**Insert Title of Neighbourhood Plan**.

**Strategic Environmental Assessment (SEA)**

Screening Statement - Determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

**Draft Determination**

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# Introduction

* 1. This statement sets out the **[Insert name of parish council]**’s determination under Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 on whether or not a Strategic Environmental Assessment is required for the **[insert name of neighbourhood plan]** .

## Strategic Environmental Assessment

* 1. Under the Environmental Assessment of Plans and Programmes Regulations 2004 (implementing Directive 2001/42/EC known as the Strategic Environmental Assessment (SEA) Directive) , specific types of plans that set out the framework for future development consent of projects must be subject to an environmental assessment.
  2. There are exceptions to this requirement for plans that determine the use of a small area at a local level and for minor modifications, if it has been determined that the plan is unlikely to have significant environmental effects.
  3. A draft neighbourhood plan must meet a set of basic conditions in order to be put to a referendum. One of these conditions is that the plan does not breach, or is otherwise compatible with EU obligations such as (where appropriate) the requirement for SEA. Under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, a responsible authority (such as a parish council in the case of an emerging Neighbourhood Plan) must determine if a neighbourhood plan requires an environmental assessment. Where **[Insert name of parish council]** determines that SEA is not required then under Regulation 9(3), it must prepare a statement setting out the reasons for this determination. The need for SEA is considered under Section 3 of this report.

## Sustainability Appraisal

* 1. Under separate legislation (the Planning and Compulsory Purchase Act 2004 and associated Regulations), a local planning authority must carry out an appraisal of the sustainability of its proposals, when preparing a local plan. Neighbourhood plans are excluded from this requirement, however they must still contribute to the achievement of sustainable development. The Sustainability Appraisal for the East Hampshire District Local Plan incorporates the requirements of SEA, and so the Local Plan’s Sustainability Appraisal (SA) provides relevant information for determining the potential environmental effects of implementing the draft neighbourhood plan, and their significance. **[Insert text as to whether the EHDC Local Plan SA (scoping report, objectives and assessment findings) has been reviewed for purposes of Section 3; if screening has been undertaken in another fashion, please explain why]**

# Scope of the draft [Insert name of neighbourhood plan]

2.1 The purpose of the **[Insert name of neighbourhood plan]**is to **[Insert the purpose of proposals in the neighbourhood plan]**.. It will support policies **[Insert the identity of the strategic policies of the JCS relevant to the proposals of the neighbourhood plan]** of the East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014) and will apply to the parish of **[Insert name of parish]**.

2.2 The neighbourhood plan will include the following proposals:

* Choose an item.;
* Choose an item.

2.3 In relation to the above proposals, this document presents a “screening” opinion as to whether they are likely to have significant environmental effects.

# 3. Strategic Environmental Assessment (SEA)

**The SEA Screening Process**

3.1 The process for determining whether or not an SEA is required is called screening. In order to conduct this screening exercise, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Schedule I of the 2004 Regulations. Table 2 provides details of the screening assessment for **[Insert name of neighbourhood plan]**. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.

3.2 Within 28 days of making its determination the authority must publish a statement such as this one, setting out its decision. If it determines that an SEA is not required, the statement must include the reasons for this.

**SEA Determination and Reasons for Determination**

3.3 Before making a determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the three consultation bodies are being consulted. The responses received will be set out in Table 1 below:

**Table 1 – Comments received by Consultation bodies**

| **Consultation Body** | **Comments** |
| --- | --- |
| Environment Agency | [RESPONSE TO BE INSERTED FOLLOWING CONSULTATION] |
| Historic England | [RESPONSE TO BE INSERTED FOLLOWING CONSULTATION] |
| Natural England | [RESPONSE TO BE INSERTED FOLLOWING CONSULTATION] |

# Table 2 – Draft SEA Screening Determination for Insert name of Neighbourhood Plan

| **Criteria (from Annex II) of SEA Directive and Schedule I of the Regulations)** | **Neighbourhood Plan Qualifying Body Comments** |
| --- | --- |
| **Characteristics of the plan or programme** | |
| a) The degree to which the plan or programme sets a framework for projects and other activities, either with regards to the location, nature, size and operating conditions or by allocating resources. | **Insert comments in relation to SEA criteria** |
| b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | **Insert comments in relation to SEA criteria** |
| c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development. | **Insert comments in relation to SEA criteria** |
| d) Environmental problems relevant to the plan or programme. | **Insert comments in relation to SEA criteria** |
| e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example plans and programmes linked to waste management or water protection). | **Insert comments in relation to SEA criteria** |

|  |  |
| --- | --- |
| **Characteristics of the effects and of the area likely to be affected** | |
| a) The probability, duration, frequency and reversibility of the effects. | **Insert comments in relation to SEA criteria** |
| b) The cumulative nature of the effects | **Insert comments in relation to SEA criteria** |
| c) The transboundary nature of the effects | **Insert comments in relation to SEA criteria** |
| d) The risks to human health or the environment (for example, due to accidents) | **Insert comments in relation to SEA criteria** |
| e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | **Insert comments in relation to SEA criteria** |
| f) The value and vulnerability of the area likely to be affected due to:  i) Special natural characteristics or cultural heritage;  ii) Exceeding environmental quality standards or limit values;  ii) Intensive land-use | **Insert comments in relation to SEA criteria** |
| g) The effects on areas or landscapes which have recognised national, community or international protection status. | **Insert comments in relation to SEA criteria** |

**Other Considerations**

3.4 In reviewing the criteria of Table 2 and coming to a conclusion, **[Insert name of Parish Council]** has also had regard to the following:

* The draft Neighbourhood Plan has been written to support policies from the East Hampshire District Joint Core Strategy (adopted June 2014), which was subject to SEA (as part of a Sustainability Appraisal) at a higher tier.

* **[Insert details (if any) of how the neighbourhood plan accords with national planning policy and associated impacts]**.

**SEA Conclusion**

3.5 Having regard to the considerations above (Table 2), **[Insert name of Parish Council** considers that **[Insert name of neighbourhood plan]** is Choose an item.to have any significant environmental effects and therefore Choose an item. require a Strategic Environmental Assessment.

3.6 This draft determination was made onClick here to enter a date.and is subject to review, having regard to the responses of consultation bodies.