

**Strategic Environmental Assessment - Screening Determination for
the High Littleton and Hallatrow Neighbourhood Plan**

April 2024

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1. Introduction

This document provides a screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the High Littleton and Hallatrow Neighbourhood Plan.

Bath & North East Somerset (B&NES), as the 'Responsible Authority' under the SEA Regulations¹, are responsible for undertaking this screening process of the High Littleton and Hallatrow Neighbourhood Plan. It will determine if the plan is likely to have significant environmental effects, and hence whether SEA is required.

This process has been carried out in accordance with the requirements of European Directive 2001/42/EC², often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

2. Legislative requirements

The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.

Applicable Legislation

- **European Directive 2001/42/EC:** Known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.
- Environmental Assessment of Plans and Programmes Regulations 2004: Implements the SEA Directive in the UK.
- **Council Directive 85/337/EEC (EIA Directive):** On the assessment of the effects of certain public and private projects on the environment.
- **Conservation of Habitats and Species Regulations 2017:** Implements the EU Habitats Directive (92/43/EEC) in the UK.

¹ The Environmental Assessment of Plans and Programmes Regulations 2004

² European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment"

Criteria for SEA Requirement

Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

1. Are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning, or land use (Regulation 5, para. (2)(a)), and which set the framework for future development consent of projects listed in Annex I or II to the EIA Directive (Regulation 5, para. (2)(b)).
2. In view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)).
3. Set the framework for future development consent of projects (Regulation 5, para. (4)(b)).
4. Are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)).

An environmental assessment need not be carried out for:

- Plans which determine the use of a small area at local level (Regulation 5, para. (6)(a)).
- Plans which are a minor modification to a plan or programme (Regulation 5, para. (6)(b)), unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

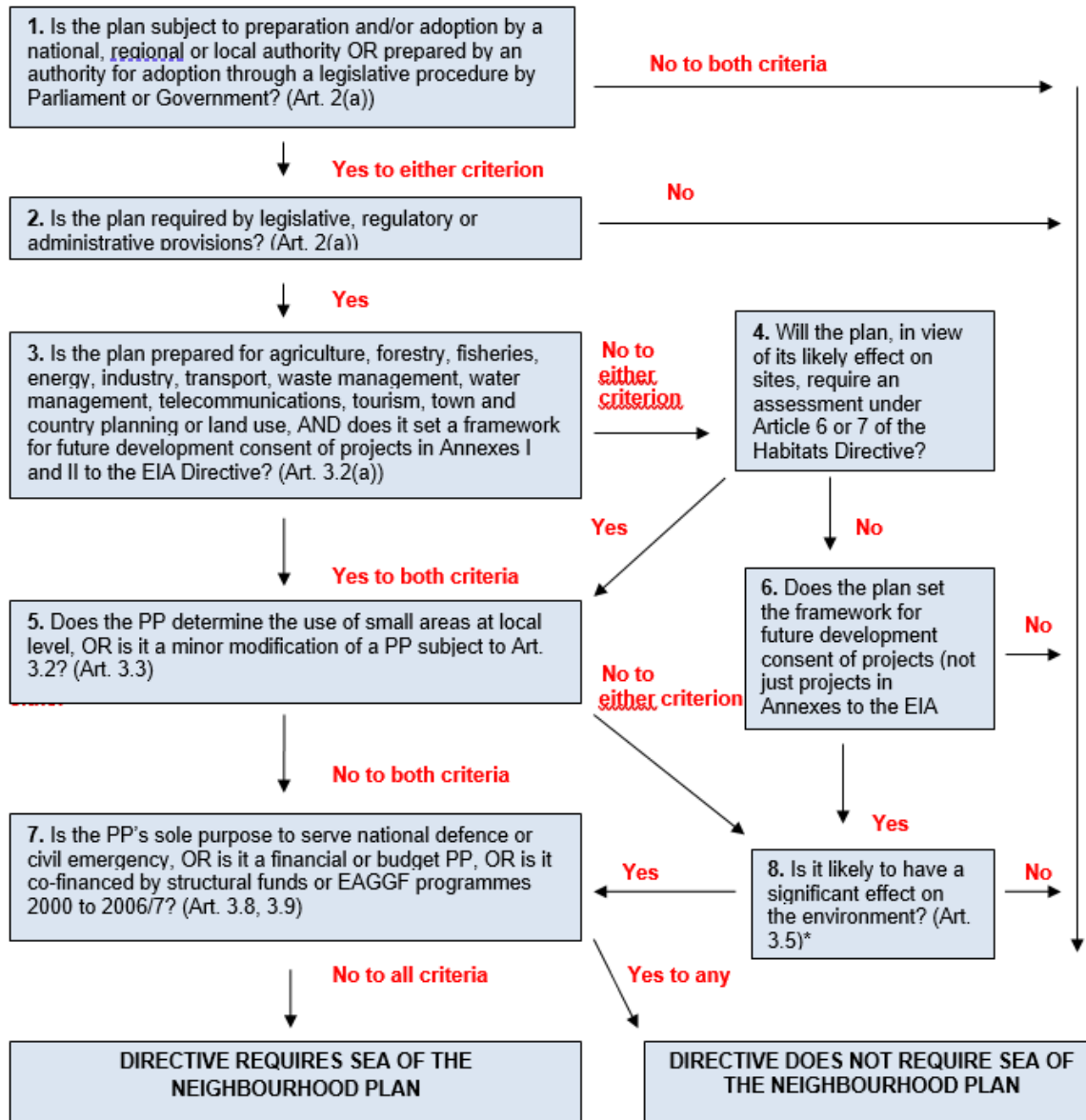
Determination Process

The determination process involves:

1. Considering the criteria specified in Schedule 1 of the SEA Regulations, which include:
 - The characteristics of the plans and programmes.
 - The characteristics of the effects and of the area likely to be affected.
2. Consulting with the consultation bodies: Natural England, Environment Agency, and Historic England.

Diagram of SEA Directive's Application

The following diagram illustrates the application of the SEA Directive to neighbourhood plans:



* Plans falling in this category (No.8) will be screened by B&NES Council to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in B&NES.

NB This diagram is intended as a guide to the criteria for application of the Directive to neighbourhood plans. It has no legal status.

3. High Littleton and Hallatrow Neighbourhood Plan

Background

The parish of High Littleton and Hallatrow within Bath & North East Somerset (B&NES) are currently preparing a neighbourhood plan under the provisions of the Localism Act 2011.

Steering Group

In 2016 the High Littleton and Hallatrow Neighbourhood Plan Steering Group was set up to prepare the plan and is led by the parish council. The Group includes a cross-section of community representatives that meet regularly to develop the draft plan.

Planning officers from B&NES Council have been informal members of the steering group and continue to act as 'link officers' in providing support and advice.

Neighbourhood Area Designation

The designation of the High Littleton and Hallatrow Neighbourhood Area was approved on 6th October 2016.

B&NES Council publicised the High Littleton and Hallatrow Neighbourhood Area application for consultation over a time period of 4 weeks from 2nd September to 30th September 2016. No comments were received.

B&NES agree that the proposed High Littleton and Hallatrow Neighbourhood Area (illustrated in figure 1) is coherent, consistent, and appropriate in planning terms.

The High Littleton and Hallatrow Neighbourhood Area application and designation documents are available to view online via the [B&NES Neighbourhood Plan webpage](#) and the [High Littleton and Hallatrow Neighbourhood Plan webpage](#).

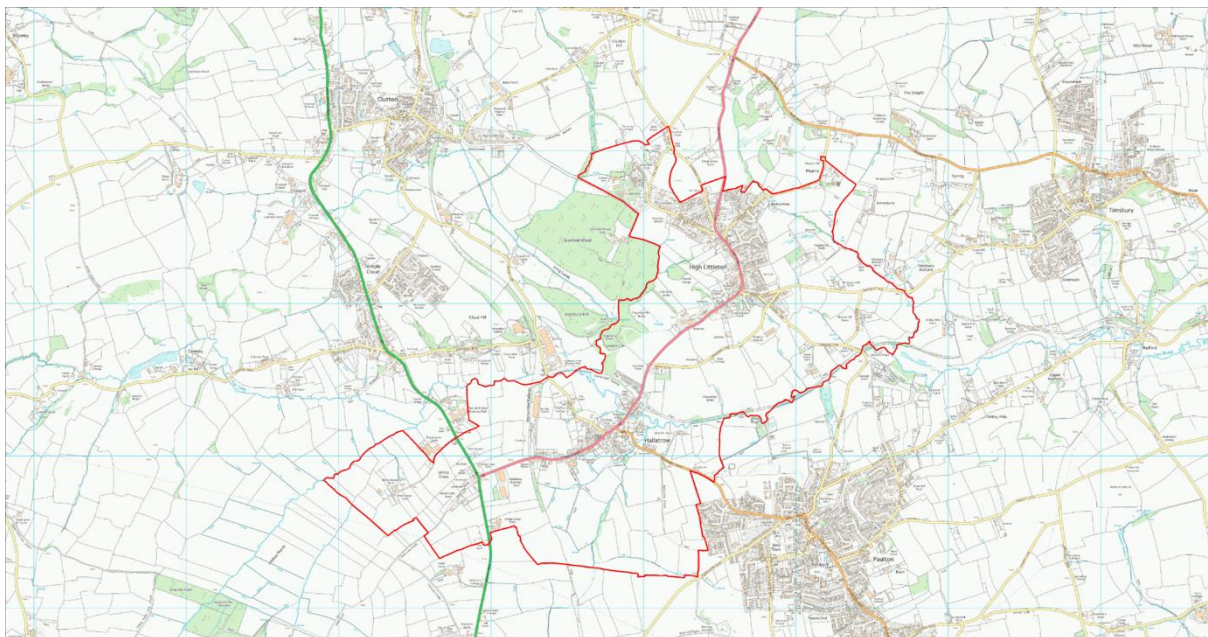


Figure 1 Map of the High Littleton and Hallatrow Neighbourhood Plan Area

4. SEA Screening Assessment

B&NES Council, as the 'Responsible Authority', considers that the High Littleton and Hallatrow Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:

- a) is subject to preparation or adoption by an authority at national, regional, or local level (Regulation 2);
- b) is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4); and
- c) will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

A determination under Regulation 9 is therefore required as to whether the High Littleton and Hallatrow Neighbourhood Plan is likely to have significant effects on the environment.

The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment. These relate to i) the characteristics of the High Littleton and Hallatrow Neighbourhood Plan and ii) the characteristics of the effects and of the area likely to be affected by the Neighbourhood Plan. In making a determination, B&NES Council will take into account the criteria specified in Schedule I of the Regulations as follows:

1. The characteristics of the 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 (for example, 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 transboundary nature of the effects;
- d) the risks to human health or the environment (for example, 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.

SEA Screening Assessment for High Littleton and Hallatrow Neighbourhood Plan

| Criteria (Schedule 1 SEA Regs.) | Significant environmental effects likely? | Justification and evidence |
|--|---|--|
| 1. The characteristics of plans and programmes, having regard, in particular, to: | | |
| (a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources | No | The neighbourhood plan promotes infill development and the development of small-scale residential units (1-9 dwellings) in line with the NPPF. This is in accordance with Policy RA1 and RA2 of the B&NES Core Strategy which has been subject to SEA. |
| (b) the degree to which the plan influences other plans and programmes including those in a hierarchy | No | The neighbourhood plan is produced by the local community to influence development at the local level. It does not influence strategic plans higher up in the hierarchy. |
| (c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development | No | The neighbourhood plan is a land-use plan that promotes sustainable development; it is not specifically a plan for integrating environmental considerations. |
| (d) environmental problems relevant to the plan | No | The plan acknowledges the presence of protected wildlife species and seeks to protect these species. It does not allocate sites for development and is not promoting development over and above that contained within the adopted B&NES Core Strategy and Placemaking Plan which have been subject to SEA and HRA. |
| (e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | No | The neighbourhood plan is not relevant as a plan for implementing Community legislation. |

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| 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 | No | Any environmental effects are not considered to be significant judging by the proposals in the neighbourhood plan. Any effects of the limited amount of development proposed are likely to be localised and short-term and related to the construction stage. |
| (b) the cumulative nature of the effects | No | No cumulative effects are considered to be significant. |
| (c) the transboundary nature of the effects | No | No transboundary effects are considered likely to be significant. |
| (d) the risks to human health or the environment (for example, due to accidents) | No | No environmental effects are considered likely to risk human health or the environment. |
| (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | No | The neighbourhood plan covers one rural parish with an area of approximately 1,500ha and a population of approximately 2,000 residents. Significant effects due to the geographic size of the area and population size are not considered likely. |
| (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 | No | High Littleton and Hallatrow have significant natural and cultural heritage, including various listed buildings and natural habitats. However, the plan's proposals are not expected to significantly affect these characteristics. The B&NES Core Strategy and Placemaking Plan have both been subject to SEA and HRA, and this plan does not propose anything over and above what is contained in those higher-level plans. |
| (g) the effects on areas or landscapes which have a recognised national, Community, or international protection status. | No | There are national and European landscape/biodiversity designations within and on the edge of the plan area. However, the limited proposals of the neighbourhood plan that accord with the emerging Core Strategy of the local authority are not considered likely to lead to significant effects on these designations. The B&NES Core Strategy and Placemaking Plan have both been subject to SEA and HRA, and this plan does not propose anything over and above what is contained in those higher-level plans. |

5. SEA Screening Decision

Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall:

- a) take into account the criteria specified in Schedule 1 to these Regulations;
and
- b) consult the consultation bodies.

Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

B&NES Council considers that the proposed High Littleton and Hallatrow Neighbourhood Plan is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment. This decision is made for the following key reasons:

1. The neighbourhood plan proposals are considered to be in general conformity with the Core Strategy documents of Bath & North East Somerset Council and this has been subject to SEA and HRA assessments.
2. The neighbourhood plan is not proposing additional development over and above that described in the Core Strategy. The Neighbourhood Plan explains that 'limited infill' development within the village housing development boundary will be subject to the usual controls and restrictions of the adopted Core Strategy and Placemaking Plan.
3. The Draft HRA screening has confirmed that there are opportunities for impact avoidance and mitigation which have been incorporated into the draft Neighbourhood Plan.

This Draft Screening Report has been sent to Natural England, Environment Agency, and Historic England for their opinions.

Conclusion

B&NES Council concludes that the High Littleton and Hallatrow Neighbourhood Plan does not require a Strategic Environmental Assessment as it is unlikely to have significant environmental effects.

Appendix 1: Responses from Natural England, Historic England and the Environment Agency