

# BRIEFING NOTE: STRATEGIC ENVIRONMENTAL ASSESSMENT AND NEIGHBOURHOOD PLANS.

## 1. INTRODUCTION

1.1 NDPs must meet the Basic Conditions. These include that the making of the plan “does not breach, and is otherwise compatible with, EU obligations.”

1.2 Directive 2001/42/EC or the SEA Directive “seeks to provide a high level of protection of the environment by **integrating** environmental considerations into the process of preparing plans and programmes.”

1.3 The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (the ‘SEA Regulations’) and it is these regulations that NDP will need to be compatible with. The National Planning Policy Guidance Notes give an overview (See Appendix A). This document provides greater detail on the process.

## 2. SCREENING: IS AN SEA REQUIRED?

2.1 **The process by which the decision is made as to whether SEA is required is called ‘Screening’.**

2.2 **There are two circumstances where SEA is likely to be required:**

- a) Where an NDP area contains or is near to *sensitive environmental assets* that may be affected and it
  - a. allocates sites for development (for housing, employment etc.) that haven’t already been appraised through the sustainability appraisal (SA) of the Cornwall Local Plan, and/or
  - b. Includes any other policies and proposals that could be likely to have significant environmental effects not already addressed through the sustainability appraisal of the Cornwall Local Plan.
- b) Where an NDP includes, or is the defined Zone of Influence of, a European protected wildlife site (such as a SAC or SPA) and a risk of significant effects on them cannot be excluded on the basis of objective information and a Habitats Regulations ‘Appropriate Assessment’ has been required.<sup>1</sup>

2.3 **What are the ‘sensitive environmental assets’?** The Environmental Impact Assessment Regulations (2011) define sensitive areas as:

- Sites of Special Scientific Interest (SSSI)
- European sites such as Special Areas of Conservation and Special Protection Areas [Natura 2000 sites].
- Areas of Outstanding Natural Beauty
- World Heritage Sites
- Scheduled Monuments

2.4 Other sensitive areas which may be included under this heading are:

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A. <sup>1</sup> (The SEA Directive says that if an “Appropriate Assessment is required under the Habitats Directive, then an SEA is also required.

Strategic Environmental Assessment is often seen as a complex and frightening process beyond the ability of most NDP Steering Groups to carry through.

Consequently, it is often misunderstood and avoided, with consequences for the timescale and interest in NDPs.

This note aims to clarify the issues and show that although SEA is time consuming it is relatively straightforward, achievable and can help NDPs to deliver sustainable development.

### Different Types of Environmental Assessment that affect NDPs.

**1. Strategic Environmental Assessment [SEA]-** An assessment of the significant environmental effects of the NDP.

**2. Sustainability Appraisal -** An assessment of the social, economic and environmental effects of the NDP.

**3. Habitats Regulations Assessment [HRA] –** An assessment of the significant effects on European Sites under the Habitats Regulations.

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**Environmental Impact Assessment** is applied to individual projects which are likely to have significant environmental effects.

- Conservation Areas
- Listed buildings

2.5 All Parish and Town Council areas in Cornwall will have some of these sensitive assets present, and some more than others. It should also be noted that European Sites may have extensive Zones of Influence that may cover parts of an NDP area that otherwise has few assets.

2.6 The relative absence of sensitive assets does not mean that those with fewer assets need not do SEA, as there are clear benefits to the NDP creating process that SEA can contribute.

**2.7 What is involved in ‘Screening?’** It involves an interrogation of the evidence behind the draft policies and proposals of an NDP. It is based on the criteria set out in Schedule 1 of the SEA Regulations “for determining the likely significance of effects on the environment”. These criteria are split into two categories: those relating to the *characteristics* of the plan and those to the *characteristics of the effects and area likely to be affected*.

2.8 For Plan characteristics these are

- i. the degree to which the NDP sets a framework for projects and other activities, including their location, nature, size and operating conditions or by allocating resources
- ii. the degree to which the NDP influences other plans and programmes (eg the CLP, AONB Management Plan)
- iii. the relevance of the NDP for the integration of environmental considerations with a view to promoting sustainable development
- iv. environmental problems relevant to the NDP
- v. the relevance of the NDP for the implementation of EC legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2.9 For the characteristics of the effects of the NDP and the NDP area:

- vi. the probability, duration, frequency and reversibility of the effects
- vii. the cumulative nature of the effects
- viii. the transboundary nature of the effects
- ix. the risks to human health or the environment (for example, due to accidents)
- x. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
- xi. 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
- xii. the effects on areas or landscapes which have a recognised national, Community or international protection status.

2.10 The assessment of effects is expected to be proportionate, acknowledging that there will be gaps in data at this early stage. The likely topics could include:

- A high-level overview of environmental issues in and around the NDP area.
- Population
- Human health
- Fauna
- Flora
- Soil

#### Screening Stages

1. Prepare a screening report
2. Request a screening opinion from the consultation bodies in light of this report
3. In light of their responses, determine whether the plan is likely to have significant effects on the environment (and therefore require SEA).

**Looking Outside:** The Screening evidence should also ‘look outside’ the NDP area as some effects may occur well away from the locality. For example, many European Sites have ‘Zones of Influence’ that extend up to 12km from the protected feature, whilst Air Quality Management Areas might be affected by traffic originating some distance

- Water
- Air
- Climatic factors
- Material assets
- Cultural heritage, including architectural and archaeological heritage
- Landscape
- The inter-relationships between the issues above.

2.11 In view of 2.2b above, it is sensible to check whether an assessment under the Habitats Directive is required at the same time as the SEA Screening stage.

2.12 The assessment should be based on objective information and the use of the precautionary principle when assessing whether effects are significant. In other words, if the available information does not indicate that there will be no significant effects, then it must be assumed that there will be significant effects and an HRA/SEA will be required.

**2.13 Judging Significance.** The aim of screening is to assess whether the NDP will lead to any likely significant effects on the sensitive assets identified in terms of the characteristics of impact given in the SEA Regs (see 2.9 above) taking into account its *scale* and the *sensitivity* of the area in which the impact is felt. Annex II of the SEA Directive sets out general criteria of significance.

**2.14 When Should an NDP be Screened?** Deciding when to carry out Screening can be difficult, with various authoritative sources holding differing views as to the best time.

2.15 National Planning Policy Guidance suggest it should be at the very start of the NDP process, but it's unlikely that at this early stage there will be a sufficient understanding of the NDP scope and contents to allow for assessment.

2.16 Locality advise that 'it will generally not be necessary to have a 'draft' plan with policy wording and so on but there must be sufficient information available to anticipate the likely content of the plan or its likely intent (e.g. will it allocate development sites or not?) in order to properly assess the likelihood of significant effects'. The risk here is that in the writing up of a pre-submission draft the NDP may change significantly and require a re-screening. On the other hand, it can mean that the benefits for the NDP process of integrated with SEA can introduced earlier.

2.17 Cornwall Council advise that 'Once you have a draft NDP document and before you carry out your Regulation 14 (pre-submission) consultation...you submit your draft document to us with a request for us to provide you a SEA and HRA'. The problem in this case is that the existence of a pre-submission draft raises expectation that the Plan will soon be published, which is the first point at which it begins to have any influence in the deciding of planning applications. If SEA is required, then the need to prepare and consult on a Scoping Report and Environment Report can add three months or more to the timescale before the NDP consultation period can begin.

2.18 Screening can be left until after the R14 consultation. The drawback here though is that if it is found that SEA is necessary, that SEA may generate changes in the draft plan that are so significant as to require re-running the R14 consultation.

**THIS IS IMPORTANT!**



**Figure 1: Benefits of doing a Strategic Environmental Assessment in Neighbourhood Plan Preparation.**

- Assists neighbourhood planners to understand the environmental impacts of proposals
- Helps tailor a plan's content to address environmental impacts
- Assists in Improving and honing the plan's objectives and policies
- Help ensure that the plan promotes sustainable development.
- Help ensure that the neighbourhood plan meets the Basic Conditions
- Demonstrates to the independent examiner at the neighbourhood plan examination that the NDP is robust
- Helps avoid risk of legal challenge

2.19 If SEA is required there are key stages within its process that match neatly and helpfully with the process of developing an NDP. For example, Stage C: Developing & Refining Alternatives & Assessing Effects, which can help the detailed NDP strategy and policy development process as well as helping to refine its broader outcomes [See Figure 1].

2.20 Therefore the best option is that an NDP should be screened when there is sufficient information available to consider effectively whether the proposed content of the NDP are likely to lead to significant effects. [See Figure 2.] **Note that if the Qualifying Body (the Parish/Town Council) and the LPA (Cornwall Council) agree that SEA is appropriate for an NDP, Screening can be skipped and the process go directly to Stage B, Scoping the SEA.**

**2.21 What format is the SEA screening in?** A precise format is not required. However, the best approach is to cover the following

- A. **Introduction** - describing the NDP Vision, aims, objectives and draft policies/sites if known
- B. **Legislative Background** - Description of the SEA Regs and Habitats Regs in regard to NDPs, and the responsibilities and methodology of the screening process.
- C. **The Assessment** – including HRA Screening if European sites present or their Zone of Influence covers parts of the NDP area, and SEA Screening. using questions drawn from the criteria set out in 2.8 and 2.9 above.
- D. **Screening Outcome Statement** (often referred to as the ‘Draft Determination’) - a statement setting out why the plan does / does not require HRA/SEA.

**2.21 Who does the Screening?** The SEA Screening can be carried out either by the Qualifying Body for preparation of the NDP (ie the Parish/Town Council), or by the Local Planning Authority. Cornwall Council offer a screening service for NDPs in its area. This is useful as it helps to provide a more independent and professional view and to avoid conflicting views at later stages.

2.22 The Qualifying Body can also employ expert support to carry out the screening.

**2.23 The Screening Opinion: Consulting the ‘Environmental Assessment Consultation Bodies’** When the Screening Report and Determination is ready, it must be sent to the three key ‘environmental assessment consultation bodies’ for their opinion before a determination is made. Five weeks for this is usual, although Cornwall Council have agreed a 21-day period. Generally, the Consultation Bodies will agree with the draft Screening Report. Where one or more of the bodies disagree, discussions will be held, and an agreement negotiated. Where this proves impossible the ‘responsible authority’ (ie Cornwall Council) makes the determination.

**2.24 Determination.** When the consultation period is over, and the consultation bodies have replied, a ‘determination’ as to whether SEA is required can be made. A statement of reasons is written and made available for public access within 28 days of the determination.

2.15 Subsequently it is compulsory to provide when submitting a plan proposal to the local planning authority, either:

- a statement of reasons as to why SEA was not required or
- an environmental report (a key output of the SEA process).

**Figure 2: Minimum Information to Screen an NDP for SEA and HRA.**

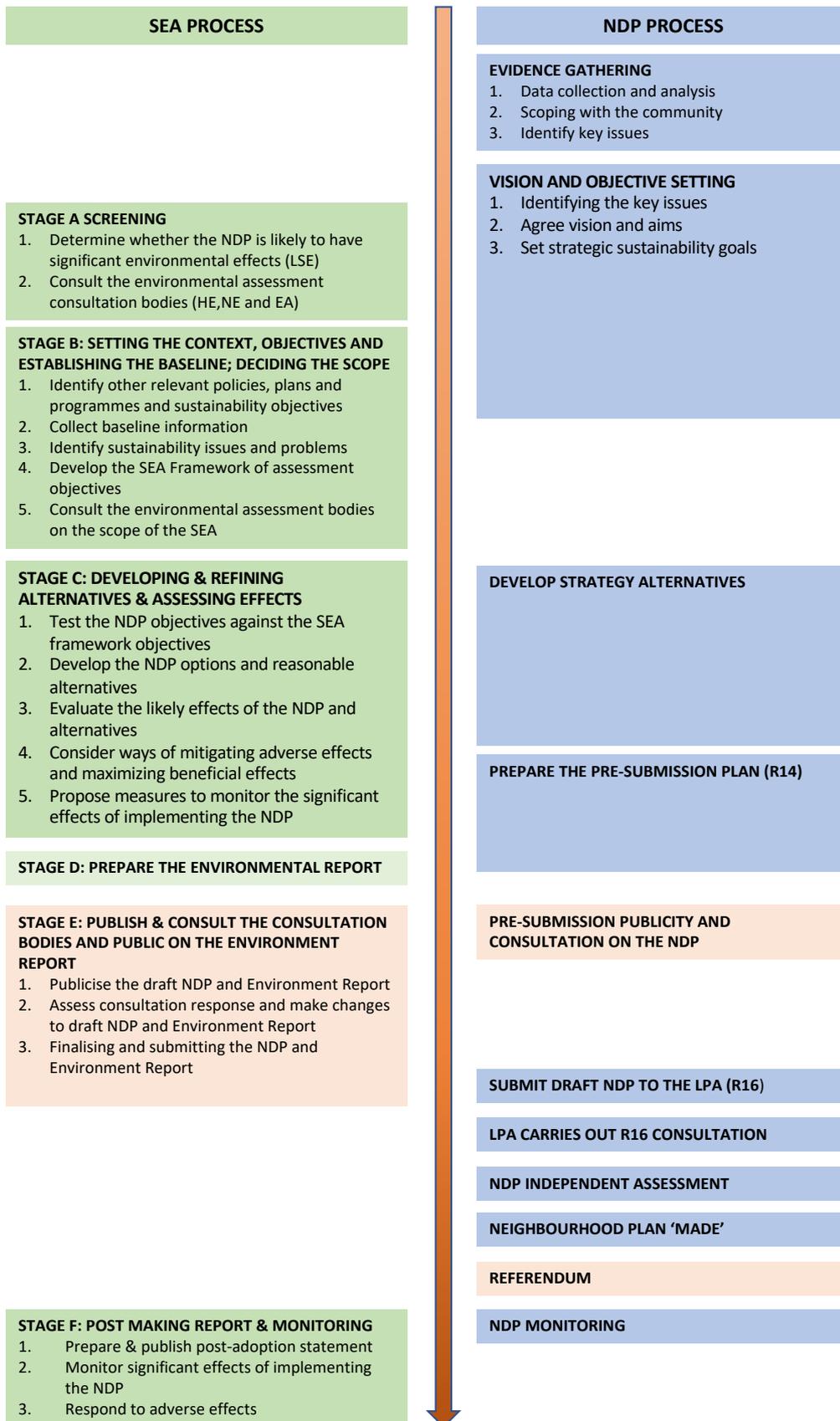
- Plan Vision
- Plan Aims
- Strategic Sustainability Objectives
- A summary of ‘policy intentions’ drawn from the objectives.
- A long list of potential sites for allocation in the NDP

**SEA screening decisions need to be reviewed if modifications are made to a draft NDP or other changes occur.**

SEA screening decisions are made based upon knowledge of emerging Plan proposals at a point in time. If Plan proposals are subsequently amended significantly i.e. changes that substantially alter the draft plan e.g. adding, amending or removing site allocations or policies, or other changes that are likely to give rise to significant environmental effects, the SEA screening must be reviewed.

In this instance, the Qualifying Body should request a revised SEA screening assessment from Cornwall Council.

If it has later been determined that the NDP requires an Appropriate Assessment under the Habitats Regulations, the SEA screening may also need to be reviewed.



**Figure 3: NDP and SEA Process and Timing**

### 3. DOING A STRATEGIC ENVIRONMENTAL ASSESSMENT

3.1 SEA is a process with specific outputs. Failure to adhere to the process and generate the required outputs can put a plan at risk of legal challenge. For an outline of the process see figure 3 above.

3.2 SEA Regulations set out a series of sequential steps that must be undertaken as part of any SEA. The National Planning Policy Guidance sets out a six-stage process for undertaking SEA for a neighbourhood plan.

#### Stage A: Screening.

3.3 This is the concern of the previous section of this note.

#### Stage B: Setting the Context, Objectives and Establishing the Baseline; Deciding the Scope.

3.4 Often referred to as ‘scoping’, this initial stage involves gathering evidence about what is happening in the NDP area. This evidence informs the Strategic Environmental Assessment (SEA) and uses similar information to that being compiled as evidence for the NDP.

3.5 The outcome of scoping is an agreed evidence base and SEA ‘framework’ of objectives that are used as the basis for the assessment of the neighbourhood plan. It is important that the relevant information is contained within the scoping report as the successful examination of the neighbourhood plan can depend on it.

**3.6 Timing.** Bearing in mind that screening to decide if SEA is necessary can only be done when there is sufficient information available to consider effectively whether the proposed content of the NDP is likely to lead to significant environmental effects, the Scoping process should begin as soon as the Screening Opinion is confirmed. If there is agreement to go directly to SEA, then the scoping process should begin at the same time as the vision and objectives of the NDP are developed, with the two processes informing each other.

3.7 Scoping involves several activities as shown in the box below:

**Help from Locality.**  
If it is decided that an NDP needs SEA help can be obtained from Locality in the form of Technical Support sufficient to generate straightforward SEA.

ACTIVITY	NOTES
<p><b>Activity B1: Identify relevant policies, plans and programmes and sustainability objectives.</b></p> <ul style="list-style-type: none"> <li>• Identify and consider the policies, plans and programmes which are relevant to the NDP area.</li> <li>• Identify any environmental protection objectives which are relevant to the NDP. These may be laid down in government or local authority policies (e.g. to protect a particular habitat for biodiversity reasons).</li> </ul> <p>For each document reviewed the following information is recorded:</p> <ul style="list-style-type: none"> <li>• Name of policy/plan/programme/legislation</li> <li>• Author</li> <li>• Date of publication</li> <li>• Brief summary of document</li> <li>• Key objective/requirements/conclusions to be taken into consideration in the NDP</li> <li>• How the objectives might be considered in the NDP</li> </ul>	<p>Documents to consider in Activity B1 include:</p> <ul style="list-style-type: none"> <li>✓ Cornwall Local Plan Strategic and Network Area policies</li> <li>✓ Parish/Town Plans</li> <li>✓ Village design statements</li> <li>✓ Community area plans</li> <li>✓ Local feasibility studies</li> <li>✓ Conservation Area Appraisals/ Management Plans</li> <li>✓ Other local assessments (eg CISI Studies)</li> <li>✓ Regeneration Strategies (eg MCTI Plans)</li> </ul> <p><b>NOTE:</b> Much of this information may already be recorded in the</p>

ACTIVITY	NOTES
<p>The final part of task Activity B1 is to summarise the document review and pick out any key issues that the NDP should focus on.</p>	<p>Sustainability Appraisal or SEA of the Cornwall Local Plan/DPD.</p>
<p><b>Activity B2: Collect Baseline Information</b></p> <ul style="list-style-type: none"> <li>Identify and record the current state and characteristics of the NDP area, and how this might evolve without the NDP in place. Focus should be on the environmental characteristics of the NDP area that relate to issues which can be tackled in the NDP.</li> <li>Identify any areas of environmental importance within the NDP area and whether there are any existing environmental problems affecting these.</li> </ul> <p>Baseline information can be both qualitative (open to interpretation) and quantitative (data that has numerical significance) and can be presented in the form of text, indicators, maps, graphs etc. Much information will already be known or held by parish/town councils or can be supplied by Cornwall Council</p> <p>It is important to make sure the topic areas required by the SEA Directive are covered in this baseline assessment. The themes listed opposite include wider social and economic considerations required in a sustainability appraisal</p>	<p>Baseline information should include the key characteristics and important trends in the NDP area and a consideration of how the area would evolve without the NDP</p> <p>SEA topics to consider in Activity B2:</p> <ul style="list-style-type: none"> <li>✓ Biodiversity</li> <li>✓ Population</li> <li>✓ Human health</li> <li>✓ Fauna</li> <li>✓ Flora</li> <li>✓ Soil</li> <li>✓ Water</li> <li>✓ Air Quality</li> <li>✓ Climatic factors</li> <li>✓ Material assets</li> <li>✓ Cultural heritage</li> <li>✓ Architectural and Archaeological Heritage</li> <li>✓ Landscape</li> </ul> <p>NOTE: Much of this information may already be recorded in the Sustainability Appraisal or SEA of the Cornwall Local Plan/DPD.</p>
<p><b>Activity B3: Identifying key sustainability issues and environmental problems in the NDP area</b></p> <ul style="list-style-type: none"> <li>Identify key issues and environmental problems that can be reduced or resolved through the NDP.</li> </ul> <p>These issues do not need to be precisely defined but they must be based on evidence related to the baseline information.</p>	<p>Activity B3 allows identifies key issues and environmental problems that can be resolved through your neighbourhood plan.</p>
<p><b>Activity B4: Developing the SEA Framework of assessment objectives</b></p> <ul style="list-style-type: none"> <li>Use the information gathered in Activities B1 to B3 to develop a set of SEA assessment objectives, sometimes referred to as the 'sustainability framework'.</li> </ul> <p>This activity is central to the assessment process: the SEA objectives support the assessment of the environmental effects of the NDP and comparison of the effects of alternative options.</p> <p>It is important to understand the difference between the SEA objectives, neighbourhood plan objectives and other external objectives. These are defined as:</p> <ul style="list-style-type: none"> <li><b>Neighbourhood plan objectives:</b> What the plan itself is intended or required to achieve.</li> <li><b>External objectives:</b> Targets or obligations laid down in law or policy which the NDP must take into account e.g. Cornwall Local Plan policies.</li> </ul>	<p>'SEA objectives' are a recognised way of considering the environmental effects of a plan and comparing the effects of alternatives. They serve a different purpose from the objectives of the neighbourhood plan but may in some cases overlap with them.</p> <p>The SEA objectives should be realistic but may be aspirational. They are generally different to NDP objectives developed as part of the NDP preparation, however in some cases they may overlap. Good practice is to develop the</p>

ACTIVITY	NOTES
<ul style="list-style-type: none"> <li>• <b>SEA objectives:</b> Used as tests of sustainability or prompts for questions about sustainability. They can be used to compare the effects of alternative options.</li> </ul> <p><b>The sustainability appraisal objectives (which include environmental objectives) developed as part of the Cornwall Local Plan, are outlined in Appendix B. (NB these objectives cover the wider social and economic elements required in a sustainability appraisal and are relevant to the whole of Cornwall. The objectives can be used for the NDP SEA or adapted to reflect local issues and concerns.</b></p> <p>Example SEA objectives could be:</p> <ul style="list-style-type: none"> <li>• Promote climate change mitigation in the Neighbourhood Plan area</li> <li>• Support the resilience of the Neighbourhood Plan area to the potential effects of climate change</li> <li>• Provide everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types and tenures.</li> </ul> <p>For each objective, the framework should be supported by a short list of key assessment questions. For example:</p> <p><b>Objective:</b> Promote climate change mitigation in the Neighbourhood Plan area  <b>Assessment Questions:</b> Will the option/proposal help to:</p> <ul style="list-style-type: none"> <li>○ Limit the increase in the carbon footprint of the plan area from population growth?</li> <li>○ Promote the use of sustainable modes of transport, including walking, cycling and public transport?</li> <li>○ Reduce the need to travel?</li> <li>○ Increase the number of new developments meeting sustainable design criteria?</li> <li>○ Generate energy from low or zero carbon sources?</li> <li>○ Reduce energy consumption from non-renewable resources?</li> </ul>	<p>two forms of objectives in parallel.</p>
<p><b>Activity B5: Consultation the environmental assessment bodies on the scope of the SEA</b></p> <p>The work undertaken to complete Activities B1 to B4 are recorded in a SEA 'Scoping Report' which is subject to consultation. A template is supplied as Appendix D</p>	<p>Natural England, the Environment Agency and Historic England must be consulted on the Scoping Report and it is recommended that other parties who are involved with or likely to be affected by the NDP are also consulted.</p> <p><b>At least 5 weeks should be allowed for the consultation period</b></p>

### Stage C: Developing & Refining Alternatives & Assessing Effects.

3.8 After the consultation on the 'scope' of the SEA, the SEA objectives must be used to assess the effects of NDP and the different options which could be included within it (also known as 'alternatives'). The purpose of this stage is to highlight the effects of different options in order to influence the options taken forward in the plan. If adverse effects are seen to be likely, possibilities for reducing or eliminating these must be considered.

**3.9 Timing.** The greatest benefit is drawn from out when the prediction and evaluation of effects is carried out as the draft NDP develops, helping to shape what elements are included. Ideally, this should be an iterative process with the SEA influencing options in the plan.

ACTIVITY	NOTES
<p><b>Activity C1: Testing the NDP objectives against the SEA Framework objectives.</b></p> <ul style="list-style-type: none"> <li>• Test NDP Vision and Objectives against the SEA objectives developed in Activity B4) to identify both potential synergies and inconsistencies.</li> </ul> <p>This exercise may help to refine the NDP objectives to develop more effective sustainable development options.</p>	<p>Comparing objectives can help the development of more effective sustainable development options</p>
<p><b>Activity C2: Developing the NDP options and reasonable alternatives</b></p> <ul style="list-style-type: none"> <li>• Identify different options, also known as ‘reasonable alternatives’.</li> </ul> <p>Examples of the types of options that can be considered include:</p> <ul style="list-style-type: none"> <li>○ ‘No plan’ or ‘business as usual’ options which compare the effects of the proposed NDP with doing nothing or continuing with an existing plan.</li> <li>○ The scale, type, mix and location of development (e.g. if a need for affordable housing has been identified – where might it be located, how many houses or flats are needed, and should the scheme also include market housing, the provision of community facilities, space for businesses, and open space for recreation, play areas and wildlife).</li> <li>○ Alternative ways of using land that the local community has identified as being appropriate for development or other uses such as open space, tree planting or environmental improvement.</li> <li>○ Different ‘conditions’ that might be applied to development, such as how development should look (its design), how transport issues should be incorporated, or what standards to include with respect to issues such as renewable energy, landscaping and the inclusion of waste and recycling facilities.</li> </ul> <p>The sustainability framework (SEA objectives and assessment questions produced in Activity B4) can be used to help shape the ‘reasonable alternatives’.</p>	<p>Different options should be considered for fulfilling the neighbourhood plan objectives. The assessment of these options should be documented in the SEA Report.</p> <p>Options may be generated from ideas developed by the parish/town council, or from community engagement. If a vision and/or objectives have already been developed, different options that are most likely to achieve them should be considered. Only options that are reasonable and achievable need be considered.</p>
<p><b>Activities C3: Evaluating the likely effects of the NDP and alternatives</b></p> <ul style="list-style-type: none"> <li>• Appraise the options for the NDP by predicting the effects of the NDP options and evaluating how significant those effects might be against each of the SEA Objectives.</li> </ul> <p>Prediction of effects involves identifying what changes might occur to the sustainability baseline over time, so it is based on the baseline evidence collected in Stage B. These changes are then evaluated for their likely significance, in terms of their probability, duration, frequency, geographical area and size of population likely to be affected. The value and vulnerability of certain areas and populations also affects the evaluation and the SEA Directive requires consideration of secondary, cumulative and synergistic effects.</p> <p>The results of the assessment can be recorded using a template placed in the appendices of the SEA Environmental Report, to which a discussion of the main significant effects in the main body of the report can refer</p>	<p>Only legally required to assess the likely significant effects of the plan, not all possible effects.</p> <p>Ultimately, the significance of an effect is a matter of judgment and should require no more than a clear and reasonable justification.</p> <p>Ideally, the development and appraisal of options should be an iterative process with options being revised to take account of the appraisal findings and the views of stakeholders and local people.</p>

ACTIVITY	NOTES
<p>The point of the assessment is to ensure that the option which is being assessed is as sustainable as possible. The development and appraisal of options should be an iterative process with options being revised to take account of the appraisal findings and also the views of stakeholders and local people. At this stage some options can be dropped from further consideration (with the reasons for eliminating them documented). Justifications for these decisions will need to be robust as they can affect decisions on development and could be challenged in the future.</p> <p>Conclusions on the overall sustainability of the NDP, including alternative options, should be provided, as well as any assumptions used in making judgements about effects.</p>	
<p><b>Activity C4: Considering ways of mitigating adverse effects and maximising beneficial effects</b></p> <ul style="list-style-type: none"> <li>• Identify ‘mitigation measures’ that could prevent, reduce or offset any of the significant effects of implementing the NDP.</li> </ul> <p>Mitigation measures can include measures for the proactive avoidance of adverse effects as well as actions taken after effects are noticed. Mitigation measures may also include recommendations for improving beneficial effects.</p> <p>Mitigation can take a wide range of forms, including:</p> <ul style="list-style-type: none"> <li>○ changes to your neighbourhood plan as a whole, including making changes to options or adding/deleting options</li> <li>○ refining policies in order to improve the likelihood of beneficial effects and to minimise adverse effects</li> <li>○ technical measures to be applied during the implementation stage e.g. buffer zones, application of design principles.</li> </ul> <p>More specific examples include for example:</p> <ul style="list-style-type: none"> <li>○ consideration of other development sites that would have fewer impacts</li> <li>○ increasing the proportion of affordable housing on a site</li> <li>○ introducing more stringent requirements to reduce effects on air quality or climate change</li> <li>○ considering higher quality design standards</li> <li>○ introducing measures to increase accessibility by walking/cycling/public transport.</li> </ul>	<p>Mitigation measures are measures that could prevent, reduce or offset any of the significant effects of implementing the NDP. They may also include recommendations for increasing beneficial effects.</p>
<p><b>Activity C5: Proposing measures to monitor the significant effects of implementing the NDP</b></p> <ul style="list-style-type: none"> <li>• Outline how monitoring might take place including some potential indicators to monitor local effects as the NDP is implemented</li> </ul> <p>The SEA Directive requires plan-makers to monitor the significant effects of their plans. Monitoring allows the actual significant effects of your neighbourhood plan to be tested against those predicted (in Activity C3). This will identify any unforeseen adverse effects and enable appropriate remedial action to be taken.</p> <p>It is also good practice to see whether or not the NDP is achieving the results it was intended to achieve or if anything unexpected is occurring.</p>	<p>Monitoring applies when the plan is being put into effect and in the years following, rather than during its preparation, but how monitoring will be done needs to be thought about early on.</p> <p>Ideally SEA Monitoring and NDP Monitoring are integrated and serve to test the effectiveness of the NDP as well as its sustainability.</p>

ACTIVITY	NOTES
<p>Monitoring intentions should be outlined in the Environmental Report. Typical indicators might include:</p> <ul style="list-style-type: none"> <li>○ changes in traffic volumes due to new road or new development</li> <li>○ changes in vehicle speeds due to traffic calming measures</li> <li>○ changes in participation levels at local community facilities</li> <li>○ changes in frequency of local bus services</li> <li>○ footfall in High St.</li> </ul> <p>Or a sequence of questions could be posed:</p> <ul style="list-style-type: none"> <li>○ Is the development proposed in the NDP being built?</li> <li>○ Is the location of new development causing any problems e.g. pollution to a stream or traffic congestion?</li> <li>○ Does the development look like it was intended to look?</li> <li>○ Is the development leading to any environmental thresholds being exceeded, for instance air quality standards or changes to designated habitats?</li> <li>○ Where the Environmental Report predicts that significant adverse effects will happen, are they happening? If not, why was the prediction wrong?</li> <li>○ Is the development causing any unintended problems like congestion or noise?</li> <li>○ Are any outside changes happening that are affecting the plan and its impacts, for instance unexpected flooding, unexpected other projects such as a new road, or reorganisation of local schools?</li> </ul>	

#### Stage D: Prepare the Environmental Report

3.10 This stage presents the information on the effects of the draft NDP and the alternative options considered. The Environmental Report explains the process that was undertaken and why the policies in the draft plan were chosen in light of other options.

**3.11 Timing.** This should be compiled as the draft NDP text is written so that it available when the draft NDP is issued for consultations under NDP Reg 14.

ACTIVITY	NOTES
<p><b>Activity D1 Prepare the Environmental Report</b></p> <ul style="list-style-type: none"> <li>● Prepare a report which, drawing from previous Activities, <ul style="list-style-type: none"> <li>○ Sets out the scope of the SEA, including <ul style="list-style-type: none"> <li>▪ An outline of the contents, main objectives of the plan and relationship with other relevant plans and programmes</li> <li>▪ The relevant environmental protection objectives, established at international or national level</li> <li>▪ Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance</li> <li>▪ The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan</li> <li>▪ The environmental characteristics of areas likely to be significantly affected</li> </ul> </li> </ul> </li> </ul>	<p>The Environment Report Prepare a report that tells the story of the NDP, explains why the choices made were selected, and how the plan evolved. It explains to people who have not been involved in the development of the NDP why the plan looks the way it does.</p>

<ul style="list-style-type: none"> <li>▪ Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance</li> <li>▪ Key problems/issues and objectives that should be a focus (framework) of assessment</li> <li>○ Identifies, describes and evaluates the likely significant effects of the HNP and alternatives, including: <ul style="list-style-type: none"> <li>▪ Outline reasons for selecting the alternatives dealt with (and thus an explanation of the ‘reasonableness’ of the approach)</li> <li>▪ The likely significant effects associated with alternatives</li> <li>▪ Outline reasons for selecting the preferred approach in-light of alternatives appraisal/a description of how environmental objectives and considerations are reflected in the draft plan.</li> <li>▪ The likely significant effects associated with the Submission version of the plan</li> <li>▪ The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects of implementing the Submission version of the plan</li> </ul> </li> <li>○ Provides an opportunity for consultees to offer views on any aspect of the SEA process which has been carried out to date.</li> <li>○ Describes what happens next.</li> </ul> <p>No fixed format for the environmental Report is set down providing the above points are covered. Two example formats are given as Appendix E.</p>	
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**Stage E: Publish & Consult the Consultation Bodies and Public on The Environmental Report**

3.12 Consulting on the Environmental Report is a legal requirement. It gives stakeholders and the local community an opportunity to see what options were considered and what the effects of these may be.

**3.13 Timing.** The draft Environmental Report should be published for consultation alongside the ‘Regulation 14’ pre-submission consultation Draft NDP.

ACTIVITY	NOTES
<p><b>Activity E1: Consulting on the Draft NDP and Draft Environment report</b></p> <ul style="list-style-type: none"> <li>• Publicise the draft NDP and Environmental Report in a manner which is likely to bring the plan to the attention of people who live, work and undertake business in the neighbouring area</li> </ul>	<p>The SEA Directive not only requires the three statutory consultees (Natural England, Environment Agency and Historic England) to be consulted on the Environmental Report but also the public i.e. those people affected or likely to be affected, or having an interest in the issues raised in the Environmental Report.</p>

<p><b>Activity E2: Assess consultation response and make changes to draft NDP and Environment Report</b></p> <ul style="list-style-type: none"> <li>Assess consultation response and where appropriate make changes to draft NDP and the Environment Report</li> </ul> <p>If this is the case, and the changes are significant, it may be necessary to carry out further assessment of these changes and to document this in a revised Environmental Report. If changes are not considered significant enough to warrant further assessment, a short explanation in the Environmental Report explaining the decision will suffice.</p> <p>The Environmental Report should show how any consultation responses that relate specifically to the SEA have been taken into account. These details could be presented in an Appendix to the report.</p>	
<p><b>Activity E3: Finalising and submitting the NDP and Environment Report</b></p> <ul style="list-style-type: none"> <li>Make final changes to the NDP and Environment Report and submit to the Local Planning Authority (Cornwall Council), along with other required documents.</li> </ul> <p>As soon as possible after receiving the final versions, Cornwall Council will publicise the documents on the council website for a minimum six-week period and arrange for independent examination. Any representations made during this period will be passed to the independent examiner. The examiner will consider the Environment Report as part of the suite of supporting documents and evidence that are submitted with the NDP</p>	<p>The Environment Report becomes part of the suite of documents that must be submitted to the LPA.</p> <p>The Basic Condition statement submitted to Cornwall Council with the neighbourhood plan should set out how the the NDP is compatible with EU obligations</p> <p>One of the following documents must be included alongside the neighbourhood plan when it is submitted – this will be made available to the independent examiner:</p> <ol style="list-style-type: none"> <li>a statement of reasons produced by Cornwall Council that the neighbourhood plan is unlikely to have significant environmental effects and therefore an SEA is not required OR</li> <li>an environmental report prepared by the Qualifying Body in accordance with the SEA Directive and Regulations.</li> </ol>

### Stage F: Post Making Report & Monitoring

3.14 After the neighbourhood plan is ‘made’ or brought into force by Cornwall Council, a summary statement should be prepared by the qualifying body.

3.15 A Monitoring Plan is set up and administered by the Parish/Town Council.

ACTIVITY	NOTES
<p><b>Activity F1: Prepare &amp; publish post-adoption statement</b></p> <p>The Parish/Town Council, as the ‘Qualifying Body’ prepare and publish a statement outlining</p> <ul style="list-style-type: none"> <li>a) how consultation responses were taken into account, both on the neighbourhood plan and Environmental Report</li> <li>b) how the findings of the SEA were taken into account during the plan’s development</li> <li>c) what changes were made to the neighbourhood plan as a result of the SEA, including the reasons for choosing the final plan, in light of the other options considered.</li> </ul>	
<p><b>Activity F2: Monitoring significant effects of implementing the NDP</b></p> <ul style="list-style-type: none"> <li>• Establish and maintain a monitoring programme</li> </ul>	<p>It is not necessary to monitor everything, or to monitor an effect indefinitely. Instead, monitoring needs to be focused on significant effects that are occurring as a result of the NDP</p>
<p><b>Activity F3: Responding to adverse effects</b></p> <ul style="list-style-type: none"> <li>• Carry out review of NDP and Environment Report on an annual (at least) basis.</li> </ul>	

## Appendix A: Strategic environmental assessment requirements for neighbourhood plans (Extract from NPPG)

### Does a neighbourhood plan require a sustainability appraisal?

There is no legal requirement for a [neighbourhood plan](#) to have a sustainability appraisal as set out in [section 19 of the Planning and Compulsory Purchase Act 2004](#). However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this and the [guidance on sustainability appraisal of Local Plans](#) should be referred to.

Paragraph: 026 Reference ID: 11-026-20140306

Revision date: 06 03 2014

### Does a neighbourhood plan require a strategic environmental assessment?

In some limited circumstances, where a [neighbourhood plan](#) is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in [regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004](#).

If likely significant environmental effects are identified, an environmental report must be prepared in accordance with [paragraphs \(2\) and \(3\) of regulation 12 of those regulations](#).

One of the basic conditions that will be tested by the [independent examiner](#) is whether the making of the neighbourhood plan is [compatible with European Union obligations](#) (including under the Strategic Environmental Assessment Directive).

Paragraph: 027 Reference ID: 11-027-20150209

Revision date: 09 02 2015 See [previous version](#)

## **How do you know if a draft neighbourhood plan might have significant environmental effects?**

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](#).

Each consultation body will be able to advise on particular topics relevant to its specific area of expertise and responsibility, and the specific information that it holds.

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. A copy of the statement must be submitted with the neighbourhood plan proposal and made available to the independent examiner.

The local planning authority, as part of its duty to advise or assist, should consider putting in place processes to determine whether the proposed neighbourhood plan will require a strategic environmental assessment. The qualifying body should work with the local planning authority to be sure that the authority has the information it needs.

Paragraph: 028 Reference ID: 11-028-20150209

Revision date: 09 02 2015 See [previous version](#)

## **What do you do if a neighbourhood plan is likely to have a significant environmental effect?**

Where a [neighbourhood plan](#) is likely to have a significant effect on the environment a strategic environmental assessment must be carried out and an environmental report prepared in accordance with [paragraphs \(2\) and \(3\) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004](#).

Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the [Local Plan](#).

Paragraph: 046 Reference ID: 11-046-20150209

Revision date: 09 02 2015

## **What is the relationship between a Strategic Environmental Assessment and a Habitats Assessment?**

Strategic environmental assessment is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan before it is made. A Habitats Regulations assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information.

If the conclusion is that the plan is likely to have a significant effect on a European site then an appropriate assessment of the implications of the plan for the site, in view of the site's conservation objectives, must be undertaken. If a plan is one which has been determined to require an appropriate assessment under the Habitats directive then it will normally also require a Strategic Environmental Assessment.

Guidance on statutory obligations concerning designated sites and protected species is published separately because its application is wider than planning. Updated guidance on the law affecting European sites, protected species and Sites of Special Scientific Interest is being prepared by the Department for Environment, Food & Rural Affairs and will replace the advice set out in [Circular 06/05: Biodiversity and Geological Conservation](#)

Paragraph: 047 Reference ID: 11-047-20150209

Revision date: 09 02 2015

### **When should a plan-maker start producing a strategic environmental assessment?**

Where it is determined that a [neighbourhood plan](#) is likely to have significant effects on the environment and that a strategic environmental assessment must be carried out, work on this should start at the earliest opportunity. This is so that the processes for gathering evidence for the environmental report and for producing the draft neighbourhood plan can be integrated, and to allow the assessment process to inform the choices being made in the plan.

Paragraph: 029 Reference ID: 11-029-20150209

Revision date: 09 02 2015 See [previous version](#)

### **What level of detail is required in a strategic environmental assessment?**

The strategic environmental assessment should only focus on what is needed to assess the likely significant effects of the [neighbourhood plan](#) proposal. It should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan.

Paragraph: 030 Reference ID: 11-030-20150209

Revision date: 09 02 2015 See [previous version](#)

### **Who is responsible for ensuring that the strategic environmental assessment requirements have been met?**

It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a [neighbourhood plan](#) proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the neighbourhood plan proposal is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive):

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

A qualifying body should make every effort to ensure that the draft neighbourhood plan that it submits to the local planning authority:

- meets each of the basic conditions
- has been prepared in accordance with the correct process and all those required to be consulted have been
- is accompanied by all the required documents

One of the following documents must be included with a neighbourhood plan proposal when it is submitted to the local planning authority:

1. a statement of reasons for a determination under [regulation 9\(1\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#) that the proposal is unlikely to have significant environmental effects or
2. an environmental report prepared in accordance with [paragraphs \(2\) and \(3\) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004](#)

The local planning authority should discuss the steps that the qualifying body needs to take and what needs to be produced in order to comply with the [Environmental Assessment of Plans and Programmes Regulations 2004](#) as part of meeting its duty to advise or assist the qualifying body with neighbourhood planning.

The local planning authority should consider what further assistance it can provide to help a qualifying body comply with the regulations, for example making available information and evidence that may help a qualifying body that is preparing the environmental report where one is required.

Paragraph: 031 Reference ID: 11-031-20150209

Revision date: 09 02 2015 See [previous version](#)

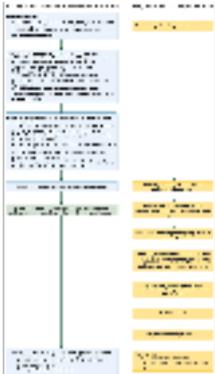
### **How should the strategic environmental assessment process be applied to neighbourhood plan preparation?**

The key stages of [neighbourhood plan](#) preparation and their relationship with the strategic environmental assessment process are shown [at paragraph 33](#).

Paragraph: 032 Reference ID: 11-032-20140306

Revision date: 06 03 2014

### Strategic environmental assessment process



### [Flowchart: strategic environmental assessment process](#)

PDF, 477KB, 1 page

**This file may not be suitable for users of assistive technology. [Request an accessible format.](#)**

Paragraph: 033 Reference ID: 11-033-20150209

Revision date: 09 02 2015 See [previous version](#)

### What is required at the scoping stage?

The scoping stage ([Stage B](#)) must identify the scope and level of detail of the information to be included in the environmental report. It should set out the context, objectives and approach of the assessment; establish the baseline; and identify relevant environmental issues and objectives.

Although the scoping stage is a requirement of the process, a formal scoping report is not required by law but is a useful way of presenting information at the scoping stage. A key aim of the scoping procedure is to help ensure the strategic environmental assessment is proportionate and relevant to the [neighbourhood plan](#) being assessed.

The [consultation bodies](#) must be consulted on the scope and level of detail of the information that must be included within the report.

Where a consultation body decides to respond, it should do so within 5 weeks of receipt of the request.

(See [regulation 12\(5\) and 12\(6\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#).)

Paragraph: 034 Reference ID: 11-034-20150209

Revision date: 09 02 2015 See [previous version](#)

### Who are the consultation bodies?

[Regulation 4 of the Environmental Assessment of Plans and Programmes Regulations 2004](#) defines certain organisations with environmental responsibilities as consultation bodies. In England the environmental assessment consultation bodies are Historic England, Natural England and the Environment Agency.

Although this guidance covers England, the relevant consultation bodies in the Devolved Administrations may need to be consulted to help determine whether the plan is likely to have significant environmental effects.

Paragraph: 035 Reference ID: 11-035-20150209

Revision date: 09 02 2015 See [previous version](#)

### What is baseline information?

The term 'baseline information' refers to the existing environmental characteristics of the area likely to be affected by the [neighbourhood plan](#), and its likely evolution without implementation of the neighbourhood plan.

The area likely to be affected may lie outside the designated neighbourhood area and the local planning authority boundary and plan makers may need to obtain information from other local planning authorities.

Baseline information provides the basis against which to assess the likely effects of alternative proposals in the draft plan.

Wherever possible data should be included on historic and likely future trends, including a 'no neighbourhood plan' or 'business as usual' scenario (ie anticipated trends in the absence of the neighbourhood plan being introduced). This information will enable the potential environmental effects of the implementation of the neighbourhood plan to be assessed in the context of existing and potential environmental trends. The local planning authority may be able to provide this 'baseline information'.

Paragraph: 036 Reference ID: 11-036-20140306

Revision date: 06 03 2014

### **How should plan-makers develop and refine options and assess effects?**

Proposals in a draft [neighbourhood plan](#), and the reasonable alternatives should be assessed to identify the likely significant effects of the available options ([Stage C](#)). Forecasting and evaluation of the significant effects should help to develop and refine the proposals in the neighbourhood plan.

Reasonable alternatives should be identified and considered at an early stage in the plan making process as the assessment of these should inform the preferred approach.

This stage should also involve considering ways of mitigating any adverse effects, maximising beneficial effects and ways of monitoring likely significant effects.

Paragraph: 037 Reference ID: 11-037-20150209

Revision date: 09 02 2015 See [previous version](#)

### **How should the strategic environmental assessment assess alternatives and identify likely significant effects?**

The strategic environmental assessment needs to compare the alternatives including the preferred approach, and assess these against the [baseline environmental characteristics](#) of the area and the likely situation if the [neighbourhood plan](#) were not to be made. The strategic environmental assessment should predict and evaluate the effects of the preferred approach and reasonable alternatives and should clearly identify the significant positive and negative effects of each alternative.

The strategic environmental assessment should identify, describe and evaluate the likely significant effects on environmental factors using the evidence base. Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#).

The strategic environmental assessment should identify any likely significant adverse effects and measures envisaged to prevent, reduce, and, as fully as possible, offset them. Reasonable alternatives must be considered and assessed in the same level of detail as the preferred approach intended to be taken forward in the neighbourhood plan (the preferred approach). Reasonable alternatives are the different realistic options considered while developing the policies in the draft plan. They must be sufficiently distinct to highlight the different environmental implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable.

The strategic environmental assessment should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives. It should provide conclusions on the overall environmental impact of the different alternatives, including those selected as the preferred approach in the [neighbourhood plan](#). Any assumptions used in assessing the significance of effects of the neighbourhood plan should be documented.

The development and appraisal of proposals in the neighbourhood plan should be an iterative process, with the proposals being revised to take account of the appraisal findings. This should inform the selection, refinement and publication of the preferred approach for consultation.

Paragraph: 038 Reference ID: 11-038-20150209

Revision date: 09 02 2015 See [previous version](#)

### **What should the environmental report accompanying the draft neighbourhood plan cover?**

[Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004](#) sets out the requirements of an environmental report, which is a core output of any strategic environmental assessment. An environmental report for the purpose of the regulations must identify, describe and evaluate the likely significant

effects on the environment of implementing the [neighbourhood plan](#) policies and of the reasonable alternatives taking into account the objectives and geographical scope of the neighbourhood plan. The environmental report must clearly show how these requirements have been met.

The environmental report must include a non-technical summary of the information within the main report. The summary should be prepared with a range of readers in mind, and provide a clear, accessible overview of the process and findings.

Paragraph: 039 Reference ID: 11-039-20140306

Revision date: 06 03 2014

### **Who should be consulted on the environmental report?**

The environmental report, including the non-technical summary, must be made available alongside the draft neighbourhood plan. The [consultation bodies](#) should be sent a copy of these documents and the documents publicised in order to bring them to the attention of those members of the public likely to be affected by, or have an interest in the decisions involved in the assessment and development of the [neighbourhood plan](#). The consultation bodies and the interested parties should have an opportunity to express their opinion and be given sufficient time to do so. These procedures can be incorporated into the pre-submission publicity and consultation process for the [neighbourhood plan](#).

Full details are set out in [regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004](#).

Paragraph: 040 Reference ID: 11-040-20140306

Revision date: 06 03 2014

### **Should the environmental report be updated if the draft neighbourhood plan is modified following responses to consultations?**

The environmental report will not necessarily have to be amended if the [neighbourhood plan](#) is modified following responses to consultation. Modifications to the environmental report should be considered only where appropriate and proportionate to the level of change being made to the neighbourhood plan. A change is likely to be significant if it substantially alters the draft plan and or is likely to give rise to significant environmental effects. Further assessment may be required if the changes have not previously been assessed and are likely to give rise to significant effects.

Changes that are not significant will not require further environmental assessment work.

Paragraph: 041 Reference ID: 11-041-20140306

Revision date: 06 03 2014

### **What is the role of the environmental report at the independent examination of the neighbourhood plan?**

One of the basic conditions that will be tested by the [independent examiner](#) is whether the [neighbourhood plan](#) is compatible with European Union obligations, as transposed into UK law. The basic condition statement submitted to the local planning authority with the draft plan should set out how the plan meets this basic condition. One of the following documents must be included with a neighbourhood plan proposal when it is submitted to the local planning authority, and made available to the independent examiner:

- a statement of reasons for a determination under [regulation 9\(1\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#) that the proposal is unlikely to have significant environmental effects; or
- an environmental report prepared in accordance with [paragraphs \(2\) and \(3\) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004](#).

When submitted to the local planning authority, the neighbourhood plan must be accompanied by a consultation statement. This statement should set out:

- who has been consulted during the preparation of the plan, including the preparation of the environmental report;
- how they were consulted;
- a summary of the main issues and concerns raised by those consulted; and

- how these issues and concerns have been considered and, where relevant, addressed in the neighbourhood plan.

This statement will also be submitted to the independent examiner.

Paragraph: 042 Reference ID: 11-042-20150209

Revision date: 09 02 2015 See [previous version](#)

**Will the environmental report have to be amended if modifications to the neighbourhood plan are proposed at examination?**

The independent examiner of a [neighbourhood plan](#) is testing whether the plan meets (or can be modified to meet) the basic conditions and will make recommendations to the local planning authority. The local planning authority will then reach its own view, informed by the examiner’s report.

If the local planning authority assesses that the proposed changes are likely to have significant environmental effects which were not previously assessed then the strategic environmental assessment should be continued and the environment report amended accordingly in consultation with the qualifying body.

Paragraph: 043 Reference ID: 11-140306

Revision date: 06 03 2014

**What information should be provided following the making of a neighbourhood plan?**

[Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004](#) sets out the requirements of the local planning authority once the [neighbourhood plan](#) has been made.

Paragraph: 044 Reference ID: 11-044-20140306

Revision date: 06 03 2014

**Does the local planning authority have to monitor the significant effects of implementing the neighbourhood plan once it has been made?**

Monitoring the significant effects of the implementation of a neighbourhood plan that was subject to a strategic environmental assessment should be undertaken (see [regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004](#)). This will enable unforeseen adverse effects to be identified at an early stage and to enable appropriate remedial actions. The local planning authority should consider arrangements to monitor the significant effects of implementing the [neighbourhood plan](#) and reporting this issue in its Monitoring Report.

Paragraph: 045 Reference ID: 11-045-20140306

Revision date: 06 03 2014

Published 9 February 2015

**Appendix B Cornwall Local Plan Sustainable Objectives Framework**

SC Theme	SC Objectives	Decision making questions
Climatic Factors	To reduce our contribution to climate change through a reduction in greenhouse gas emissions.	<ul style="list-style-type: none"> <li>• Does it limit greenhouse gas emissions?</li> <li>• Does it secure the highest viable resource and energy efficiency?</li> <li>• Does it encourage the use of renewable energy technologies?</li> </ul>
	To increase resilience to climate change, and reduce vulnerability.	<ul style="list-style-type: none"> <li>• Does it minimise vulnerability and encourage resilience to the effects of climate change?</li> </ul>

SC Theme	SC Objectives	Decision making questions
Waste	To minimise the generation of waste and encourage greater reuse and recycling of materials in accordance with the waste hierarchy.	<ul style="list-style-type: none"> <li>• Will it reduce the amount of waste produced, collected, and or landfilled?</li> <li>• Will it increase the amount of waste recycled or recovered?</li> <li>• Will it increase levels of composting or anaerobic digestion?</li> <li>• Has space for storage of recycled materials been planned for?</li> <li>• Will it reduce the waste management industry's contribution to climate change?</li> </ul>
Minerals and Geodiversity	To minimise the consumption of mineral resources and ensure the sustainable management of these resources	<ul style="list-style-type: none"> <li>• Will it minimise the consumption of primary mineral resources and encourage re-use of secondary resources?</li> <li>• Will it ensure development does not irreversibly sterilise important mineral resources?</li> </ul>
	To conserve, enhance and restore the condition of geodiversity in the county.	<ul style="list-style-type: none"> <li>• Will it prevent harm to and, where appropriate, enhance geological conservation interests in the county?</li> <li>• Will mineral working impact on designated land?</li> </ul>
Soil	To minimise the use of undeveloped land and protect and enhance soil quality.	<ul style="list-style-type: none"> <li>• Will it protect, enhance and improve soil quality in Cornwall?</li> </ul>
	To encourage and safeguard local food production.	<ul style="list-style-type: none"> <li>• Will it avoid development that leads to the loss of productive soils?</li> </ul>
Air	To reduce air pollution and ensure air quality continues to improve.	<ul style="list-style-type: none"> <li>• Will it reduce pollution including greenhouse gas emissions?</li> <li>• Will it maintain or improve air quality in Cornwall?</li> </ul>
Water	To reduce the risk of flooding and vulnerability to flooding, sea level rise and coastal erosion.	<ul style="list-style-type: none"> <li>• Does the proposal reduce, or avoid increasing the risk of flooding overall?</li> </ul>
	To maintain and enhance water quality and reduce consumption and increase efficiency of water use.	<ul style="list-style-type: none"> <li>• Does the proposal maintain or enhance water quality overall?</li> <li>• Does the proposal reduce the overall demand for water?</li> <li>• Will the proposal provide for greater integrated water catchment management and strengthen links between habitats to increase the likelihood of adaptation to climate change?</li> <li>• Will the proposal increase the risk of water pollution events?</li> </ul>
Biodiversity	To conserve, enhance and restore the condition and extent of biodiversity in the county and allow its adaptation to climate change.	<ul style="list-style-type: none"> <li>• Does the proposal protect, enhance or restore biodiversity interests of BAP habitats, Cornwall Wildlife Sites, SSSIs and internationally, nationally and regionally designated areas?</li> <li>• Does the proposal allow adaptation to climate change through the connection of habitats (wildlife corridors)?</li> <li>• Does it protect not only designated areas but also of wildlife interest everywhere?</li> <li>• Will it encourage the provision of new or improved wildlife habitats?</li> </ul>

SC Theme	SC Objectives	Decision making questions
<b>Landscape</b>	<b>To protect and enhance the quality of the natural, historic and cultural landscape and seascape.</b>	<ul style="list-style-type: none"> <li>• Will it sustain and enhance and/or restore the distinctive qualities and features of the natural, historic and cultural landscape and seascape character?</li> <li>• Will it conserve and enhance the natural beauty of the Cornwall AONB and the Tamar Valley AONB, and increase understanding and enjoyment of the special qualities of the AONBs?</li> <li>• Will it protect, enhance and promote opportunities for green infrastructure within and between urban settlements?</li> <li>• Will it maintain and enhance a high quality living environment?</li> <li>• Will it encourage the location and design of development to respect and improve landscape character and the landscape setting of settlements?</li> </ul>
<b>Maritime</b>	<b>To encourage clean, healthy, productive and diverse waters; To protect coastal areas and ensure sustainable maritime environments.</b>	<ul style="list-style-type: none"> <li>• Will the proposal protect, enhance or restore maritime heritage, habitat and biodiversity, both designated and undesignated?</li> <li>• Will the proposal incorporate adaptation to climate change and its likely effects on the sea, coast and estuaries?</li> <li>• Will the proposal operate within the carrying capacity of the receiving environment, without adverse effect on its sustainability?</li> <li>• Will the proposal operate within safe biological, chemical and physical limits?</li> </ul>
<b>Historic Environment</b>	<b>To protect and enhance the quality and local distinctiveness of the historic environment.</b>	<ul style="list-style-type: none"> <li>• Does the proposal reinforce the distinctive character of Cornwall?</li> <li>• Does the proposal have an acceptable/unacceptable level of impact on the historic environment?</li> <li>• Does the proposal preserve and enhance the cultural and social significance of the historic asset?</li> <li>• Will it result in development which is sympathetic towards the need to promote the Cornwall's unique heritage value, historic environment and culture?</li> <li>• Have flood mitigation measures been designed to be compatible with the immediate historic environment?</li> <li>• Has a balance been struck between the level of risk (e.g. in adaptation to climate change or flood risk) and the aspiration to preserve the distinctive qualities of the historic environment?</li> </ul>
<b>Design</b>	<b>To promote and achieve high quality, locally distinctive design, sustainable land use and sustainable built development.</b>	<ul style="list-style-type: none"> <li>• Will it encourage developers to build to higher environmental standards?</li> <li>• Will it help to promote local distinctiveness?</li> <li>• Does the proposal meet targets for renewable energy capture and sustainable construction using BREEAM or Code for Sustainable Homes?</li> <li>• Will it promote high quality, sustainable and sympathetic design that takes account of sustainable construction and transport modes, and green infrastructure?</li> </ul>

SC Theme	SC Objectives	Decision making questions
Social Inclusion	To reduce poverty and social exclusion and provide opportunities for all to participate fully in society.	<ul style="list-style-type: none"> <li>• Will it improve access to and provision of services, health and community facilities (including community youth facilities) especially in rural areas and for the socially excluded?</li> <li>• Will it reduce poverty, deprivation, discrimination, social exclusion and inequalities?</li> </ul>
Crime and Anti-Social Behaviour	To reduce crime, anti-social behaviour and fear of crime.	<ul style="list-style-type: none"> <li>• Will it reduce crime and anti-social activity, and in turn, provide safer communities in Cornwall (particularly in the most deprived neighbourhoods and identified hot spots).</li> <li>• Will it help reduce the fear of crime?</li> </ul>
Housing	To meet the needs of the local community as a whole in terms of general market, affordable, adaptable and decent housing.	<ul style="list-style-type: none"> <li>• Will it provide an appropriate mix of housing to ensure delivery of long-term regeneration schemes for the county?</li> <li>• Will it reduce the number of people homeless or in temporary accommodation?</li> <li>• Will it contribute towards the provision of affordable, social and key worker housing?</li> <li>• Will it reduce the number of unfit homes, and those falling below the decent homes standards?</li> <li>• Will it deliver adaptable housing to meet the lifelong needs of the population?</li> <li>• Will it provide a well-integrated mix of decent homes of different types and tenures to support a range of household sizes, ages and incomes?</li> <li>• Will it provide energy efficient development which reduces the annual cost of heating/lighting and helps reduce greenhouse gas emissions?</li> <li>• Will it make the best use of land?</li> </ul>
Health, Sport and Recreation	To improve health through the promotion of healthier lifestyles and improving access to open space and health, recreation and sports facilities.	<ul style="list-style-type: none"> <li>• Will it improve health and well-being and reduce inequalities in health?</li> <li>• Will it improve access to health services?</li> <li>• Will it improve access to the countryside, coast, recreation and open spaces?</li> <li>• Will it increase participation and engagement in physical activity and sport?</li> <li>• Will it lead to unacceptable noise levels?</li> </ul>
Economic Development	To support a balanced and low carbon economy that meets the needs of the area and promotes a diverse range of quality employment opportunities.	<ul style="list-style-type: none"> <li>• Will it promote a diverse range of employment opportunities?</li> <li>• Will it provide affordable, small scale, managed workspace to support local need?</li> <li>• Will it support the development of access to ICT facilities including Broadband, particularly in rural areas?</li> <li>• Will it raise the quality of employment and reduce seasonality?</li> </ul>

SC Theme	SC Objectives	Decision making questions
Education and Skills	To maximise accessibility for all to the necessary education, skills and knowledge to play a full role in society.	<ul style="list-style-type: none"> <li>• Will it help improve the qualifications and skills of young people?</li> <li>• Will it improve facilities and opportunities for lifelong learning (particularly for those with greatest need)?</li> <li>• Will it help increase the County's skilled and professional workforce?</li> <li>• Will it support a viable future for rural communities?</li> <li>• Will it encourage a greater diversity of choice in skills training as part of regeneration efforts?</li> <li>• Will it increase accessibility to training facilities?</li> </ul>
Transport and Accessibility	To improve access to key services and facilities by reducing the need to travel and by providing safe sustainable travel choices. To reduce traffic congestion and minimise transport related greenhouse gas emissions.	<ul style="list-style-type: none"> <li>• Will it promote sustainable forms of transport (public transport including bus and rail, cycle and pedestrian routes) and ensure the necessary associated infrastructure is made available?</li> <li>• Will it reduce traffic congestion by promoting alternative modes of transport?</li> <li>• Will it reduce the need to travel by seeking to balance homes, jobs, services and facilities?</li> <li>• Will it lead to a reduction in greenhouse gas emissions?</li> <li>• Will it improve service provision or provide a service or facility which is accessible to all, including those with disabilities and those in the more rural areas?</li> <li>• Will it transfer freight from road to rail and/or sea?</li> </ul>
Energy	To encourage the use of renewable energy, increase energy efficiency and security and reduce fuel poverty.	<ul style="list-style-type: none"> <li>• Will it promote and support the use of renewable and low carbon energy technologies?</li> <li>• Will it help reduce fuel poverty?</li> <li>• Will it encourage local energy production?</li> </ul>

## Appendix C: Example screening report structure

### Introduction

- Key information on the emerging neighbourhood plan:
- Vision
- Aims
- Objectives
- Neighbourhood area
- Draft policies (if available)
- Sites being considered (if available).

### Legislative background

A brief description of the requirements of the SEA Regulations and Habitats Regulations in regard to neighbourhood plans.

### Screening process

A description of the responsibilities and methodology of the screening process.

### Assessment

1. HRA Screening (if European Sites present or in their Zone of Influence), to assess whether, either alone or in combination with other relevant projects and plans, the NDP is likely to result in a significant effect upon the sites.

2. SEA Screening. This assesses whether the NDP will require a full SEA, using questions drawn from the criteria set out in 2.8 and 2.9 above.

Consideration of likely significant effects, using the criteria from Schedule 1 of the SEA Regulations for each of the SEA issues:

- Biodiversity
- Population
- Human health
- Fauna
- Flora
- Soil
- Water
- Air
- Climatic factors
- Material assets
- Cultural heritage, including architectural and archaeological heritage
- Landscape

### **Conclusions**

A statement setting out why the plan does / does not require SEA.

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## **Appendix D: Example Scoping Report Structure**

### **Chapter 1: Introduction**

Explain what the Scoping Report is and why it is required.  
Describe NDP Area, purpose of NDP and what it aims to achieve.

### **Chapter 2: Methodology**

Explain the tasks involved in compiling the Scoping Report and why/how these were carried out. Set out the structure of report.

### **Chapter 3: Policy context and review of other relevant plans**

Give an introduction to this task and follow the guidance as outlined previously.

### **Chapter 4: Presenting the baseline information**

Give an introduction to this task and follow the guidance as outlined previously.

### **Chapter 5: Presenting and describing the key sustainability issues**

Give an introduction to this task and follow the guidance as outlined previously.

### **Chapter 6: SEA framework of objectives**

List your SEA objectives and explain how they were derived.

### **Chapter 7: Consultation requirements**

Include a description of consultation requirements and what consultation may have already been undertaken. Include information about the consultation with Natural England, Environment Agency and Historic England, and any other stakeholders, and how their comments have been taken into account.

### **Chapter 8: Next steps in your neighbourhood plan and SEA process**

Explain the next steps in the development of the NDP and how the SEA will be integrated to help shape the document.

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## **Appendix E Environment Report Structure Examples**

## **1. Hayle NDP SEA**

### **Non-Technical Summary**

#### **1. Introduction**

- 1.1 Background
- 1.2 SEA explained
- 1.3 Structure of this Environmental Report

#### **2. Local Plan context and vision for the HNP**

- 2.1 Local Plan context for the HNP
- 2.2 Vision for the Hayle Neighbourhood Plan

#### **3. The Scope of the SEA**

- 3.1 SEA Scoping Report
- 3.2 Key sustainability issues
- 3.3 SEA Framework

#### **4. What has plan making / SEA involved to this point?**

- 4.1 Introduction
- 4.2 Overview of plan making / SEA work undertaken since 2013
- 4.3 Assessment of reasonable alternatives for the Neighbourhood Plan
- 4.4 Current approach in the Neighbourhood Plan and the development of Neighbourhood Plan policies

#### **5. What are the appraisal findings at this current stage?**

- 5.1 Introduction
- 5.2 Approach to the appraisal
- 5.3 Biodiversity and geodiversity
- 5.4 Climate change
- 5.5 Landscape and historic environment
- 5.6 Land, soil and water resources
- 5.7 Population and community
- 5.8 Health and wellbeing
- 5.9 Transportation
- 5.10 Conclusions at this current stage

#### **6. What are the next steps?**

Appendix A Context review and baseline

## **2. Wiltshire CC Model**

### **Chapter 1: Introduction**

To include:

- details of the NDP - its aims and objectives, the plan area, the policy context and who has been involved in writing the plan
- how the Environmental Report meets SEA Directive requirements
- the structure of the report.

### **Chapter 2: Methodology**

To include:

- the approach taken to carrying out the SEA
- how the plan policies and alternative options were developed and refined
- how the effects were assessed and mitigation measures considered
- problems faced in carrying out the SEA, including any assumptions made
- details of consultation requirements.

### **Chapter 3: Summary of SEA context and objectives (SEA Stage A)**

To include:

- introduction – details of the Scoping Report and consultation outcomes
- summary of information from the Scoping Report i.e. plan review, baseline evidence, key issues
- the SEA objectives.

**Chapter 4: Assessment of neighbourhood plan policies and alternatives**

To include:

- assessment of neighbourhood plan objectives
- a summary of options assessed and what the predicted significant effects are (assessment tables in appendices)
- details of any mitigation measures proposed and any resulting changes made to options
- an explanation of why the preferred option was chosen over others.

**Chapter 5: Monitoring arrangements**

To include:

- introduction – what is monitoring and why is it required?
- potential monitoring indicators and programme.

**Chapter 6: Next steps**

To include:

- an explanation that the draft Environmental Report will be published alongside the draft NDP for the formal consultation period
- an explanation that the results of the consultation will be reviewed which may require change to the draft NDP and Environmental Report.

**Appendices**

To include:

- framework of SEA objectives, including proposed monitoring indicators
- assessment tables for assessment of effects of options
- details of any consultation carried out on the Environmental Report.

A non-technical summary

A short version of the information from the Environmental Report which should briefly summarise the contents of it, including why and how it was carried out, the policies and options considered, the significant effects and mitigation measures, consultation carried out and next steps

**Appendix F: Template Tables.**

Activity C1: Comparison of NDP Vision and Objectives with SEA Objectives

		SEA Objectives			
		SEA Objective 1	SEA Objective 2	SEA Objective 3	SEA Objective 4
NDP Objectives	Vision	✓	✓	✓	✓
	Plan Objective 1	✗	✗	✓	0
	Plan Objective 2	✓	✓	0	0
	Plan Objective 3	✓	0	0	0
	Plan Objective 4	0	0	✗	✓

Key	✓ Compatible	✗ Incompatible	0 No Links
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Activity C4 Assessment of Effects

<p><b>Option 1:</b> Deliver 30 affordable homes at...[insert location]</p> <p>Key to table:</p> <p><b>T (Timescale)</b> - Over what timescale are effects likely to occur? (Short Term, ST (0-5 years); Medium Term, MT (5-10 years); Long Term, LT (10+ years))</p> <p><b>P (Permanence)</b> - Are effects likely to be permanent or temporary? (Permanent, P; Temporary, T)</p> <p><b>G (Geographical area)</b> - Over what geographical area are the effects likely to occur? (Local area, A; County wide, C; Cross border, B)</p>
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**R (Reversibility)** - Are effects likely to be reversible or irreversible? (Reversible, R; Irreversible, I)

SEA Objective	Nature of effect	Assessment of effect					Justification & evidence	Suggested mitigation and enhancement measures
		T	P	G	R	Sig		
1. To meet the housing needs of the local population	Housing needs will be met in full.	MT	R	A	R	++	There is evidence of local housing need and provision of 30 new affordable homes will meet identified need.	Provision of a higher number of affordable homes would lead to greater benefits against this objective.
2. To protect open space and wildlife.	This option will lead to the loss of a large area of green space valued by local people.	LT	I	A	I	--	This option identifies Site X for 30 new homes. This is a greenfield site used by local people for informal recreation and highly valued.	Consideration should be given to locating new homes on a different site or significantly reducing the numbers of homes at Site X to reduce loss of green space.

Significance Key:

Symbol	Significance of Effect	Description
++	Significant positive effect	Option would have a significant positive effect in its current form as it would help resolve an existing issue or maximise opportunities, leading to significant benefits.
+	Positive effect	Option would have a positive effect.
?	Effect uncertain	Effect of option is uncertain.
O	Neutral effect	Option would have a neutral effect.
-	Negative effect	Option would have a negative effect.
--	Significant negative effect	The option would have a significant negative effect as it would substantially exacerbate existing problems with mitigation problematic. Consider rejecting option.
Note: assessment of some objectives for a given option may be considered to be positive or negative but with some uncertainties, in which case a symbol such as '+ / ?' or '- / ?' may be used.		