

EPPING TOWN NEIGHBOURHOOD DEVELOPMENT PLAN

Regulation 16 Submission

**Strategic Environmental Assessment (SEA)
Screening for Neighbourhood Plans**

09 May 2024

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

SEA Screening stage 1: Establishing the need for SEA - Generic application of SEA Directive to Epping Town Neighbourhood Plan Regulation 16 Submission Version

SEA Criteria	NP/NDO Outcome Yes (Y) / No (N)	Reason/Commentary
1. Is the NDP or NDO 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? (SEA Directive Art. 2(a))	Yes	The Town Council have prepared the Epping Town Neighbourhood Plan (ETNP). A local planning authority has a statutory obligation to “make” a Neighbourhood Plan (NP) once it has successfully gone through the relevant statutory preparation stages, culminating in a local referendum(s). This is allowed under the Town and County Planning Act 1990 as amended by the Localism Act 2011 and is prepared subject to The Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012. To this extent, the NP process is directed through a legislative process.
2. Is the NP or NDO required by legislative, regulatory, or administrative provisions? (SEA Directive Art. 2(a))	No	The preparation of a NP is not mandatory, i.e., a Parish Council or Neighbourhood Forum can choose to undertake either of these. However, once the relevant body decides to prepare a NP, then it is required to follow the set regulatory and administrative procedures.

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

<p>3. Is the NP or NDO prepared for agriculture, forestry, fisheries, energy, industry, transport, waste 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 to the EIA Directive? (SEA Directive Art. 3.2(a)) EIA Directive 85/337/EEC has been updated and is codified in 2011/92/EU (Art 4 and Annexes).</p> <p>(The Annexes are reproduced at Appendix 3 of this toolkit)</p>	<p>No</p>	<p>A NP must relate to land use planning. Once made, it will form part of the statutory framework for the determination of planning applications. A NP therefore sets specific frameworks, for future development consents. However, the ETNP does not set framework for the consents in Annex I and II to the EIA Directive.</p>
<p>4. Will the NP or NDO, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (SEA Directive Art. 3.2(b)) (Habitats Directive 92/43/EEC Article 6 provides for special areas of conservation and Habitats in Annex I and species in Annex II – such sites are found within and neighbouring the district – see commentary column.</p>	<p>Not independent of the Local Plan.</p>	<p>In the case of Epping Forest District Council (EFDC), a NP may also be subject to a Habitat Regulations Assessment (HRA) if it impacts on the Epping Forest Special Area of Conservation (EFSAC), Lea Valley SPA and Ramsar Site and Wormley- Hoddesdonpark Woods SAC.</p> <p>Please refer to Habitats Regulations Assessment (HRA) screening which has concluded that the ETNP can rely upon the HRA screening and assessment of the Epping Forest District Local Plan 2011-2033 which was adopted on March 6th, 2023.</p>
<p>5. Does the NP or NDO determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (SEA Directive Art. 3.4)</p>	<p>Yes</p>	<p>The ETNP sets out detailed, localised policies to reflect local aspirations and concerns and identifies local green space which is the use of a small area at a local level. On the whole the NP is a minor modification to the Local Plan (LP) which has been subject to sustainability appraisal incorporating Strategic Environmental Assessment.</p>

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

6. Does the plan set the framework for future development consent of projects?	Yes	The NP will form part of the framework for future development consent of projects in the area.
7. Is its sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan, OR is it cofinanced by structural funds or EARDF programmes?	No	The NP does not relate to defence, civil emergency or financial planning. Nor is its purpose to secure European funds.
8. Is the NP likely to have a significant effect on the environment? (Article 3 (5) Annex II of the SEA Directive)	No	This has been concluded via the HRA screening of this NP.

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

SEA Screening Stage 2: Testing whether the Epping Town Neighbourhood Plan Regulation 16 Submission Version is likely to give rise to significant effects (*SEA Directive Article 3 (5) Annex II-Application of Criteria for determining the likely significance of effects on a Neighbourhood Plan or NDO.*)

	SEA Directive (Annex II)	Commentary	Conclusion- Significant environmental impact? [Yes/ No]
1	Characteristics of a Neighbourhood Plan		
A	Degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size, and operating conditions or by allocating resources.	The ETNP would set a framework for future consent of development projects but within a hierarchy of plans. However, it does not identify schemes beyond those in the adopted local plan.	No
	Aims/ Objectives	The aims of the ETNP contained within paragraph 3.4 include: responding appropriately to local housing needs in a sustainable manner; creating a more vibrant town centre whilst respecting Epping's scale, heritage and character; improving services and infrastructure; retaining and enhancing the historic and natural environment; improving transport with accessibility and sustainability at its core; improvements to the 'public realm'; promoting jobs and other commercial activities and Epping Town as the centre for the area's arts, recreation, cultural and heritage offers.	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

Site allocations for development	The ETNP proposes no independent allocations for development. All development allocations in Epping Town parish are allocated in the adopted Epping Forest District Local Plan 2011-2033 (EFDLP).	No
Design policies/ standards/codes	The design policies contained in the ETNP highlight the need for any new development to accord with the policies in the Essex Design Guide, and to respect the character of the Epping Town parish, the Parish's heritage assets, and the amenity of residents. (policies 6, 10, 11, 14 & 17)	No
Landscape protection/ enhancement policies	Policy 1 seeks to protect Epping Forest and encourage visits to other parts of the countryside around Epping outside of the Forest. Policy 2 of the ETNP seeks to protect and enhance the open space within the Parish designating Local Green Space and identifying priority areas and wildlife corridors where it will be important to improve and enhance open space provision	No
Protected land designations	Policies seek protection for listed buildings and conservation areas - Policy 17; and local green spaces - Policy 2; and seek to protect the Green Belt whilst recognizing the adjustment made to it by the Local Plan – Policy 1	No
Linkages/ Green infrastructure proposals	Policies seek to protect existing green infrastructure and wildlife and create green linkages between Epping Town and the footpath network in the surrounding countryside Policies 1, 2, and 8. Policies do not seek to encourage visits to Epping Forst itself but to the wider countryside.	No
Community facilities	Policy 13 seeks to enhance social, sporting, cultural and community facilities in Epping Town Parish.	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

	SEA Directive (Annex II)	Commentary	Conclusion- Significant environmental impact? [Y/N]
B	Degree to which this influences other plans and programmes including those in a hierarchy	Neighbourhood Plans are locally driven and will, inevitably, cover a small, defined locality/neighbourhood. In practice, Neighbourhood Plans provide detailed policy, land use or development management direction at the smallest “neighbourhood” level. These should by definition have regard to, and be in general conformity with, “higher level” policies/ programmes, but will not, by themselves, influence other more strategic policies/ programmes.	No
C	Relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The “basic conditions” (that a Neighbourhood Plan must meet) require that Neighbourhood Plans must “have regard” to sustainable development. For a plan to pass examination, an examiner must be satisfied that the effective implementation of a Neighbourhood Plan would give rise to sustainable developments. The policies in the plan seek to promote sustainable development. They seek to promote walking and cycling as alternatives to car-based transport, measures to reduce congestions and use of Epping tube station (NP policy 6 – Epping Station), all of which will support environmental sustainability.	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

D	Environmental problems relevant to the Neighbourhood Plan	Epping Town parish is situated on high ground, 100m above sea level, in southwest Essex. It is surrounded by rolling fields and forest. The River Lea lies to the west and a tributary of the river runs through the Parish. Some limited areas in the Parish are subject to flood risk but there are no development allocations made in the ETNP. Epping Forest is nearby and EFDC has a mitigation strategy to address development impacts on the Forest.	No
E	Relevance for the Implementation of Community Legislation (European Community) on the environment (e.g., plans and programmes linked to waste management or water protection)	Strategies/ policies relating to waste disposal or water protection are dealt with by Essex County Council (ECC). EFDC has strategies in place relating to waste collection and environmental protection. Community plans may identify specific local environmental concerns or issues, but these are generally not issues which could be addressed through a Neighbourhood Plan. The ETNP does not address such matters.	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

	SEA Directive (Annex II)	Commentary	Conclusion- Significant environmental impact? [Y/N]
2	Characteristics of the effects and of the area likely to be affected, having regard, in particular to:		
A	The probability, duration, frequency, and reversibility of any effects	This ETNP addresses only specific local development management issues, complementing the higher-level strategic policy framework.	No
B	The cumulative nature of any effects	No significant cumulative effects are expected from the ETNP	No
C	The trans-boundary nature of any effects	No trans-boundary effects are likely to arise.	No
D	The risks to human health or the environment (e.g., due to accidents, impact on air quality)	Strategies/ policies relating to waste disposal or water protection are dealt with by ECC..EFDC has strategies in place relating to waste collection and environmental protection. The ETNP makes no such provision and therefore will not change the environment in a way that would cause risk to human health.	No
E	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No effects are expected to be of a magnitude or spatial extent that would be considered 'significant'	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

	SEA Directive (Annex II)	Commentary NB instructions to officer completing tables in italic type. Standard response applicable in normal type	Conclusion- Significant environmental impact? [Y/N]
F	Value and vulnerability of the area likely to be affected due to:		
	special natural characteristics (e.g., biodiversity, water resources) or cultural heritage; exceeded environmental quality standards or limit values; intensive land-use.	The EFSAC sits adjacent to the ETNP area and much of the ETNP area lies within the SAC zone of influence. Several local nature reserves/ Local Wildlife sites lie in proximity to the plan area There are three conservation areas in the ETNP area and numerous Listed Buildings and locally listed assets in the area. There are no water or air quality management sensitivities in the immediate area, and no intensity of land use triggered by the NDP that could be harmful. Therefore, there is no significant impact expected from the ETNP itself on any of the characteristics of the natural and built environment noted above.	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

	SEA Directive (Annex II)	Commentary NB instructions to officer completing tables in italic type. Standard response applicable in normal type	Conclusion- Significant environmental impact? [Y/N]
G	Effects on areas or landscapes which have a recognised national, community or international protection status.	Although there are some statutory designations as noted above there are no measures in the plan expected to have a significant effect upon them.	No
	Potential site allocations for development	There are no site allocations for development	No
	Potential design policies	None would significantly affect the assets identified above at F	No
	Linkages/ green infrastructure proposals	None would significantly affect the assets identified above at F	No
	Community facilities	None would significantly affect the assets identified above at F	No

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

Appendix 1: SEA PRO-FORMA

Epping Forest District Council	
Strategic Environmental Assessment (SEA) Pro-forma for Neighbourhood Plans or Neighbourhood Development Orders.	
Name of Qualifying Body:	Epping Town Council
Name of Neighbourhood Plan:	Epping Town Neighbourhood Plan Regulation 16 Submission Version
Date:	08 May 2024
Stage 1: SEA screening process	
Can it be objectively demonstrated that the scope of the NP will:	
Q4. Not require an assessment for future development under Article 6 or 7 of the Habitats Directive? YES	
Q5. <u>Only</u> determine small scale land allocations/ designations, or detailed, locally distinctive design criteria? YES	
Q6 Not have a significant effect on the environment? YES	
Stage 2: SEA screening process	
Please explain the reasoning on Q4, 5 and 6 above.	
The NDP does not contain any allocations for development, the policies deal with addressing minimal aspects of development, largely either in terms of design, or protecting the existing natural and built assets. The plan is therefore not expected to have any significant effects on recognised environmental receptors. The effects of the plan relate largely to the preservation of existing features.	
Summary Conclusions	
No significant effects expected as policies deal with design and very small areas. No SEA required.	
Will a full SEA be required [Y/N]	
No	

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

Appendix 2: Statutory Consultations

A view was sought from Natural England, Historic England, and the Environment Agency as to whether it would be necessary for the emerging Epping Town Neighbourhood Plan to be accompanied by a full “appropriate assessment” (HRA). Responses were received from all consultees.

Natural England stated on 19th June 2024 that:

It is Natural England’s advice, on the basis of the material supplied with the consultation, that:

- Significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and
- Significant effects on Habitats sites, either alone or in combination, are unlikely

Historic England stated on 31st May 2024 that:

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive] Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The Environment Agency stated on 17th May 2024 that:

Unfortunately, we are not providing any responses to SEA Screening Reports at this stage. This is so that we can focus our resources on high-risk documents. It is ultimately up to the LPA to decide if an SEA is required as part of the screening process.