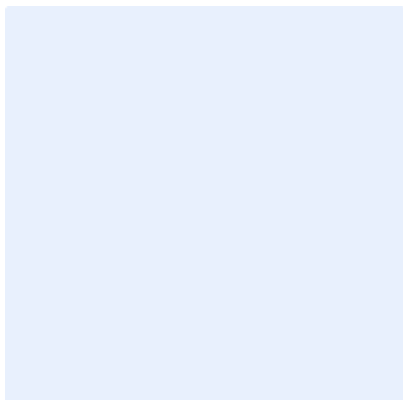


# **Rowlands Castle Parish Neighbourhood Plan**

## **Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (HRA)**

Screening Statement - Determination under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2017 (as amended).

**Final Determination**  
**19/05/2022**



**East  
Hampshire**  
DISTRICT COUNCIL

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## **1. Introduction**

- 1.1. This statement sets out the Rowlands Castle 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 Rowlands Castle Parish Neighbourhood Plan (2017-2038).

### **Strategic Environmental Assessment**

- 1.2. 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.
- 1.3. 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.
- 1.4. 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 Rowlands Castle 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.

### **Habitats Regulations**

- 1.5. Any plans or projects, including a Neighbourhood Plan, which propose development which may have an adverse or significant impact on a European Designated site<sup>1</sup> will be required to carry out a Habitats Regulation Assessment

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<sup>1</sup> European Designated sites are nature conservation sites of European importance and include Special Protection Areas (SPAs) for Birds and Special Areas of Conservation (SACs) for habitat types and species (excluding birds). They were created under the EC Birds Directive and Habitats Directive and form part of a larger European network called Natura 2000.

pursuant to the Conservation of Habitats and Species Regulation 2017 (as amended).

## **Sustainability Appraisal**

- 1.6. 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. The 'Sustainability Appraisal (SA) of the East Hampshire District Joint Core Strategy' (August 2013) have been considered when providing information for Section 3

## **2. Scope of the draft Rowlands Castle Parish Neighbourhood Plan**

- 2.1 The purpose of the Rowlands Castle Parish Neighbourhood Plan is to.
- Retain the character of the Parish of Rowlands Castle (the Designated Neighbourhood Area).
  - Maintain and, when possible, improve the quality of the built environment through high quality design and layout of development, and conservation and enhancement of the historic environment.
  - Enhance the green and open character of the Parish and its village, providing green areas, habitats and open space, particularly in association with development.
  - Promote a Parish that retains a sense of distinct settlements having their own character and social identity, and the gaps between them, through the location of development and community provision and improved walking and cycling access.
  - Enhance community life, by providing housing for local needs, promoting local employment and supporting retail, community and sports provision, working with EHDC on housing allocations to meet local needs.
  - Locate development (although the Neighbourhood Plan will not allocate any sites) within good walking and cycling access to retail, community and sports provision and to the countryside, minimising car usage and the need for additional local parking and demands on other infrastructure.
  - Minimise the impact of any development on landscape and wildlife and to promote their protection.
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It will support the following policies in the EHDC Local Plan Joint Core Strategy (JCS) (adopted June 2014):

- CP6: Rural Economy and Enterprise
- CP8: Town and village facilities and services
- CP12: Housing and Extra Care Provision for the Elderly.
- CP16: Protection and provision of social infrastructure
- CP17: Protection of open space, sport and recreation and built facilities
- CP18: Provision of open space, sport and recreation and built facilities
- CP19: Development in the Countryside
- CP20: Landscape
- CP23: Gaps between Settlements
- CP25: Flood Risk
- CP26: Water resources/Water Quality
- CP27: Pollution
- CP28: Green infrastructure
- CP29: Design
- CP30: Historic Environment
- CP31: Transport

The following table identifies the strategic policies of the JCS with which the policies in the Draft Neighbourhood Plan accord:

Rowlands Castle Draft Neighbourhood Plan Policy	Related EHDC Local Plan JCS Policies
1. Gaps between Settlements	CP23
2. Landscape Character and Views	CP19; CP20
3. Local Green Spaces and Protected Open Spaces	CP17; CP18; CP28
4. Historic Environment	CP6; CP20; CP30
5. Housing Design and Local Character	CP27; CP29; CP30
6. Over 55's housing	CP12
7. Rowlands Castle Village Centre	CP8; CP29; CP30
8. Parking	CP29; CP31
9. Flood risk and Groundwater Management	CP25; CP26
10. Community and Sports Facilities	CP16; CP17; CP18
11. Walking, Horse-riding and Cycling Access	CP18; CP31

2.2 The neighbourhood plan will include the following proposals:

#### Policy 1 – Gaps between Settlements

- Provide a clear break between the settlements of Rowlands Castle and Havant. This will maintain a 'sense of place' for residents of, and visitors to, the two settlements.
- Preserve the individual identity of Rowlands Castle and the integrity of the predominantly open and undeveloped land between it and Havant.

#### Policy 2 – Landscape Character and Views

- To conserve and enhance the parish landscape together with the setting of each of the main residential centres of Rowlands Castle, Finchdean and Idsworth House/Park within it.
- Maintain the distinctive landscape vistas and the visual connectivity between the surrounding countryside and the built environment

#### Policy 3 – Local Green Spaces and Protected Open Spaces

- Enhance the green and open character of the Parish thereby contributing to the quality of the built environment, enhancement of community life and protection of landscape, wildlife and biodiversity.

#### Policy 4 – Historic Environment

- Ensure that any development respects the particular character and historical aspects of Rowlands Castle Parish including the setting of its conservation area in the village centre, and other non-designated "Heritage Assets".

#### Policy 5 – Housing Design and Local Character

- Although the Neighbourhood Plan will not allocate any sites for development, ensure that the design of any new development that does take place respects the local character and makes a positive contribution to the overall parish character and appearance.

#### Policy 6 – Over 55's Housing

- Encourage any new developments and development of existing sites within the Settlement Policy Boundary that accommodate the needs of over 55s and are within a reasonable walking distance to the main village facilities around the Rowlands Castle Village Green. The Neighbourhood Plan will not alter the Settlement Policy Boundary defined in the EHDC Local Plan, and will not allocate any development sites.

#### Policy 7 – Rowlands Castle Village Centre

- Improve the quality of the built environment in the distinctive village centre which is in a Conservation area, ensuring that any development contributes to the overall character of the village, and retains its vitality and viability.

#### Policy 8 - Parking

- Encourage provision of additional parking provision, especially near the Rowlands Castle village green where the current capacity poses a particular problem for residents and customers accessing businesses and other facilities.

#### Policy 9 – Flood Risk and Groundwater Management

- Ensure that any new development (although the Neighbourhood Plan will not allocate any sites) is protected from flood risk.
- Ensure that new development does not add to, or worsen, existing flooding risk.
- Ensure that new development does not have an adverse risk on groundwater sources.

#### Policy 10 – Community and Sports Facilities

- Support the retention, improvement and viability of existing community and sports facilities

#### Policy 11- Walking, Horse-riding and Cycling Access

- Ensure that the network of public rights of way including footpaths, bridleways and cycle routes in the parish are maintained for the convenience and safety

of users, for their recreational value and to enhance connections across the Parish. Encourage new and improved links to the Shipwrights Way, Monarchs Way, Staunton Way, Sussex Border Path and E9 (European long distance path) and to the village centre.

The Rowlands Castle Parish Neighbourhood Plan does not allocate any sites for development or alter the Settlement Policy Boundary as defined in the EHDC Local Plan Part 2 – Housing and Employment Allocations (April 2016).

- 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 1 of the 2004 Regulations. Table 2 provides details of the screening assessment for the Rowlands Castle Parish 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.

#### **The HRA Screening Process**

- 3.3 A Habitats Regulations Assessment screening will need to be carried out which identifies whether a plan or project is likely to have a significant effect on the integrity of a ‘European site’, either alone or in combination with other plans or projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information. Table 2 provides details of such a screening assessment for Rowlands Castle Neighbourhood Plan. Consultation for this process is with Natural England alone.

#### **SEA Determination and Reasons for Determination**

- 3.4 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	<p>You have confirmed that no development will be coming forward as part of this plan, and therefore, taking this into account, we do not consider that there will be any Significant Environmental Impacts associated with this plan, and it is our view that a SEA will be not be required.</p>
Historic England	<p>Thank you for consulting Historic England on the strategic environmental assessment (SEA) screening of the Rowlands Castle Neighbourhood Plan. Our remit does not extend to matters concerning the Habitats Regulations.</p> <p>In respect of SEA, in our opinion, a full SEA is <u>not required</u>.</p>
Natural England	<p><b>Screening Request: Strategic Environmental Assessment</b></p> <p>It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.</p> <p><b>Natural England therefore concludes that this Neighbourhood Plan does not require an SEA/HRA.</b></p>



**Table 2 – Draft SEA and HRA Screening Determination for Rowlands Castle Parish Neighbourhood Plan**

Criteria (from Annex II) of SEA Directive and Schedule I of the Regulations)	Neighbourhood Plan Qualifying Body Comments
<b>Characteristics of the plan or programme</b>	
<p>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.</p>	<p>The Rowlands Castle Neighbourhood Plan (NP) does not allocate any sites for development, or alter the Settlement Policy Boundaries as defined in the current EHDC Local Plan Part 2 -Housing and Employment Allocations (April 2016). The EHDC Local Plan (2017-2036) (Regulation 18) allocated four sites in the Neighbourhood Plan’s Designated area. for the development of 306 to 331 dwellings. It is anticipated that the emerging EHDC ‘hybrid’ Local Plan (2017-2038) (Regulation 19 - publication April 2022) will also allocate development sites within this area.</p> <p>Therefore, the NP does not set a framework for development projects with regard to location, nature and size and operating conditions or by allocating resources.</p>
<p>b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The NP will complement the EHDC Local Plan, and will seek to influence through its policies the developments proposed in that Local Plan.</p>
<p>c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.</p>	<p>The NP is relevant for the integration of environmental considerations and helps to ensure that any development is sustainable by protecting the natural environment. It contains policies to protect the landscape character and views, and local green and open spaces. Policy 5 (Housing Design and Local Character) also aims to ensure that any development is sustainable.</p>

<b>Criteria (from Annex II) of SEA Directive and Schedule I of the Regulations)</b>	<b>Neighbourhood Plan Qualifying Body Comments</b>
d) Environmental problems relevant to the plan or programme.	See references to Environment Agency Flood Zones and Groundwater Protection Zones in section f) of the 'Characteristics of the effects and of the area likely to be affected' table below
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).	The NP does not have any direct relevance to such EU legislation.

**Characteristics of the effects and of the area likely to be affected**

<p>a) The probability, duration, frequency and reversibility of the effects.</p>	<p>Providing the NP Policies are adhered to, they should restrict any adverse effects of development. The EHDC Local Plan policies and Planning Conditions should also restrict adverse effects or require mitigation.</p>
<p>b) The cumulative nature of the effects</p>	<p>The NP policies will not result in any adverse cumulative effects on the environment. Developments could result in cumulative effects arising, for example, from increased traffic and consequent pollution, flooding and groundwater contamination. NP Policies (e.g. Policy 9 (Flood Risk and Groundwater Management) and Policy 11 (Walking, Horse-riding and Cycling Access)) would contribute towards a reduction in such cumulative effects of development.</p>
<p>c) The transboundary nature of the effects</p>	<p>The NP Policies will not result in any transboundary effects on EU member states.</p>
<p>d) The risks to human health or the environment (for example, due to accidents)</p>	<p>The NP policies will not pose any risks to human health or to the environment. EHDC Local Plan, Highways England, Highways Authority and Environment Agency policies should result in the mitigation of any risks.</p>
<p>e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<ul style="list-style-type: none"> <li>• The area of the Rowlands Castle Parish (the Designated Neighbourhood Plan area) is approximately 1,900 hectares, of which approximately 60% is in the South Downs National Park. It is estimated that there are approximately 1,500 dwellings in the Parish, and that the population is approximately 3,300.</li> <li>• The NP policies will seek to conserve and protect this area, and the EHDC Local Plan policies should help to mitigate the effects of future development.</li> </ul>

<p>f) The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>i) Special natural characteristics or cultural heritage;</li> <li>ii) Exceeding environmental quality standards or limit values;</li> <li>ii) Intensive land-use</li> </ul>	<ul style="list-style-type: none"> <li>• Significant areas of the NP Designated Area are within Environment Agency Groundwater Source Protection Zones 1 and 2, and NP Policy 9 (Flood Risk and Groundwater Management) aims to ensure that any new development does not have an adverse effect on these areas.</li> <li>• There are Environment Agency Flood Zones 2 and 3 in the NP area, and these are also addressed in NP Policy 9.</li> <li>• There are about 20 Grade II listed buildings in the Designated NP Area. Policy 4 (Historic Environment) seeks to protect their setting, and also about 22 other 'non-designated' Heritage Assets.</li> <li>• The NP policies would have no adverse effect on the one Archaeology Area of Importance or the four Archaeology Areas of High Importance</li> </ul>
<p>g) The effects on areas or landscapes which have recognised national, community or international protection status.</p>	<ul style="list-style-type: none"> <li>• The Designated NP Area is not within an Area of Outstanding Natural Beauty and does not contain any sensitive environmental assets (e.g. a Site of Special Scientific Interest)</li> <li>• There is a Conservation Area in the centre of Rowlands Castle village and Policy 7 (Rowlands Castle Village Centre) seeks to protect that area.</li> <li>• Policy 2 (Landscape Character and Views) aims to provide protection of the landscape, including the approximately 60% of the Designated Area which is within the South Downs National Park.</li> <li>• The NP has been informed by: Rowlands Castle Local Landscape Character Assessment (2012); EHDC Landscape Capacity Study (2018); EHDC Neighbourhood Character Study (2018); South Downs Integrated Landscape Character Assessment; Rowlands Castle Settlement Character Assessment (2020).</li> </ul>

	<ul style="list-style-type: none"> <li>• A large part of the southern area of the Designated Area is in the Solent Special Protection Area (SPA) 5,600 metre buffer area. EHDC Local Plan Policy CP21 (Biodiversity) ensures this area will be protected as a result of any developments, and Policy CP22 (Internationally Designated Sites) will also address this.</li> <li>• Large areas of the NP Designated Area are SINCs, and these will also be protected by EHDC Policy CP21.</li> <li>• Policy 3 (Local Green Spaces and Protected Open Spaces) designates areas which are important to the community and should be protected from development.</li> <li>• Policy 1 (Gaps between Settlements) also seeks to protect the landscape of the area between Rowlands Castle and Havant.</li> </ul>
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## Other Considerations

3.5 In reviewing the criteria of Table 2 and coming to a conclusion, Rowlands Castle 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) and HRA at a higher tier.
- The Draft Neighbourhood Plan policies will, for example, accord with the paragraphs in the National Planning Policy Framework (July 2021) (NPPF) as shown in the following table:

Rowlands Castle Draft Neighbourhood Plan Policy	NPPF Paragraph
1. Gaps between Settlements	130; 197
2. Local Green Spaces and Protected Open Spaces	84; 92; 98; 99; 101; 102, 103

## **SEA/HRA Conclusion**

- 3.6 Having regard to the considerations above (Table 2), East Hampshire District Council, as the responsible authority, determines that Rowlands Castle Parish Neighbourhood Plan is Unlikely to have any significant environmental effects and therefore will not require a Strategic Environmental Assessment or Habitats Regulation Assessment.
- 3.7 This final determination was made on **19/05/2022**.