

**Felsted Parish
Council**

**Uttlesford District
Council**

Felsted Neighbourhood Plan

**Strategic Environmental Assessment
(SEA)**

**Screening Determination Statement
(under Regulation 9 and 11 of the Environmental
Assessment of Plans and Programmes 2004)**

June 2018

Executive Summary

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

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

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

This determination has been made on 14th June 2018. Within 28 days of this determination, Uttlesford Council will publish a statement, setting out its decision. Uttlesford District Council will publicise this determination statement in accordance with its regulatory requirements. A copy of the statement will be available for inspection at the Council's website at <https://www.uttlesford.gov.uk/felstednp>. It will also be available on request at: Uttlesford District Council, Council Offices, London Road, Saffron Walden, Essex, CB11 4ER.

If you require any further information, then please contact Demetria Macdonald by email to dmacdonald@uttlesford.gov.uk.

Determination Statement (including reasons for the determination)

This statement has been produced to ensure the Neighbourhood Plan will, when examined, comply with the Neighbourhood Planning (General) Regulations 2012 (as amended) in particular Regulation 32 and Regulation 15(1) e (ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

A neighbourhood plan is required to meet a number of basic conditions (which are set out in the Town and Country Planning Act 1990), one of which being it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the SEA regulations¹ which transpose the EU's SEA Directive² into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in primary legislation. Regulation 32 states: *“The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e)) (either alone or in combination with other plans or projects).*

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion was prepared by Uttlesford District Council for the Felsted Neighbourhood Plan. An assessment was made available to the statutory environmental bodies (Natural England, Historic England and Environment Agency) for comment starting on 15th December 2017. On 29 May 2017 the three statutory environmental bodies were consulted on the requirement of a new SEA/HRA Screening Opinion due to the identification of two specific sites in the Felsted Neighbourhood Plan.

Consultation responses were received from the three statutory consultees. Further responses from statutory consultees confirmed that no additional Screening was required. Their conclusions are summarised below, and their detailed comments are included in **Appendix 2**.

- Historic England: 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.
- Natural England: It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.
- Environment Agency: Thank you for seeking our views on this report. We do not feel that the neighbourhood plan would require SEA or HRA for the matters that fall within our remit. The section in Table 1 that address the water environment should record that the majority of the rivers and tributaries, Chelmer and Ter catchments, are defined as “Moderate” for overall risk for Water Framework Directive purposes.

¹ Known fully as The Environmental Assessment of Plans and Programmes Regulations 2004.

² Known fully as Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

The SEA screening assessment considers, in summary, that the Neighbourhood Plan would not have a significant effect on the environment in so far as:

- the maximum extent of development outside the existing development limits that could come forward as part of the Neighbourhood Plan is an area of 0.7ha on the edge of Felsted village and a smaller area of land adjacent to the primary school; at Watch Tower Green;
- the limit of development alongside strong policy criteria regarding the impacts of the built form on the landscape and existing heritage assets means that the impact is not considered significant; and
- there are no environmental considerations within the Neighbourhood Plan area that are considered likely to be significantly harmed as a result of the scale of possible development resulting from the creation of the Community Hub and primary school expansion.

Further details are set out in Appendix 1 to this report.

The assessment concludes that the Neighbourhood Plan is not likely to have significant environmental effects and consequently that a strategic environmental assessment is not required.

The HRA screening concludes that the Felsted Neighbourhood Plan is not predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects.

Based on the screening opinion and having considered the consultation responses from the statutory environmental bodies, Uttlesford District Council determines that the Felsted Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a strategic environmental assessment. The Council also determines that the Neighbourhood Plan is not likely to result in significant effects on any European site.

Appendix 1

Superceded

Neighbourhood Plan for Felsted Parish

Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (HRA): Screening Report

December 2017

Table of Contents

| | |
|--|----|
| 1. Introduction | 8 |
| 2. Legislative Background to SEA | 11 |
| 3. Criteria for determining likely significance of effects on the environment..... | 15 |
| 4. SEA Conclusions | 30 |
| 5. Legislative Background to HRA | 31 |
| 6. HRA Screening for the Felsted NDP | 32 |
| 7. Conclusions | 36 |

Appendix 1: Felsted site check report on Magic map for SSSI impact zone

Superseded

Introduction

- 1.1 The purpose of this document is to help determine whether or not the draft Felsted Neighbourhood Development Plan (NDP) 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.
- 1.2 Uttlesford District Council (UDC) is required to consult the statutory bodies, the Environment Agency, Natural England and English Heritage prior to reaching a screening determination and will use this report as a basis for this consultation.
- 1.3 Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) states the following basic condition applies to neighbourhood plans.

“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (e)) either alone or in combination with other plans or projects).”
- 1.4 The purpose of this document is also to ascertain whether the draft Felsted Neighbourhood Plan is likely to have a significant effect on a European site (either alone or in combination with others plans or projects). If it does then the neighbourhood plan will not succeed at examination.
- 1.5 The Felsted NP is still in draft format and yet to go to formal pre-submission consultation. The draft policy chapter version 7.6.1 has been reviewed and it is this version which is applicable with regards to the current SEA and HRA screening work. If there are any significant changes to the draft plan, the SEA/HRA screening work will need to be reviewed.

Introduction to Felsted

- 1.6 Felsted Parish lies in the south-east corner of Uttlesford District, some 14.5 kilometres directly north of the City of Chelmsford. Felsted Parish adjoins the parishes of Stebbing, Flitch Green and Little Dunmow, Great Waltham, Little Leighs, Great Leighs, Great Notley, Braintree, Rayne and Great Saling. The parish comprises Felsted village at its heart and 15 individual Greens and Hamlets.
- 1.7 The Felsted Neighbourhood Plan Area (See Figure 1) was designated on 5 December 2015. The total population of the area is approximately 3,000 and is characterised by an ageing population. Most of the residents commute to London and surrounding towns to work. The largest employer in the Parish is the Felsted School.

Figure 1: Felsted Neighbourhood Plan Area



- 1.8 Felsted Parish is located in a beautiful rural setting with many attractive features including an 'ancient monument' the Fishponds that stretch from Leez Priory to Leez Lodge and important woodland in Stebbing Road to the southwest of the Flitch Way. The village of Felsted is the heart of the Parish and the village centre is a place of great historical importance with 150 listed buildings. Most of the village centre is within the designated Conservation Area with approximately 50 listed buildings.
- 1.9 The Felsted NDP includes the following vision:
- a. Over the Plan period Felsted will continue to be a special place to live in a rural setting.
 - b. A Community Hub will have been developed with enhanced village amenities - primary health care and village shopping. We will have a new larger community hall providing a focus for Parish public and private events.
 - c. Moving these facilities to new locations will mean that congestion at peak times will have been eased and pedestrians are able to move around the village centre in safety and comfort.
 - d. The setting of listed buildings in the village centre along with Holy Cross Church will have been protected in an enhanced public space, which will have created a clearly defined historic centre, articulating to residents and visitors the value and importance of this ancient settlement dating back to the Doomesday Book and beyond.
 - e. The dispersed nature of the Parish of Felsted with its 15 individual Greens and hamlets will remain. This Plan will have ensured the character and identity of this place and its ecology are protected from the housing and infrastructure changes in the surrounding area.
 - f. Felsted will have met housing needs and supported additional market housing development *only* where it supports provision of parish amenities and facilitates continuity of residence in the Parish.
 - g. Local employment will have been encouraged through supporting small business development.
 - h. Our schools will continue to be emblematic of educational excellence, meet emerging demands and play an active role in the community.
 - i. The natural environment will have been protected.
 - j. New technology will have been used to provide information to users of footpaths and bridleways about the historical setting of the countryside, its wildlife and what might be expected to be seen at any given location. (This is not a planning policy issue but is a recommendation in the Plan.)

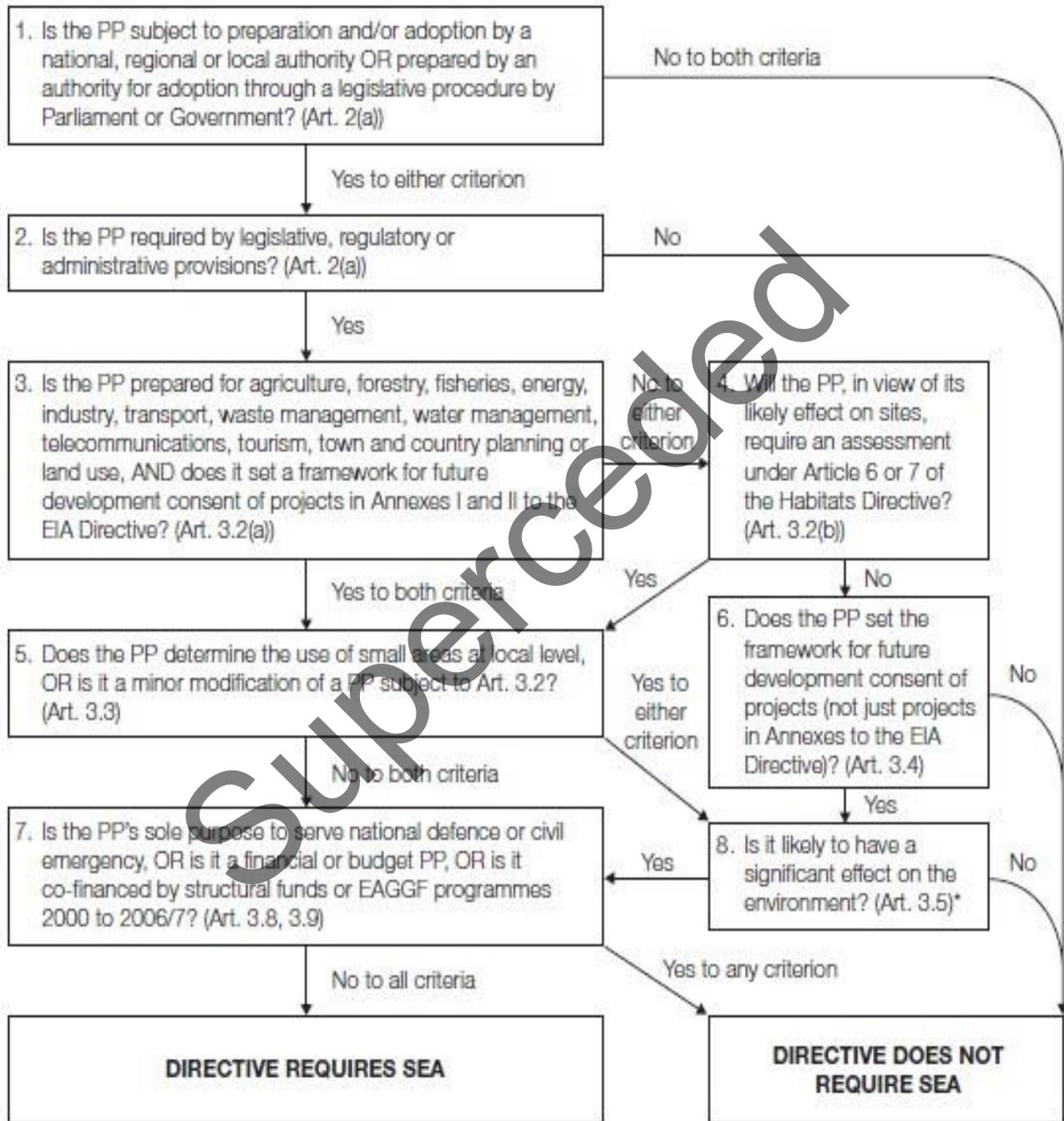
2. Legislative Background to SEA

- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, often referred to as the “*SEA Regulations*”. Detailed guidance of these regulations can be found in the Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM 2005) available to view at <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>
- 2.2 The Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM 2005) includes a useful table intended as a guide to the circumstances where the SEA directive applies to plans and programmes. This is reproduced below:

Superceded

Figure 2 – Application of the SEA Directive to plans and programmes

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.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

2.3 The table below uses the diagram above to help determine whether or not the SEA directive applies to the Felsted Neighbourhood Plan.

| Stage | Response | Outcome | Comment |
|---|--------------|------------------|--|
| 1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Yes | Go to question 2 | The preparation and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by Felsted Parish Councils (as the "relevant body") and will be "made" by Uttlesford District as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012 |
| 2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Yes | Go to question 3 | Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if "made", form part of the statutory Development Plan for the District. |
| | No | NO SEA required | |
| 3. Is the NP 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)) | Yes to both | Go to question 5 | The Neighbourhood Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list). |
| | No to either | Go to question 4 | |
| 4. Will the NP, in view of its likely effect on sites, require an | Yes | Go to question 5 | See separate assessment. |

| Stage | Response | Outcome | Comment |
|--|---------------------|----------------------|---|
| assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) | No | Go to question6. | |
| 5. Does the NP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3) | Yes to either | Go to question 8 | Not applicable. |
| | No to both | Go to question7. | |
| 6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Yes | Go to question8 | The Neighbourhood Plan is to be used for determining future planning applications. |
| | No | Does not require SEA | |
| 7. Is the NP'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) | Yes to any criteria | Does not require SEA | Not applicable |
| | No to all criteria | Requires SEA | |
| 8. Is it likely to have a significant effect on the environment? (Art 3.5) | Yes | Requires SEA | Likely significant effects are explored in more detail in section 3 of this report. |
| | No | Does not require SEA | |

2.4 The table above tells us that an environmental assessment of the Felsted Neighbourhood Plan is only required if it is likely to have a significant effect on the environment.

3. Criteria for determining likely significance of effects on the environment

3.1 When determining whether a NDP requires SEA, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are the criteria “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 relating to the characteristics of the effects and area likely to be affected. These are set out below.

Plan characteristics

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development
- environmental problems relevant to the plan or programme
- the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

Characteristics of the effects and the plan area

- the probability, duration, frequency and reversibility of the effects
- the cumulative nature of the effects
- the transboundary nature of the effects
- the risks to human health or the environment (for example, due to accidents)
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
- the value and vulnerability of the area likely to be affected due to
 - special natural characteristics or cultural heritage
 - exceeded environmental quality standards or limit values
 - intensive land-use
- the effects on areas or landscapes which have a recognised national, Community or international protection status

3.2 In order to identify any likely significant environmental effects, the table below considers the characteristics of the Felsted NDP (this is one of the categories of criteria the SEA

Regulations stipulate should be considered); the characteristics of the effects and the plan area likely to be affected (these are the other two categories of criteria that should be considered).

Superceded

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| Plan Characteristics | |
| <ul style="list-style-type: none"> the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | <p>Alongside the Local Plan, the Felsted NDP provides the statutory development plan for the parish of Felsted. This means planning applications will be determined against its policies. The draft Felsted NDP includes the following policies:</p> <p>Protecting the Historic Village Centre: Policies HVC1 to HVC9 seek to preserve and improve access to the Historic Village Centre by allowing for the relocation of key causes of congestion – like the village shop and Post office to a better, more accessible location, ensure that additional off-road parking is provided to enhance visual amenity. An extended and enhanced open space adjacent to Holy Cross Church is also achieved.</p> <p>Creating a Community Hub: Policies CH1 to CH6 support the development of a Community Hub in the Parish, with easy access and adequate parking, to secure amenities including a doctor’s surgery and community pharmacy co-located with a village shop and Post Office. One of the policies will allocate land for such a site of approximately 0.7 hectares which will include</p> <ul style="list-style-type: none"> a doctor’s surgery and pharmacy shop and post office potential new village hall provision for 100 car parking spaces <p>The community hub is likely to involve the development of residential dwellings to help make the project viable (number of dwellings is anticipated to be in the region of 30 dwellings).</p> <p>The NP group are currently undertaking a site assessment process to identify the preferred site for the delivery of the community hub. The site assessment process is taking account of key constraints in the identification and assessment of sites. These include:</p> <ul style="list-style-type: none"> Heritage and conservation |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <ul style="list-style-type: none"> • Open space • Trees and Hedgerows • Highways • Accessibility and Sustainable Transport <p>Five sites are currently being considered as part of an overall site assessment. Four of them are located on the edge of the adopted settlement boundary around Felsted village, outside the conservation area. One, the Memorial Site is located within the adopted settlement boundary but outside the conservation area. To facilitate the delivery of all the planned amenities this site would also require a relatively small area of additional land on the edge of the settlement boundary. None of the sites will impact upon identified important open space (identified in the conservation area character appraisal) or important trees and hedgerows (also identified in the conservation area character appraisal).</p> <p>Developing Schools: Policies SC1 to SC6 seek to support the growth and development of schools and secure the future of a primary school in the Parish but also ensure they reduce congestion, mitigate impact of school traffic, control parking and improve road safety and where appropriate, encourage wider community use of school facilities. Policy SC5 states that limited housing development (no more than is required to provide the facilities required by Felsted Primary School) would be supported outside but adjacent to the existing primary school at Watch House Green. Such a site is likely to be outside the settlement boundary.</p> <p>Housing Need: Draft policies HN1 to HN3 are intended to:</p> <ul style="list-style-type: none"> • meet any identified need for affordable housing; • help younger people remain in the Parish; • ensure development is controlled and sustainable; • extract maximum community benefit from major development; • encourage the development of small high –quality homes suitable for downsizers with local connection to the Parish; • protect the Parish and its constituent hamlets from coalescence and |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <ul style="list-style-type: none"> • protect the character and heritage of the Parish. <p>The policies clarify what development would be supported within the village development limits. Policy HN4 allows, in exceptional circumstances, development outside the existing village development limits. This includes housing coming forward in connection with the community hub.</p> <p>Integrity, Character and Heritage: Policies ICH1 to ICH9 seek to maintain the visual integrity of the Parish and address issues of design, preservation of heritage and impact of any necessary infrastructure. To ensure that all development proposals in the Plan Area will contribute positively to the character and heritage of the Parish;</p> <p>Supporting the Rural Economy: Policies RE1 to RE4 seek to support the development of the rural economy through small business development and homeworking as well as ensure that they do not damage the rural environment or cause nuisance to others.</p> <p>Protecting the Countryside and Wildlife: Policies CW1 to CW7 seeks to put the environment at the centre of planning policies. It requires consideration to be given to:</p> <ul style="list-style-type: none"> • improving access, • protecting habitats, • protecting vistas, • ensuring natural hedgerows are protected from being removed to facilitate development and • Planting further trees and hedgerows |
| <ul style="list-style-type: none"> • the degree to which the plan or programme influences other plans and programmes including those in a hierarchy | <p>There is no statutory plan that will sit underneath the Felsted NDP</p> |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|---|--|
| <ul style="list-style-type: none"> the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | <p>Before the NDP can be made it will need to be tested against the basic conditions. This includes a requirement to contribute towards the achievement of sustainable development.</p> |
| <ul style="list-style-type: none"> environmental problems relevant to the plan or programme | <p>Environmental issues relevant to the Felsted NDP area set out below theme by theme:</p> <p>Biodiversity:</p> <ul style="list-style-type: none"> A search on www.magic.gov.uk shows that the NP area including Felsted village falls within the Impact Risk Zone of four SSSIs e.g. the Garnetts Wood / Barnston Lays SSSI. The impact zone is applicable to the following development type category : airports, helipads and other aviation; pig and poultry units and any discharge of water or liquid waste of more than 20m³/day to ground (i.e. to seep away) or to surface water, such as a beck or stream and Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction. There are no European sites within or close to the NP area. The closest European site is the Blackwater Estuary Ramsar/SPA site which is at its eastern point just over 18 km away. There is a local nature reserve Felsted Fen within the NP area designated by Natural England as a 'priority habitat'. The plan area has a variety of flora and fauna as set out below. <p>Population:</p> <ul style="list-style-type: none"> The plan area has an ageing population:..Felsted's population in relation to the national profile and the Uttlesford profile is comparatively much older. <p>Human health</p> <ul style="list-style-type: none"> No notable health issues. The parish is currently serviced by a GP surgery which needs more modern and expanded facilities if it is to remain in the parish. |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|--|
| | <p>Flora</p> <ul style="list-style-type: none"> No notable problems but a variety is recorded on www.magic.gov.uk including : areas of woodland, traditional orchards, wood pasture and parkland (identified as England Biodiversity Action Plan priority habitat), good quality semi improved grassland and young woodland are distributed throughout the plan area. There is also an area of floodplain grazing land; also a priority habitat, in the south of the parish (part of the Leez fish pond). <p>Fauna</p> <ul style="list-style-type: none"> No notable problems but variety is recorded on www.magic.gov.uk including bats and amphibians. <p>Soil</p> <ul style="list-style-type: none"> No noted issues. The NP area contains Grade 2 (very good) and Grade 3 (good to moderate) agricultural land /soil quality. <p>Water</p> <ul style="list-style-type: none"> As recorded on www.magic.gov.uk, the whole of the NP plan area falls within a Nitrate Vulnerable Zone for ground water as reviewed in 2017. Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. The designations are made in accordance with the Nitrate Pollution Prevention Regulations 2015. As recorded on www.magic.gov.uk, the whole of the NP plan area falls within a Nitrate Vulnerable Zone for surface water as reviewed in 2017. Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. The designations are made in accordance with the Nitrate Pollution Prevention Regulations 2015. Surface Waters are defined within the Nitrates Directive as polluted if they contain or could contain, if preventative action is not taken, nitrate concentrations greater than 50mg/l. Alongside a large part of Essex, the NP area falls within a drinking water safeguard zone for surface water. Drinking Water Safeguard Zones (Surface Water) are |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <p>catchment areas that influence the water quality for their respective Drinking Water Protected Area (Surface Water), which are at risk of failing the drinking water protection objectives. These non-statutory Safeguard Zones are where action to address water contamination will be targeted, so that extra treatment by water companies can be avoided. Safeguard Zones are a joint initiative between the Environment Agency and water companies. Safeguard Zones are one of the main tools for delivering the drinking water protection objectives of the Water Framework Directive.</p> <p>Air:</p> <ul style="list-style-type: none"> • No noted issues. <p>Climatic factors</p> <ul style="list-style-type: none"> • The NP area is largely within fluvial Flood Zone 1. The River Chelmer, the River Ter and Stebbing Brook all mark corridors of Flood Zone 2 and 3. Flood risk from surface water flooding is more prevalent; covering areas in addition to the three river corridors. <p>Cultural heritage:</p> <ul style="list-style-type: none"> • There are 189 listed buildings within the plan area including eight Grade 1, six Grade II* and 175 Grade II listed buildings • There is a conservation area within Felsted village which contains a concentration of 50 listed buildings • There is a scheduled monument; the Leez Augustinian Priory, fishponds and Tudor mansion, Leez <p>The Felsted Character and Heritage Assessment produced to support the NDP provides more detail on cultural heritage in the plan area.</p> <p>Landscape:</p> <p>The study area falls within National Character Area (NCA) 86 - Suffolk and North Essex Clayland as defined by Natural England. At a local level, Felsted is characterised in the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessments. In October 2005 these Councils jointly commissioned comprehensive Landscape Character</p> |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <p>Assessments of their respective areas. Felsted falls within Landscape Character Area (LCA) B16- Felsted Farmland Plateau, the key characteristics of which are:</p> <ul style="list-style-type: none"> • “Gently undulating farmland”; • “Network of narrow, winding lanes”; • “Many small woods and copses provide structure and edges in the landscape”; • “The farmland is predominantly arable with field boundaries delineated by fragmented hedgerows”; and • “The views are open to panoramic across the farmland. The variation in the nature of the view is dictated by the trees”. <p>The following landscape planning guidelines are recommended for LCA B16:</p> <ul style="list-style-type: none"> • “Ensure that new build is in keeping with landscape character”; • “Conserve and enhance the landscape setting of settlements “; • “Maintain cross-valley views and characteristic views across and along the valley • Ensure any new development on valley sides is small-scale, responding to historic settlement pattern, landscape setting and locally distinctive building style. |
| <ul style="list-style-type: none"> • the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | <p>There are no conflicts between the Felsted NDP and statutory plans linked to waste, water etc.</p> |
| Effects and area characteristics | |
| <ul style="list-style-type: none"> • the probability, duration, frequency and reversibility of the effects | <p>The following likely impacts of the draft plan have been identified theme by theme:</p> <p>Biodiversity</p> <ul style="list-style-type: none"> • Part of the NP area falls within the Impact Risk Zone of the Garnetts Wood / Barnston Lays SSSI. For planning proposals falling within the SSSI impact zones, there is a requirement to assess the impact on SSSI/SPAs/SACs and Ramsar sites. For this SSSI, however Natural England only require to be consulted on planning proposals |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <p>involving;</p> <ul style="list-style-type: none"> – airports, helipads and other aviation proposals; – pig and poultry units, slurry lagoons larger than 750 sq. metres and manure stores greater than 3500 t; and – any discharge of water or liquid water of more than 20m³/day to ground (i.e. to seep away) or to surface water, such as a beck or stream (NB this does not include discharges to main sewer which are unlikely to pose a risk at this location). <p>Therefore there cannot be considered to be likely significant effects on nationally designated sites within the plan area.</p> <p>Population The plan works within the context of the Local Plan in that development will be focused within the existing settlement boundaries designated as development limits in the adopted and emerging Local Plan. In addition, it allows for limited development outside the settlement boundary within Watch House Green subject to this being needed to facilitate expansion of the primary school. It also allows for additional residential development outside but adjacent to the Felsted village development limits subject to this being needed to deliver a new community hub. Due to the modest scale of proposals (0.7 hectares of land required for the community hub), it is considered there would be no significant effect on population resulting from the NP.</p> <p>Human Health The parish has an ageing population and an older age profile than at district or county level. This has implications regarding demand on local health services. There is a GP practice currently in the village, but the Practice states their existing facilities are too small and inadequate. In order to continue practicing, they need bigger and more modern facilities. Without the NP in place, there is a real danger the GP practice will close down in the local area and this will have negative impact on the community. The NP seeks to address existing health issues by facilitating the relocation of health facilities as part of the new community hub.</p> |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|--|
| | <p>Fauna The impacts of the NP on fauna are not considered significant at plan level. It is possible that individual development proposals could come forward in line with NP policies which will have adverse impacts on some species. These are not likely to be significant enough to trigger strategic environmental assessment. Furthermore, both the NP and Local Plan include policies which would require any impacts on biodiversity to be assessed and where needed mitigated.</p> <p>Flora The impacts of the NP on flora are not considered significant at plan level. The development proposed in the NP is unlikely to harm sites in the plan area with existing notable features of flora (areas of woodland, traditional orchards, wood pasture and parkland (identified as England Biodiversity Action Plan priority habitat), good quality semi improved grassland or young woodland or area of floodplain grazing land). It is possible that individual development proposals could come forward in line with NP policies which will have adverse impacts on flora. These are not likely to be significant enough to trigger strategic environmental assessment. Furthermore, both the NP and Local Plan include policies which would require any impacts on biodiversity to be assessed and where needed mitigated.</p> <p>Soil The NP area contains Grade 2 (Very Good) and Grade 3 (moderate to good) agricultural land/soil quality. The proposals in the NP could lead to loss of land outside the existing settlement boundary around Felsted village and Watch house green. This loss however is not considered significant.</p> <p>Water The whole of the NP plan area falls within a Nitrate Vulnerable Zone for ground water and surface water as reviewed in 2017. Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. The NP proposes an element of housing development in addition to that set out in the Local Plan. Housing development will not expose the area to further agricultural nitrate pollution.</p> |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <p>Neither is the residential development likely to impact upon the drinking water safeguard zone for surface water which the parish falls within.</p> <p>Air There will be limited impacts on air quality as a result of the residential development proposed in the NP. The plan does seek to address traffic congestion that exists in Felsted village and from this perspective there could be a positive impact.</p> <p>Climatic Factors The areas where additional development could come forward within the plan area as a result of the NP are not areas exposed to high fluvial or surface water flooding. There will be no impact resulting from the NP in this regard.</p> <p>Cultural Heritage The NP area has a rich cultural heritage. This is well documented in the Felsted Conservation Area character Appraisal as well as the Heritage and Character Assessment (HCA) that has been undertaken to inform the plan development. The Felsted HCA breaks the NP area into 5 different character areas. This includes Felsted Village which will be the focus of development in the plan period including the proposed community hub. The HCA states the following of the Felsted village character area: Key Characteristics:</p> <ul style="list-style-type: none"> • The village is located on a plateau of higher ground with land sloping down towards the River Chelmer to the west beyond the edge of the village; • A diverse but distinctive vernacular; • Intricate and interesting roof-scape of red tiles, red brick chimney stacks and chimneys; • An intimate scale within the historic core resulting from the fine grain and consistent building line; • Buildings and private curtilages are well managed, creating an overall perception of a well-maintained townscape; • Strong historical and cultural associations, particularly in relation to Felsted School; |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|--|
| | <ul style="list-style-type: none"> • Substantial areas of well-maintained green space within Felsted School, which provide the setting of the historic buildings of the school; • Views are typically channelled by buildings along road corridor, but are more open across Felsted School; and • The village is surrounded by recreation grounds, allotments and sports pitches associated with Felsted School. <p>Positive aspects of character which should be sustained, reinforced or enhanced:</p> <ul style="list-style-type: none"> • Intricate, distinctive yet diverse vernacular of the area; • Generally high level of management and maintenance of buildings and private green space; • Limited and palette of street furniture which is reflective of the historic character of the village; • High level of preservation of historic fabric in the core of the village; • A diversity of traditional construction materials, particularly within the Felsted conservation area, including various façade treatments of vernacular timber framed buildings to polite gothic revival style polychromatic brick which together contribute to local distinctiveness; • Church of Holy Cross and Felsted School is taller than other buildings in the village and forms a local landmark; • Open space both within the village and the rural fringes, contribute positively to the setting and significance of heritage assets in the LCA; • The generally narrow streets and tight building lines create a sense of enclosure in the historic core. <p>Identified issues which could be addressed through new development or active management:</p> <ul style="list-style-type: none"> • Shop fronts and signage is not always sensitive to the historic character of the building or setting of the village; • High volumes of traffic and parked cars are a particular issue at peak times during the school term; and • On-street parking along Station Road and Braintree Road detracts from the setting of the historic core. |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|---|
| | <p>Elements which are particularly sensitive to change:</p> <ul style="list-style-type: none"> • The extension of Felsted School has been sensitive in respect of the surrounding character of the landscape; however, the cumulative effect of expansion has potential to erode the historic character of the area; • The introduction of further utility poles with associated wires, along with TV aerials and satellite dishes threatens the intricate and interesting roof-scape, particularly within the historic core of the area. • The rural edges of the village are sensitive to urban expansion; • The gaps formed by open countryside between the village of Felsted and Causeway End. <p>The policies in the NP are informed by the findings of the Felsted HCA. However the plan also proposes additional development on the edge of Felsted village which have been identified as sensitive to urban expansion. The HCA also identifies the gap between the village of Felsted and Causeway End being sensitive to change. Design policies in the draft NP (see Integrity, Character and Heritage section) however require that all development proposals contribute positively to the character and heritage of the Parish. Policy ICH6 also resists all development proposals that would lead to coalescence between Felsted and any other hamlets.</p> <p>As a whole the policies in the NP provide useful added context so that more strategic policies set in the Local Plan regarding heritage can be implemented more rigorously at the local level within the NP area. The maximum extent of development outside the existing settlement limits that could come forward as part of the NP is an area of 0.7 hectares on the edge of Felsted village and a smaller area of land adjacent to the primary school at Watch House Green. The limit of new development alongside strong policy criteria regarding the impacts of the built form on existing heritage assets means that impact is not considered significant.</p> <p>Landscape The maximum extent of development outside the existing settlement limits that could come forward as part of the NP is an area of 0.7 hectares on the edge of Felsted village and a</p> |

| Table 1: Criteria for determining the likely significance of environmental effects | Felsted NDP |
|--|--|
| | smaller area of land adjacent to the primary school at Watch House Green. The limit of new development alongside strong policy criteria regarding the impacts of the built form on landscape and edge of settlement character means that impact is not considered significant. |
| <ul style="list-style-type: none"> the cumulative nature of the effects | The NP will sit alongside the Local Plan to provide a development management framework for new proposals in the NP area. The parish itself is not identified as a focus for future growth. Having a primary school and some local services, the village is identified as a Type A village acting as a local service centre and only suitable for a scale of development that reinforces its role as a local centre. The cumulative impacts of the NP are not considered to be significant. |
| <ul style="list-style-type: none"> the risks to human health or the environment (for example, due to accidents) | There are no potential risks to human health or the environment as a direct result of the development management framework proposed in the NDP area. |
| <ul style="list-style-type: none"> the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | The population of the parish is currently 3,000. Whilst the NP shapes future development and identifies two locations where additional residential development could come forward, the overall extent of development is broadly in line with the growth that would occur in the parish without the NDP being in place. There are no significant effects as a result of the NDP. |
| <ul style="list-style-type: none"> the value and vulnerability of the area likely to be affected due to:- <ul style="list-style-type: none"> special natural characteristics or cultural heritage exceeded environmental quality standards or limit values intensive land-use | As set out above the NDP has been assessed as not having any significant effects on natural characteristics, cultural heritage, environmental quality standards or intensive land use. |
| <ul style="list-style-type: none"> the effects on areas or landscapes which have a recognised national, Community or international protection status | As set out above, the NP has been assessed as not having any significant effects on landscape which have a recognised national, community or international protection status. |

4. SEA Conclusions

- 4.1 As a result of the assessment in Section 4, it is considered there are no likely significant environmental effects resulting from the Felsted NDP. However this is a preliminary view reached prior to consulting the statutory consultees: Historic England, Natural England and the Environment Agency.

Superseded

5. Legislative Background to HRA

- 5.1 The application of Habitats Regulation Assessment to land use plans is a requirement of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations); the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (widely referred as to the Habitats Directive). Article 6(3) of the Habitats Directive requires that any plan (or project) which is not directly connected with or necessary to the management of a European site (also known as a Natura 2000 site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans and projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives. The plan-making body shall agree to the plan only after having ascertained that it will not adversely affect the integrity of the site concerned.
- 5.2 European sites provide ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs), designated under the Habitats Directive, and Special Protection Areas (SPAs), designated under European Union Directive 2009/147/EC *on the conservation of wild birds* (the Birds Directive). The government also expects authorities to treat Ramsar sites, designated under the Convention of Wetlands of International Importance, UNESCO 1971, as if they are a European sites.
- 5.3 Meanwhile, Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) states the following basic condition applies to neighbourhood plans.
- "The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (e)) either alone or in combination with other plans or projects)."*
- 5.4 This means that any neighbourhood plan that triggers the need for an appropriate assessment (by virtue of it being likely to have a significant effect on a European site) will actually not meet the basic conditions that it is being tested against at the neighbourhood plan examination.

6. HRA Screening for the Felsted NDP

6.1 This section of the report:

- considers whether there are any European sites which could potentially be affected by the Felsted NP.

6.2 Natura 2000 Sites

Natura 2000 is central to the EU nature and biodiversity policy and forms an EU wide network of nature protection areas. The aim of the network is to ensure the long-term survival of Europe's most valuable and threatened species and habitats.

The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the conservation of Natural Habitats and of Wild Fauna and Flora).

The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. Similarly the Habitats Directive requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Ramsar sites (Wetlands of International Importance) are also part of the Natura 2000 network. SPAs and SACs comprise Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. The Natura Network in England is comprises SPAs, SACs and Ramsar sites.

6.2.1 European Sites to be considered

As shown on Figure 2 below, there are no European sites which lie within or close to the Felsted NP area. The closest site is the Blackwater Estuary SPA, SAC, Ramsar site which is located 17.5km to the south east of Felsted Neighbourhood area. Other Local Plan HRA reports have identified zones of influence which determine the distance at which new development may result in changes in recreational use and therefore where mitigation is necessary. Based on evidence such as visitor surveys the zone of influence for the Blackwater Estuary SPA, SCA and Ramsar has been determined as 8km. Therefore at 17.5km the NP area is well beyond this zone of influence. Epping Forest SAC to the south-west of Felsted is located 28 km away which is well above the 5km distance identified in the Epping Forest HRA (November 2016) as the zone of influence to identify potential recreational impacts on the Forest.

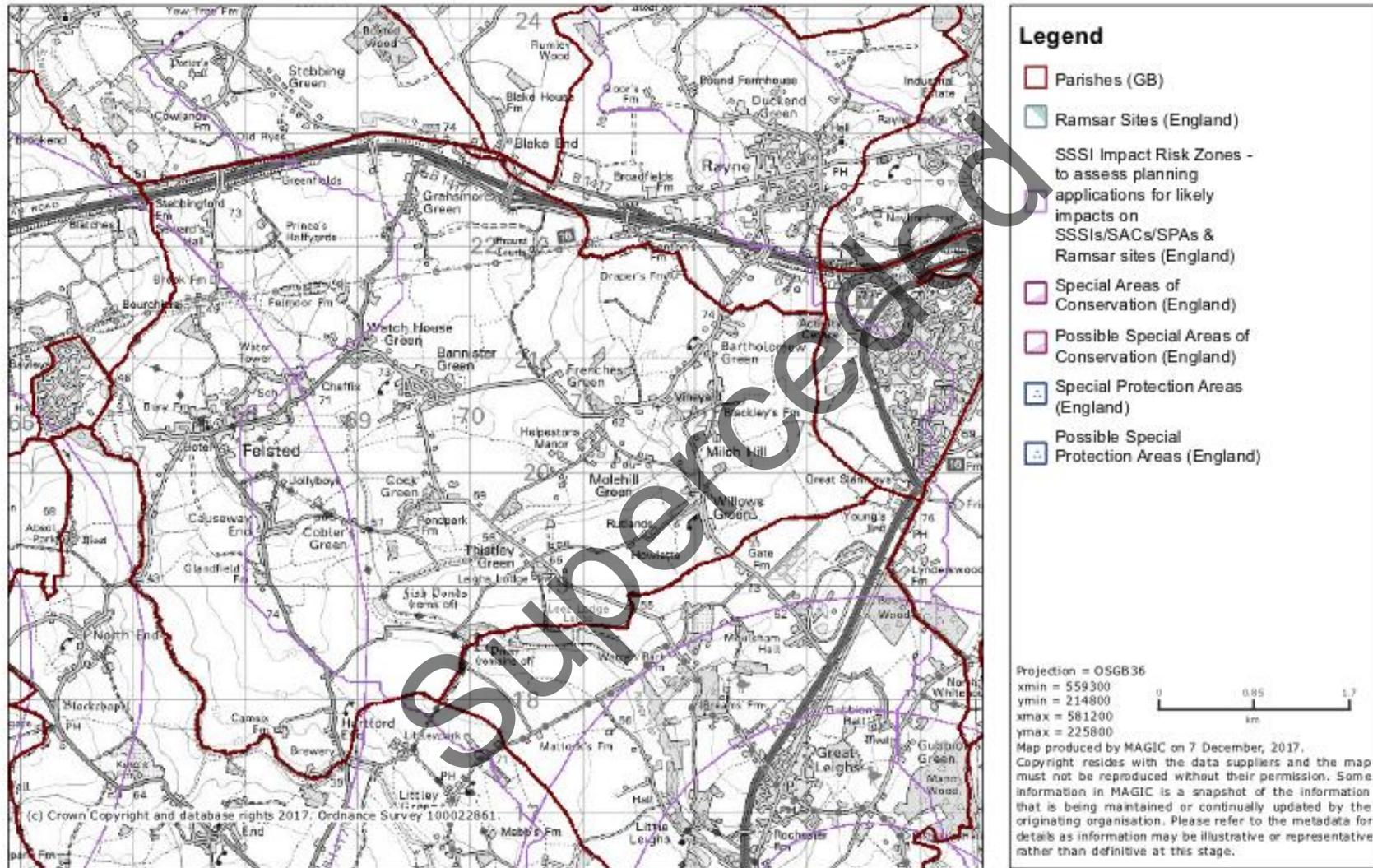
Figure 2: Felsted Neighbourhood Plan Area - 8km Buffer Zone



6.2.2 Sites of Special Scientific Interest to be considered

A search on www.magic.gov.uk has also been undertaken. This confirms that the Felsted parish does not fall within the Impact Risk Zone for development categories proposed by the plan. It shows that the NP area including Felsted village falls within the Impact Risk Zone of four SSSIs e.g. the Garnetts Wood / Barnston Lays SSSI. The impact zone is applicable to the following development type categories: airports, helipads and other aviation; pig and poultry units and any discharge of water or liquid waste of more than 20m³/day to ground (i.e. to seep away) or to surface water, such as a beck or stream and planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. and Oil & gas exploration/extraction. The map extract (Figure 3) from www.magic.gov.uk is shown below and the corresponding details accompanying the SSS impact zone layer is shown in Appendix 1 to this document.

Superceded



7. Conclusions

7.1 Strategic Environmental Assessment (SEA)

The Felsted Neighbourhood Plan (NP) has been prepared for town and country purposes and sets a framework for future development. The policies in the Plan determine the use of small areas at a plan level commensurate with their status in local planning application determination. The local environmental concerns within the Neighbourhood Plan area will be addressed through the relocation and development of the Community Hub. This is likely to include an allocation for approximately 30 dwellings beyond the existing development limits. However, the NP is informed by a recently completed Heritage and Character Assessment which has been undertaken to inform the policies in the plan. Design policies in the NP (see Integrity, Character and Heritage section) require that all development proposals contribute positively to the character and heritage of the parish. The NP will only allow for development that is appropriate and sensitive to Felsted's setting and Policy ICH 1 for instance includes a requirement for *sensitive treatment of the rural edge particularly around Felsted village with regard to impact on heritage assets and their setting including the surrounding landscape*". As a result of the SEA assessment set out in this report, it is considered there are no likely significant environment effects resulting from the Felsted Neighbourhood Plan. This is a preliminary view reached prior to consulting the statutory consultees: Historic England, Natural England and the Environment Agency.

7.2 HRA Screening

The Neighbourhood Plan HRA Screening Assessment concludes that there are no European sites which need to be assessed for likely significant effects as a result of the Felsted NP.

Subject to Natural England's review, This HRA screening report indicates that the Felsted Neighbourhood Plan is not predicted to have likely significant effects on any European site, either in isolation or in combination with other plans and projects. This is a preliminary view reached prior to consulting the statutory consultee: Natural England

Appendix 1: Felsted site check report on Magic map for SSSI impact zone

11/27/2017

Site Check Report :Report generated on Mon Nov 27 2017
 You selected the location: Centroid Grid Ref: TL700201
 The following features have been found in your search area:

SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?

All Planning Applications

Infrastructure
 Wind & Solar Energy
 Minerals, Oil & Gas
 Rural Non Residential
 Residential
 Rural Residential
 Air Pollution
 Combustion
 Waste
 Composting
 Discharges

Water Supply
 Notes
 GUIDANCE – How to use the Impact Risk Zones

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

Any discharge of water or liquid waste of more than 20m³/day to ground (i.e. to seep away) or to surface water, such as a beck or stream (NB This does not include discharges to mains sewer which are unlikely to pose a risk at this location).

[/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf](#)

| | |
|---|--|
| <p>2.DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?</p> <p>All Planning Applications Infrastructure</p> <p>Wind & Solar Energy Minerals, Oil & Gas Rural Non Residential</p> <p>Residential Rural Residential Air Pollution Combustion Waste Composting Discharges</p> <p>Water Supply Notes GUIDANCE – How to use the Impact Risk Zones</p> | <p>2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:</p> <p>Airports, helipads and other aviation proposals.</p> <p>Pig & poultry units, slurry lagoons > 750m² & manure stores > 3500t.</p> <p>Any discharge of water or liquid waste of more than 20m³/day to ground (i.e.to seep away) or to surface water, such as a beck or stream (NB This does not include discharges to mains sewer which are unlikely to pose a risk at this location).</p> <p>/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf</p> |
| <p>Parishes (GB)</p> | |
| <p>Name Description Administrative Regions Hectares</p> | <p>Felsted CP Civil Parish or Community ESSEX_COUNTY 2403.759</p> |
| <p>Name Description Administrative Regions Hectares</p> | <p>Stebbing CP Civil Parish or Community ESSEXCOUNTY 1770.711</p> |
| <p>Name Description Administrative Regions Hectares</p> | <p>Little Dunmow CP Civil Parish or Community ESSEX_COUNTY 655.848</p> |

| | |
|---|---|
| Name Description Administrative Regions Hectares | Rayne CP Civil Parish or Community ESSEX_COUNTY 846.388 |
| Name Description Administrative Regions Hectares | Fritch Green CP Civil Parish or Community ESSEX_COUNTY 44.056 |
| Name Description Administrative Regions Hectares | Great Waltham CP Civil Parish or Community ESSEX_COUNTY 2503.801 |
| Name Description Administrative Regions Hectares | Great and Little Leighs CP Civil Parish or Community ESSEX_COUNTY 1689.253 |
| Name Description Administrative Regions Hectares | Great Notley CP Civil Parish or Community ESSEX_COUNTY 262.825 |

Supercoded

| | |
|--|---|
| <p>Ramsar Sites (England) - points No Features found</p> <p>Ramsar Sites (England) No Features found</p> <p>Sites of Special Scientific Interest Units (England) - points No Features found</p> <p>Sites of Special Scientific Interest Units (England) No Features found</p> <p>Sites of Special Scientific Interest (England) - points No Features found</p> <p>Sites of Special Scientific Interest (England) No Features found</p> <p>Special Areas of Conservation (England) - points No Features found</p> <p>Special Areas of Conservation (England) No Features found</p> <p>Possible Special Areas of Conservation (England) - points No Features found</p> <p>Possible Special Areas of Conservation (England) No Features found</p> <p>Special Protection Areas (England) - points No Features found</p> <p>Special Protection Areas (England) No Features found</p> <p>Possible Special Protection Areas (England) – points No Features found</p> <p>Possible Special Protection Areas (England) No Features found</p> | <p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-30deg);">Superceded</p> |
|--|---|

Appendix 2: Consultation Responses from the Statutory Environmental Bodies

Superceded



EAST OF ENGLAND OFFICE

Ms Demetria Macdonald
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Direct Dial: [REDACTED]
Our ref: PL00258177

17 January 2018

Dear Ms Macdonald

Thank you for your email of 14 December 2017 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 the SEA Scoping Report for the Felstead Neighbourhood Plan. 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 Screening Report you provided concludes that "there are no likely significant environmental effects arising from the Felstead Neighbourhood Plan". We have noted the plan's proposal to relocate the community facilities to a new location.

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 views of the other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your email dated 14 December 2017. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/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 SA/SEA, these would have an adverse effect upon the historic environment.



24 BROOKLAND AVENUE, CAMBRIDGE, CB2 9EU
Telephone 01223 562749
HistoricEngland.org.uk



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



EAST OF ENGLAND OFFICE

Historic England strongly advises that the conservation and archaeological staff of Uttlesford District Council 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 HER (formerly SMR); how the 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.

Yours sincerely,



Edward James
Historic Places Advisor, East of England



Superseded

E-mail From: eastplanningpolicy@HistoricEngland.org.uk

Sent :Thu 31/05/2018 12:18

Dear Demetria,

Thank you for your email.

I have reviewed this additional information, and am content that our initial advice need not change with regards the need for an SEA for the Felsted Neighbourhood Plan. We consider Site 20FEL15 unlikely to have any significant effects on the historic environment.

I note that Site 01/FEL15 is allocated as part of the emerging Uttlesford Local Plan. A desktop study suggests its location and relationship to Felsted means there is potential for significant effects relating to the impact of development on the setting of the Church of the Holy Cross (grade I listed) and the conservation area. However, providing the site has been subject to a rigorous assessment as part of the local plan process, we consider that there is not a need for an SEA regarding the neighbourhood plan's inclusion of this site.

Notwithstanding that, we would highlight the potential for this site to impact upon important views of Felsted and its striking church tower, and would strongly encourage that the neighbourhood plan include appropriately worded policies regarding the scale, form, layout, landscaping and materials of proposed development in this area, in order to guide the design of this development. This will ensure it avoids or minimises any harm to the significance of heritage assets, and ensure that the development reinforces local character and history. We would recommend that this is based upon a robust evidence base comprising the character assessment of Felsted found in the Felsted Conservation Area Appraisal and Management Plan (UDC 2012), and takes account of the relevant design advice in the Essex Design Guide, Manual for Streets 2, and Historic England's Streets for All document.

I hope that this is helpful, but please do contact me if you have any queries.

Kind regards,

Date: 21 December 2017
Our ref: 233962



Demetria Macdonald
Uttlesford District Council

Hornbeam House
Greve Business Park
Electra Way
Crewe
Cheshire
CW1 8GJ

T 0300 000 3800

BY EMAIL ONLY

Dear Ms Macdonald

Felsted Neighbourhood Plan Screening Opinion for SEA and HRA

Thank you for your consultation on the above dated 14 December 2017, which was received by Natural England on 14 December 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment and Habitat Regulations Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries, new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer.

We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Alice Watson
Consultations Team

Superceded

Date: 06 June 2018
Our ref: 248120
Your ref: Felsted NDP



Demetria Macdonald
Llifford District Council

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 8GJ

BY EMAIL ONLY

T 0300 090 3900

Dear Demetria

Requirement of New Felsted Neighbourhood SEA/HRA Screening Opinion

Thank you for your consultation on the above dated 29th May 2018 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies/proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Jacqui Salt
Consultations Team

Superceded



D Macdonald
Uttlesford District Council Offices
Council Offices London Road
Saffron Walden
Essex
CB11 4ER

Our ref: AE/2017/122335/01-L01
Your ref: *
Date: 14 December 2017

Dear Demetria Macdonald

NEIGHBOURHOOD PLANE SEA AND HRA SCREENING FELSTED, ESSEX

Thank you for seeking our views on this report. We do not feel that the neighbourhood plan would require SEA or HRA for the matters that fall within our remit.

The section in Table 1 that address the water environment should record that the majority of the rivers and tributaries, Chelmer and Ten catchments, are defined as "Moderate" for overall risk for Water Framework Directive purposes. The legislation states two key points with regards to these classifications:

- I. There should be no deterioration in classification (e.g. a quality element should not fall from High to Good)
- II. All watercourses must achieve an overall Good classification (referred to as good ecological status/potential) by 2027

The Anglian River Basin Management Plan provides further detail and should be referenced <https://www.gov.uk/government/collections/river-basin-management-plans-2015>

Yours sincerely


Mr GRAHAM STEEL
Sustainable Places - Planning Advisor

Direct dial 
Direct e-mail 

Email From: planning.ipswich@environment-agency.gov.uk

Sent: Mon 04/06/2018 15:52

Good afternoon Demetria

Thank you for your email, Graham Steel has now left the environment agency so I have picked this up.

As there are no constraints that fall within our remit at either of these sites we would not request a new SEA/HRA screening report.

Kind Regards

Charlie Christensen
Sustainable Places Planning Advisor – East Anglia Area (East)
Environment Agency | Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD

Superseded