

**Screening Statement on the  
determination of the need for a  
Strategic Environmental Assessment /  
Habitat Regulations Assessment  
for the emerging Wellow  
Neighbourhood Plan**

July 2022

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# **1 INTRODUCTION**

## **1.1 BACKGROUND**

This screening report is designed to determine whether or not the content of the draft Wellow Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Whether a Neighbourhood Plan requires a SEA, and if so the level of detail needed, will depend on what is proposed in the draft Neighbourhood Plan. The National Planning Practice Guidance (NPPG) states that a SEA may be required, for example, where:

- the Neighbourhood Plan allocates sites for development;
- the Neighbourhood Plan Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through the SEA of the Local Plan in the area.

The screening report also examines the potential impact of the draft Wellow Neighbourhood Plan on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment) it should prepare a statement of its reasons for the determination.

## **1.2 DRAFT WELLOW NEIGHBOURHOOD PLAN SUMMARY**

The Wellow Neighbourhood Plan is essentially a community-led framework for guiding future development and growth of the parish until 2035. 27 draft policies have been proposed, focusing on topics including Sustainable Development, Housing, Countryside and the Natural Environment, Flooding and Drainage, Built Environment, Community, Local Business and Employment and Transport and Highways.

### 1.3 WELLOW DESIGNATED NEIGHBOURHOOD AREA



Designated Area



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## 1.4 DRAFT WELLOW NEIGHBOURHOOD PLAN POLICY SUMMARIES

| Policy   | Summary of policy wording   |
|--|---|
| Policy S1: Sustainable Development                           | Criteria based policy including sustainable travel, infrastructure, minimise energy, renewable energy and grey water recycling  |
| Policy S2: Renewable Energy                                  | Criteria based policy setting out support for applications subject to the criteria being met.   |
| Policy H1: Statement of Housing need                         | Policy requiring a Housing need statement to ensure that all new homes delivered meet the specific housing needs of the parish.   |
| Policy H2: Infill and redevelopment.                         | Criteria based policy for infill and redevelopment of land for new homes. Includes mitigation required for the internationally designated sites.  |
| Policy H3: Dwelling extensions                               | Criteria based policy so that new extensions to dwellings take into account the design principles of the design guidance  |
| Policy H4: Replacement dwellings                             | Criteria based policy on the size, location and character of replacement dwellings.   |
| Policy H5: Seasonal Workers Accommodation                    | Criteria based policy including the need for the accommodation, its location, temporary use and design.   |
| Policy H6: sites for residential development                 | The policy allocates two sites of up to 21 new homes, and also includes criteria for the design principles to be respected.   |
| Policy L1A: Landscape Character within the National Park     | Criteria based policy to preserve and enhance the landscape character of the area.  |
| Policy L1B: Landscape Character outside of the National Park | Criteria based policy to preserve and enhance the landscape character of the area.  |
| Policy L2: Biodiversity                                      | Policy sets out the requirement for a 10% BNG and have regard to SA / SEA / HRA requirements. Also, criteria for the protection of trees and hedgerows in the area  |
| Policy L3: The River Blackwater.                             | Policy establishes a buffer alongside the river and has criteria to protect the river and its buffer. Includes mitigation required for the internationally designated sites, and that financial contributions will be sought for improving the riverside environment. |
| Policy L4: Green Infrastructure                              | Support for creating new blue and green infrastructure. Policy also includes criteria for the planting of trees.  |
| Policy L5: Local Green Spaces.                               | Policy allocates 13 local greenspaces   |
| Policy L6: Important Views                                   | the Policy identifies 28 important views in the Plan Area that should be protected.   |

| Policy  | Summary of policy wording  |
|---|--|
| Policy L7: Equestrian facilities                                | A criteria based policy to ensure that these used would not adversely affect nature designations, landscape character, views and the highway network.                          |
| Policy L8: Dark night skies                                     | Sets out a hierarchy and / or mitigation required to conserve the dark night sky.  |
| Policy F1: Flooding and drainage                                | That development should not exacerbate the risk of flooding, that foul drainage can be achieved, to incorporate SuDS where appropriate that can be maintained.                 |
| Policy B1: Settlement Character                                 | Development should preserve the character of the area.   |
| Policy B2: Design and Heritage.                                 | Criteria based policy setting the consideration that has been given on issues such as layout, landscaping, views, garden sizes. Support for local building styles and designs. |
| Policy B3: Special Character Area.                              | Establishes 4 special character areas and criteria to be used to determine applications in these areas.  |
| Policy B4: Conversion of Rural Buildings.                       | That development should be sympathetic to the form, scale and character of its location and context.   |
| Policy C1: West Wellow Village Centre Improvements.             | Policy to maximise the opportunity to improve parking, local facilities and social spaces for all.   |
| Policy C2: Infrastructure / community aspirations.              | Support for development that secures funding of infrastructure that mitigates the impact of development.   |
| Policy E1: Employment Development                               | Support for local employment opportunities and criteria for Class E. evidence needed where there is a loss of employment land.   |
| Policy E2: Rural Economy  | Criteria based policy for rural employment in the plan area  |
| Policy T1: Accessibility, Road Safety and Sustainable Transport | Criteria based policy with the consideration required in terms of Accessibility, Road Safety and Sustainable Transport   |

## 1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS

The basis for Strategic Environmental Assessment (SEA) legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed guidance on these regulations can be found in the Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (OPDM 2005).

The SEA process aims to ensure that likely significant environmental effects arising from a Plan are identified, assessed, mitigated, communicated and monitored, and that opportunities for public involvement are provided. It enables environmental considerations to be accounted for in decision-making throughout the production of a Plan in an integrated manner.

Figure 2 sets out the screening procedure and how a plan should be assessed against the

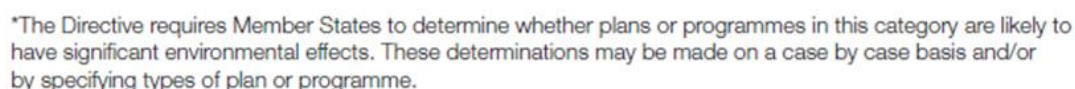
SEA Directive criteria. This outline procedure has then been applied to the draft Wellow Neighbourhood Plan in Table 1.

The implications of the policies and proposals in the Neighbourhood Plan have been assessed against any European sites within 10km of the neighbourhood area boundary in order to establish the likelihood of a significant effect on the reason for designation of the European site in question.

This assessment has been undertaken having regard to the results and information in the HRA screening assessment prepared for the Test Valley Local Plan, and in the light of the relevant European Commission guidance (as referred to above), which forms the basis for the assessment criteria set out below.



This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



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**1.6 Table 1:** Assessment of the draft Wellow Neighbourhood Plan using SEA Directive Criteria

| Stage  | Yes / No | Reason  |
|--|----------|---|
| 1. <i>Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</i>  | Yes      | This is a Neighbourhood Plan that is being prepared by a qualifying body the Localism Act 2011. If the Plan is passed by means of an Examination and Referendum, it will be formally made and adopted by the Local Planning Authority. It will then form part of the local development framework and be afforded significant weight in planning decisions.  |
| 2. <i>Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))</i>  | No       | Neighbourhood Plans are not mandatory requirements, and the Wellow Neighbourhood Plan is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. If the Plan is adopted it will form part of the statutory development plan, and it is therefore considered necessary to answer the following questions to determine if an SEA is required.  |
| 3. <i>Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))</i> | Yes      | The Wellow Neighbourhood Plan is being prepared for the purposes of town & country / land use planning and will set out a framework for future development consents as part of the statutory development plan covering Wellow.<br>At this stage the scale of housing development proposed is likely to be limited, but this will only be determined as the emerging Neighbourhood Plan goes through its preparation process. It is acknowledges that development sites are likely to be small and due regard will be given to |

| Stage   | Yes / No | Reason  |
|---|----------|---|
|   |          | national and local policy relating to the National Park and the Borough Council, as confirmed by the Parish Council. These matters will become clearer as work on the Plan progresses.  |
| 4. <i>Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</i>   | Yes      | Given the range of protected habitats within and adjacent to the Neighbourhood Plan Area (including the New Forest and Solent international designations), at this stage it is concluded that the Wellow Neighbourhood Plan could potentially have uncertain or significant effects on Natura 2000 sites. The Habitat Regulations Assessment Screening Opinion that follows in Section 3 provides more detail on this and concludes that an HRA will be required. |
| 5. <i>Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</i>  | Yes      | A Neighbourhood Plan can only determine the use of small areas at the local level and the Neighbourhood Plan is proposing to allocate sites for development.  |
| 6. <i>Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</i>   | Yes      | When adopted, the Wellow Neighbourhood Plan will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.   |
| 7. <i>Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</i> | No       | A Neighbourhood Plan does not deal with any of these categories of plan.  |
| 8. <i>Is it likely to have a significant effect on the environment? (Art. 3.5)</i>  | Yes      | Given the statutory nature of the Wellow Neighbourhood Plan; the range of environmental designations within and adjacent to the Wellow  |

| Stage | Yes / No | Reason  |
|-------|----------|---|
|       |          | Neighbourhood Area; and the fact that the Plan is proposing to allocate sites for development (albeit the final scale and locations have yet to be determined); <b>it is concluded that the Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) due to the potential for significant effects upon the environment.</b> |

The Government's National Planning Practice Guidance (NPPG) resource recognises that a Strategic Environmental Assessment (SEA) may be required where a Neighbourhood Plan allocates sites for development and/or the Neighbourhood Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan.

The Test Valley Borough Council has concluded that this is the case with the emerging Wellow Neighbourhood Plan. Although the Parish Council has confirmed that at this stage the scale of development likely to be allocated in the Neighbourhood Plan is limited (about 20 dwellings), this will only be confirmed as work on the Plan progresses.

It is also the case that development immediately adjacent to the New Forest National Park and its international designations and could have environmental impacts on them and therefore an assessment is justified. The following table assesses the likely significance of effects on the environment in accordance with the criteria established in Regulation 9 and [Schedule 1 of the SEA Regulations](#).

Based upon the initial screening carried out against the criteria in Table 1 above, the emerging draft Wellow Neighbourhood Plan is **likely to have a significant effect on the environment**.

To explore these potential effects further, a case-by- case assessment has been conducted. The criteria used in the undertaking of such an assessment are drawn from Article 3.5 (Annex II) of the SEA directive, and the results are shown in Table 2.

## **2 SEA SCREENING**

### **2.1 SEA SCREENING ASSESSMENT**

European Directive 2001/42/EC requires a full Strategic Environmental Assessment to be undertaken for certain types of plans and programmes that would have a significant environmental effect.

Table 2 below provides the screening determination of the need to carry out a full Strategic Environmental Assessment for the draft Wellow Neighbourhood Plan.

This has been made in accordance with the Regulations and will be subject to consultation with the strategic environmental bodies before the Council makes its determination on the necessity for a full Strategic Environmental Assessment.

**Table 2** – The Environmental Assessment of Plans and Programmes Regulations 2004: Schedule 1 - Criteria for determining the likely significance of effects on the environment.

| Criteria for determining the likely significance of effects (SEA Directive, Annex II)  | Summary of significant events   |
|--|---|
| 1(a) the degree to which the draft Wellow Neighbourhood Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources; | The Wellow Neighbourhood Plan would, if adopted, form part of the statutory 'development plan' for the parish and provide the planning framework for consenting development proposals within the Borough Council area of the parish. Under Section 38(6) of the Planning & Compulsory Purchase Act it would therefore form part of the legal planning framework for the consideration and consenting of future development projects within the wider framework set by the National Planning Policy Framework (NPPF) and the strategic policies of the Test Valley Park Local Plan (2016). |
| 1(b) the degree to which the draft Wellow Neighbourhood Plan influences other plans and programmes including those in a hierarchy;   | The policies contained within the draft Wellow Neighbourhood Plan have been produced by the local community to influence the Parish areas. The policies will need to be in general conformity with the TVBC Local Plan and the relevant sections of the Government's National Planning Policy Framework, and will be used alongside the documents in the determination of planning applications when formally 'made' (adopted).   |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II)   | Summary of significant events  |
|---|--|
| 1(c) the relevance of the draft Wellow Neighbourhood Plan for the integration of environmental considerations in particular with a view to promoting sustainable development; | <p>Wellow Parish Council has confirmed that the Neighbourhood Plan will include policies which seek to protect valuable cultural, environmental, economic and community resources whilst facilitating sustainable growth and commensurate provision of infrastructure to serve any new development</p> <p>The Wellow Neighbourhood Area is located close to a range of environmental designations that will be key considerations in preparing the Neighbourhood Plan. The NPPF places the presumption in favour of sustainable development at the heart of national planning system (paragraph 11) and also includes a range of environmental policies that the Neighbourhood Plan is required to be in general conformity with. The SEA aims to ensure environmental factors are fully considered when planning for sustainable development.</p> |
| 1(d) environmental problems relevant to the draft Wellow Neighbourhood Plan;  | <p>The Wellow Neighbourhood Area is situated close to a range of environmental designations. In terms of habitat designations, these include the following either within the Neighbourhood Area, or in close proximity to it.</p> <ul style="list-style-type: none"> <li>- The New Forest SAC</li> <li>- Emer Bog SAC</li> <li>- Mottisfont Bats SAC</li> </ul>  |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II) | Summary of significant events  |
|---|--|
|   | <ul style="list-style-type: none"> <li>- Solent Maritime SAC</li> <li>- Solent &amp; Southampton Water SPA</li> <li>- New Forest SPA</li> <li>- The New Forest Ramsar</li> <li>- Solent &amp; Southampton Water Ramsar</li> <li>- National SSSI designations (including the New Forest SSSI, the Landford Bog SSSI, Landford Heath SSSI, Whiteparish Common SSSI, River Test SSSI and the Lower Test SSSI).</li> </ul> <p>Parts of the Wellow Neighbourhood Area are also affected by flooding (fluvial and surface water), particularly in the River Blackwater valley. The emerging Wellow Neighbourhood Plan will therefore need to consider flood risk in the preparation of policy and any site allocations. Evidence from the Environment Agency and the New Forest Strategic Flood Risk Assessment that informed the National Park Authority's adopted Local Plan (2019) can inform this process.</p> <p>On this basis it is concluded that the Wellow Neighbourhood Plan <b>has the potential to have significant effects on the environment, which should be assessed in reviewing potential development sites.</b></p> |



| Criteria for determining the likely significance of effects (SEA Directive, Annex II)  | Summary of significant events   |
|--|---|
| <p>1(e) the relevance of the draft Wellow Neighbourhood Plan for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);</p> | <p>The emerging Wellow Neighbourhood Plan includes several policies linked to the environment. For example, the current draft Plan includes policies on:</p> <ul style="list-style-type: none"> <li>- Support for appropriate renewable energy and sustainable construction.</li> <li>- A 'River Blackwater policy' to protect the water quality in the river and associated tributaries.</li> <li>- Measures to promote biodiversity and linked between the New Forest and surrounding local designations.</li> <li>- The potential designation of 'local green spaces' through the Neighbourhood Plan making process.</li> </ul>  |
| <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p> <p>(a) the probability, duration, frequency and reversibility of the effects;</p>                      | <p><u>Direct loss or physical damage due to construction:</u></p> <p>The Wellow Neighbourhood Area includes part of the internationally designated New Forest Ramsar, SPA and SAC sites (covering Wellow and Canada Commons). The recent HRA work for the National Park Local Plan identified the potential effects of direct loss of or physical damage to designated habitats or habitats on which designated species rely or direct mortality of designated species. In addition, the HRA work identified the potential for development to result in loss of habitat which lies outside European site boundaries but which is used by the qualifying bird populations of the New</p> |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II) | Summary of significant events   |
|---|---|
|   | <p>Forest SPA and Solent designations. Should HRA Screening be unable to rule out likely significant effects then more detailed Appropriate Assessment will be required to determine whether loss of the supporting habitat present at the development site would have an adverse effect on the integrity of the New Forest SPA; or Solent and Southampton Water SPA and Ramsar site.</p> <p><u>Disturbance and other urban edge effects from construction or occupation of buildings:</u> It is not possible to rule out the potential for urban edge effects such as pet predation from new residential development within 400 metres of New Forest SPA; or from effects such as noise pollution or light pollution from all types of built development. The Wellow Neighbourhood Area includes part of the New Forest SPA and additional areas of land within the parish are located within 400 metres of the SPA. Potential disturbance and urban edge effects therefore cannot be screened out.</p> <p><u>Recreational pressure:</u> The New Forest NPA Local Plan HRA work concluded in relation to recreational impacts that, prior to mitigation, likely significant effects in-combination could not be ruled out for any residential development or visitor accommodation within New Forest National Park on the New Forest SAC and SPA. The Wellow Neighbourhood Area includes areas of land within these area and therefore affected by this issue. The National Park Authority adopted an updated Habitat Mitigation</p> |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II) | Summary of significant events   |
|---|---|
|   | <p>Scheme SPD in 2020 which provides details on how the recreational impacts of new development within the National Park can be mitigated. In addition, development within the defined 13.8km 'zone of influence' of the New Forest's designated sites may also increase recreational pressures and therefore mitigation is required for new housing and other forms of overnight accommodation within the zone (which covers the whole of the parish of Wellow).</p> <p>In addition, a very small area in the east of the designated Wellow Neighbourhood Area falls within the defined 5.6km 'zone of influence' relating to recreational pressures on the Solent's designated sites. The Solent Recreation Mitigation Strategy sets out a package of mitigation measures for development within this zone and this matter should be considered as part of the Neighbourhood Plan-making process.</p> <p><u>Changes in water quality:</u> The New Forest NPA Local Plan HRA work identified the European sites vulnerable to a deterioration in water quality as the following that are relevant to the Wellow Neighbourhood Plan - the New Forest SAC &amp; Ramsar site; Solent &amp; Isle of Wight Lagoons SAC; Solent Maritime SAC; Solent &amp; Southampton Water SPA and Ramsar site; and Emer Bog SAC. The most relevant of these for the Wellow Neighbourhood Plan work is the Solent designations and the impacts</p> |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II) | Summary of significant events  |
|---|--|
|   | <p>arising from increased levels of nitrates. Although new development only makes a small contribution to the issue, Natural England's updated methodology and budget calculator (March 2022) re-affirms that new development in the Solent catchment must be 'nitrate-neutral' to ensure compliance with the Habitats Regulations and recent legal case law.</p> <p><u>Loss of habitat:</u> The plan area is has the Mottisfont Bates SAC witing close proximity. Barbastelles feed mainly on small moths, some flies and beetles. They may forage up to 5-7 km from their maternity roosts, though some individuals in less favourable habitat may forage further to reach suitable feeding grounds.</p> <p>It is thought that barbastelles prefer pastoral landscapes with deciduous woodland, wet meadows and water bodies, though they will feed in more open areas i.e. orchards, suburban parks. Barbastelles prefer to commute along linear landscape features, such as woodland edges and hedgerows, to cross extensive open areas (i.e. arable fields) to reach foraging grounds, and may feed to a certain extent within these more open areas. Typical flightlines used by this species include linear hedgerows, waterways, blocks of scrub, wooded rides and tracks, and sunken lanes. Flightlines will extend beyond the designated site boundary into the wider local landscape. <b>Potential disturbance therefore cannot be ruled out.</b></p> |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II)   | Summary of significant events  |
|---|--|
| 2(b) the cumulative nature of the effects of the draft Wellow Neighbourhood Plan;   | To be determined as more detailed is available. There could be cumulative, in-combination impacts of development around the New Forest's International designations. These impacts could include increased recreational pressures on the New Forest designations and the more recent issue of impacts on water quality on the Solent designations arising from increased levels of phosphates. |
| 2(c) the transboundary nature of effects of the draft Wellow Neighbourhood Plan;  | No transboundary effects with EU countries are considered likely to be significant.  |
| 2(d) the risks to human health or the environment (for example, due to accidents) due to the draft Wellow Neighbourhood Plan; | There are unlikely to be any significant risks to human health arising from the Plan   |
| 2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);    | The Designated Area covers an area of nearly 16 square kilometres and a population of approximately 3,300 people. Given the environmental sensitivities of the area – and in particular the need to address the impacts of development on water quality and increased recreational pressure, effects are likely. There are established mitigation schemes in place to address these matters.   |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II)   | Summary of significant events  |
|---|--|
| <p>2(f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>(i) special natural characteristics or cultural heritage;</li> <li>(ii) exceeded environmental quality standards or limit values; or</li> <li>(iii) intensive land-use; and</li> </ul> | <p>There are a number of nationally and internationally protected nature conservation sites within and immediately adjacent to the Wellow Neighbourhood Area. These sites are vulnerable to a variety of impacts, as set out in the assessment against criteria 2(a) above. The Wellow Neighbourhood Area also contains a range of built environment assets (designated and non-designated), including a number of listed buildings. National (NPPF and NPPG) and local planning policies (the respective National Park Authority and Borough Council Local Plans) includes policies seeking to protect these assets.</p> <p>The designated Wellow Neighbourhood Area also includes land within the New Forest National Park. The first statutory Park purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park.</p> |
| <p>2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.</p>  | <p>National Parks – including the New Forest - have the highest status of protection in relation to landscape and scenic beauty (paragraph 176 of the NPPF) and great weight should also be given to the conservation of wildlife and cultural heritage within the National Park. Section 62(2) of the Environment Act 1995 requires relevant authorities to have regard to the two statutory Park purposes in making decision that could affect National Parks. This applies to the preparation of plans and projects</p>   |

| Criteria for determining the likely significance of effects (SEA Directive, Annex II) | Summary of significant events   |
|---|---|
|   | outside National Parks, but which could impact on them, including Neighbourhood Plans |

## 2.2 SEA SCREENING OPINION AND DECISION.

As it has been concluded that **there is potential for likely significant environmental effects**, an environmental report should be prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004. It is advised that the following matters should be focused on in the assessment in relation to impacts on the New Forest National Park.

- Impacts on natural environment designations – comprising international (e.g. SAC, SPA, Ramsar), national (e.g. SSSI) and county/local (e.g. SINC)s). This issue will also be addressed through the HRA process for international nature conservation designations (see next section).
- Impacts on built environment designations – including designated heritage assets (e.g. listed buildings); and non-designated heritage assets. These heritage assets should be identified through the SEA process and consideration given to impact on them (and their settings) from the policies in the emerging Wellow Neighbourhood Plan.
- Potential landscape impacts on the New Forest National Park. National policy also highlights the importance of considering development within the settings of National Parks. This reflects the legal duty placed on ‘relevant bodies’ by Section 62 of the Environment Act 1995 to have regard to the two statutory National Park purposes when undertaking activities which could impact on them. This can include development outside National Parks.

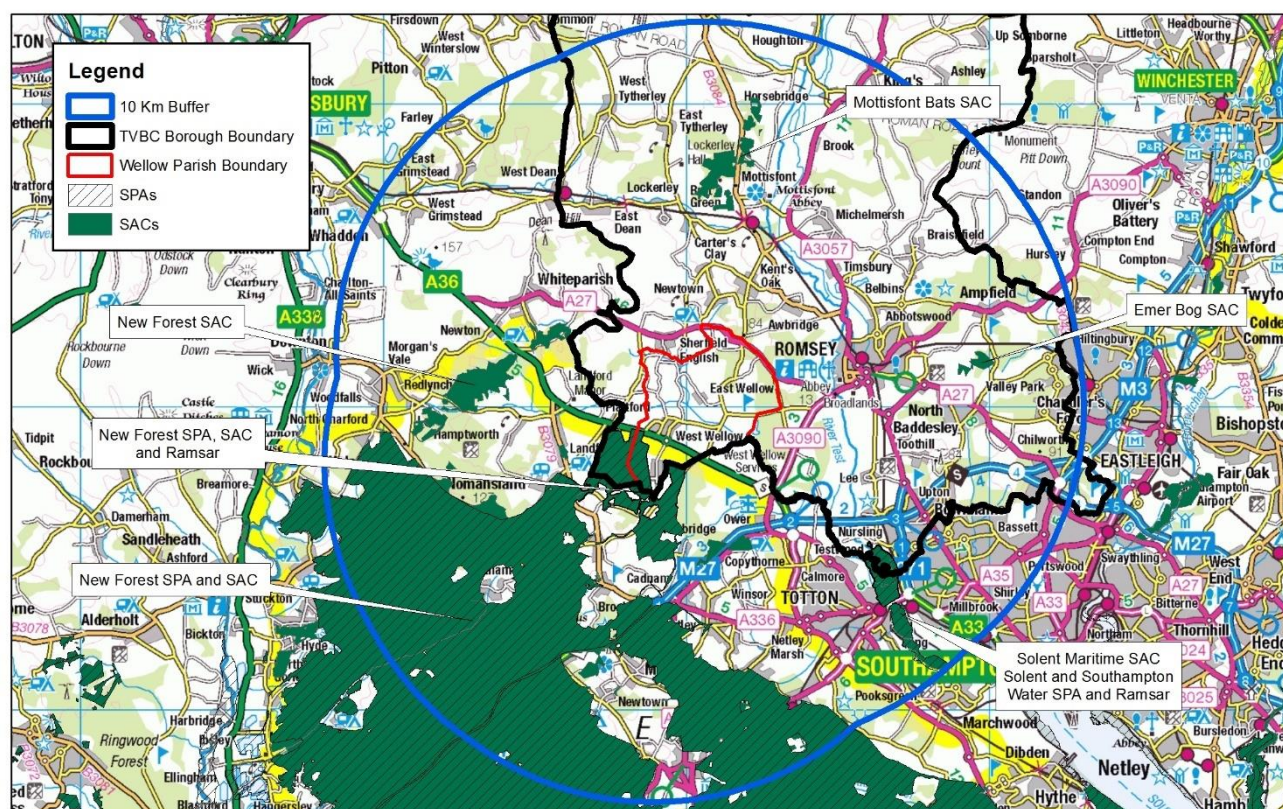


## 3 HRA SCREENING

### 3.1 HRA SCREENING ASSESSMENT

Wellow Parish Council has also sought a formal screening opinion from the Borough Council on the need for a Habitat Regulations Assessment (HRA) of the emerging Neighbourhood Plan. The Authority is the 'competent authority' under the Conservation of Habitats & Species Regulations 2010, and therefore needs to ensure the emerging Neighbourhood Plan has been assessed through the Habitats Regulations process where necessary.

This process looks at the potential for significant impacts on nature conservation sites that are of international importance. The Wellow Neighbourhood Area includes, or is adjacent to or within the catchment of, a number of internationally important habitats – including the New Forest SAC, SPA and Ramsar sites; the Solent designations, the Emer Bog SAC and the Mottisfont Bats SAC. The map below illustrates these designations in relation to the Parish boundary.



Wellow Designated Sites

Not to Scale

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### 3.2 HRA SCREENING OPINION AND APPROPRIATE ASSESSMENT

This screening assessment has regard to the work on the Habitats Regulations Assessment of the New Forest National Park Local Plan Review (2016 – 2036), as well as considering information that has become available since the Test Valley Local Plan was adopted in 2016. New Forest National Park authority will be providing a separate HRA screening opinion to the Parish Council relating to the area of the parish that lies within the Park Authorities planning remit. It is also recognised that the Neighbourhood Plan will be in general conformity with the higher-level development plans prepared by the Test Valley Borough Council and the National Park Authority, which have themselves been subject to Habitats Regulations Assessments.

From this process the Authority has determined whether the Wellow Neighbourhood Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required.

#### **Legislative Background**

Article 6(3) of the EU Habitats Directive provides that:

*“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”*

#### **Assessment**

A Habitat Regulations Assessment (HRA) was undertaken for the New Forest National Park Local Plan Review (2016-2036). This assessment was undertaken in consultation with Natural England and other bodies. The HRA work on the National Park Local Plan concluded that significant impacts on the integrity of the Natura 2000 sites within and adjacent to the National Park could not be ruled out. This conclusion recognised the in-combination effects caused by the development plans prepared for areas surrounding the National Park. The main areas where potential impacts on the integrity of the Natura 2000 sites in the New Forest are highlighted the response to point 2(a) in Table 2 and summarised below.

Table 3

| Potential Impacts  |   |   |  |
|--|---|---|--|
| New Forest Designations  | Solent designations   | Emer Bog  | Mottisfont bats  |
| <p><b><u>Direct loss or physical damage due to construction:</u></b></p> <p>The Wellow Neighbourhood Area includes part of the internationally designated New Forest Ramsar, SPA and SAC sites (covering Wellow and Canada Commons). The HRA work for the National Park Local Plan identified the potential effects of direct loss of or physical damage to designated habitats or habitats on which designated species rely or direct mortality of designated species. In addition, the HRA work identified the potential for development to result in loss of habitat which lies outside European site boundaries but which is used by the qualifying bird populations of the New Forest SPA and Solent designations. Should HRA Screening be unable to rule out likely significant effects <b>then more detailed Appropriate Assessment will be required to determine whether loss of the supporting habitat present at the development site would have an adverse effect on the integrity of the New Forest SPA; or Solent and Southampton</b></p> | <p><b><u>Changes in water quality:</u></b></p> <p>The National Park Authority's Local Plan HRA work identified the European sites vulnerable to a deterioration in water quality as the following specific to the Wellow Neighbourhood Plan - the New Forest SAC &amp; Ramsar site; Solent &amp; Isle of Wight Lagoons SAC; Solent Maritime SAC; Solent &amp; Southampton Water SPA and Ramsar site. The most relevant of these for the Wellow Neighbourhood Plan work is the Solent designations and the impacts arising from increased levels of nitrates. Although new development only makes a small contribution to the issue, Natural England's updated methodology and budget calculator (March 2022) re-affirms that <b>new development in the Solent catchment must be 'nitrate-neutral' to ensure compliance with the Habitats Regulations and recent legal case law.</b></p> | <p><b><u>Changes in water quality:</u></b></p> <p>The Levels of Nitrate and Phosphate in the mire are currently extremely high and are likely principal the cause of the continuous degradation of the mire vegetation of this SAC. <b>Therefore new development in the catchment must be 'nitrate-neutral' to ensure compliance with the Habitats Regulations and recent legal case law.</b></p> | <p><b><u>Loss of habitat:</u></b></p> <p>Barbastelles feed mainly on small moths, some flies and beetles. They may forage up to 5-7 km from their maternity roosts, though some individuals in less favourable habitat may forage further to reach suitable feeding grounds. It is thought that barbastelles prefer pastoral landscapes with deciduous woodland, wet meadows and water bodies, though they will feed in more open areas i.e. orchards, suburban parks. Barbastelles prefer to commute along linear landscape features, such as woodland edges and hedgerows, to cross extensive open areas (i.e. arable fields) to reach foraging grounds, and may feed to a certain extent within these more open areas. Typical flightlines used by this species include linear hedgerows, waterways, blocks of scrub, wooded rides and tracks, and sunken lanes. Flightlines will extend beyond the designated site boundary into the wider</p> |

| Potential Impacts   |   |          |   |
|---|---|----------|---|
| New Forest Designations   | Solent designations   | Emer Bog | Mottisfont bats   |
| <p><b>Water SPA and Ramsar site.</b><br/> <b><u>Disturbance and other urban edge effects from construction or occupation of buildings:</u></b><br/>           It is not possible to rule out the potential for urban edge effects such as pet predation from new residential development within 400 metres of New Forest SPA; or from effects such as noise pollution or light pollution from all types of built development. The Wellow Neighbourhood Area includes part of the New Forest SPA and additional areas of land within the parish are located within 400 metres of the SPA.<br/> <b>Potential disturbance and urban edge effects therefore cannot be screened out.</b></p> |   |          | <p>local landscape.<br/> <b>Potential disturbance therefore cannot be screened out.</b></p> |
| <p><b><u>Recreational pressure:</u></b><br/>           The Local Plan HRA work concluded in relation to recreational impacts that, prior to mitigation, likely significant effects in-combination could not be ruled out for any residential development or visitor accommodation within New Forest National Park on the New Forest SAC and SPA. The Wellow Neighbourhood Area includes areas of land within the National Park and therefore affected by this issue. The</p>  | <p><b><u>Recreational pressure:</u></b><br/>           A very small area in the east of the designated Wellow Neighbourhood Area falls within the defined 5.6km 'zone of influence' relating to recreational pressures on the Solent's designated sites. The Solent Recreation Mitigation Strategy sets out a package of mitigation measures for development within this zone and this matter should be considered as part of the</p> |          |   |

## Potential Impacts

| New Forest Designations  | Solent designations   | Emer Bog | Mottisfont bats |
|--|---|----------|-----------------|
| <p>National Park Authority adopted an updated Habitat Mitigation Scheme SPD in 2020 which provides details on how the recreational impacts of new development within the National Park can be mitigated. In addition, development within the defined 13.8km 'zone of influence' of the New Forest's designated sites may also increase recreational pressures and <b>therefore mitigation is required for new housing and other forms of overnight accommodation within the zone (which covers the whole of the parish of Wellow)</b>. Research reports published in 2020 and 2021 from the consultants Footprint Ecology (see <a href="https://www.newforestnpa.gov.uk/research-into-recreational-use-of-the-new-forest-protected-habitats">Research into recreational use of the New Forest's protected habitats - New Forest National Park Authority (newforestnpa.gov.uk)</a>) identified a 13.8km 'zone of influence' from the New Forest's designated sites within which the majority of recreational visits originated from. This work has been supported by Natural England and the zone covers the whole of the parish of Wellow. <b>New development will therefore be required to address recreational</b></p> | <p>Neighbourhood Plan-making process. <b>New development will therefore be required to address recreational impacts on the Solent designations.</b></p> |          |                 |

| Potential Impacts                       |                     |          |                 |
|---|---------------------|----------|-----------------|
| New Forest Designations                 | Solent designations | Emer Bog | Mottisfont bats |
| impacts on the New Forest designations. |                     |          |                 |

**Conclusions**

**It is concluded that the emerging Wellow Neighbourhood Plan does require a Habitats Regulations Assessment (HRA).** This is based on the range of designated habitats within and adjacent to the Wellow Neighbourhood Area and the recognition in published HRA work of their sensitivities to the impacts of development. This has been supplemented by the reports published in 2020 and 2021 following research by the specialist consultants Footprint Ecology into the ‘zone of influence’ for recreational visits to the New Forest’s internationally designated sites. Natural England has also re-affirmed the need for new development within the Solent catchment to be ‘nitrate neutral’ and updated guidance on this matter was published in March 2022.

## **4 REPRESENTATIONS FROM CONSULTATION BODIES**

The Borough Councils initial SEA and HRA Screening Opinion were sent to Natural England, Environment Agency and Historic England - as statutory consultation bodies under Regulation 9 of the SEA Regulations. The statutory consultees were given 5 weeks to respond in accordance with national policy. The Consultees agreed with the screening opinion in that an SEA and HRA are required for the plan and the responses received on the Authority's draft SEA and HRA screening opinion are in Appendix 1:



## 5 CONCLUSIONS

The screening process undertaken by the Test Valley Borough Council concludes that a **Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) are required for the emerging Wellow Neighbourhood Plan**. This conclusion is consistent with the requirements placed on other statutory development plans that have been prepared by the local planning authorities for the area which have gone through the SEA and HRA process.

The Authority's conclusion is based on the fact that the Wellow Neighbourhood Plan will, once adopted, be a statutory planning document that will set the framework for future development in an area with a range of environmental designations. The Neighbourhood Plan is proposing to allocate sites for development and include further policies that support sustainable development.

Table 2 of this report sets out an assessment as to whether the Wellow Neighbourhood Plan is likely to have significant effects on the environment. This assessment is based on the requirements of Regulation 9 and Schedule 1 of the SEA Regulations and recognises the statutory nature of the Neighbourhood Plan; its likely scope; and the value and vulnerability of the area (including national and internationally protected landscapes and habitats).

The scoping work undertaken on the HRA of the National Park Authority's own Local Plan (2016-2036) recognises that even with the relatively low level of development proposed within the National Park, potential in-combination impacts on the integrity of the Natura 2000 sites within and adjacent to the New Forest cannot be ruled out. It is therefore consistent to conclude that a separate, statutory plan being prepared to provide a framework for future development proposals is required to go through the same process. The SEA and HRA scoping work has identified the following environmental effects as key:

- The potential for direct loss of, or physical damage, to designated habitats or habitats on which designated species rely or direct mortality of designated species. In addition, the potential for development to result in loss of habitat which lies outside European site boundaries but which is used by the qualifying bird populations requires consideration.
- Disturbance and other urban edge effects from new residential development within 400 metres of New Forest SPA.
- Recreational pressures arising from new development on the international nature conservation sites including the New Forest SAC & SPA – this applies across the whole of the parish of Wellow; and potential recreational impacts on the Solent designations should development come forward within the 5.6km zone of influence.
- Changes in water quality arising from new development within the Solent catchment.
- Potential impacts on the habitat and flight lines of the Barbastelle bats at the Mottisfont SAC

- Potential impacts on built heritage assets, both directly and indirectly (through impacts on their settings).
- Potential impacts on the landscape of the New Forest National Park, including its setting.

The plan has been subject to an Appropriate Assessment, due to potential impacts on the European sites. The report outlines the methods used and the findings arising from the Appropriate Assessment stage of the Habitats Regulations Assessment for the Wellow Neighbourhood Plan. The AA considered the Emer Bog SAC, Mottisfont Bats SAC, New Forest SPA, Solent and Maritime SAC and the Southampton Water SPA in and around the plan area.

The report concludes that the Regulation 16 plan as submitted **will have a likely significant effect on European sites in the absence of avoidance and mitigation measures**. Therefore, further wording is advised for relevant policies within the NP to address the impacts as shown in Table 2

*Further HRA and AA are likely be required for relevant developments at the planning application stage, in which further avoidance and mitigation measures will be required.*

## 6 APPENDIX 1

### RESPONSES FROM STATUTORY CONSULTATION BODIES

#### Natural England

**From:** Findlay, Georgia  
**Sent:** 01 July 2022 11:37  
**To:** Planning User  
**Cc:** Neighbourhood Planning  
**Subject:** FAO Neighbourhood Planning Team re: NE Response to Wellow Neighbourhood Plan – SEA & HRA screening request - Test Valley Borough Council

Dear Neighbourhood Planning Team,

Thank you for consulting Natural England regarding the need for a SEA & HRA screening for the Wellow Neighbourhood Plan.

Having looked at the screening report submitted and the given the location of the neighbourhood plan area, **Natural England advise that the plan does require SEA & HRA**. Please can you formally consult Natural England once these documents have been completed.

I trust that this satisfies your requirements however do let me know if you need anything further.

Regards,

**Georgie Findlay**  
Sustainable Development Lead Adviser  
Thames Solent Team | Natural England  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## Historic England

**From:** Dandy, Louise

**Sent:** 06 July 2022 11:56

**To:** Neighbourhood Planning

**Subject:** SCREENING OPINION SEA , EMERGING WELLOW NEIGHBOURHOOD PLAN, TEST VALLEY

### To whom it may concern

Thank you for your letter regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review this request for a Screening Opinion. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the neighbourhood plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The supporting information supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

Given the likely significant effects (both positive and negative) upon the historic environment, **Historic England hence concurs with the Council's view that a Strategic Environmental Assessment will be required.**

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We should like to stress that this opinion is based on the information provided by you with your correspondence below. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Please do contact me, if you have any queries.

Best wishes  
Louise

Louise Dandy Grad.Dipl. Cons (AA) FRSA  
Historic Places Advisor , Historic England , London and South East Region

## Environment Agency

**From:** Lax, Laura

**Sent:** 11 July 2022 15:49

**To:** Hughes, Sarah

**Cc:** Lines, Charlotte

**Subject:** RE: Wellow Neighbourhood Plan – SEA & HRA screening request - Test Valley Borough Council

Hi Sarah,

Having reviewed the information submitted, due to the fact the Neighbourhood Plan allocates sites, the **Environment Agency would agree with the conclusion of the screening that a SEA is required**. We have no comments with required to the requirement for HRA are this is for Natural England to advise on. Going forward we would be keen to comment on the scope of the SEA to ensure our key environmental issues are addressed. We can also provide baseline information and data.

Kind regards  
Laura

Laura Lax  
Sustainable Places  
Solent and South Downs