

Sturminster Newton Neighbourhood Plan

Strategic Environmental Assessment (SEA) Screening Determination

This determination 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, produced by North Dorset District Council (the responsible authority), confirms the need for the preparation of a Strategic Environmental Assessment (SEA) in respect of the Sturminster Newton Neighbourhood Plan.

An SEA Scoping Report for the Sturminster Newton Neighbourhood Plan was submitted to the statutory consultation bodies (Historic England, Natural England and the Environment Agency) by Sturminster Newton Town Council (the qualifying body) in July 2015.

The Town Council then proceeded to undertake a full SEA on the basis that proposed site allocations might have significant effects on the environment. The ensuing report, the Sturminster Newton Neighbourhood Plan SEA Pre-submission Stage Environmental Report October 2016, prepared by Dorset Planning Consultant Ltd on behalf of Sturminster Newton Town Council, was then consulted on as part of the Neighbourhood Planning (General) Regulation 14 consultation that commenced in November 2016.

Subsequently in March 2017, in response to a formal request from the Town Council for a screening determination, the District Council consulted with the consultation bodies, providing them with both the scoping report and the pre-submission stage environmental report. The District Council received responses from each of the statutory consultation bodies by 11th April 2017 (see Appendix). In summary, the Environment Agency considers that the SEA has had due consideration to due process, whilst Natural England, subject to specific rewording in the proposed plan, considers that an SEA is not required. Historic England, however, concurs with the view that had already been taken by the Town Council that an SEA is appropriate.

Having considered the responses of the consultation bodies, and taken into account the criteria specified in Schedule 1 to the regulations, as required by Regulation 9(2)(a), the District Council determines that an SEA of the Sturminster Newton Neighbourhood Plan is required for the following reasons:

- The neighbourhood plan is proposing to allocate sites for development.
- The neighbourhood plan area includes a large number of heritage assets

NOTE: The determination 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.

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 consulted Natural England as to the requirement for a habitats regulation assessment in March 2017.

Natural England's response dated 24th March 2017 states with regards to 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.'

John Stobart
Planning and Conservation Lead Advisor
Natural England
24-03-17

Anne Goldsmith
Planning Policy Officer
17-05-17

APPENDIX

SEA Statutory Consultation Bodies Responses

1. Natural England – received 24-03-17 (includes HRA response)
2. Historic England – received 02-04-17
3. Environment Agency – received 11-04-17

Date: 24 March 2017



Anne Goldsmith
North Dorset District Council
Nordon
Salisbury Road
Blandford Forum
Dorset DT11 7LL

[REDACTED]
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BY EMAIL ONLY

Dear Anne

Sturminster Newton neighbourhood plan SEA/HRA screening opinion

Thank you for consulting Natural England on SEA/HRA screening opinion for the Sturminster Newton Neighbourhood Plan and apologies for the delay in our response. Your email was received by Natural England on 9 March 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.

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

Other comments

Natural England welcomes the submission of the pre-submission stage environmental report. The early consultation over the report and pre submission plan has flagged up a significant issue relating to potential impacts of development on the Great Crested Newt population centred on the Butts Pond Local Nature Reserve (LNR). A change in wording to address these concerns has been agreed with the planning consultant, Jo Witherden, but this has yet to be incorporated into the submitted plan. I have included the letter sent to Jo Witherden which sets out the agreed wording with this correspondence. Provided these agreed amendments are included in the final Neighbourhood Plan I can confirm Natural England is satisfied that a formal SEA will not be required.

For any queries relating to the specific advice in this letter please contact John Stobart on [REDACTED]
[REDACTED] For any new consultations or issues, please contact [REDACTED]

Yours sincerely

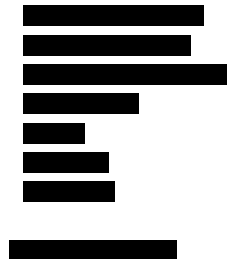
John Stobart
Planning and Conservation Lead Advisor
[REDACTED]
[REDACTED]

Date: 07 February 2016



Jo Witherden

BY EMAIL ONLY



Dear Jo

Sturminster Newton Neighbourhood Plan Pre-submission draft

Thank you for consulting Natural England on the Sturminster Newton pre submission draft, the supporting SEA of the Neighbourhood Plan and subsequent suggested policy wording amendments.

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.

Ecological evidence base

Natural England welcomes the completion of the DERC record search and walk over surveys for the proposed allocation sites.

Proposed development allocations

Policy 23 Market Field site

Although the Market Fields sites have been previously allocated in the NDDC Local Plan Natural England is concerned that the allocation has not considered the likely impacts of the allocation on the Great Crested Newt (GCN) population based on the adjacent Butts Pond Local Nature Reserve (LNR). The Great Crested Newt is a European Protect Species and so any allocation in close proximity to a breeding pond will need to take full account of any impacts on the animals' terrestrial habitats. This will be particularly important in this case as the Butts Pond LNR is already heavily enclosed by development and so the availability of terrestrial habitat will already be severely constrained.

Given importance of maintaining the favourable conservation status of the local Great Crested Newt population I can confirm Natural England is supportive of the proposed revised text and policy wording set out in your email of 22 January 2017. In addition, it would be helpful if the revised policy included a clear statement requiring early consultation with Natural England:

“Any proposals on the site will need to be prepared in full consultation with Natural England, fully evaluate the importance of the area for Great Crested Newts and retain sufficient land to enable habitat enhancements to ensure the long term viability of the local great newt population occupying the adjacent Butts Pond Local Nature Reserve. The retained areas should be secured by their incorporation into the Local Nature Reserve and an appropriate level of financial contribution provided for the long term management of the site”.

Policy 41 Land adjoining the Bull Tavern

The ecological assessment included in the SEA for the site noted that, “The northeast quarter of the field which has 4 Dorset Notable grassland plants, including an abundance of Common Knapweed”.

This would indicate the site has considerable ecological interest and potentially a site of county significance. Wildflower hay meadows are now rare and are extremely attractive parts of the countryside. Given the wildlife interests of the site Natural England welcomes and supports the proposed changes to the policy wording as set out in your email of the 22 January 2017.

Other comments

It is disappointing that the draft Neighbourhood Plan has not included any policy that would help meet the requirements of the National Planning Policy Framework (NPPF) to enhance biodiversity. In order to ensure development within the plan area secures appropriate levels biodiversity mitigation and enhancement Natural England recommends the inclusion of a policy requiring all new development proposals on greenfield sites greater than 0.1 ha to be supported by a Biodiversity Mitigation Plan (BMP), that has been approved by the Dorset County Council Natural Environment Team (NET). The Biodiversity Mitigation Plan should be prepared by a suitably qualified individual and follow the standard format available on the Dorset For You website. The BMP should be used to secure measures to provide new nesting / roosting sites for bats, barn owls, swifts, etc. as well as any necessary measures for mitigating / compensating for adverse impacts on biodiversity interests.

For any queries relating to the specific advice in this letter please contact John Stobart [REDACTED]
[REDACTED] For any new consultations or issues, please contact [REDACTED]

Yours sincerely

John Stobart
Planning and Conservation Lead Advisor
[REDACTED]

From: Stuart, David [REDACTED]
Sent: 02 April 2017 17:51
To: Anne Goldsmith
Cc: Ed Gerry
Subject: Sturminster Newton neighbourhood plan SEA/HRA screening opinion

Dear Anne (and Ed in her absence)

Thank you for your Screening consultation on whether the Sturminster Newton Neighbourhood Plan requires an SEA. My apologies for not getting a response to you before now. However, our response is quite straightforward.

As you know, the Regulations also require the relevant authority to prepare a Screening Report with a conclusion as to whether it believes an SEA is required upon which it would then seek the views of the statutory agencies. In the absence of such a Report we are being asked for our views based on the proposed content of the Plan and that the community itself has already decided to proceed with an SEA.

As the Plan proposes the allocation of sites for development and given the low threshold for triggering “likely significant environmental effects” I can confirm that we concur with the view already taken by the community that an SEA is appropriate for this Plan.

Please note for future reference that we would expect an SEA Screening Report on SEA Screening consultations.

I hope this confirmation is helpful.

Kind regards
David

David Stuart | Historic Places Adviser South West
[REDACTED]
[REDACTED]

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Ms Anne Goldsmith
North Dorset District Council
Nordon Salisbury Road
Blandford Forum
Dorset
DT11 7LL

Our ref: WX/2006/000033/OR-
03/PO2-L03
Your ref: NP
Date: 11 April 2017

Dear Ms Goldsmith

Sturminster Newton Neighbourhood plan

Thank you for consulting the Environment Agency on the above mentioned Neighbourhood Plan consultation, our apologies for the delay in responding.

Strategic Environment Assessment (SEA)

We have reviewed the SEA and consider that it has had due consideration to due process.

We support that it has appropriately identified the flood risk and environmental constraint of the policies and considered the implications.

Therefore, we have no further comments to make on the document.

Neighbourhood Plan

We have reviewed the Neighbourhood Plan and its associated policies and can offer the following comments.

We consider that the plan accords with the principles set out National Planning Policy and Local Plan policies.

We support that the document is looking to protect the floodplain and riverine environment by not promoting development in these areas. We note that the plan looks to support the wooded riverine environments.

We would advise that Policy 41 regarding Land adjacent the Bull Tavern should have due consideration to flood risk, as whilst the SEA has identified its being in proximity to the flood risk area. Specifically, the National Planning Policy Framework Planning Practice Guidance states that Access considerations should include the voluntary and free movement of people during a 'design flood', as well as the potential for evacuation before a more extreme flood. Access and egress must be designed to be operational for changing circumstances over the lifetime of the development.

Environment Agency

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Cont/d..

The Council's Emergency Planners will lead in relation to flood emergency response and evacuation arrangements for the site. As we do not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood event. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users registered for this service further information can be found at: <https://fwd.environment-agency.gov.uk/app/olr/home>

Yours faithfully

MICHAEL HOLM
Planning Advisor - Sustainable Places

