

## Milborne St Andrew Neighbourhood Plan

### Strategic Environmental Assessment (SEA) Determination Statement

This determination statement has been produced to comply with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

The Regulations implement European Directive 2001/42/EC. This requires that the effect on the environment of certain plans and programmes should be assessed, including plans prepared for town and country planning or land use. An exception is made for plans that determine the use of a small area at a local level, if the responsible authority has determined that the plan is unlikely to have significant environmental effects. This determination statement sets out the reasons why North Dorset District Council (the responsible authority) considers that a Strategic Environmental Assessment (SEA) is required with respect to the Milborne St Andrew Neighbourhood Plan.

A Strategic Environmental Assessment Screening Report for the Milborne St Andrew Neighbourhood Plan was submitted to North Dorset District Council April 2017. The Screening Report takes into account the criteria specified in Schedule 1 of the Regulations. On 19 April 2017 this report was made available to the statutory consultation bodies (Historic England, Natural England and Environment Agency), as required by Regulation 9(2)(b).

The District Council received responses from all of the statutory consultation bodies by 11 May 2017 (see Appendix). Having considered these responses, and taken into account the criteria specified in Schedule 1 to the regulations, as required by Regulation 9(2)(a), the District Council considers that an SEA of the Milborne St Andrew Neighbourhood Plan is required for the following reasons:

- The Plan is likely to allocate land for 45 to 60 dwellings.
- The plan area includes a large number of heritage assets.

NOTE: The statement is based on the information provided. If the contents of the plan are revised and/or there is a material change in the environmental characteristics in the locality (e.g. the designation of any additional nature conservation or other environmental sites), then the comments contained in this statement would need to be reconsidered in order to take account of the changes.

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## Habitats Regulations Assessment

Schedule 2, paragraph 1 of the Neighbourhood Planning (General) Regulations 2012 sets out the prescribed basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

The District Council has consulted Natural England as to the requirement for a habitats regulation assessment.

Natural England's response with regards to internationally and nationally designated wildlife sites stated:

Based on the information provided, we can confirm that the plan is unlikely to harm any Site of Special Scientific Interest (SSSI), or Special Area of Conservation (SAC), Special Protection Area (SPA), or Ramsar Site and is not likely to significantly affect the interest features for which they are notified. I can therefore confirm that Natural England has no concerns regarding this aspect of the proposals and is satisfied that impacts on internationally and nationally designated wildlife sites can be screened out from any requirement for further assessment.

## APPENDIX

### SEA Statutory Consultation Bodies Responses

1. Natural England – received 02/05/2017
2. Historic England – received 11/05/2017
3. Environment Agency – received 05/05/2017

Date: 02 May 2017  
Our ref: 213620  
Your ref: Neighbourhood Plan SEA/HRA



Mr A Bennett  
Dorset Councils Partnership

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**



T 0300 060 3900

Dear Mr Bennett

### **Milborne St Andrew Neighbourhood Plan SEA Screening Opinion**

Thank you for your consultation on the above dated and received by Natural England on 25<sup>th</sup> April 2017.

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.

#### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (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.

#### **Internationally and Nationally Designated Wildlife Sites**

Based on the information provided, we can confirm that the plan is unlikely to harm any Site of Special Scientific Interest (SSSI), or Special Area of Conservation (SAC), Special Protection Area (SPA), or Ramsar Site and is not likely to significantly affect the interest features for which they are notified. I can therefore confirm that Natural England has no concerns regarding this aspect of the proposals and is satisfied that impacts on internationally and nationally designated wildlife sites **can be screened out from any requirement for further assessment.**

#### **Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance<sup>1</sup>. The guidance highlights three triggers that may require the production of an SEA, for instance 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.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sharon Jenkins  
Consultations Team

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From: Stuart, David [REDACTED]  
To: Bennett, Allan  
Subject: RE: Milborne St Andrew Neighbourhood Plan SEA/HRA Screening Opinion Consultation  
Sent: Thu 11/05/2017 10:49

Dear Allan

Thank you for your consultation on the SEA Screening Opinion for the Milborne St Andrew Neighbourhood Plan. My apologies for not responding before now.

The purpose of the Screening exercise is to determine whether the Plan is likely to generate significant environmental effects. This requires sufficient evidence to be made available to inform and allow for assessment of that consideration. We would also normally expect a Screening Report to offer its own conclusion based on that evidence.

It is not clear who has prepared the Report but it offers no conclusion, no doubt because it does not have sufficient evidence to do so. While we are pleased to note the Actions proposed regarding Heritage issues (Section 3.8, p10) the criteria used for assessing site allocation options does not appear to embrace the historic environment – particularly in a manner which demonstrates compliance or conformity with the policy requirements of the National Planning Policy Framework (NPPF). The need to assess the potential for (harmful) impact on the fabric and setting of designated heritage assets is a key determinant in the selection of suitable development sites and the SEA Screening exercise. This absence of information is disappointing given that this requirement is specifically identified in Section 3.8.

In that the Report acknowledges that there is no Conservation Area Appraisal and Management Plan there is presumably no evidence to inform whether and how the sites being considered make a contribution to the character and appearance of the conservation area or play a part in defining its setting.

Overall therefore we believe that there does not seem to be sufficient evidence to demonstrate that the Plan will not generate significant environmental effects, and taking into account our experience of similar exercises elsewhere we would advise that an SEA should be pursued.

Kind regards

David

David Stuart | Historic Places Adviser South West  
[REDACTED]

Historic England | 29 Queen Square | Bristol | BS1 4ND

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Mr Allan Bennett –  
Planning Polixy Officer  
North Dorset District Council  
Nordon Salisbury Road  
Blandford Forum  
Dorset  
DT11 7LL

**Our ref:** WX/2006/000033/OR-  
14/IS1-L01  
**Your ref:**  
**Date:** 05 May 2017

Dear Mr Bennett

### **Milbrne St Andrew Neighbourhood Plan SEA Screening**

Thank you for consulting the Environment Agency on the above mentioned document.

The development would appear to accord the Local Plan and therefore SEA would not be required.

However, we have reviewed the document and have can confirm that it has identified the key environmental issues and topics that fall with our remit.

#### **Flood Risk**

In regards to flood risk in the area it is likely to also be influenced by groundwater flooding as well. This input could result in increased floodplain beyond the mapped fluvial and surface water extents.

In regards to the SEA topic areas we support that it is considered proximity to the flood zone as whilst development may be brought forward outside of the mapped flood zone there may be other local issues that need consideration.

We note that there is an action on Dorset County Council to input into the appraisal of sites in regards to other sources of flooding. They may also require the input from your Authority Drainage Engineers for local knowledge.

#### **Pollution Risk and Poole Harbour**

The plan identifies that there a problems with foul drainage and that Wessex Water are looking at the local issues of groundwater ingress into their network.

The plan should consider the input of nutrients into Poole Harbour as new

Environment Agency  
Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford, Dorset, DT11 8ST.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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development in the Poole Harbour catchment should be nitrogen neutral through contributions to offsite mitigation.

Please contact me if you have any queries.

Yours sincerely

**MICHAEL HOLM**  
**Planning Advisor - Sustainable Places**

