Annex II species:

- Lampetra planeri* (Brook Lamprey)
- Cottus gobio* (bullhead)

### **Key environmental conditions / vulnerability of the site**

The River Lambourn has one of the least modified catchments in southern England and has one of the lowest levels of abstraction. Water quality, water quantity and habitat quality are all considered to be high. However, localised higher water nutrient levels and siltation problems are at present associated with sewage treatment works. Natural England and the Environment Agency have produced an agreed protocol for dealing with issues affecting the river.

## **Kennet Valley Alderwoods SAC**

### **Introduction**

The Kennet Valley Alderwoods SAC consists of two sites of approximately 56 hectares in total located within West Berkshire in the Kennet floodplain. Its general site characteristic is of broad leaved deciduous woodland. The woodlands are the largest remaining fragments of damp, ash-alder woodland in the Kennet floodplain area. The conservation of the site is dependent upon maintaining a constantly high groundwater level.

### **Features of European Interest**

The Kennet Valley Alderwoods SAC qualify as a SAC for containing the following Habitats Directive Annex I habitats:

- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno- Padion, Alnion incanae, Salicion albae)

### **Key environmental conditions/ vulnerability of the site**

The conservation interest of the site is critically dependent upon maintenance of constantly high groundwater levels. However, there are no known threats to groundwater levels. The site is subject to low levels of intervention and natural processes are allowed to prevail to a large extent. A Woodland Grant Scheme is in place which favours the maintenance of the characteristic alder woodland composition.

## River Itchen SAC

### Introduction

The River Itchen is a chalk river that rises from the chalk aquifer of the Hampshire Downs (near Alresford) and flows through Winchester to join the Solent at Southampton. It hosts a number of habitats which support nationally and internationally important plants and animals. These require certain water levels with little variation over the course of a year, and fast flow rates. The whole river, including its three headwater tributaries, are designated as a SSSI.

### Features of European Interest

The River Itchen SAC qualify as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation

Secondly, the site contains the following Habitats Directive Annex II species:

- *Vertigo moulinsiana* (Desmoulin's whorl snail)
- *Coenagrion mercuriale* (Southern damselfly)
- *Austropotamobius pallipes* (white-clawed crayfish)
- *Petromyzon marinus*
- *Lampetra planeri* (Brook Lamprey)
- *Lampetra fluviatilis*
- *Salmo salar* (atlantic salmon)
- *Cottus gobio* (bullhead)
- *Lutra lutra* (otter)

### Key environmental conditions/ vulnerability of the site

The river's ecology depends on maintaining a uniform, fast flow of water. A principal threat to the habitats within this SAC is considered to be the decrease in flow velocities and increase in siltation, in turn affecting macrophyte cover. Recent surveys have shown declines in *Ranunculus* cover since 1990, attributable to increased abstractions in the upper catchment,

coupled with a series of years with below-average rainfall. Low flows interact with nutrient inputs from point sources to produce localised increases in filamentous algae and nutrient-tolerant macrophytes at the expense of *Ranunculus*.

The Environment Agency is initiating a major study of the river's macrophytes, from which a predictive model will be developed which will aid decisions on whether to reduce water abstraction at critical times. Efforts are currently being made to increase the viability of the southern damselfly population through population studies and a Species Action Plan.



## River Lambourn SAC

### Introduction

The River Lambourn SAC consists of the River Lambourn water body over an area of 27 hectares. The River Lambourn rises in the chalk of the Berkshire Downs, is 26 km long, and flows through the Kennet Valley to Newbury where it joins the River Kennet. It has one important tributary, the Winterbourne stream, which flows into the Lambourn from the north-east, just upstream of Newbury. It is also a designated SSSI.

### Features of European Interest

The River Lambourn SAC qualify as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche-Batrachium* vegetation

Secondly, the site contains the following Habitats Directive Annex II species:

- *Lampetra planeri* (Brook Lamprey)
- *Cottus gobio* (bullhead)

### Key environmental conditions/ vulnerability of the site

The River Lambourn has one of the least modified catchments in southern England and has one of the lowest levels of abstraction. Water quality, water quantity and habitat quality are all considered to be high. However, localised higher water nutrient levels and siltation problems are at present associated with sewage treatment works. Natural England and the Environment Agency have produced an agreed protocol for dealing with issues affecting the river.

## **Shortheath Common SAC**

### **Introduction**

Shortheath Common is a heathland site located on the western Weald. It comprises a single SSSI which covers approximately 58 hectares. The site was historically grazed but now is recovering from the encroachment of scrub.

### **Features of European Interest**

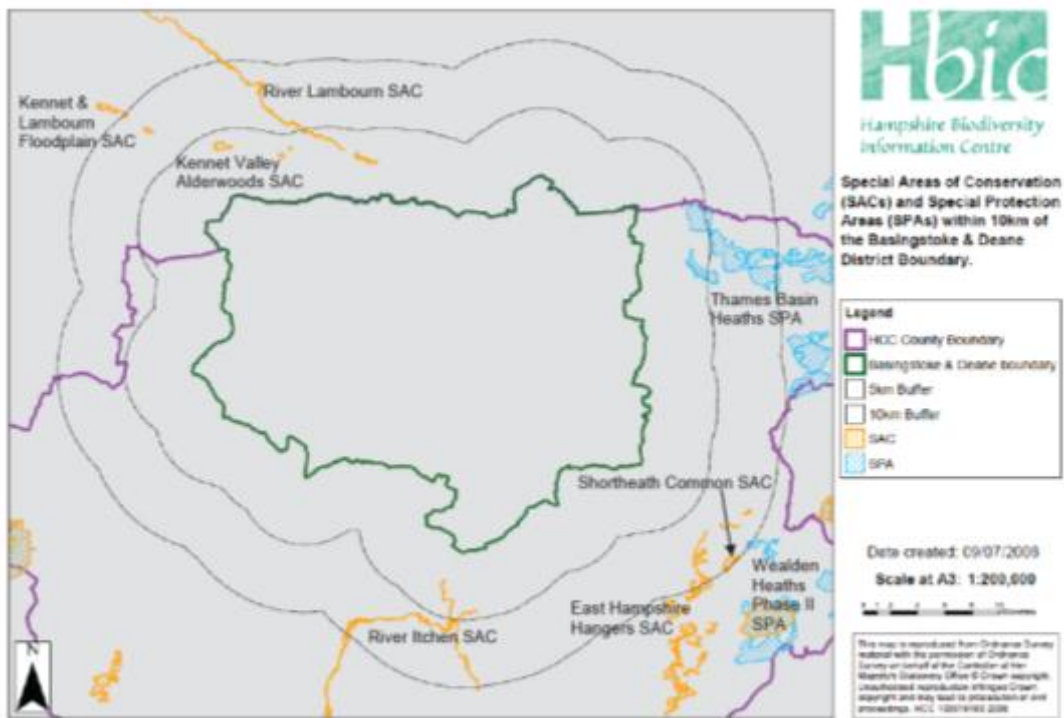
The Shortheath Common SAC qualifies as a SAC for containing the following Habitats Directive Annex I habitats:

- Natural dystrophic lakes and ponds
- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths
- Transition mires and quaking bogs
- Bog woodland

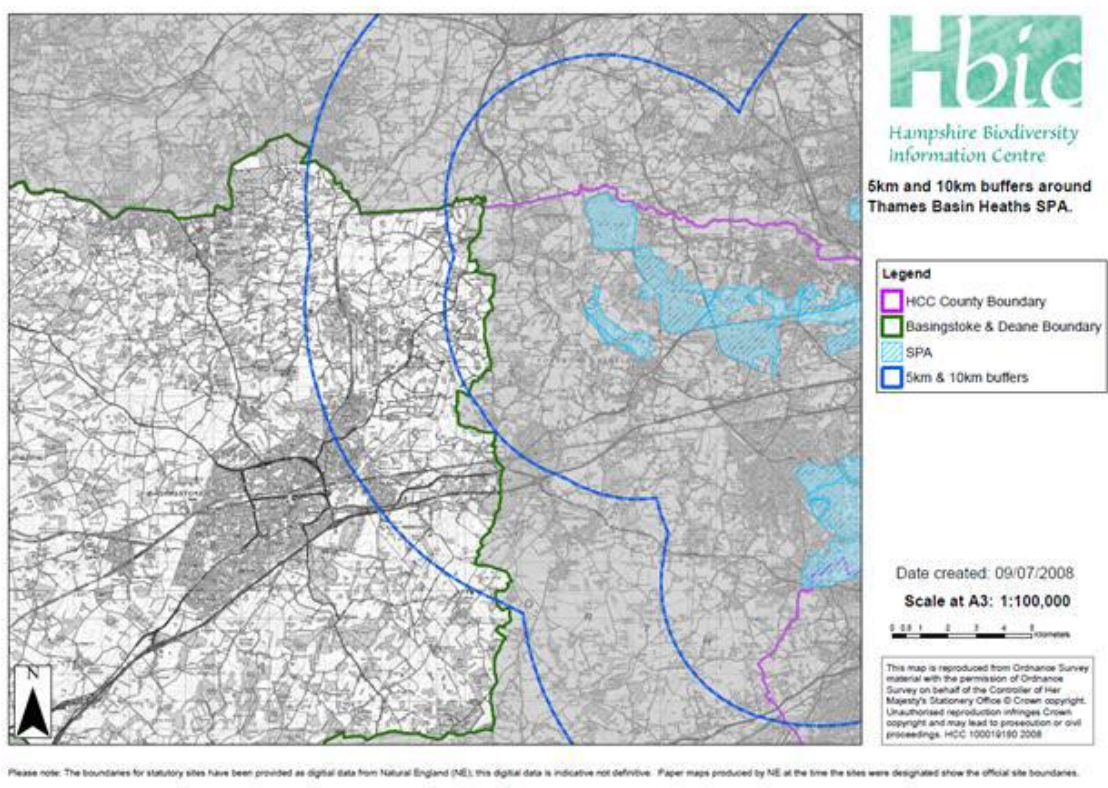
### **Key environmental conditions/ vulnerability of the site**

The site is vulnerable to encroachment of invasive scrub and trees due to cessation of traditional grazing management. Erosional risk and fire are also threats. A Natural England Wildlife Enhancement Scheme agreement has been entered into in an attempt to address the ecological deterioration. The heaths are also dependent on high water tables to maintain their features of interest, and are therefore sensitive to any potential lowering of water levels due to water abstraction. Protection of the site therefore relies on careful management of water levels and recreational activities and good air quality.

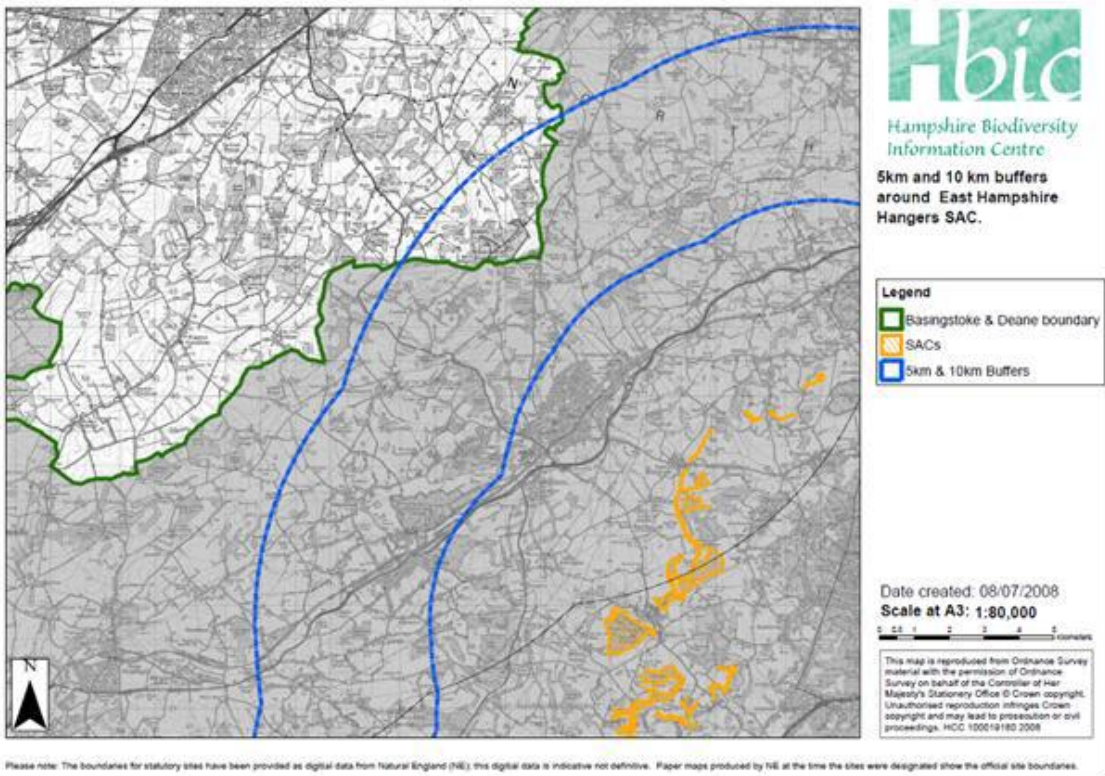
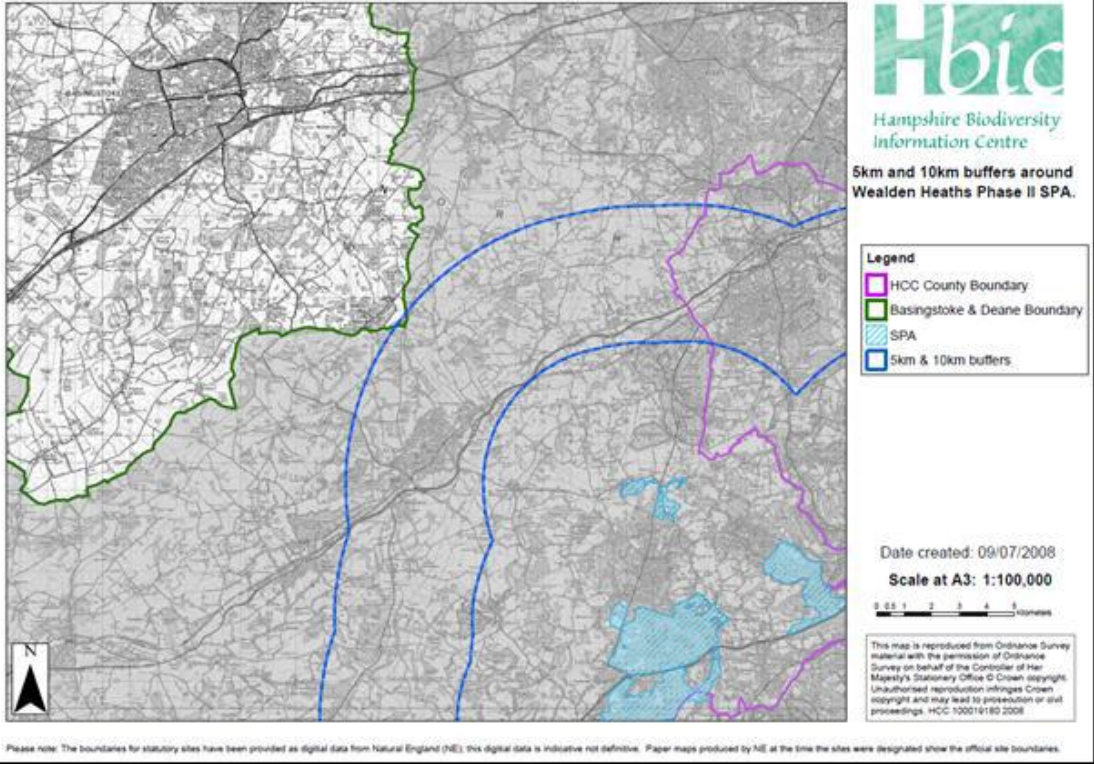
## Appendix 3 - Maps of European sites within 10km of Basingstoke and Deane Borough

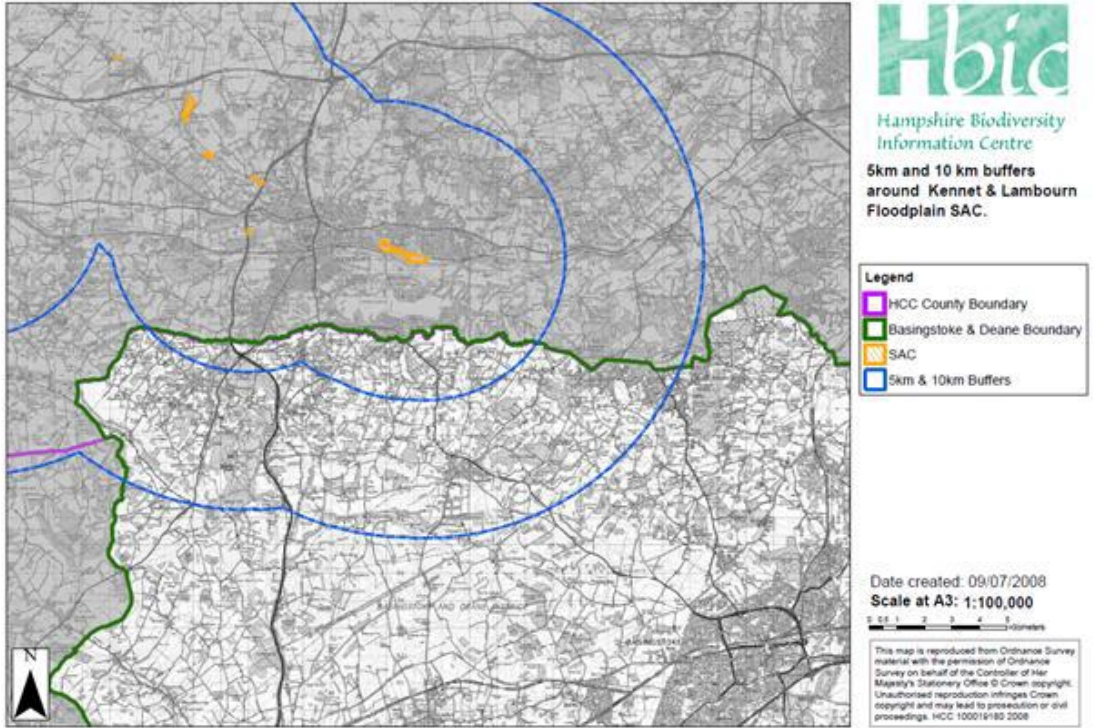


Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.

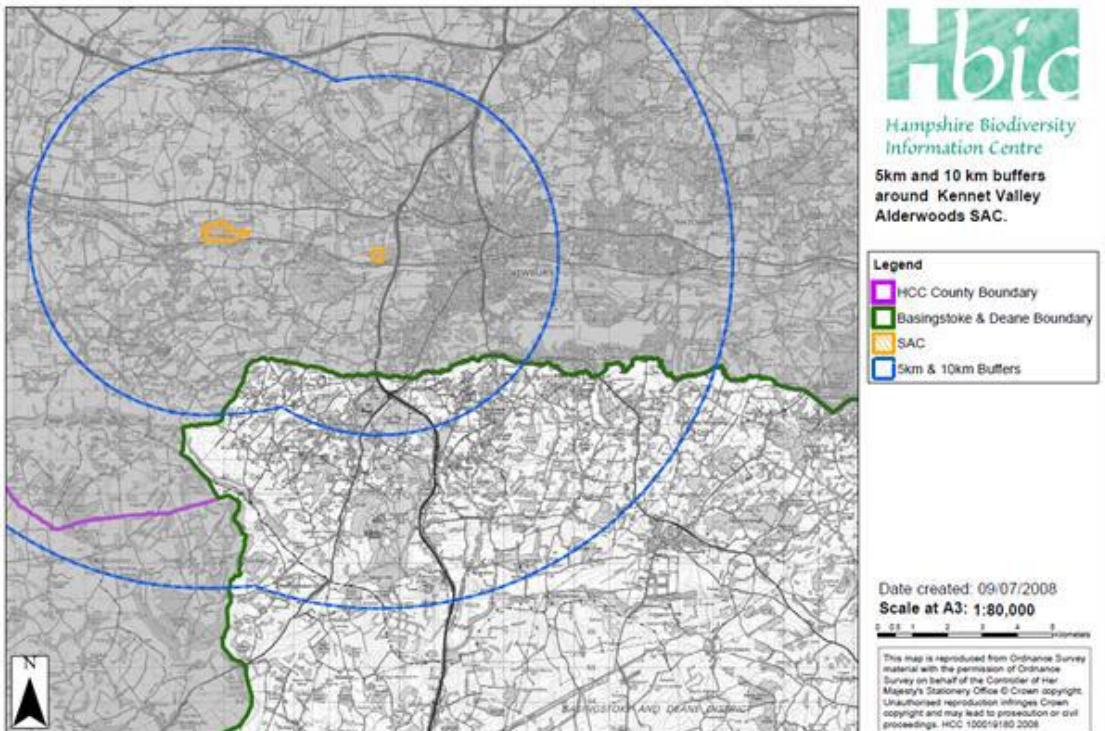


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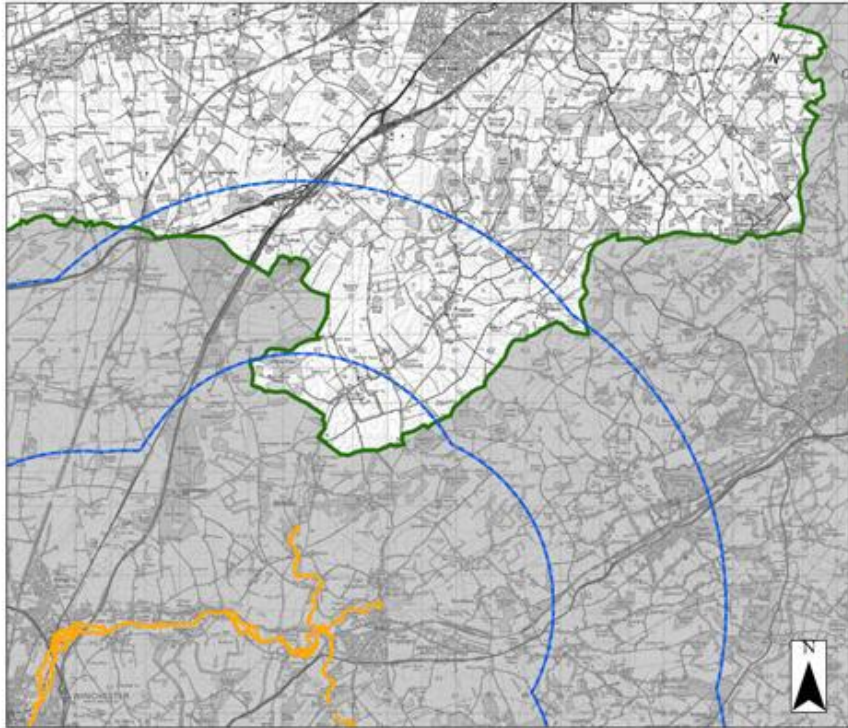




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**Hbic**  
Hampshire Biodiversity  
Information Centre

**5km and 10 km buffers  
around River Itchen  
SAC.**

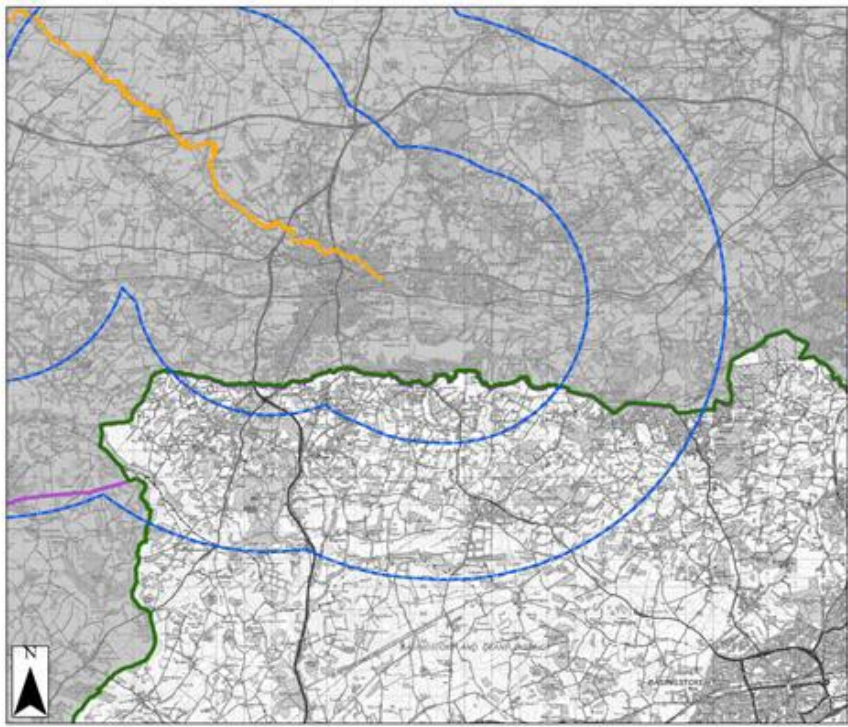
- Legend**
- Basingstoke & Deane Boundary
  - SAC
  - 5km & 10km Buffers

Date created: 09/07/2008  
Scale at A3: 1:80,000



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Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.



**Hbic**  
Hampshire Biodiversity  
Information Centre

**5km and 10 km buffers  
around River Lambourn  
SAC.**

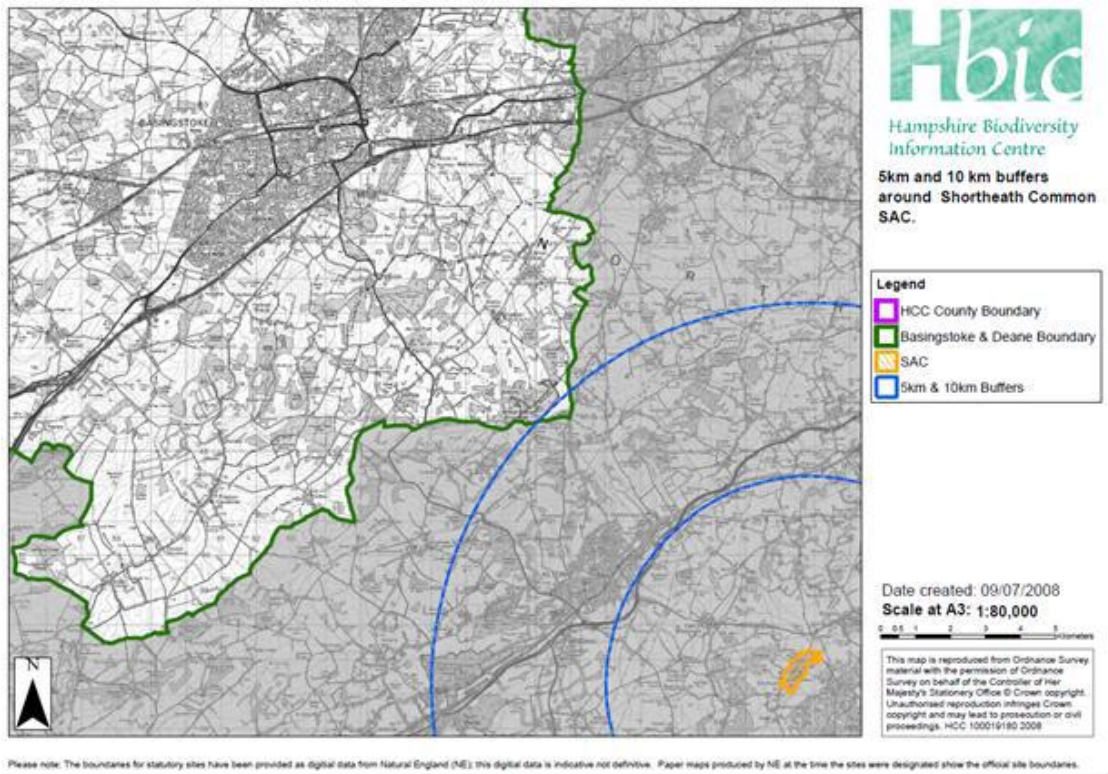
- Legend**
- HCC County Boundary
  - Basingstoke & Deane boundary
  - SAC
  - 5km & 10km Buffers

Date created: 09/07/2008  
Scale at A3: 1:100,000



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Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.



(Source for all: Basingstoke and Deane Pre-Submission Local Plan Habitats Regulations Screening Assessment)

## Appendix 4 – Responses from ‘consultation bodies’

### Natural England

Dear Andrew,

Our ref: 160259

Thank you for the consultation below.

I have reviewed the Screening request and I agree that this Neighbourhood Plan does not require an Appropriate Assessment, under the Habitats Regulations. I also agree that an SEA is not required for this Neighbourhood Plan, on the basis that it will not allocate any development sites. However, as the Plan area lies entirely within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), I advise that the Neighbourhood Plan is developed in close liaison with the AONB Partnership.

If you have any further queries, please don't hesitate to contact me.

Warmest wishes,

Francesca Barker  
Land Use Lead Adviser  
Dorset, Hampshire and Isle of Wight Area Team

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creating a better place



Mr Andrew Rushmer  
Basingstoke & Deane Borough Council  
Planning Policy  
Civic Offices London Road  
Basingstoke  
Hampshire  
RG21 4AH

**Our ref:** WA/2011/109908/SE-  
05/SC1-L01

**Your ref:**

**Date:** 20 August 2015

Dear Mr Rushmer

**Re: Screening of St Mary Bourne Neighbourhood Plan - SEA and HRA SA/SEA**

Thank you for consulting the Environment Agency on the Strategic Environment Impact Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report for the St Mary Bourne Neighbourhood Plan. This consultation was received on 16 July 2015.

After reviewing the screening report and the area's environmental constraints we have no comments to make on your conclusion that a SEA and HRA are not required.

If you require any further information then please do not hesitate to contact me.

Yours sincerely

**Miss Donatella Cillo**  
**Sustainable Places | Planning Advisor**

Direct dial 0118953 5498  
Email: [planning-famham@environment-agency.gov.uk](mailto:planning-famham@environment-agency.gov.uk)

Historic England



Historic England

Mr Andrew Rushmer  
Senior Planning Policy Officer  
Basingstoke & Deane Borough Council  
Civic Offices  
London Road  
Basingstoke  
Hampshire, RG21 4AH

Our ref: HD/P5229/01/PC3  
Your ref:  
Telephone  
Fax

01483 252040

14<sup>th</sup> August 2015

Dear Mr Rushmer,

### **SEA Screening Opinion for St Mary Bourne Neighbourhood Plan**

Thank you for your e-mail of 30<sup>th</sup> July seeking the views of Historic England on the whether the St Mary Bourne Neighbourhood Plan should be subject to a Strategic Environmental Assessment.

As noted in the Screening Report, St Mary Bourne has a substantial number of designated heritage assets and therefore has a sensitive historic environment. We note that it is anticipated that the Plan will not allocate a specific site or sites for housing development, although it will be supportive of limited development in the “hamlets” and the redevelopment of redundant farm buildings (which may be of historic interest, even if not designated).

Given that the emerging Local Plan allows for 150 homes to be identified in neighbourhood plans for settlements such as St Mary Bourne we find this situation to be too vague to be able to firmly conclude that there are unlikely to be any significant effects on the historic environment of the Parish and are therefore reluctant to conclude at this stage that a formal SEA is not required, bearing in mind that the SEA need only be proportionate in detail to the environmental impacts that are likely to be significant and for the content and level of detail in the Plan.

We therefore currently consider that the St Mary Bourne Neighbourhood Plan should be subject to a proportionate SEA, but we would be happy to review that opinion if some other form of rigorous detailed assessment of the potential impacts of this policy approach on the historic environment of the parish has already been, or is, undertaken, or the policy approach is sufficiently refined (such as a definition of “limited”) in the Neighbourhood Plan. (We note the SEA of the emerging Local Plan concludes, for the chosen Option 2,

*“Dispersal of development could impact on the historic rural settlements with Conservation Areas”, which does not provide us with any comfort).*

Cont'd

- 2 -

Even if we do conclude that a formal SEA is not necessary, we would nevertheless suggest that the Plan is subject to a form of sustainability appraisal to assess and monitor the Plan's policies and proposals against a set of agreed objectives.

Thank you again for seeking the views of Historic England on this Screening Opinion.

Yours sincerely,

Martin Small  
Principal Adviser, Historic Environment Planning  
E-mail: [martin.small@historicengland.org.uk](mailto:martin.small@historicengland.org.uk)