

Hexham Neighbourhood Plan

Strategic Environmental Assessment (SEA) Screening Opinion

REVISED SCREENING OPINION

FINAL REPORT

Prepared by the Neighbourhood Planning & Infrastructure Team
Northumberland County Council

25 October 2017

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1. Introduction and Summary

Hexham Neighbourhood Plan

- 1.01 Neighbourhood Plans are prepared by a qualifying body under the Town and Country Planning Act 1990 (as amended). The Hexham Neighbourhood Plan is being prepared by Hexham Town Council (as the “relevant body”) and will be ‘made’ by Northumberland County Council as the local authority.
- 1.02 The preparation of Neighbourhood Plans is subject to The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012.
- 1.03 Communities have a right to be able to produce a Neighbourhood Plan. However, communities are not required by legislative, regulatory or administrative purposes to produce such a plan.
- 1.04 Hexham Town Council is preparing a Neighbourhood Plan for the Hexham Neighbourhood Area, which covers the entire Civil Parish. Once ‘made’, it will form part of the statutory development plan for Northumberland.

Strategic Environmental Assessment

- 1.05 To be ‘made’, a Neighbourhood Plan must meet certain basic conditions, including compliance with EU Obligations. One such obligation is the assessment of the effects of certain plans and programmes on the environment¹. This is often referred to as the Strategic Environmental Assessment (SEA) Directive.
- 1.06 The purpose of the SEA Directive is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.07 The SEA Directive sets out criteria for assessing the significance of the impact of a plan or programme on the environment. Any assessment must consider both positive and negative effects.
- 1.08 In the first instance, it is necessary to ascertain if SEA is required. This process is referred to as ‘screening’.

¹ [European Directive 2001/42/EC \(SEA Directive\)](#)

- 1.09 This Final Report presents the findings of an SEA screening opinion on the Hexham Neighbourhood Plan, provided by Northumberland County Council as the Local Planning Authority. It adopts a proportionate approach in applying a series of criteria, as set out in the SEA Directive², to look at the draft Hexham Neighbourhood Plan and determine whether a significant effect or effects are likely.
- 1.10 Based on the characteristics of the Draft Hexham Neighbourhood Plan and the area characteristics, the conclusion of the SEA Screening, in the opinion of Northumberland County Council, is the plan is unlikely to have significant effects on the environment and SEA is therefore not required.
- 1.11 A Revised Screening Opinion was sent to the statutory consultation bodies³, that is: the Environment Agency; Historic England; and Natural England, in order to seek their views on its conclusions⁴ and to confirm that their responses to the previous version of the Screening Opinion still stand. All three consultation bodies had previously confirmed that SEA would be required.
- 1.12 This Final Report considers the responses made by the consultation bodies on the Revised Screening Opinion. The responses provided by the consultation bodies can be found in Appendix 1 to this Report.
- 1.13 The responses received from the consultation bodies have confirmed that, in their view, Strategic Environmental Assessment of the Hexham Neighbourhood Plan is required and that a Scoping Report and subsequent Environmental Report will need to be produced.

Habitats Regulations Assessment

- 1.14 A Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Regulations. The Hexham Neighbourhood Plan will be subject to a separate HRA screening assessment to ascertain whether an Appropriate Assessment is required under the Conservation of Habitats and Species Regulations 2010, which relate to Articles 6(3) and (4) of the Habitats Directive.

² See footnote above, plus [Environmental Assessment of Plans and Programmes Regulations 2004 \(SEA Regulations\)](#)

³ As set out in Regulation 4(1) of the SEA Regulations 2004.

⁴ As set out in Regulation 9(2)(b) of the SEA Regulations 2004.

2. Previous Screening Opinion and background

- 2.01 Northumberland County Council carried out an SEA Screening exercise in April 2017, when the Hexham Neighbourhood Plan was at a very early stage in its preparation. The Screening Opinion was based on the intention to allocate land for development within the Neighbourhood Plan. While the quantum and location of development was not known at that time, it was possible to determine that these allocations would be over and above those set out in the then emerging Northumberland Local Plan Core Strategy.
- 2.02 Northumberland County Council issued a Strategic Environmental Assessment (SEA) Screening Opinion and consulted the consultation bodies in April 2017. Following this consultation, a SEA Screening Opinion Final Report was issued in June 2017, circulated to the consultation bodies for information, and provided to Hexham Town Council. The Final Report concluded that the Hexham Neighbourhood Plan would need to be subject to SEA.
- 2.03 The Hexham Town Council's Neighbourhood Plan Steering Group is now progressing towards consultation on Pre-Submission Draft Plan. It has been considered appropriate by Northumberland County Council to prepare a revised Screening Opinion based on the emerging Neighbourhood Plan, particularly in light of the withdrawal of the Northumberland Local Plan Core Strategy from Examination earlier this year.
- 2.04 As set out in the previous Screening Opinion, part of the County Council's justification for SEA being required was that the Neighbourhood Plan intended to allocate land for a greater quantum of development, and in additional locations, to that set out in the then emerging Northumberland Local Plan Core Strategy. In light of the withdrawal of the Core Strategy, it was considered appropriate to revisit the Screening Opinion to ensure that due process is carried out and that the Screening exercise recognises the iterative processes involved in plan preparation as well as the effect that changing circumstances can have on the environmental assessment of plans.
- 2.05 The Revised Screening Opinion (October 2017), therefore, sought clarification from the consultation bodies that their formal responses to the previous Screening Report still stand and that SEA is still required.

3. Strategic Environmental Assessment

3.01 Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, as amended, requires that certain specified information is provided alongside a draft neighbourhood plan when it is submitted to the local planning authority. In summary, this information is:

- (a) *A map or statement which identifies the area to which the proposed neighbourhood development plan relates;*
- (b) *A consultation statement;*
- (c) *The proposed neighbourhood development plan;*
- (d) *A 'basic conditions statement'; and*
- (e) ***(i) an environmental report, or
(ii) a screening opinion indicating that an environmental report is not required.***

3.02 The SEA process is a means of testing the environmental impacts of plans and programmes. It should shape and hone a neighbourhood plan's content to ensure the plan effectively ensures sustainable development.

3.03 In order to determine whether the Hexham Neighbourhood Plan is likely to have a significant effect on the environment, there are criteria for assessment set out in Annex II of the SEA Directive. They are split into two categories: those relating to the characteristics of the plan and those to the characteristics of the effects and areas likely to be affected (see Figure 1). An assessment of the Hexham Neighbourhood Plan against these criteria is set out accordingly in Table 1 in Section 5 of this report.

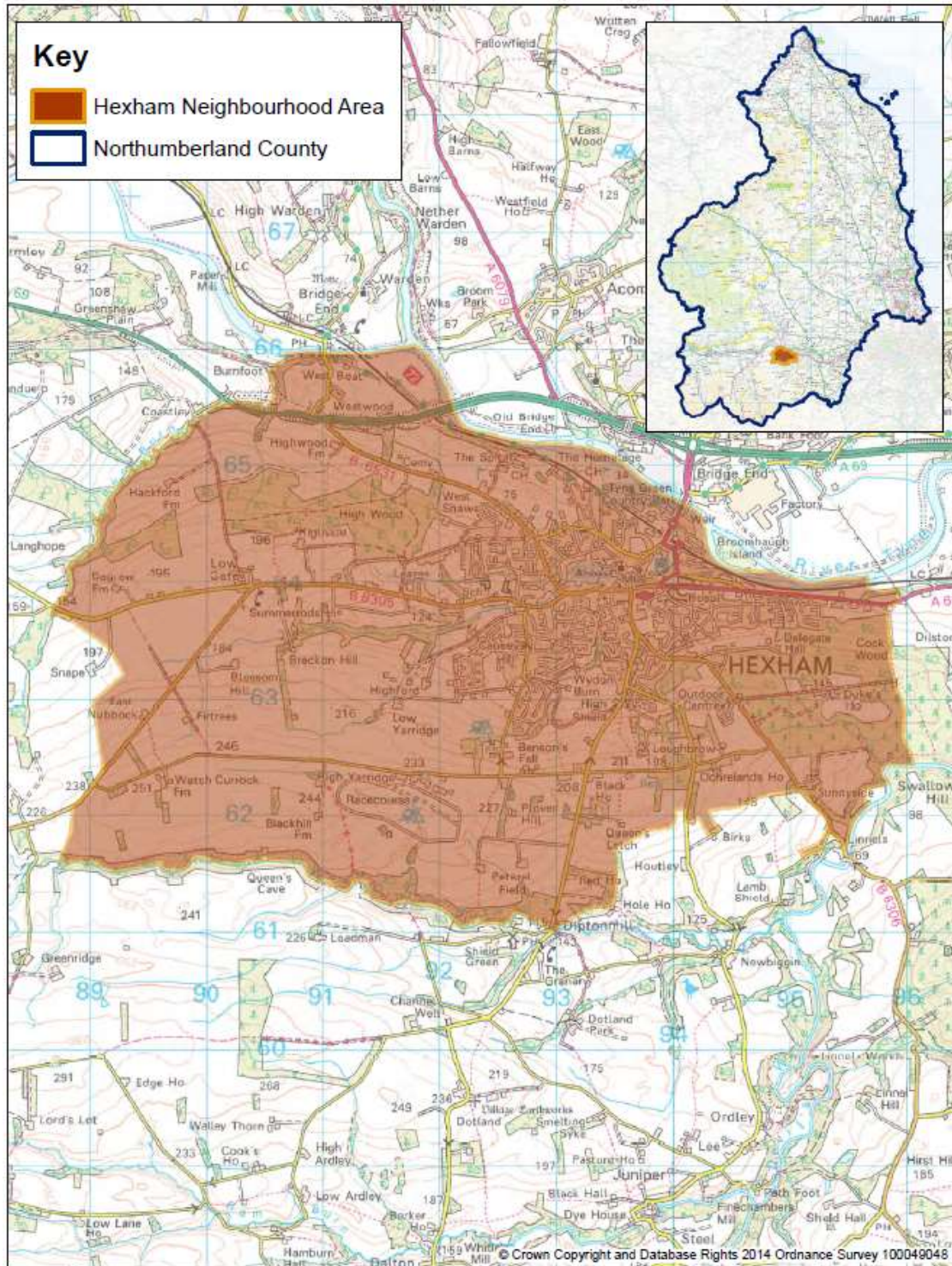
Figure 1: Criteria for determining likely significance of effects on the environment

- 1. The characteristics of neighbourhood plans, having regard, in particular, to:**
 - (a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - (b) the degree to which the plan influences other plans and programmes including those in a hierarchy;
 - (c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) Environmental problems relevant to the plan;
 - (e) The relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or waste protection)
- 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:**
 - (a) The probability, duration, frequency and reversibility of the effects;

- (b)** The cumulative nature of the effects;
- (c)** The transboundary nature of the effects;
- (d)** The risks to human health or the environment (e.g. due to accidents);
- (e)** The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (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 or limit values;
 - (iii) Intensive land use
- (g)** The effects on areas or landscapes which have a recognised national, Community or international protection status.

4. Hexham Neighbourhood Plan

4.01 Hexham parish includes the settlement of Hexham, together with smaller settlements surrounding Hexham itself. The Hexham Neighbourhood Area covers the entire Civil Parish of Hexham. The Neighbourhood Area is shown below:



4.02 The Vision Statement and Objectives of the Hexham Neighbourhood Plan are set out below:

Hexham Neighbourhood Plan Vision:

“Hexham is the creative enterprising heart of the Tyne Valley. The medieval Abbey and market town has remained true to its heritage and is an attractive, sustainable place for all people across the generations who live, work and visit here.”

Objectives:

The Neighbourhood Plan’s Vision is supported by five overarching objectives. These are set out below.

Objective 1: Sustainability

All policies in the Hexham Neighbourhood Plan, read together, will contribute to the delivery of truly sustainable development. New development must be built to high environmental standards, located where people can walk/cycle to town and benefit social, environmental and economic objectives for the town.

Objective 2: Our Built and Historic Environment

Hexham’s built environment will retain its essential character and setting as an historic market town, with high standards of design applied to new and old buildings. New development throughout Hexham will underline local distinctiveness, diversity and sustainability.

Objective 3: Housing

Hexham will have the right number, type and size of new homes needed for the local population. New housing will have energy efficiency at its heart. It will be in the right place, look good and be well connected to the rest of Hexham. The necessary infrastructure will be in place to make new build viable giving desirable and sustainable places to live.

Objective 4: Our Local Economy

Hexham’s local economy will be secure into the future.

Objective 5: Our Natural Environment, Health and Well-Being

Hexham’s residents of all ages will enjoy improved health and well-being through good access to leisure, sport, heritage, arts, public transport and other facilities in Hexham. Accessible and well linked green spaces (including to the surrounding countryside) will mean a better natural environment for residents and a more wildlife-friendly Hexham.

- 4.03 The Plan contains a series of policies which seek to deliver the Plan's vision and objectives. In summary, the Plan seeks to allocate five sites for housing and/or mixed use development (the Plan identifies that these sites are capable of providing at least 171 dwellings); provide a planning framework for development within Hexham; and to support and protect community facilities, green spaces and allotments.
- 4.04 The Plan is supportive of sustainable development within the overall policy context of the statutory development plan in terms of the built and natural environment.

5. SEA Screening Assessment

5.01 The policies set out in the draft version of the pre-submission Hexham Neighbourhood Plan have been used to undertake the screening assessment based on the criteria within the SEA Directive.

Table 1: Assessment of the likelihood of significant effects on the environment

Criteria (Schedule 1)	Significant Environmental Effect likely?	
	Yes/no	Justification
The characteristics of plans and programmes, having regard, in particular, to:		
(a) 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.	Yes	Following the withdrawal of the Northumberland Local Plan Core Strategy from Examination in 2017, the main framework in this area comprises the Tynedale LDF Core Strategy and Tynedale District Local Plan. The Hexham Neighbourhood Plan is seeking to allocate land for development and it is confirmed that this development will be in addition to that which is set out in the existing development plan. Therefore, the Hexham Neighbourhood Plan will specify the nature and location of development in the neighbourhood area, with the exception of sites already included in the existing development plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	It is possible that the Hexham Neighbourhood Plan could inform future supplementary guidance in the area. The neighbourhood plan must be in accordance with existing higher-level plans and programmes.
(c) the relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	No	The Plan contains a series of policies which seek to deliver the Plan's vision and objectives. In summary, the Plan seeks to allocate five sites for housing and/or mixed use development (the Plan identifies that these sites are capable of providing at least 171 dwellings); provide a planning framework for development within Hexham; and to support and protect community facilities, green spaces and allotments. The Plan will support sustainable development in the Neighbourhood Area.

Criteria (Schedule 1)	Significant Environmental Effect likely?	
	Yes/no	Justification
The characteristics of plans and programmes, having regard, in particular, to:		
(d) environmental problems relevant to the plan or programme	Yes	The Plan contains a series of policies which seek to deliver the Plan's vision and objectives. In summary, the Plan seeks to allocate five sites for housing and/or mixed use development (the Plan identifies that these sites are capable of providing at least 171 dwellings); provide a planning framework for development within Hexham; and to support and protect community facilities, green spaces and allotments. The Plan will support sustainable development in the Neighbourhood Area.
(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)	Yes	<p>The Hexham Neighbourhood Plan has to be in conformity with the strategic policies contained within other relevant planning documents. The current adopted local plan for the area consists of the saved policies in the Tynedale District Local Plan (2000) and Tynedale LDF Core Strategy (2007). Policies in these plans are material planning considerations where they comply with the National Planning Policy Framework (2012).</p> <p>While the Hexham Neighbourhood Plan supports the implementation of higher level policies at the Neighbourhood Area level, it is proposing a level of development (at least 171 dwellings) in locations which are not included in the existing development plan. It is therefore considered that significant environmental effects are likely.</p>

Criteria (Schedule 1)	Significant Environmental Effect likely?	
	Yes/no	Justification
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects.	Yes	The Hexham Neighbourhood Plan intends to allocate land for development, as well as seeking to allocate land as Local Green Space, together with the identification of wildlife corridors. The Plan also intends to protect existing allotment provision and include a policy supporting increased provision but not expressly allocating land for such uses.
(b) the cumulative nature of the effects	Yes	It is possible that significant environmental effects would be observed as a result of the policies contained within the Hexham Neighbourhood Plan. Since the Plan seeks to allocate sites for development, and that the number of sites and the scale of proposed development is above that which is included in the existing (ageing) development plan, it is possible that cumulative effects could result. The Neighbourhood Plan intends to facilitate a level of development above that of higher-level documents within the development plan.
(c) the transboundary nature of the effects	No	The Civil Parish of Hexham is contained wholly within Northumberland. It is not anticipated that the scale of development intended to be included within the Neighbourhood Plan would result in transboundary effects.
(d) the risks to human health or the environment (for example, due to accidents)	No	At this point, it is thought unlikely that there would be risks to human health or the environment arising from the Hexham Neighbourhood Plan.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	Yes	The Neighbourhood Plan intends to facilitate a level of development above that of higher-level documents within the development plan. It is possible that significant environmental effects would be observed as a result of the policies contained within the Hexham Neighbourhood Plan. The Plan seeks to allocate sites for development, and that the number of sites and the scale of proposed development is above that which is included in the existing (ageing) development plan. The magnitude and spatial extent of the effects are likely to be limited to the Civil Parish.

Criteria (Schedule 1)	Significant Environmental Effect likely?	
	Yes/no	Justification
(f)(i) the value and vulnerability of the area likely to be affected due to special natural characteristics or cultural heritage.	Not known	The Hexham Neighbourhood Area contains a number of important designations, including Local Wildlife Sites and designated and non-designated heritage assets including Historic Parks and Gardens. The south-west of the Neighbourhood Area also extends very close to the edge of the North Pennines AONB. It is clear that the Neighbourhood Area contains a number of sensitive/potentially vulnerable receptors, and is located close to the edge of the North Pennines AONB. The scale and distribution of intended allocations for development are currently known and it is possible that the Plan may result in significant effects on areas with special natural characteristics or cultural heritage.
(f)(ii) the value and vulnerability of the area likely to be affected due to exceeded environmental quality standards or limit values.	No	This would be unlikely to result from the proposals.
(f)(iii) the value and vulnerability of the area likely to be affected due to intensive land use.	No	This would be unlikely to result from the proposals.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	Not known	Given the content of the Neighbourhood Plan, it is possible that significant effects may result from the Plan's proposals. While the Neighbourhood Plan intends to include protective policies alongside allocations, the potential effects are not known. However, it is possible that the Plan may result in significant effects on such areas.

6. SEA Assessment Conclusion

6.01 **On the basis of the SEA Screening Assessment set out in Table 1 above, and having regard to the responses received from the consultation bodies in relation to the County Council's Revised Screening Opinion, the conclusion is that the Hexham Neighbourhood Plan may result in significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore will need to be subject to SEA. The main reasons for this conclusion are:**

- The Hexham Neighbourhood Plan seeks to allocate five sites for housing and/or mixed use development (the Plan identifies that these sites are capable of providing at least 171 dwellings). These sites are in addition to those in the existing development plan;
- The Hexham Neighbourhood Area includes a number of sensitive receptors, including Local Wildlife Sites, designated and non-designated heritage assets and Historic Parks and Gardens. The Neighbourhood Area extends to the south-west almost to the edge of the North Pennines Area of Outstanding Natural Beauty;
- The Hexham Neighbourhood Area includes areas of significant flood risk, which should be considered through the SEA process.

6.02 **The conclusion of this Final Report is that Strategic Environmental Assessment of the Hexham Neighbourhood Plan is required and that a Scoping Report and subsequent Environmental Report will need to be produced.**

Appendix 1: Responses to Screening Opinion received from Consultation Bodies



NORTH EAST OFFICE

Mr Rob Naples
Northumberland County Council
Communities & Infrastructure
County Hall
Morpeth
Northumberland
NE61 2EF

Direct Dial: 0191-2691232

Our ref: PL00088982

20 October 2017

Dear Mr Naples

Hexham Neighbourhood Plan - Strategic Environmental Assessment - Revised Screening Opinion

Thank you for your email of 4 October 2017 consulting Historic England on the above. As the government's champion for the historic environment, we are pleased to offer our comment.

Based on the analysis set out in your revised Screening Opinion and within the areas of interest to Historic England, we agree that the emerging plan is likely to result in significant environmental effects, and therefore it is not possible to screen out the need for SEA. In coming to this view we have taken the following factors into consideration:

- The plan area contains a major focus of heritage assets including a conservation area, numerous listed buildings of all grades, a number of scheduled monuments, and several historic parks and gardens, as well as considerable potential for non-designated structural and archaeological assets.
- Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.
- The plan will allocate sites for development.
- The plan will create additional constraint or protection over and above national and local policy and so is likely to result in a significant environmental impact to heritage assets beyond those of existing policies.

As such, in our view, it is not possible to screen out the need for SEA of the emerging plan as it could result in significant environmental effects within our area of interest. We reserve the right to review this opinion should the plan change materially in its content and direction.

Please do not hesitate to contact us if you have any queries relating to our comments or would like any further information.

Yours sincerely,



BESSIE SURTEES HOUSE 41-44 SANDHILL NEWCASTLE-UPON-TYNE NE1 3JF

Telephone 0191 269 1255
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

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Date: 05 October 2017
Our ref: 227896
Your ref: Revised SEA Screening Opinion - Hexham Neighbourhood Plan



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T 0300 060 3900

Dear Rob Naples

Planning consultation: Revised SEA Screening Opinion - Hexham Neighbourhood Plan
Location: Hexham, Northumberland

Thank you for your consultation on the above dated 04 October 2017 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.

Revised SEA Screening Opinion

Natural England confirms that our previous advice (dated 17 May 2017, our ref 215160) still stands: so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are likely to be significant environmental effects from the proposed plan. This is due to the Neighbourhood Plan allocating sites for development that are in addition to the current development plan, of which the nature and location are currently unknown.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Ellen Bekker on 0208 225 7091 or ellen.bekker@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Ellen Bekker
Lead Adviser
Sustainable Development
Northumbria Area

Rob Naples
Northumberland County Council
Planning Strategy
County Hall
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Northumberland
NE61 2EF

Our ref: NA/2009/103757/OT-16/IS1-
L01
Your ref:
Date: 17 October 2017

Dear Rob

Revised SEA Screening Opinion – Hexham Neighborhood Plan OCTOBER 2017

Thank you for giving us the opportunity to comment on the above consultation. In relation to those matters within our remit, we have reviewed the consultation document and have the following comments to offer:

We agree with the conclusion of the SEA screening assessment that the Hexham Neighbourhood Plan is likely to have significant effects on the environment. On this basis, we consider that the Hexham Neighbourhood Plan will require a SEA.

Together with Natural England, English Heritage and Forestry Commission, we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/lit_6524_7da381.pdf

Please do not hesitate to contact me if you have any questions

Yours sincerely

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