

# **Housing Outside Settlement Boundaries Supplementary Planning Document (SPD)**

## **Strategic Environmental Assessment and Habitats Regulations Assessment Screening Statement**

August 2022

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## 1. Executive Summary

- 1.1 This screening statement considers whether a Strategic Environmental Assessment and / or full Habitats Regulation Assessment is required to be produced to accompany the Housing Outside Settlement Boundaries Supplementary Planning Document (SPD).
- 1.2 The screening concludes that a SEA is not required for the SPD. It also concludes that the SPD would not need to be subject to full Appropriate Assessment under the Habitats Regulations Assessment.

## 2. Introduction

- 2.1 East Hampshire District Council is preparing a Housing Outside Settlement Boundaries Supplementary Planning Document (SPD) to expand upon adopted policy CP10 of the Joint Core Strategy (2014) which sets out the housing strategy for the district.
- 2.2 Policy CP10 states:

### **CP10 SPATIAL STRATEGY FOR HOUSING**

Provision is made for a minimum increase of 10,060 dwellings in the period 2011 to 2028 by means of:

1. completion of existing permissions and allocations,
2. development within the defined settlement policy boundaries of towns and villages where it is consistent with maintaining and enhancing their character and quality of life,
3. the Strategic Allocation at Whitehill & Bordon of 2,725 new dwellings over the Plan period and the remainder of the 4,000 in total beyond the Plan period (see Policy CSWB4), and
4. the allocation of sites at the most sustainable settlements to provide:
  - a minimum of 700 dwellings at Alton and Horndean and Petersfield
  - a minimum of 200 dwellings at Clanfield
  - a minimum of 175 dwellings at both Liphook and Four Marks/South Medstead
  - a minimum of 150 dwellings at both Liss and Rowlands Castle
  - a minimum of 150 dwellings at other villages outside the National Park
  - a minimum of 100 dwellings at other villages in the National Park

Sites will be identified through the Local Plan: Allocations, SDNP Local Plan or Neighbourhood Plans and settlement policy boundaries adjusted accordingly.

Housing should be accommodated through development and redevelopment opportunities within existing settlement policy boundaries in the first instance.

In addition to sites allocated to meet the housing numbers set out above, and development in accordance with Policies CP14 and CP19, housing and other small scale development outside settlement policy boundaries will only be permitted where it:

- meets a community need or realises local community aspirations;
- reinforces a settlement's role and function;
- cannot be accommodated within the built up area; and
- has been identified in an adopted Neighbourhood Plan or has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.

Within the South Downs National Park any housing provision should meet the needs of local communities in the National Park.

- 2.3 The SPD focuses on expanding on the text highlighted and does not identify or allocate specific sites for development. Upon adoption, the SPD will be a material consideration in planning determinations in the district (outside the SDNP).
- 2.4 The 2004 Planning and Compulsory Purchase Act and associated Regulations made all local development documents subject to Sustainability Appraisal, which met the requirements of Strategic Environmental Assessment (SEA) as defined by the EU Directive 2001/42/EC. The 2008 Planning Act removed the requirement for SPDs to be subject to Sustainability Appraisal and, as such, the Council does not propose to carry out a sustainability appraisal of the SPD.
- 2.5 The requirement for local planning authorities to carry out an SEA of relevant plans and programmes before adoption is set out in the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.6 However, there are exceptions to this and, in most cases, SPDs do not require an SEA. This is acknowledged in the Planning Practice Guidance (PPG)<sup>1</sup>, which sets out that "*supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies*". Ultimately, it is the responsibility of the local planning authority to assess whether the plan is likely to have significant effects on the environment and make these

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<sup>1</sup> PPG Strategic environmental assessment and sustainability appraisal Paragraph: 008 Reference ID:11-008- 20140306

conclusions public.

- 2.7 In addition, Article 6 of the Habitats Directive (as transposed into UK law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended) (“the Habitats Regulations 2017”) requires an assessment of the implications of a plan, both individually and in combination with other plans or projects, on designated ‘National Sites Network’<sup>2</sup>. If it is determined that a plan or project is likely to have a significant effect on these protected sites, an Appropriate Assessment should be undertaken.
- 2.8 The Council has therefore prepared this Screening Statement to determine whether the proposed Housing Outside Settlement Boundaries SPD should be subject to an SEA and/or Habitats Regulations Assessment (HRA)/Appropriate Assessment.

### 3. Scope of the SPD under preparation

- 3.1 The paragraphs below summarise the purpose, scope and intended content of the Housing Outside Settlement Boundaries SPD under preparation which is the subject of this SEA/ HRA Screening Report.
- 3.2 It should be noted that the document will not contain any new policies, proposals, or site allocations.

#### Housing Outside Settlement Boundaries SPD

- 3.3 The purpose of the Housing Outside Settlement Boundaries SPD is to supplement policy CP10 in the East Hampshire Joint Core Strategy (2014).
- 3.4 East Hampshire’s spatial strategy for housing is identified within Policy CP10 (see above). It recognises the housing requirement and the distribution needed to meet that requirement. The specific sites were then subsequently allocated as part of the Local Plan (part 2): Housing and Employment Allocations, which was adopted in April 2016 or identified and allocated in ‘made’ Neighbourhood Plans.
- 3.5 The SPD will allow new development to come forward in suitable locations subject to satisfactory assessment against the requirements of the SPD, pending preparation of the new East Hampshire local plan. The SPD explicitly refers to this being an interim solution pending preparation of the East Hampshire local plan and does not therefore apply to strategic sites which would come forward for consideration through the local plan process.

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<sup>2</sup> Including Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites (which are treated as the **national sites network**)

## 4. Strategic Environmental Assessment (SEA)

- 4.1 As discussed in the Introduction above, an SEA is required for certain categories of plans and programmes where they are determined to be likely to have significant environmental impacts.
- 4.2 Regarding SPDs, the PPG indicates that an SEA will normally only be required in exceptional circumstances. The Council must therefore determine, on a case-by-case basis, whether an SEA is required for the SPD being prepared. This is referred to as a screening process.
- 4.3 As part of this, the Council must first determine whether the SPD is a “plan or programme” covered by Article 3(3) and 3(4). If it determines that it is, then the Council must carry out a screening to establish whether an SEA is required. This will depend on its potential to result in significant environmental effects.
- 4.4 In deciding whether significant environmental effects are likely, the Council must take into account the criteria in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004, and to consult the specified Consultation Bodies.
- 4.5 The Council’s assessments of the SPD against Schedule 1 criteria are set out in **Table 1** below.
- 4.6 This Screening Report covers:
  - a. An assessment of whether the SPD is covered by Article 3(3) and Article 3(4)
  - b. An appraisal of the SPD takes account of the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004
- 4.7 The three consultation bodies (Historic England, Environment Agency, and Natural England) were consulted. Responses were received from Historic England and Natural England and they agree with the conclusion of this report. Their responses are attached within Appendix 1. No response was received from the Environment Agency.

**Table 1 Screening Assessment for Housing Outside Settlement Boundaries SPD**

The SPD is considered to be a plan or programme covered by Articles 3(3) and 3(4) SCHEDULE 1 – Regulations 9(2)(a) and 10(4)(a)

**CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANT EFFECTS ON THE ENVIRONMENT**

SEA Directive Criteria	Response
<b>1. The Characteristics of Plans and Programmes having regard to:</b>	
<p><b>1a) 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></p>	<p>The SPD will provide additional guidance on existing policy CP10 of the adopted Joint Core Strategy (JCS) that was subject to SEA (concluding no significant effects expected). The SPD provides an explanation of the criteria expressed in Policy CP10 and the evidence required to support planning applications being submitted under the policy.</p> <p>The SPD does not identify or allocate sites for development and explicitly refers to not applying to those sites which are strategic in nature and would come forward through a local plan process.</p>
<p><b>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</b></p>	<p>The JCS provides the adopted policy to which the SPD will supplement, the purpose of the SPD is to expand and provide more guidance on Policy CP10.</p> <p>The SPD does not introduce new policy.</p> <p>The SPD will be at the bottom of the hierarchy and will have no influence on the documents above it.</p>

<p><b>1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</b></p>	<p>The SPD will contribute to sustainable development by providing more detail and guidance to support the implementation of both policy CP10 and CP1 'Presumption in Favour of Sustainable Development'.</p> <p>The SPD expands upon that part of Policy CP10 which sets out four tests to be met for a development to be considered acceptable :</p> <ul style="list-style-type: none"> <li>• <i>meets a community need or realises local community aspirations;</i></li> <li>• <i>reinforces a settlement's role and function;</i></li> <li>• <i>cannot be accommodated within the built up area; and</i></li> <li>• <i>has been identified in an adopted Neighbourhood Plan or has clear community support as demonstrated through a process which has been agreed by the Local Planning Authority in consultation with the Parish or Town Council.</i></li> </ul> <p>The SPD does not apply to strategic sites or sites that could collectively contribute to a large scale development in any one location that would be expected to come forward through the local plan process.</p>
<p><b>1d) Environmental problems relevant to the plan or programme.</b></p>	<p>The SPD supplements adopted planning policy and should not be considered in isolation from other adopted policies and SPD's.</p>



<p><b>1e) 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).</b></p>	<p>The SPD will help support the implementation of the JCS which in itself is contributing or responding to EU based legislation.</p>
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**2. Characteristics of the effects and of the area likely to be affected:**

<p><b>2a) The probability, duration, frequency, and reversibility of the effects.</b></p>	<p>The SPD supports the delivery of Policy CP10 within the JCS which has already been subject to SA/SEA.</p> <p>The SPD provides guidance aimed at allowing limited new housing development outside of defined settlement boundaries, across East Hampshire District (outside of SDNP), subject to satisfactory application of the detailed requirements of the SPD.</p>
<p><b>2b) The cumulative nature of the effects.</b></p>	<p>Policy CP10 was subject to various modifications (Policy previously referred to as CP8) and these were a focus for the <a href="#">SA Addendum Report</a> published in 2013 to accompany the examination of the JCS.</p> <p>The SA/SEA expects overall positive impacts to arise from JCS Policy CP10.</p>

<p><b>2c) The trans boundary nature of the effects.</b></p>	<p>The SPD will be local to East Hampshire district outside of SDNP, only indirect effects are expected cross-boundary (and not as a result of the SPD in itself).</p>
<p><b>2d) The risks to human health or the environment (e.g., due to accidents).</b></p>	<p>The SPD does not present any risks to human health or the environment.</p>
<p><b>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).</b></p>	<p>The SPD will be applied to all relevant planning applications in the district (outside of the SDNP). The effects of the SPD are more likely to be felt at a more local scale (i.e., by populations in and around the development sites to which the SPD is applied).</p>
<p><b>2f) The value and vulnerability of the area likely to be affected due to:</b></p> <ul style="list-style-type: none"> <li><b>i) special natural characteristics or cultural heritage.</b></li> <li><b>ii) exceeded environmental quality standards or limit values.</b></li> <li><b>iii) intensive land-use.</b></li> </ul>	<p>The SPD will apply to the whole of the East Hampshire District (outside of the SDNP) but it does not override other adopted policies protecting designated landscapes or areas identified for their environmental or heritage characteristics.</p>

<p><b>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.</b></p>	<p>In applying to the district of East Hampshire, the SPD potentially covers and may be applied to, areas protected for their special natural – environmental characteristics and various Conservation Areas. Any planning applications for development under the SPD will be required to satisfy the relevant policies for protection of the character of the area before permission is granted.</p>
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**Conclusions in respect of Strategic Environmental Assessment**

- 4.8 The SPD will supplement and support the delivery of existing policy CP10 in the adopted Joint Core Strategy which was subject to SEA and SA. The SPD will not introduce new policies or proposals.
- 4.9 Having assessed the SPD being prepared against the relevant criteria and considerations in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 (as set out in above), the Council concludes that the Housing Outside Settlement Boundaries SPD will not give rise to significant environmental effects. **Strategic Environmental Assessment is not therefore required for the Housing Outside Settlement Boundaries SPD.**
- 4.10 This conclusion has been agreed with Historic England and Natural England and their responses are included in Appendix 1. No response was received from the Environment Agency.

## 5. Habitat Regulation Assessment Screening

- 5.1 The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the 'Habitats Directive') as transposed into UK law by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended) ("the Habitats Regulations 2017 sets out the means to protect habitats and species of European importance through the establishment and conservation of a network of sites known as the 'National Sites Network'. These include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). It is also Government policy for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to National Sites Network. These are sites of exceptional importance in respect of rare, endangered, or vulnerable natural habitats and species within the European Community. In this report SACs, SPAs and Ramsar sites will be collectively referred to as National Sites Network.
- 5.2 The purpose of an HRA is to assess the implications of a plan, both individually, and in-combination with other plans or projects, on these National Sites Network. The Habitats Directive applies the precautionary principle to National Sites Network. In normal circumstances, a land use plan can be brought into effect only after having ascertained that it will not adversely affect the integrity of the National Sites Network site either alone or in- combination with other plans.
- 5.3 The first stage in the process is to establish, via screening, whether the plan is either directly connected with, or necessary to, the management of a European site. If not, a determination needs to be made as to whether the plan in itself or in combination with others is likely to have a significant effect on a European site. The Joint Core Strategy was subject to screening during 2007 in order to confirm that an Appropriate Assessment would be required, since significant effects on European sites could not be described as 'unlikely'.
- 5.4 The HRA of the pre-submission JCS assessed each policy in turn and concluded that in terms of Policy CP8 (previous version of CP10) that significant effects could not be dismissed as unlikely without further consideration on the basis that the policy specified quantum of development at specific locations.
- 5.5 The [HRA](#) was then updated in July 2013, to reflect revised housing numbers being expressed in the JCS through Policy CP10. The revised requirement was 10,060 dwellings to be delivered between 2011 and 2028 and included completions and 'commitment' sites (i.e. those which already have planning permission). The actual quantity of 'new' (i.e. uncommitted) housing included 2,725 dwellings as part of the Whitehill & Bordon strategic allocation and 3,200 elsewhere in East Hampshire. Part of the HRA is to assess in-combination impacts and in that respect various plans and strategies from neighbouring local authorities were included in the assessment. The 'in combination assessment' is often considered of greatest importance when the plan would otherwise be screened out because the individual contribution is

inconsequential.

5.6 The 2013 HRA expressed in some detail the various ways in which land use plans can impact on European sites by following the pathways along which development can be connected with such sites, in some cases many kilometres away. Briefly defined, pathways are routes by which a change in activity associated with a development can lead to an effect upon a European site. The following indirect pathways of impact were considered relevant to the Habitat Regulations Assessment of the Joint Core Strategy:

- Urbanisation/urban edge impacts
- Recreational pressure
- Atmospheric pollution
- Water resources  
Water quality

The HRA then assessed the JCS against each of the key sites and summarised the findings as :

<b>European Site</b>	<b>HRA conclusion</b>
Shortheath Common SAC	It is possible to conclude that significant effects on Shortheath Common SAC as a result of Joint Core Strategy development are inherently unlikely, other than recreational and air quality effects arising from Whitehill & Bordon and these will be rendered unlikely through the implementation of the recommendations generated by the Whitehill & Bordon HRA.
Wealden Heaths Phase 2 SPA and Woolmer Forest SAC	It has been possible to determine that significant urbanisation, air quality and water resource effects are unlikely to occur as a result of Joint Core Strategy development and that following the introduction of a policy to address the recreational pressure impacts of Whitehill & Bordon (responsible for 95% of all currently uncommitted housing within 5km of the SPA) the residual increase in recreational activity due to the small amount of development elsewhere in central

	Hampshire is unlikely to lead to significant effects and thus will not require further strategic mitigation.
Butser Hill SAC	It has been possible to determine that significant recreational pressure or air quality effects are unlikely to occur as a result of Joint Core Strategy development.
Thursley, Hankley & Frensham Commons (Wealden Heaths Phase 1) SPA, Thursley, Ash, Pirbright & Chobham SAC and Thursley & Ockley Bogs Ramsar site	It has been possible to determine that significant water resource, air quality and recreational pressure effects are unlikely to occur as a result of Joint Core Strategy development.
Solent European Sites	It has been possible to determine that significant water quality, water resource and air quality effects are unlikely to occur as a result of Joint Core Strategy development and that the Council's ongoing commitment to the Solent Disturbance and Mitigation project will enable adequate strategic mitigation to be delivered for recreational pressure.
Solent and Isle of Wight Lagoons SAC	It is possible to conclude significant effects of the Joint Core Strategy on Solent and Isle of Wight Lagoons SAC are unlikely to occur.
River Itchen SAC	It is possible to conclude that significant effects of the Joint Core Strategy on the interest features of the River Itchen SAC are unlikely to occur.

### Conclusions in respect of Habitat Regulations Assessment Screening

- 5.7 Previous HRAs concluded that there were no likely significant effects on European sites, either alone or in combination with other plans and projects, as a result of the policies within the JCS which the Housing Outside Settlement Boundaries SPD has been prepared to supplement.
- 5.8 Given the proposed SPD simply expands upon the criteria expressed in Policy CP10 and will not introduce new or amended planning policy, it is concluded that the SPD will not give rise to likely significant effects on any European sites. **It is therefore concluded that a full Appropriate Assessment under the Habitats Regulations is not required for this SPD.**
- 5.9 This conclusion has been agreed with Historic England and Natural England and their responses are included in Appendix 1. No response was received from the Environment Agency.

**Appendix 1: Responses received from Historic England and Natural England**



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**From:** Baribeau, Jack <John.Baribeau@naturalengland.org.uk>  
**Sent:** 28 July 2022 15:50  
**To:** Wood, Jenny  
**Cc:** EHDC - Planning Development Shared  
**Subject:** RE: 2022-08-04 399086 SEA/HRA screening for East Hants Housing Outside Settlement Boundaries SPD East Hampshire DC  
**Attachments:** 399086 - NE Response.pdf

**CAUTION:** This email came from outside of the council - only open links and attachments that you're expecting.

Dear Jenny Wood,

**Regarding: Local Plan - Draft Housing Outside Settlement Boundaries Supplementary Planning Document - SEA & HRA Screening**

**Our ref: 399086**

Please find attached our response to this consultation.

I can confirm that SEA and HRA is not required from our perspective on these documents.

Kind regards,

**Jack Baribeau**  
Sustainable Development Lead Adviser  
Thames Solent Area Team | Natural England  
07469 905281  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

Date: 28 July 2022  
Our ref: 399086  
Your ref: (draft) Housing Outside Settlement Boundaries SPD.



East Hampshire District Council

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**BY EMAIL ONLY**

T 0300 060 3900

Dear Jenny Wood

**SEA & HRA Screening for draft Housing Outside Settlement Boundaries Supplementary Planning Document (SPD)**

Thank you for your consultation on the above dated 4 July 2022, which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

**While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues:**

**Biodiversity enhancement**

This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the [Exeter Residential Design Guide SPD](#), which advises (amongst other matters) a ratio of one nest/roost box per residential unit.

**Landscape enhancement**

The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

**Protected species**

Natural England has produced [Standing Advice](#) to help local planning authorities assess the impact of particular developments on protected or priority species.

**Strategic Environmental Assessment/Habitats Regulations Assessment**

A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out

in the Planning Practice Guidance [here](#). While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.

Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

Please send all planning consultations electronically to the consultation hub at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully

Jack Baribeau  
Lead Adviser  
Sustainable Development  
Thames Solent Team



Historic England

Jenny Wood  
Principal Policy Planner  
East Hampshire District Council  
Penns Place  
Petersfield GU31 4EX

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[By email only to Jenny.Wood@easthants.gov.uk](mailto:Jenny.Wood@easthants.gov.uk)

Date 27 July 2022

Dear Ms Wood

## East Hampshire Draft Housing Outside Settlement Boundaries Supplementary Planning Document Strategic Environmental Appraisal Screening Opinion

Thank you for your email dated 30 June 2022 consulting Historic England on your intention of carrying out a SEA for the above plan.

In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA is not required in this instance for the reason set out in paragraph 4.8 of the Screening Report.

*Yours sincerely*

*Alan Byrne*  
Historic Environment Planning Adviser



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.

