

# Lilleshall Neighbourhood Plan (LNP)

## SEA Screening Statement

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Screening Statement under regulation 9 of the SEA Regulations 2004

on the determination of the need for Strategic Environmental Assessment (SEA)

for the Lilleshall Neighbourhood Plan (LNP)

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### 1.0 Introduction

1.1 The Government has confirmed that sustainability appraisals are only required for development plan documents and do not apply in the case of neighbourhood plans (see appendix A attached) although the qualifying body must demonstrate how its neighbourhood plan will contribute to achieving sustainable development. However, neighbourhood plans must not breach and must be otherwise compatible with, EU and Human Rights obligations. Neighbourhood plans therefore need to be considered against, for example, the Habitats and Strategic Assessment Directives and associated regulations. Whilst it is not the case that every neighbourhood plan will need an environmental assessment of the type normally associated with the process of preparing Local Plans, they may, subject to their scope and the issues they are seeking to address, be required to produce an environmental assessment if the plan is determined as likely to have significant environmental effects.

1.2 Strategic Environmental Assessments (SEA) are required by EU Directive 2001/42/EC, to assess the effects of certain plans and programmes on the environment. This Directive was implemented in the United Kingdom in July 2004 with the adoption of the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). The requirement for SEA is assessed under Regulation 9 (1). The SEA focuses on impacts on the natural environment with some limited consideration of human population needs and material assets. The Strategic Environmental Assessment (SEA) itself should, among other things, consider options, quantify potential impacts and offer advice on alternatives, or mitigating measures, where impacts are likely.

1.3 Regulation 8 of the SEA Regulations prevents the adoption or submission of a plan for which an environmental assessment is required before the SEA is completed and prohibits the adoption or submission of a plan before the responsible authority has determined whether the plan is likely to have significant effects on the environment.

1.4 It is not possible to rule out the need for SEA without first carrying out a screening process to establish whether or not, the LNP is likely to have

significant environmental effects (Article 3(1)). Under Article 3(4) of the Directive, and Regulation 5 of the Regulations, the responsible authority must determine which plans, other than those for which an SEA is automatically required, are likely to have significant environmental effects. The “responsible authority” as defined by Regulation 2, is the authority on whose behalf a plan is prepared.

- 1.5 Both the Directive (in Annex II), and the Regulations (in Schedule 1), set out specific criteria for determining the likely significance of the environmental effects of a plan. The process for determining whether or not an SEA is required is called screening. These criteria include specific considerations regarding the characteristics of the plan, the effects of the plan, and the area likely to be effected by the plan.
- 1.6 A determination cannot be made until the three statutory consultation bodies have been consulted; the Environment Agency, Natural England and Historic England.
- 1.7 Within 28 days of making its determination, the Council 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 reasons for this.

## **2.0 Neighbourhood Plans**

- 2.1 Neighbourhood planning is a new community right introduced by the Localism Act 2011. Take up of the new right will be voluntary and at the discretion of neighbourhoods and communities.
- 2.2 On 27 March 2012, the Government published the final version of the National Planning Policy Framework, replacing almost all existing planning guidance. This is what it says on neighbourhood planning:

### ***Neighbourhood plans***

*183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:*

- *set planning policies through neighbourhood plans to determine decisions on planning applications; and*
- *grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.*

*184. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The*

*ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.*

*185. Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation*

2.3 The Neighbourhood Planning Regulations (SI 637) came into force on 6 April 2012 and have since been amended most recently through the Neighbourhood Planning (Referendums) (Amendment) Regulations 2016 which became effective on 1st October 2016 (SI 934). This sets out the procedures for designating a Neighbourhood Plan area and getting the Plan adopted through the planning system

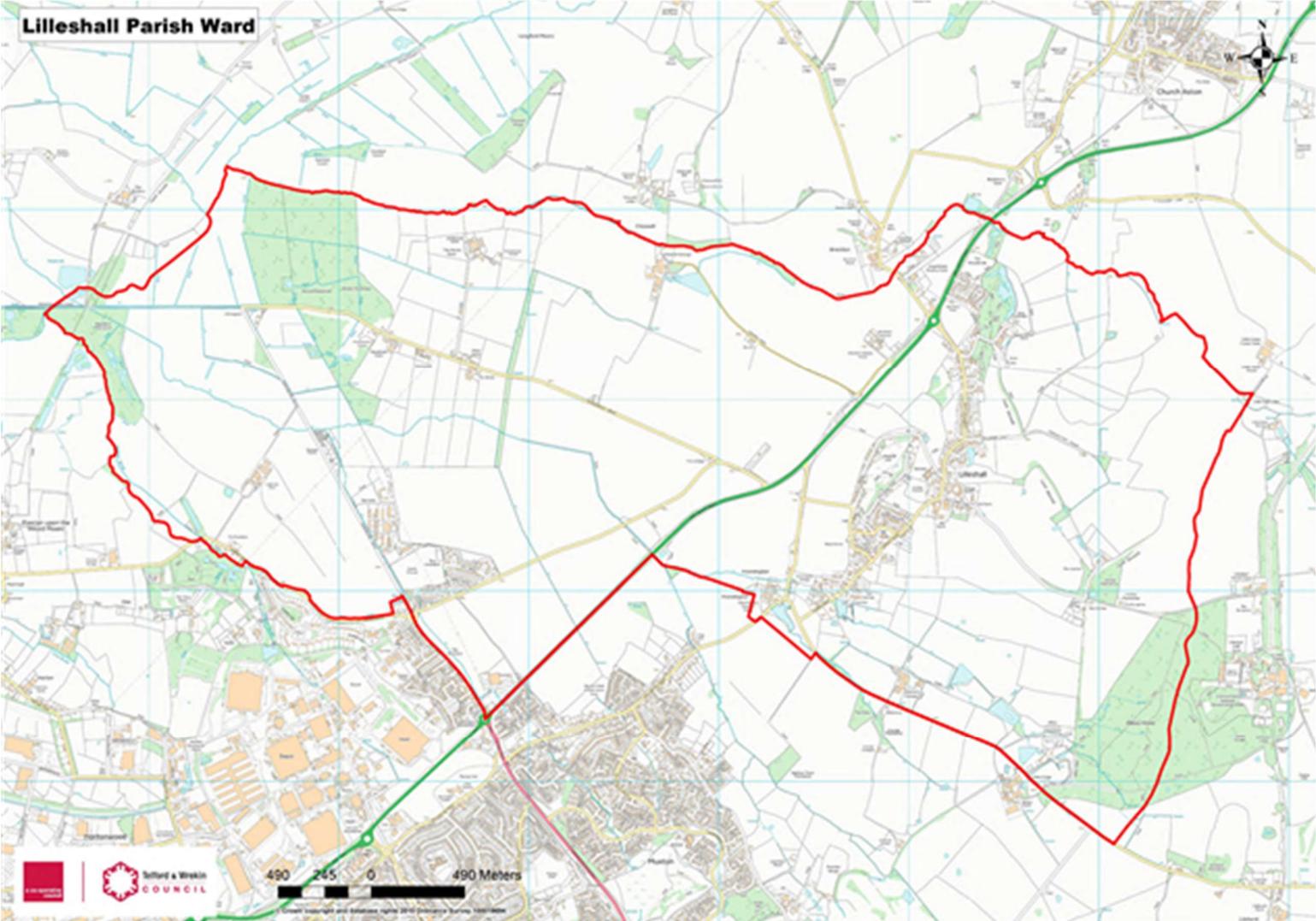
### **3.0 Lilleshall Neighbourhood Plan**

3.1. The LNP must conform to higher level policy. This means that it must conform to national and local policy including Telford & Wrekin's recently adopted Telford & Wrekin Local Plan.

The Telford & Wrekin Local Plan identifies Lilleshall as one of 5 settlements for a limited amount of infill housing.

3.2 Lilleshall Parish Council submitted its application to Telford & Wrekin Council for designation of its Neighbourhood Area in March 2016. After a formal six week consultation Telford & Wrekin Council Cabinet resolved to support the Neighbourhood Area application made by Lilleshall Parish Council and that the area shown in the application should be designated as a Neighbourhood Area (see map below that shows the designated boundary). A formal notice was published on the 28<sup>th</sup> June 2016 that confirmed the designation.

Lilleshall Parish Boundary and designated Neighbourhood Plan Area



3.3. The Lilleshall Neighbourhood Plan is based around a number of key themes that were raised during the initial consultation and subsequent drop-in sessions.

3.4 These themes and the related issues have informed the preparation of a number of planning objectives that will in turn, inform the development of draft planning policies..

### **Key Themes**

1. Development
2. Heritage and Design
3. Local Environment
4. Community Infrastructure
5. Transport and Accessibility
6. Employment/Economy

These themes have informed the preparation of a number of planning objectives that have led in turn to the development of draft planning policies. These objectives and policies may be refined as the draft plan is considered at the formal consultation stage.

### **3.5 Lilleshall Neighbourhood Plan Objectives**

#### **Theme: Development**

##### Objectives

1. With the exception of sites contiguous with the current urban area of Telford to only support future development of appropriately designed housing on infill sites.
2. To support delivery of a limited amount of appropriately designed and located affordable housing
3. To prevent the merging of built up areas to retain the rural character and identity of Lilleshall village and the wider Parish

#### **Theme: Heritage and Design**

##### Objectives

4. To ensure development preserves and enhances the traditional character and setting of the parish through support for sympathetic design
5. To ensure that all development is based upon sound environmental sustainability principles; including energy sourcing and conservation,

flooding/drainage and sewerage management, waste minimisation, wildlife conservation and habitat protection

### **Theme: Local Environment**

#### Objectives

6. To protect and enhance the environment and landscapes such as the parish's designated and non-designated heritage assets, in particular the Strategic Landscape Areas.

7. To protect and enhance green areas, natural habitats, wildlife and biodiversity throughout the Parish and to encourage appropriate management in particular of the disused limestone quarries.

### **Theme: Community Infrastructure**

#### Objectives

8. To seek and support improvements to utility infrastructure and digital connectivity

9. To protect and enhance existing community facilities and seek and support opportunities to expand provision in particular for allotments and recreational facilities

### **Theme: Transport and accessibility**

#### Objectives

10. To ensure that new developments have enough car parking to meet current and future needs.

11. To encourage the provision of alternative, safe and convenient means of travel so as to minimise the use of cars in and around the Parish and reduce the associated problems of noise, pollution and parking.

12. To provide a safe, accessible and well maintained network of roads, pavements, cycle routes and rights of way whilst retaining a rural character to support a more sustainable environment, reduce reliance on the car and offer healthier lifestyle options.

### **Theme : Economy and Employment**

#### Objectives

13. To support the local economy and employment by encouraging appropriate agricultural diversification, environmental farming initiatives, appropriate home working and tourism development.

Other important considerations will include the provision of Development Management policies for the Borough Council's planning service. For example, policies might cover the preservation and enhancement of local character and distinctiveness including historic assets.

Securing and Monitoring Delivery: The LNP will have to consider how policies are to be delivered and include a monitoring framework against which progress on the LNP will be assessed.

#### **4.0 Assessment of requirement for SEA**

4.1 The Government has set down planning guidance following publication of the National Planning Practice Guidance (NPPG). The guidance advises that: To decide whether a draft neighbourhood plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan's preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.

Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared.

4.2 In principle, neighbourhood plans should not be subject to the Sea Directive or require sustainability appraisal because they do not normally introduce new policies or proposals or modify planning documents which have already been subject to sustainability appraisal. However, they might occasionally be found likely to give rise to significant effects that have not been previously assessed.

In screening a plan, Article 3 (6) of the SEA Directive requires that the relevant bodies concerned with environmental matters, as defined by individual Member states, shall be consulted as part of the screening process. In the case of the UK, the statutory environmental consultees are: Natural England; the Environment Agency; and Historic England.

4.3 It is considered that the screening methodology should address the issues identified in the table below.

<b>Screening Stage</b>	<b>Purpose</b>
Assessing LNP against Annex II criteria	To establish whether or not the LNP is likely to have a significant effect on the Annex II criteria. This will take account of the role of the LNP in relation to existing policy context
Conclusion on whether the screening exercise identifies a need for SEA	To set out conclusions from the screening exercise
Recommendations for how the ENP should proceed in relation to SEA requirements	To set out the broad approach needed to carry out an SEA on the LNP or, where the screening report suggests no LNP is required, to determine the parameters within which the LNP will need to operate to avoid triggering a need for SEA.

## Assessing the LNP against Annex II Criteria

Annex II of the SEA Directive sets out the criteria for determining if there are likely to be significant effects resulting from the implementation of a plan.

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
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.	No	<p>The Lilleshall Neighbourhood Development Plan (LNP) proposes a framework for development proposals focussed upon a limited amount of housing, landscape quality and local character, employment, and community infrastructure.</p> <p>Promoting suitable sites for housing development will contribute towards the Telford and Wrekin Council's strategic framework with regards to rural needs; providing more homes, increasing the supply of affordable type units, as well as a mixture of homes.</p> <p>The LNP will be in conformity with the policies set out in the Local Plan that has already undergone an SA</p>
1(b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	<p>The LNP responds to other plans and programmes such as the Telford &amp; Wrekin Local Plan and the NPPF. The LNP is likely to have a positive impact on these plans through its policies to deliver sustainable development and protect and enhance the local environment; it will help deliver the aims and policies of the Local Plan.</p> <p>The LNP has been specifically guided by and is aligned with the aims and objectives of the Telford &amp; Wrekin Local Plan.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
<p>1(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>No</p>	<p>The LNP has regard to the objective of achieving sustainable development in the local area.</p> <p>The LNP contains policies that seek to protect and retain local valuable green space and in particular, policies which recognise two Strategic Landscape designations which help prevent inappropriate development ( as well as inappropriate development in the vicinity of those designated landscapes).</p> <p>The LNP seeks to promote and support existing services and facilities and to improve and promote opportunities for alternative sustainable means of travel.</p> <p>The limited amount of infill housing site will help to address rural housing needs, and the policies within the LNP encourage provision of a more balanced range of housing (size, type and affordability) as supported by local residents.</p> <p>Proposals set out the LNP are designed to have a positive impact on local environmental assets and places valued by local people.</p>
<p>1(d) environmental problems relevant to the plan</p>	<p>No</p>	<p>The Local Plan has already undergone an SA</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
		<p>The LNP seeks to provide a safe, accessible and well maintained network of roads, pavements, cycle routes and rights of way whilst retaining a rural character to support a more sustainable environment, reduce reliance on the car and offer healthier lifestyle options</p> <p>Environmental issues may be triggered through the development of suitable infill housing sites however – these will need to be in conformity with both national and local policy and in particular, both the Local Plan and LNP – which seek to prevent environmental harm and promote and improve environmental quality.</p> <p>There are no Air Quality Management Areas within the LNP area.</p>
1(e) 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)	No	<p>The LNP policies do not propose any changes that are likely to have a severe impact on the environment i.e. tree preservation orders or existing public rights of way.</p> <p>The Local Plan chapter on the Natural Environment contains positive enabling policies (NE1-NE7) and the LNP has adopted a similar approach that is likely to have a positive effect.</p>
2(a) the probability, duration, frequency and reversibility of the effects	No	Due to the limited scale of the new development proposed, it is unlikely that the LNP would result in any irreversible

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
		<p>damaging environmental impacts.</p> <p>Any new development should be sustainable and be in accordance with existing planning policy</p>
2(b) the cumulative nature of the effects	No	<p>It is not possible to fully assess the cumulative effects of future development until planning applications have been submitted and assessed for the allocated sites. However, it is anticipated that the forthcoming issues would be the impact on school capacity, highway safety and the loss and movement of jobs. It may be possible to address some or all of these cumulative issues through mitigation measures, financial contributions, and in detail as part of the planning application process.</p> <p>Application of the policies contained in the LNP attempt to prevent detrimental cumulative effects by assuring that new development will address environmental, social and economic issues created by each development.</p>
2(c) the transboundary nature of the effects	No	<p>The LNP will have limited wider effects, particularly, to the neighbouring parish of Donnington and Muxton.</p> <p>The Telford &amp; Wrekin Local Plan has already been subject to an SA and therefore the wider implications and effects have already been understood and</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
		<p>addressed.</p> <p>The infill housing and small scale employment proposals of the LNP are unlikely to generate any significant cross-boundary effects.</p> <p>The LNP embraces two Strategic Landscape Areas ; Lilleshall Village and Weald Moors with the latter designated in the Telford &amp; Wrekin Local Plan (Policy NE7). These extend beyond the LNP area and effect and have implications for adjacent parishes.</p> <p>This will and already is having a <b>positive</b> environmental effect in helping to protect the LNP area and adjacent areas from inappropriate development.</p>
2(d) the risks to human health or the environment (e.g. due to accidents)	No	<p>It is unlikely that there will be any obvious risks to human health arising from the policies within the LNP.</p> <p>Health and Safety standards on developments arising within the plan area will be controlled/ governed by relevant statutory guidelines and codes. Any risks arising from the policies and proposals in the LNP will be managed in accordance with the relevant statutory frameworks; however no details have been submitted or are shown within the plan.</p>
2(e) the magnitude and spatial extent of the effects (geographical	No	The LNP area contains a number of important cultural and landscape features, not least of

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
<p>area and size of the population likely to be affected)</p>		<p>which are :  Lilleshall (Sutherland) Monument (Grade II)  Lilleshall Abbey ( Grade I)  Lilleshall Village ( SLA)  Weald Moors (SLA)</p> <p>The policies contained in the LNP seek to protect and enhance open space, retain historical character, protect valued landscapes and protect amenities and services whilst trying to provide a mix of new homes for existing needs.</p> <p>The plan will impact on the local population.</p>
<p>2(f) the value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage  (ii) exceeded environmental quality standards  (iii) intensive land-use</p>	<p>No</p>	<p>Whilst development within the LNP area has the potential to affect important cultural and landscape features in the area, the policies of both the LNP and those of the Telford &amp; Wrekin Local Plan are specifically targeted to protect those features from detrimental affects.</p> <p>The LNP is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. On the contrary, the policies contained in the LNP will help provide greater support to protect and enhance the setting of cultural/heritage assets and the quality of the landscapes within the area.</p> <p>Where possible, policies will encourage new opportunities for recreation, access and leisure.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
		<p>The LNP policies will aim to protect, enhance and improve sites of ecological and environmental importance, as well as designating new sites that are currently unprotected.</p> <p>The policies contained in the LNP seek to protect, enhance and improve sites and landscapes of cultural and landscape importance as well as seeking high quality sustainable design. They include :</p> <ul style="list-style-type: none"> <li>D1 Sympathetic design</li> <li>D2 Sustainable Design</li> <li>D3 Design of Residential Development</li> <li>LE1 Green Spaces</li> <li>LE2 Ecology and Landscape</li> <li>LE3 Strategic Landscape Areas</li> </ul> <p>These policies are in accordance with policies in the Telford &amp; Wrekin Local Plan dealing with the Natural Environment (chapter 6), the Built Environment and Heritage (chapter 9) and Environmental Resources (chapter 10).</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status.	No	<p>It is considered that the LNP will not adversely impact on its local landscapes. On the contrary, its policies are intended to protect those landscapes such as policy LE3.</p> <p>Whilst there are areas of best and most versatile land within the parish, the plan does not propose any new development on the best and most versatile land.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of significant effects
		<p>A statement on Habitats Regulations assessment will be prepared identifying whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.</p> <p>The plan proposes to protect wildlife corridors and enhance green spaces through policies LE1 and LE2 which are likely to have beneficial impacts.</p>