



**Strategic Environmental Assessment  
Screening Determination Statement**

**for**

**Arlesey Neighbourhood Plan 2016 - 2026**

November 2016

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## Table of Contents

.....	i
Executive summary.....	3
1. Introduction.....	4
2. Legislative Background .....	5
3. Screening assessment process .....	6
4. Summary of Arlesey Neighbourhood Plan .....	8
5. Assessment.....	10
6. Screening Outcome .....	16

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## Executive summary

This statement sets out the reasons for the Council's determination that the Arlesey Neighbourhood Plan Proposal is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. In addition this statement determines that the Arlesey Neighbourhood Plan Proposal is unlikely to result in significant effects on any European sites and consequently the plan does not require Habitat Regulation Assessment.

This determination statement is intended to support Arlesey Parish Council in demonstrating that the Arlesey Neighbourhood Plan proposal is compatible with certain European Union obligations as required by the basic conditions, namely:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment; and
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

This determination has been made on **11<sup>th</sup> November 2016**. Within 28 days of this determination, the Council will publish a statement, setting out its decision. Central Bedfordshire Council will publicise this determination statement in accordance with its regulatory requirements. A copy of the statement will be available for inspection at the Council website at <http://www.centralbedfordshire.gov.uk/planning/policy/neighbourhood-planning/consultations.aspx>. It will also be available on request at: Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ.

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# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## 1. Introduction

- 1.1 Arlesey Town Council has requested a Strategic Environmental Assessment (SEA) screening opinion of its Neighbourhood Plan (NP). Central Bedfordshire Council is legally required to determine whether the Arlesey NP will require SEA.
- 1.2 This document is a final Screening Determination Statement which is being issued to Arlesey Parish Council and the statutory consultation bodies.
- 1.3 The Council undertook a screening exercise to determine whether or not the content of the Arlesey NP requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. These require an SEA to be undertaken for:
- i. Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
  - ii. Plans which have been determined to require an assessment under the Habitats Directive.
- 1.4 Following the screening process the Council determined that the Arlesey NP is unlikely to result in significant effects on the environment. The Council consulted the findings with the statutory consultation bodies: Historic England, Natural England and Environment Agency.
- 1.5 Section 2 of this report outlines the regulations that set the need for this screening exercise. Process and criteria of the assessment are set out in Section 3.
- 1.6 A brief summary of the Arlesey NP is provided in Section 4.
- 1.7 The screening assessment of the likely significant environmental effects of the NP is set out in Section 5 and the justification for the determination that the Arlesey NP does not require a full SEA with further recommendations is provided in Section 6.

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## 2. Legislative Background

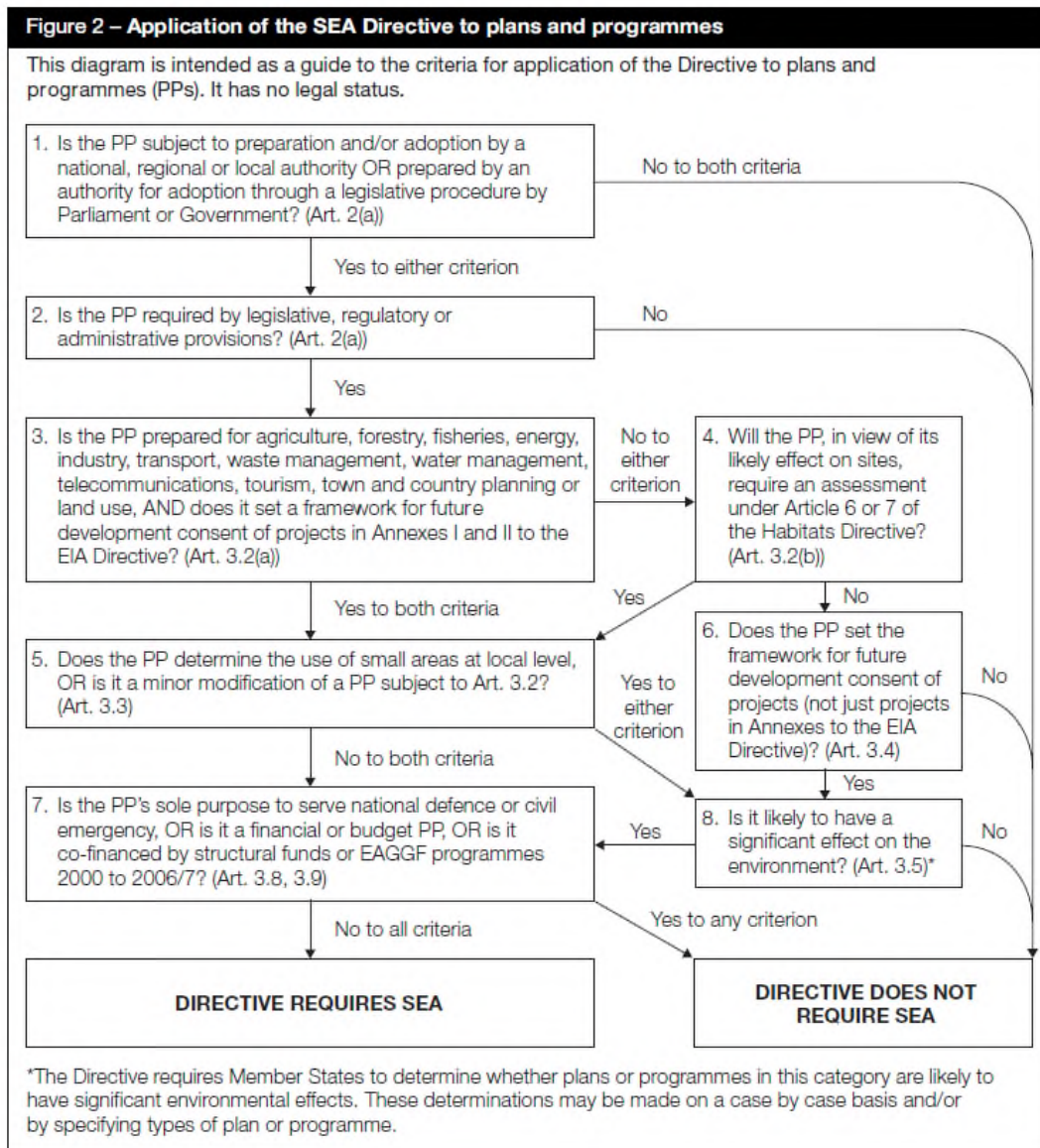
- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)
- 2.2 The Planning and Compulsory Purchase Act 2004 requires that a Sustainability Appraisal (SA) is prepared for spatial plans. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 The Government has stated that SAs are not needed for NP's, but it must be demonstrated how the NP contributes to achievement of sustainable development in the area.
- 2.4 The Localism Act 2011 requires NP's to not breach, and be otherwise compatible with EU and Human Rights obligations. Ambitious and complex NP's may trigger the EU Strategic Environmental Assessment Directive and Habitat Directive, and may need to undertake SEA and Appropriate Assessment depending on the scale and the impact of the plan proposals.
- 2.5 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 refers to the Habitat Directive. The Directive requires that any plan or project likely to have a significant effect on European sites must be subject to an appropriate assessment. Paragraphs 2-5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to Neighbourhood Development Orders (NDOs) and NPs. The Regulations state that NPs are not likely to have significant effect on a site designated at European level for its biodiversity, however, this needs to be ascertained through Habitat Regulations Assessment's screening process.
- 2.6 This report focuses on screening for both HRA and SEA and the criteria for establishing whether a full assessment is needed.

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## 3. Screening assessment process

3.1 The screening opinion assessment is undertaken in two parts: the first part will assess whether the plan falls into a category of plans requiring SEA; and the second part of the assessment will consider whether the NP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004.

3.2 The government guidance 'A practical guide to the Strategic Environmental Assessment Directive sets out the following approach to be taken in determining whether SEA is required, see flowchart below.



## **Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan**

3.4 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard, in particular, to
  - 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,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - 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).
  
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - the probability, duration, frequency and reversibility of the effects,
  - the cumulative nature of the effects,
  - the transboundary nature of the effects,
  - the risks to human health or the environment (e.g. due to accidents),
  - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
    - special natural characteristics or cultural heritage,
    - exceeded environmental quality standards or limit values,
    - intensive land-use,
    - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

3.5 The three statutory consultation bodies (English Heritage, Environment Agency and Natural England) will be consulted to determine whether they agree with the findings and conclusions of this screening opinion, in establishing whether the Arlesey NP requires SEA and whether it may have a significant environmental effect. Following consultation with statutory consultees a final Screening Determination Statement will be issued to Arlesey Town Council and the statutory consultees.

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## 4. Summary of Arlesey Neighbourhood Plan

4.1 Arlesey NP covers the administrative boundaries of Arlesey Town Council.

The Plan does not allocate sites for housing or employment; but it proposes a number of Local Green Space and Community Green Space designations.

The Plan is focused on setting development management policies to guide future development and to minimise any adverse and deliver positive effects on the environment and local community.

4.2 Arlesey is a small town located in the Hiz Valley in Central Bedfordshire, which itself is classified as predominantly rural, containing countryside, villages and small- to medium-sized towns including Leighton Buzzard and Dunstable. The area as a whole has a varied and distinct landscape, informed by the underlying geology of clay, chalk and greensand. Because of the topology of the area, long views across the countryside are afforded across the area. The 2011 census showed that the Parish had a population of 5,584 with the number of houses identified in 2015 as 2470.

4.3 The Arlesey draft NP covers a range of land use and environmental issues that relate to the Parish. These are addressed through a number of policies to guide development in the Parish; namely:

- Settlement Boundary
- Design of Residential Development and Housing Mix
- Transport and Traffic Issues
- Environment
- Protection of Listed Buildings
- Community and Sport Provision
- Business and Employment

4.4 The Settlement Boundary policy aims to focus development within the existing built up area but accepts that applications for development outside this area may be received. Where they are they should be in accordance with CBC Core Strategy or relate to necessary utilities.

4.5 Design and Housing Mix policies support high quality design in keeping with the local area with consideration to parking, boundary treatments and protection of green space. All applications above five units should provide at least 25% as one and two bed properties.



## **Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan**

- 4.6 Transport policies seek to support development that will alleviate existing congestion and improve traffic flows; increase walking and cycling opportunities and public transport.
- 4.7 Environmental policies aim to protect and maintain greenspace and manage flood risk.
- 4.8 Heritage policies seek to protect and enhance character, and historic and archaeological assets of the Parish.
- 4.9 Community and Sports Facilities policies seek to provide a net gain in facilities.
- 4.10 Business and Employment policies support the delivery of broadband and small scale retail and class B employment opportunities.

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

## 5 Assessment

5.1 The first part of the assessment is to establish the need for the SEA. The table below shows the assessment determining whether the Arlesey NP falls into a category of plans requiring SEA.

Stage	Y/N	Reasons
1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through legislative procedure by Parliament or Government? (Art. 2(a))	Y	The preparation and adoption of the NP is allowed under Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan will be prepared Arlesey Parish Council (as the 'relevant body') and will be 'made' by the Central Bedfordshire Council as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012.  <b>GO TO STAGE 2</b>
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Whilst the NP is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if 'made', form part of Local Plan for the unitary area. It is therefore important that the screening process considers whether it is likely to have a significant effect on environment and hence whether SEA is required under the Directive.  <b>GO TO STAGE 3</b>
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set framework for future development consent of	Y&N	The NP is being prepared for town and country planning and land use as it proposes to safeguard a site for the future delivery of allotments, but it does <b>not</b> set a framework for future development consent for projects in Annexes I and II to the EIA Directive.

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

Stage	Y/N	Reasons
projects in Annexes I and II to the EIA Directive? (Art. 3.2(b))		<b>GO TO STAGE 4</b>
4. Will the NP, in view of its likely effect on sites, require assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	<b>N</b>	The NP does not propose to allocate new sites for urban development. Any development will be delivered in compliance with Central Bedfordshire North Core Strategy and Development Management DPD policies (2009). The Habitat Regulations screening undertaken for the Site Allocations DPD found that there will be no significant effects on the Natura sites considered, either alone or in-combination arising from developing allocated sites and therefore no further Appropriate Assessment was considered necessary.  align="right"> <b>GO TO STAGE 6</b>
5. Does the NP determine the use of small areas at local level OR is it a minor modification of a PP subject to Art. 3.2? (Art.3.3)		<b>NOT APPLICABLE</b>
6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)	<b>Y</b>	The NP will set the framework for future development of projects not included in Annexes I and II to the EIA Directive.  align="right"> <b>GO TO STAGE 8</b>
7. Is the NP's sole purpose to serve national defence or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8 & Art. 3.9)		<b>NOT APPLICABLE</b>
8. Is the NP likely to have a significant effect on the environment? (Art. 3.5)	<b>N</b>	See assessment 2: Likely significant effects on the environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA</b>

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

5.2 The next step in the screening assessment is to establish whether the Arlesey NP is likely to have a significant effect on the environment. The criteria for determining the likely significance of effects are drawn from the Annex II of SEA Directive 2001/42/EC.

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
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.	The NP will contribute to the framework for considering future development consents of projects; it contains policies to guide future development to address a number of local issues, and to protect and enhance local community facilities and the character of Arlesey. However, it will sit within wider framework of the National Planning Policy Framework (2012), the Core Strategy and Development Management Policies DPD (2009), the Site Allocation DPD (2011) and future Central Bedfordshire Local Plan. The projects for which this Neighbourhood Plan helps to set a framework (designation of Local Green Spaces) are localised in nature and have limited resource implications.	<b>N</b>
1b The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NP will be in conformity with the National Planning Policy Framework. The policies within the NP are in general conformity with the Council's strategic policies and complement the Core Strategy and Development Management policies (2009). The NP is unlikely to significantly influence other plans and programmes, but may have a limited degree of influence over the formation of future strategic policies of Central Bedfordshire's new Local Plan.	<b>N</b>
1c The relevance of the plan or programme for the integration of	The NP makes designations for 10 Local Green Spaces to protect and enhance natural environment. The Plan includes design policies to	<b>N</b>

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
environmental considerations in particular with a view to promoting sustainable development	ensure delivery of a right housing mix to meet local need; promote sustainable transport through provision of good pedestrian and cycle ways links; protect heritage and natural environment; provide community facilities; support high speed broadband and creation of small scale employment. In addition, all potential development will need to comply with Central Bedfordshire Council planning policies and be in conformity with NPPF that will ensure that permitted development integrates environmental considerations and promotes sustainable development.	
1d Environmental problems relevant to the plan.	The NP includes policies on parking, traffic and flooding issues to address local problems and concerns of residents. The Plan also proposes a number of Local Green Space designations. The Plan's policies affect limited area, and therefore the Plan is unlikely to result in significant environmental effects.	<b>N</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 or renewable energy generation)	The NP sits within the wider framework of the National Planning Policy Framework (2012), the Core Strategy and Development Management Policies DPD (2009), the Site Allocation DPD (2011), and is not directly relevant to the implementation of European legislation.	<b>N</b>
2a Probability, duration,	The NP is likely to have short-term effects resulting from activity	<b>N</b>

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
frequency and reversibility of the effects	associated improvements to local infrastructure such as drainage and construction of cycleways and footways. The longer-term effects are likely to be positive but localised in their nature and not significant.	
2b The cumulative nature of the effects	Likely cumulative effects of the NP with other Plans in the hierarchy are likely to be positive in their nature; particularly for environmental factors such as biodiversity, human health and archaeological and historical material assets of Arlesey as the Plan proposes protection and enhancement of local environment and the historical character of the settlements within Parish. However given the localised nature of the Plan, the effects are unlikely to be significant.	<b>N</b>
2c The trans boundary nature of the effects	Given the localised nature of the Neighbourhood Plan there are not expected to be any significant trans-boundary effects.	<b>N</b>
2d The risk to human health or environment (e.g. due to accidents)	The NP is unlikely to pose significant risks to human health or the environment. Indeed, the Plan is likely to improve human health and the environment through protection of local green spaces and seeking improvements to pedestrian and cycle ways and recreational facilities.	<b>N</b>
2e The effects on areas or landscapes which have a recognised national, community or international protection status.	There are no Areas of Outstanding Natural Beauty (AONB) and Areas of Great Landscape Value (AGLV) located within or adjacent to the Plan area.	<b>N</b>
2f The magnitude spatial extent of the effects	The NP covers the area of Arlesey Parish. The Plan is not looking to allocate housing or employment	<b>N</b>

**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
(geographical area and size of the population likely to be affected)	sites, but number of dwellings in the area is likely to increase by 917 over the life of the Plan due to a site allocation made by the North Central Bedfordshire Site Allocation DPD (2011). As a result population of Arlesey is likely to increase from 5,584 in the 2011 census to 7,800 by 2025/26.	
<p>2g The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li>   <li>• Exceeded environmental quality standards</li>   <li>• Intensive land use</li> </ul>	<p>Within the Parish there are a number of listed buildings, flood zones 2 and 3 and four county wildlife sites within the boundary of the Plan. In close proximity of the parish boundary are located further five county wildlife sites and historic Fairfield Park. The NP's policies aim to protect and enhanced the environmental and historic assets, and manage flood risk. The effects of the Plan are unlikely to be beyond the effects assessed through the SA/SEA undertaken for the North Central Bedfordshire Core Strategy and Development Management Policies DPD (2009), the Site Allocation DPD (2011).</p> <p>The NP is not expected to exceed environmental quality standards or limit values.</p> <p>The NP does not propose development likely to result in intensive land use.</p>	<p><b>N</b></p>

# Strategic Environmental Assessment Determination Statement for Arlesey Neighbourhood Plan

## 6 Screening Outcome

- 6.1 The screening assessment undertaken in Section 5 concludes that, it is unlikely there will be any significant environmental effects arising from the Arlesey NP that were not covered in the SA of the Central Bedfordshire North Core Strategy and Development Management Documents (2009); and Site Allocation Document (2011). **As such, Arlesey NP does not require a full SEA to be undertaken.**
- 6.2 The Council consulted on its findings with three statutory consultation bodies: the Environment Agency, Historic England and Natural England. The consultation period was 5 weeks; **from to 2016**. The consultation e-mail stated that if response is not received it is assumed that the consultee agrees with the Council findings and conclusions.
- 6.3 The Council received two responses from the Environment Agency and Natural England that agreed with the Council findings that Arlesey NP does not require a full SEA to be undertaken. Historic England sent a generic advice on undertaking SEA screening for neighbourhood plans. The received consultation responses can be found in appendix 1.
- 6.4 Following the screening process and consultation the Councils determines that **Arlesey NP does not require a full SEA to be undertaken.**
- 6.5 As part of this SEA screening, Habitat Regulations screening was undertaken because plans that are likely to have significant impact on European Sites require a Strategic Environmental Assessment in addition to an Appropriate Assessment (Habitat Regulation Assessment). This screening concluded that the Arlesey NP is unlikely to have significant impact on European sites and therefore **Arlesey NP does not require a full HRA to be undertaken.**
- 6.6 Although SEA is not required, Arlesey Parish Council may wish to consider voluntarily undertaking a Sustainability Appraisal (SA) that covers all three aspects of sustainable development: environmental, social and economic. The advantage of undertaking a SA is that it can assess the impact of the NP on environmental, social and economic factors and therefore demonstrate to an examiner how sustainable development has been considered in the preparation of the Plan and that the Plan as prepared is the most sustainable compared with any reasonable alternatives.



**Strategic Environmental Assessment Determination Statement  
for Arlesey Neighbourhood Plan**

**Appendix: Consultation Responses**