

**Broadstairs & St. Peter's Neighbourhood Plan**

**Strategic Environmental Assessment**

**and**

**Habitats Regulations Assessment**

**Screening Report**

**August 2017**

Prepared by Thanet District Council

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## **Section 1**

### **Strategic Environmental Assessment Screening Report**

#### **Introduction**

This screening report is designed to determine whether or not the contents of the Broadstairs & St. Peter's Neighbourhood Development Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

The purpose of the Broadstairs & St. Peter's Neighbourhood Development Plan is to provide planning policies to guide development in the designated Broadstairs & St. Peter's Neighbourhood Plan area.

The legislative background set out below outlines the regulations that require the need for this screening exercise. A screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA has been undertaken.

#### **Legislative Background**

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or 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).

The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to sustainability appraisal by legislation (although it is advisable to carry out some form of sustainability assessment). Neighbourhood Plans are produced under the Localism Act 2011. The Localism Act requires neighbourhood plans to be compatible with EU and Human Rights Legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive and unless they choose to complete a full SA plans will need to be screened for SEA separately.

This section of the report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

### **Criteria for Assessing the Effects of the Neighbourhood Plan**

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard, in particular, to
  - 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 Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)
  
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - 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 (e.g. 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.

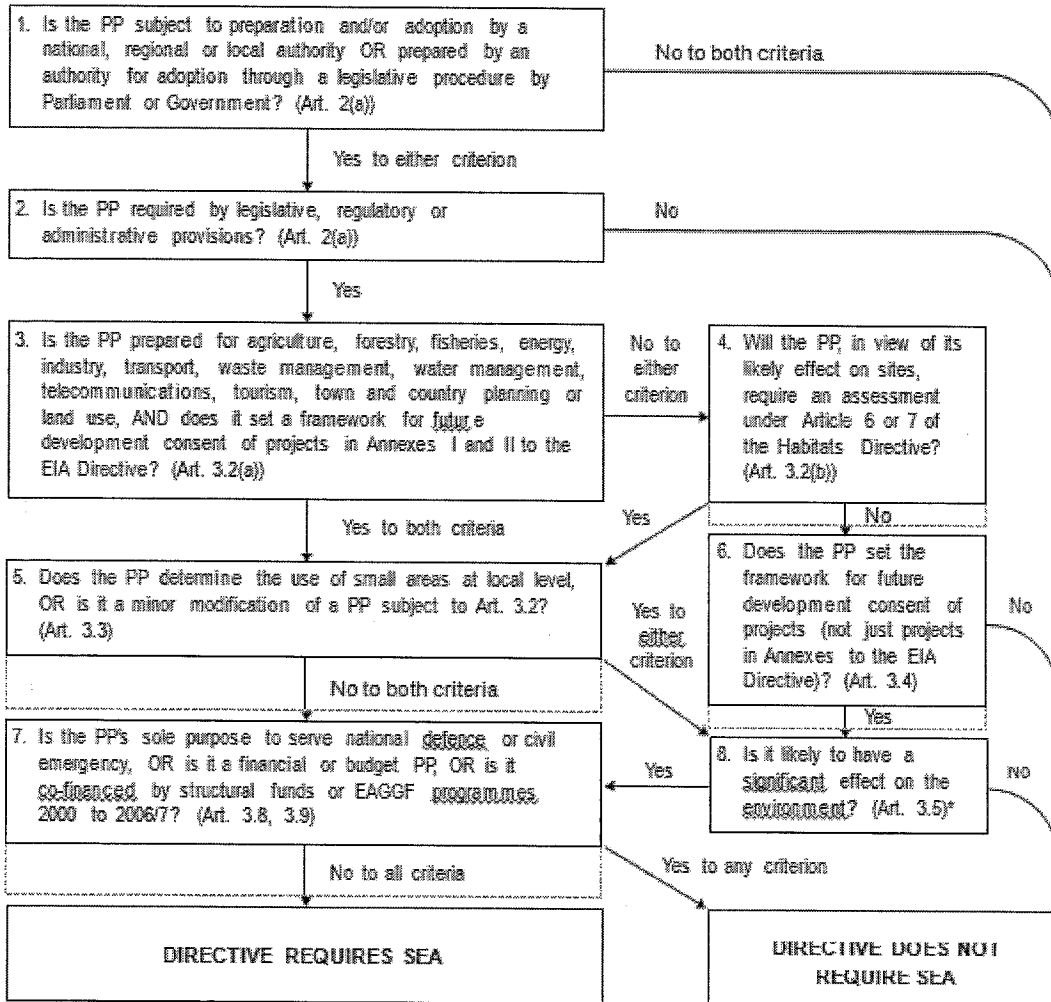
Source: Annex II of SEA Directive 2001/42/EC

## Assessment

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

**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.

The table below shows the assessment of whether the Neighbourhood Plan will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

**Table 1: SEA Screening Stage 1 – Application of the SEA Directive to the Neighbourhood Plan**

| Stage   | Y/N | Reason  |
|---|-----|---|
| 1. Is the plan or programme 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))   | Y   | Neighbourhood Plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which, in the case of Broadstairs & St. Peter's is the Town Council. It is subject to examination and referendum. If the Plan receives 50% or more 'yes' votes at referendum, it will be 'made' by the local planning authority (Thanet District Council). |
| 2. Is the plan or programme required by legislative, regulatory or administrative provisions? (Art. 2(a))   | N   | The preparation of a Neighbourhood Development Plan is optional. However, once 'made', it will form part of the statutory Development Plan for the area and will be used in the determination of planning applications. It is therefore considered necessary to answer the following questions to determine further if a SEA is required.   |
| 3. Is the plan or programme 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 to the EIA Directive? (Article 3.2(a)) | Y   | The Neighbourhood Plan has been prepared for town and country planning and land use and sets out a framework for future development in Broadstairs & St. Peter's. Once 'made', it would form part of the statutory development plan, and will be used when making decisions on planning applications which could include development which may fall under Annex I and II of the EIA Directive.  |
| 4. Will the plan or programme, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))  |     | The Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. However, this requires individual assessment of a Plan (see Section 2).   |
| 5. Does the plan or programme determine the use of small areas at local OR is it a minor modification of a PP subject to article 3.2? (Article 3.3)   | Y   | The Neighbourhood Plan determines the use of small sites at the local (neighbourhood) level.  |
| 6. Does the plan or programme set the framework for future development  | Y   | A Neighbourhood Plan forms part of the Development Plan and will be used in the   |

|   |   |   |
|---|---|---|
| consent of projects (not just projects in annexes to the EIA Directive)? Article 3.4)   |   | assessment of planning applications. It therefore sets the framework for future developments at a local level.  |
| 7. Is the plan or programme'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? (Article 3.8, 3.9) | N | Not Applicable  |
| 8. Is it likely to have a significant effect on the environment? (Article 3.5)  |   | A Neighbourhood Plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan. An individual screening assessment of the Neighbourhood Plan is required (see Table 2) |

The results of the preceding assessment indicate that, depending upon the content of a Neighbourhood Plan, a Strategic Environmental Assessment may be required. For this reason, Neighbourhood Plans should be assessed individually in order to determine their likely significant effects on the environment. Therefore it was necessary to complete stage 2 of the SEA screening assessment.

The table below sets out the assessment against the Strategic Environmental Assessment criteria for the Broadstairs & St. Peter's Neighbourhood Plan. This is to determine whether the implementation of the Neighbourhood Plan will have a significant effect on the environment. This criteria against which the screening is carried out are taken directly from Annex II of the European Union Directive 2001/42/EC (also known as the SEA Directive), as required by Article 3(4), as outlined above.

The Issues and Options document for the Broadstairs & St. Peter's Neighbourhood Plan (July 2017) has been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

**Table 2: SEA Screening Stage 2 – Assessment of Likelihood of Significant Effects on the Environment**

| Criteria for Determining the Likely Significant Effects   | Is the .....Neighbourhood Plan Likely to Have a Significant Environmental Effect | Justification for Screening Assessment   |
|---|--|--|
| 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 allocation of resources | No   | The Broadstairs & St. Peter's Neighbourhood Plan sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Thanet Local Plan 2006 and the emerging Thanet Local Plan which have already been subject to SEA and HRA as part of the Sustainability Appraisal.  |
| The degree to which the plan or programme influences other plans and programmes including those in the hierarchy  | No   | The Broadstairs & St. Peter's Neighbourhood Plan must be in general conformity with the Strategic Policies within the adopted Thanet Local Plan 2006 and the emerging Local Plan. It therefore supports the implementation of higher tier policies at the neighbourhood level and, as such, is not considered to have a significant influence on other plans and programmes. Should a project emerge from the objectives this may need further separate screening. |
| The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development   | No   | The Broadstairs & St. Peter's Neighbourhood Plan contributes to the achievement of sustainable development at the neighbourhood level. Policies set out in the plan protect assets of local environmental value, and provide locally distinct planning policies to protect them. The likelihood of significant effects on the environment is, therefore minimised.   |
| Environmental problems  | No   | Because of the scale of  |



|   |    |  |
|---|----|--|
| relevant to the plan or programme   |    | development proposed in the Neighbourhood Plan itself, environmental impacts are likely to be small. The plan does not specifically allocate sites for development.  |
| The relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection) | No | The Broadstairs & St. Peter's Neighbourhood Plan must be in conformity with higher level plans that comprise the adopted Thanet Local Plan 2006 and the emerging Local Plan. These have had regard to European Community legislation on the environment. Consequently, the policies of the neighbourhood plan are not considered to be relevant to the implementation of EC legislation. |
| The probability, duration, frequency and reversibility of the effects   | No | The Plan policies are designed to ensure that any new development will be sustainable and any environmental impacts minimised.   |
| The cumulative nature of the effects  | No | The Neighbourhood Plan's policies are unlikely to have significant cumulative impacts on the local environment.  |
| The trans-boundary nature of the effects  | No | The policies in the Broadstairs & St. Peter's Neighbourhood Plan are unlikely to have significant environmental impacts on neighbouring areas.   |
| The risks to human health or the environment (e.g. due to accidents)  | No | No significant risks to human health or the environment as a result of the Plan's policies have been identified. The plan is likely to improve human health by improving access to green infrastructure and amenity areas.   |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be  | No | The Broadstairs & St. Peter's Neighbourhood Plan is concerned with development within the neighbourhood  |

|  |    |   |
|--|----|---|
| affected)  |    | area. The potential for environmental impacts is likely to be limited and minimal.  |
| <p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>-special natural characteristics or cultural heritage;</li> <li>-exceeded environmental quality standards or limit values;</li> <li>-intensive land use</li> </ul> <p>The effects on areas or landscapes which have a recognised national, Community or international protection</p> | No | <p>The Broadstairs &amp; St. Peter's Neighbourhood Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage or areas and landscapes which have a recognised national, Community or international protection.</p> <p>In fact, its policies provide greater support to enhance the natural and cultural assets of the area.</p> |

On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Broadstairs & St Peter's Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.

The main reasons for this conclusion are:

- The Broadstairs & St. Peter's Neighbourhood Plan supports the implementation of policies in the adopted and emerging Thanet Local Plan which have already been subject to SEA through the Sustainability Appraisal and assessed as having no significant environmental effects.
- The Broadstairs & St. Peter's Neighbourhood Plan does not allocate sites for development
- The Broadstairs & St. Peter's Neighbourhood Plan is a lower tier plan in the hierarchy of planning documents for the area, and therefore has limited influence on other plans or programmes.
- The plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic.
- Through its policies, the Broadstairs & St Peter's Neighbourhood Plan seeks to avoid or minimise negative environmental effects.

## **Section 2**

### **Habitats Regulations Assessment Screening Report**

In addition to the screening of the Neighbourhood Plan in relation to SEA, there is a requirement to assess if the proposals within the Neighbourhood Plan could have an adverse impact on internationally designated wildlife sites. The Habitats Regulation Assessment (HRA) is required by the European Habitats Directive.

The HRA involves an assessment of any plan or project to establish if it has potential implications for European wildlife sites. The HRA will consider if the proposals in the Neighbourhood Plan have the potential to harm the habitats or species for which European wildlife sites are designated. European wildlife sites are often known as Natura 2000 sites and include:

- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
- Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)

In addition to SPA and SAC sites Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats Regulations, as a matter of Government Policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a 'screening' exercise where the details of nearby internationally designated sites within a reasonable distance from the Neighbourhood Plan Area are assessed to see if there is any potential for the Neighbourhood Plan proposals to have an impact on the site. For the purposes of this HRA screening assessment a 'reasonable distance' will be taken to be sites within 15km of the designated Neighbourhood Plan Area.

For the HRA 'screening' assessment the Neighbourhood Plan Area was checked to see if any Special Protection Areas, Special Areas of Conservation Sites, or Ramsar sites were located within its area. The assessment also checked to see if any of these internationally important sites were located within a 15km radius from the Neighbourhood Plan Area.

### **Section 3**

#### **SEA and HRA Screening Conclusion**

This report sets out the assessment of the need for the Broadstairs & St. Peter's Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.

The assessment of both these requirements has been undertaken on the Issues and Options document for the Neighbourhood Plan which was published in July 2017. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

#### **Strategic Environmental Assessment**

In relation to the requirement for the Broadstairs & St. Peter's Neighbourhood Plan to be subject to Strategic Environmental Assessment, it is concluded in the assessment set out in Stages 1 and 2 above that the plan in its current form is unlikely to have significant environmental effects and therefore SEA will not be required.

#### **Habitats Regulations Assessment**

HRAs published to date have typically considered European sites with a 15km radius around the plan area. Using this approach of a 15km radius, based on the information available, it is concluded that the Broadstairs & St. Peter's Neighbourhood Plan will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans and therefore does not require a Habitat Regulation Assessment to be undertaken.

## **Section 4**

### **Next Stages**

#### **Strategic Environmental Assessment**

The next stage will be to submit this Screening Report on the Broadstairs & St. Peter's Neighbourhood Plan to the Statutory Consultees (Natural England, Environment Agency and English Heritage). The Statutory Consultees will be asked to consider the Screening Report and confirm if they consider an SEA is necessary or not. The consultation period will last for five weeks.

If the Statutory Consultees advise that an SEA is necessary then a Sustainability Appraisal will be carried out on the Neighbourhood Plan. The Sustainability Appraisal will integrate the requirements of the SEA Regulations. This will ensure that the potential environmental effects (the focus of the SEA) are given full consideration alongside social and environmental issues. The Sustainability Appraisal will sit alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority when the proposed Neighbourhood Plan is submitted.

If it is concluded that the emerging neighbourhood plan will not require a full SEA, then it will be necessary to publish the Statutory Consultee responses together with this screening assessment on the Thanet District Council website and the Broadstairs and St. Peter's Town Council website. In accordance with the Neighbourhood Planning Regulations (2015) Amendment, a statement of reasons why an environmental assessment is not required will need to be published and submitted to the Local Planning Authority with the proposed Neighbourhood Plan.

#### **Habitats Regulations Assessment**

The next stage will also request Natural England to consider the screening assessment of the Habitats Regulations Assessment (HRA) and to advise if a HRA is necessary or not. If Natural England advises that a HRA is necessary then a HRA will be prepared and will sit alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority with the proposed Neighbourhood Plan.



## Helen Johnson

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**From:** Plan Cons Area Team (Sussex and Kent) (NE)  
<PlanConsAreaTeamSussexandKent@defra.gsi.gov.uk>  
**Sent:** 28 September 2017 19:13  
**To:** Helen Johnson  
**Subject:** (NE ref - 22451) Broadstairs and St Peter's Neighbourhood Plan SEA and HRA Screening Report (Thanet)  
**Attachments:** Broadstairs and St. Peter's NP SEA screening report..pdf

Dear Helen Johnson,

Please find attached our response to your consultation. A feedback form is also attached, should you wish to provide us with feedback relating to our response to this application,

Yours sincerely,

**Rebecca Bishop MRTPI**  
**Adviser**  
**Sustainable Development**  
**Sussex & Kent Team**

**Natural England**  
**Mail Hub Natural England,**  
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In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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**From:** Helen Johnson [<mailto:Helen.Johnson@THANET.GOV.UK>]  
**Sent:** 25 August 2017 14:50  
**To:** Consultations (NE) <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>; [KSLPlanning@environment-agency.gov.uk](mailto:KSLPlanning@environment-agency.gov.uk); 'e-seast@historicengland.org.uk' <[e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)>  
**Cc:** Twizell, Heather (NE) <[Heather.Twizell@naturalengland.org.uk](mailto:Heather.Twizell@naturalengland.org.uk)>; 'jennifer.wilson@environment-agency.gov.uk' <[jennifer.wilson@environment-agency.gov.uk](mailto:jennifer.wilson@environment-agency.gov.uk)>; 'Alan.Byrne@HistoricEngland.org.uk' <[Alan.Byrne@HistoricEngland.org.uk](mailto:Alan.Byrne@HistoricEngland.org.uk)>; Jo Wadey <[Jo.Wadey@THANET.GOV.UK](mailto:Jo.Wadey@THANET.GOV.UK)>  
**Subject:** Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Good afternoon,

Please find attached the SEA and HRA Screening Report that has been undertaken using the Issues and Options document for the Broadstairs and St Peter's Neighbourhood Plan.

As a statutory consultee I would be grateful for receipt of your comments in relation to the screening report and conclusions within the next 35 days (5 weeks).

Please can you copy Jo Wadey (email address above) into your reply as I am due to take annual leave.

If I can be of any assistance, please do not hesitate to contact me.

Many thanks and kind regards  
Helen

Helen Johnson  
Applications and Neighbourhood Planning Officer  
Thanet District Council  
Direct Dial: 01843 577196

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Date: 28 September 2017  
Our ref: 224513



Helen Johnson  
Applications and Neighbourhood Planning Officer  
Thanet District Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Helen Johnson,

Broadstairs and St Peter's Neighbourhood Plan SEA and HRA Screening Report

Thank you for your consultation on the above dated 25<sup>th</sup> August 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**

It is our advice, on the basis of the material supplied with the consultation (and in particular, that no development sites are being allocated), 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<sup>1</sup>. 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 relating to the specific advice in this letter only please contact Rebecca Bishop on 02080 266009. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely,

*Rebecca Bishop*

**Rebecca Bishop MRTPI**  
**Adviser**  
Sustainable Development  
Sussex & Kent Team

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## Helen Johnson

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**From:** KSLPlanning <KSLPLANNING@environment-agency.gov.uk>  
**Sent:** 04 September 2017 10:53  
**To:** Helen Johnson  
**Cc:** Jo Wadey; Wilson, Jennifer  
**Subject:** RE: Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report  
**Attachments:** Neighbourhood Plan Guidance for Parish.pdf; GVZ.pdf; IS.pdf; SPZ.pdf

Dear Helen,

Thank you for consulting us on the **Broadstairs & St Peter's Neighbourhood Plan SEA and HRA Screening Report**.

We have no major concerns with the proposed area however, the plan developers should be made aware of the environmental constraints in the area (see attached maps) and the attached "Planning for the environment at the neighbourhood level". We note that no reference has been made to groundwater in the Issues and Options Report, this may need to be considered.

Due the sensitivity of the groundwater in the locality and taking into consideration the requirements of the Water Framework Directive we would like to see reference made to this environment in future NHP documents This will ensure that the policies within the NHP help protect and, where feasible, improve the condition of the groundwater.

If you have any queries, please do not hesitate to contact me.

Kind regards,

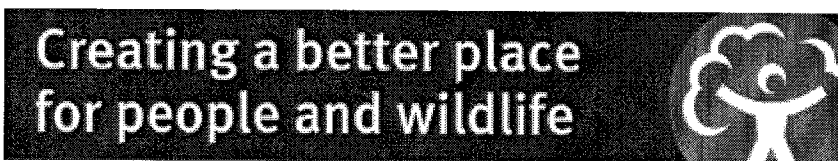
**Samantha Watts**

Planning Advisor, Sustainable Places

**Environment Agency** | Orchard House, Endeavour Park, London Road, Addington, Kent, ME19 5SH

kslplanning@environment-agency.gov.uk

External: 020 847 48022



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**From:** Helen Johnson [<mailto:Helen.Johnson@THANET.GOV.UK>]

**Sent:** 25 August 2017 14:50

**To:** 'consultations@naturalengland.org.uk' <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>; KSLPLANNING <[KSLPLANNING@environment-agency.gov.uk](mailto:KSLPLANNING@environment-agency.gov.uk)>; 'e-seast@historicengland.org.uk' <[e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)>

**Cc:** Twizell, Heather (NE) ([Heather.Twizell@naturalengland.org.uk](mailto:Heather.Twizell@naturalengland.org.uk)) <[Heather.Twizell@naturalengland.org.uk](mailto:Heather.Twizell@naturalengland.org.uk)>;

Wilson, Jennifer <jennifer.wilson@environment-agency.gov.uk>; 'Alan.Byrne@HistoricEngland.org.uk'  
<Alan.Byrne@HistoricEngland.org.uk>; Jo Wadey <Jo.Wadey@THANET.GOV.UK>

**Subject:** Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

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Please can you copy Jo Wadey (email address above) into your reply as I am due to take annual leave.

If I can be of any assistance, please do not hesitate to contact me.

Many thanks and kind regards  
Helen

Helen Johnson  
Applications and Neighbourhood Planning Officer  
Thanet District Council  
Direct Dial: 01843 577196

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# Planning for the environment at the neighbourhood level

The Environment Agency, English Heritage, Forestry Commission and Natural England are the statutory environmental bodies that deliver the Government's work to protect and improve the natural, built and historic environment.

Neighbourhood planning is a new way for communities to shape the future of the places where they live and work. This advice note is for community groups and parish / town councils starting work on a neighbourhood plan, neighbourhood development order, or Community Right to Build Order. It covers:

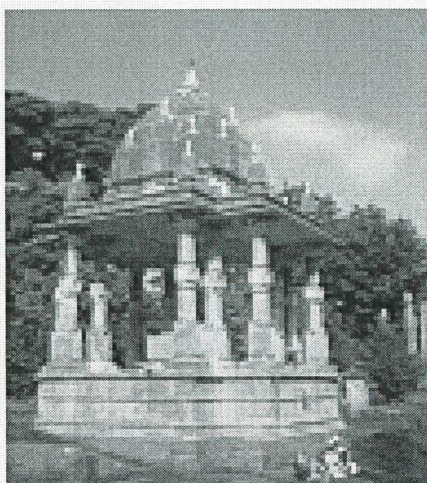
- ideas on how to improve your local environment through neighbourhood planning
- where to go for information about your local environment
- information on environmental assessment
- when to consult us.

## Starting points for thinking about your local environment

The first point of contact for any neighbourhood planning is your local authority (council). Drawing up a neighbourhood plan is an exciting opportunity to think about improving your local environment.

**You could protect and improve environmental assets and places valued by local people** such as archaeology, historic buildings, green spaces, Local Nature Reserves, and Registered Parks and Gardens. This could include maintaining sites and their heritage assets, promoting the repair and re-use of redundant historic buildings, opening up new opportunities for recreation, access and leisure, and designating Local Green Spaces.





### Improving local heritage within the community

Arnos Vale is a 45-acre cemetery in the centre of Bristol and is one of the best examples of a Victorian 'Arcadian' garden cemetery. Opened in 1839, it remains a working cemetery and also a heritage attraction and highly valued green space. The cemetery was passed to the Arnos Vale Cemetery Trust in 2003 after falling into decay and closing. Investment was secured from Heritage Lottery Fund, English Heritage and other charitable funders and matched in volunteer hours. Since then the restoration programme has restored some of the listed buildings and monuments, and the Estate is now well managed with habitats and wildlife conserved. Visitor facilities together with learning and interpretation resources have been developed to promote the history, landscape and biodiversity of the site.

**Did you know?** Local Authorities maintain a Historic Environment Record (often available online) with details of all designated heritage assets and other known archaeological sites, historic buildings, landscapes and sites of local value.

**You could identify opportunities for new green spaces or improvements to public space through new development.** This could include linking open spaces to make 'green corridors' for people and wildlife, planting trees, or making improvements to local waterways. You could also encourage good design to ensure that new development reflects and complements the character of the area.



### Adapting to climate risks and creating green space

Mayesbrook Park in East London is a 45 hectare park built in the 1930s, which has been designated as a Local Nature Reserve and Local Wildlife Site. Underused and in an area of high social deprivation, it was in a poor condition. Local partners and the community worked together to redevelop the site as a Climate Change Park, to help the local community protect themselves from the effects of climate change. Works including river restoration, wetland creation and tree planting are underway. These improvements will reduce flood risk to homes, create high quality habitat for wildlife, and provide an education and recreation resource. The planned improvements will also help to cool the air, and provide clean water and shade.

**Did you know?** Green spaces can attract investment. Public funding of £425,000 in Portland Basin Green Business Park secured over £1.8 million of private investment due to landscaping improvements (CLES, 2007). Many local authorities have green infrastructure plans that tell you more about local green spaces and practical ways to make the most of them.





### Reducing flood risk and improving water quality

Lamb Drove in Cambourne, South Cambridgeshire is a residential development of 35 affordable homes built by Cambridge Housing Society. It successfully showcased sustainable drainage systems (SuDS) as a viable and attractive alternative to more piped drainage systems. The SuDS measures included: water butts; permeable paving; a green roof; swales; detention basins; filter strips; and a retention pond. The scheme has reduced the impact of development on flood risk and improved water quality. The scheme resulted in an enhanced landscape for local residents and improved biodiversity and ecology. For examples of SuDS schemes see:

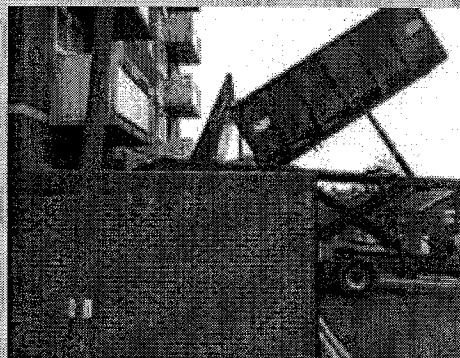
[www.ciria.com/suds/case\\_studies.htm](http://www.ciria.com/suds/case_studies.htm)

You could help your area to manage environmental risks and improve its resilience to climate change through neighbourhood planning. By highlighting local problems and developing policies for land use, you could help your community to manage the risk of flooding by providing landscaping to manage and store water, and by promoting the use of sustainable drainage systems. Planting trees helps to create green spaces can store water, and provide shade for people and wildlife.

**Did you know?** 3.8 million properties could be susceptible to surface water flooding in England and Wales, including around one million also at risk from rivers or the sea.

**You could also help your community save money** through sustainable construction. Neighbourhood planning is an opportunity for communities to encourage efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of wood and recycled materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.

**Did you know? Every cubic metre of wood used as a substitute** for other building materials saves around two tonnes of carbon dioxide.



### Reducing fuel bills and using local resources wisely

Barnsley's Communal Biomass Heating scheme uses waste wood from a local woodland management project to heat homes in the local community. It is the largest scheme of its kind in the UK. This has achieved savings on heating costs for residents and has reduced emissions from fuel combustion. The scheme helps to improve air quality, produces no soot and virtually no noise.

[http://www.forestry.gov.uk/pdf/yh-casestudies-barnselybiomass.pdf/\\$FILE/yh-casestudies-barnselybiomass.pdf](http://www.forestry.gov.uk/pdf/yh-casestudies-barnselybiomass.pdf/$FILE/yh-casestudies-barnselybiomass.pdf)

## Where to go for information about your local environment

Information held by your local authority and used in the preparation of Local Plans is often the starting point for neighbourhood plans or orders (depending on how relevant and up to date the information is). Your local authority will be able to advise you further on this.

Other useful information may be available from local environmental records centres, the Historic Environment Record Centres or local environmental and amenity groups. You can also access a range of information and maps about the local environment on the following websites – see:

|  |
|--|
| <b>What's in your backyard?:</b> Provides access to environmental data at a local level<br><br><a href="http://www.environment-agency.gov.uk/homeandleisure/37793.aspx">www.environment-agency.gov.uk/homeandleisure/37793.aspx</a>  |
| <b>Your Right to Know:</b> Public Registers of environmental permits and licences<br><br><a href="http://www2.environment-agency.gov.uk/epr/">www2.environment-agency.gov.uk/epr/</a>  |
| <b>Natural England:</b> Publications, maps and data on the natural environment<br><br><a href="http://www.naturalengland.org.uk/publications/default.aspx">www.naturalengland.org.uk/publications/default.aspx</a>   |
| <b>Nature on the map:</b> Maps about nature, including the location of designated sites<br><br><a href="http://www.natureonthemap.naturalengland.org.uk">www.natureonthemap.naturalengland.org.uk</a>  |
| <b>Multi-Agency Geographic Information for the Countryside:</b> Interactive map of environmental information<br><br><a href="http://magic.defra.gov.uk/">http://magic.defra.gov.uk/</a>  |
| <b>The Land Information Search:</b> Map based tool on land designations or features<br><br><a href="http://www.forestry.gov.uk/website/forestry.nsf/byunique/inf-d-6dfkmm">www.forestry.gov.uk/website/forestry.nsf/byunique/inf-d-6dfkmm</a>  |
| <b>English Heritage:</b> Finding and managing your local historic environment<br><br><a href="http://list.english-heritage.org.uk/">http://list.english-heritage.org.uk/</a> , <a href="http://www.heritagegateway.org.uk">www.heritagegateway.org.uk</a> and <a href="http://www.helm.org.uk/">www.helm.org.uk/</a> |
| <b>Data on the historic environment (Heritage Counts, Heritage at Risk):</b><br><br><a href="http://hc.english-heritage.org.uk/">http://hc.english-heritage.org.uk/</a> & <a href="http://www.english-heritage.org.uk/caring/heritage-at-risk/">http://www.english-heritage.org.uk/caring/heritage-at-risk/</a>      |
| <b>Guidance on heritage and community-led planning:</b> <a href="http://www.helm.org.uk/communityplanning">www.helm.org.uk/communityplanning</a>   |



## Environmental assessment

Neighbourhood plans may require a Strategic Environmental Assessment (SEA) or a Habitats Regulations Assessment (HRA). Neighbourhood plans could also lead to the need for a Sustainability Appraisal (incorporating SEA) and/or a HRA to be carried out on any significant amendments made to the relevant Local Plan. Neighbourhood development orders may require a more detailed Environmental Impact Assessment (EIA). Your local authority will be the first point of contact for discussions on environmental assessment and will be able to advise whether such assessments will need to be carried out. This will depend on whether the plan or order is likely to result in significant environmental risks.

The Environment Agency, Natural England and English Heritage are statutory consultees in England for SEA and EIA. Natural England is a statutory consultee for HRA and may be involved in providing data and information. In most cases it is likely that information from appraisals of Local Plans will be used in neighbourhood planning, depending on how up to date it is. Further information on environmental assessments is available at: [www.pas.gov.uk/pas/core/page.do?pagelId=152450](http://www.pas.gov.uk/pas/core/page.do?pagelId=152450)

## When to consult us

Your local authority will be your first point of contact, as your neighbourhood plan or development order will need to reflect the character and strategic elements of the Local Plan. In some cases you may be advised by your local authority to consult us prior to submitting your plan or order, as there may be particular risks relating to heritage or the natural environment which require our expertise.

As a guide, you may need to consult us if your plan or order concerns the following issues:

| Issues  | Environmental Body   |
|---|--|
| <p>Development near the coast (if located within a 'coastal change management area').</p> <p>Development which is carried out on land within flood zone two or three, or where critical drainage problems have been notified to the local authority.</p> <p>Development on land which could be contaminated land, or is in the vicinity of a permitted site.</p> <p>Development near a main river or controlling the flow of any river or stream, including hydropower schemes.</p> | <p><b>Environment Agency</b></p> <p>Telephone: 03708 506 506</p> <p>Website: <a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a></p> <p>Email: <a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a></p> |
| <p>Development that may affect European wildlife sites or Sites of Special Scientific Interest (SSSI).</p> <p>Development that may affect protected species.</p> <p>Development within, or that may affect, a National Park or Area of Outstanding Natural Beauty.</p>  | <p><b>Natural England</b></p> <p>Telephone: 0845 600 3078</p> <p>Website: <a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a></p> <p>Email: <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a></p>            |

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| <p>Development within 500m of an ancient woodland.</p> <p>Woodland creation, deforestation, forest road operations and tree felling.</p> <p>Grants for woodland planting.</p>  | <p><b>Forestry Commission</b></p> <p>Telephone:<br/>0845 3673787</p> <p>Website: <a href="http://www.forestry.gov.uk">www.forestry.gov.uk</a></p> <p>Email: Email: <a href="mailto:fcengland@forestry.gsi.gov.uk">fcengland@forestry.gsi.gov.uk</a></p> |
| <p>Developments which affect: the setting of a Grade I or II* listed building; the site of a scheduled monument; the character or appearance of a conservation area (over a certain size or height); or a Grade I or II* registered park or garden.</p> <p>Listed building consent applications relating to a Grade I or II* building, or for total or substantial demolition of a Grade II listed building.</p> <p>All applications for scheduled monument consent.</p> <p>Greater London – a wider range of applications, including the demolition of a building in a conservation area.</p> | <p><b>English Heritage</b></p> <p>Telephone:<br/>0870 333 1181</p> <p>Website:<br/><a href="http://www.english-heritage.org.uk">www.english-heritage.org.uk</a></p>   |

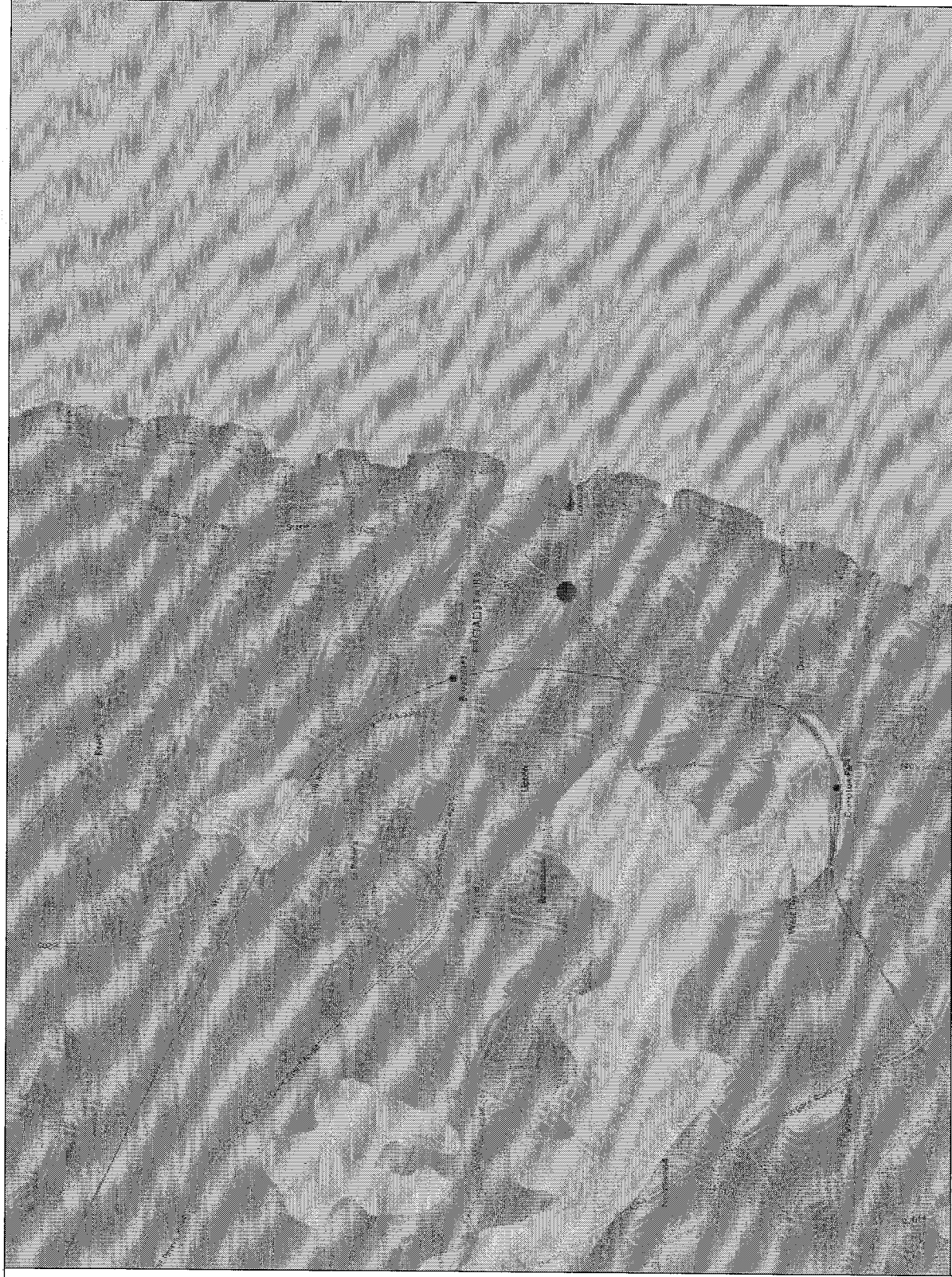
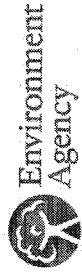


## Glossary

|   |  |
|---|--|
| <b>Biodiversity</b>                       | The living component of the natural world, encompassing all plant & animal species.  |
| <b>Biomass</b>                            | Biological material from living, or recently living organisms, useful as an environmentally friendly fuel.   |
| <b>Community Right to Build Order</b>     | Gives local people the power to deliver the development that their local community wants.  |
| <b>Designated heritage asset</b>          | A valued component of the historic environment.  |
| <b>Environmental Impact Assessment</b>    | An assessment of the possible positive or negative impacts that a proposed project might have on the environment, also includes social and economic considerations.  |
| <b>Flood zone</b>                         | Flood zones divide the floodplain into 3 areas which represent different levels of flood risk. Flood zone 1 is the lowest risk; flood zone 3 is the highest risk. See the Environment Agency website for more details.   |
| <b>Habitat</b>                            | Place in which species or a community of species live, with characteristic plants and animals.   |
| <b>Historic Environment</b>               | All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, landscape & flora.  |
| <b>Historic Environment Record</b>        | Provides access to resources relating to the historic environment for public benefit and use. Available through your local authority or from the Heritage Gateway website.   |
| <b>Habitats Regulation Assessment</b>     | An assessment of the likely significant effects of a plan or project on a European wildlife site. Arising from EU law.   |
| <b>Local Green Space Designation</b>      | Protects green spaces of particular importance to local communities.   |
| <b>Local Nature Reserve</b>               | Places with wildlife or geological features that are of special interest to a local area.  |
| <b>Local Plan</b>                         | Development plan for the area, setting out strategic development policies and allocating sites for development, prepared by the local authority.   |
| <b>Local Wildlife Site</b>                | An area of special importance to local nature conservation.  |
| <b>Neighbourhood Plan</b>                 | A document outlining general development policies and allocating sites for the development of land in a neighbourhood.   |
| <b>Neighbourhood Development Order</b>    | Gives planning permission for specific developments or types of development the community wants to see in the neighbourhood.   |
| <b>Registered Park and Garden</b>         | Site designated to be of national importance whose preservation much be considered when determining planning applications for development on or affecting the site.  |
| <b>Scheduled Monument</b>                 | Scheduled on a list of nationally important archeological sites & monuments. English Heritage takes the lead in identifying sites in England which should be placed on the schedule by the Secretary of State for Culture, Media and Sport There are nearly 20,000 scheduled sites with legal protection under this process. |
| <b>Strategic Environmental Assessment</b> | A system of incorporating environmental considerations into policies, plans & strategies. Arising from EU law.   |
| <b>Sustainable Drainage Systems</b>       | A system designed to drain surface water in a more sustainable fashion, helps to improve water quality, enhance the environment, and reduce flood risk.  |
| <b>World Heritage Site</b>                | Area designated as important to heritage under relevant national legislation. The list of Heritage sites for England can be found on the English Heritage Website.   |



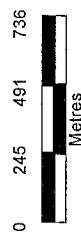
# Groundwater Vulnerability Zones



## Legend

### Bedrock Aquifer Typology

- Principal
- Secondary A
- Secondary B
- Secondary (undifferentiated)
- Unproductive





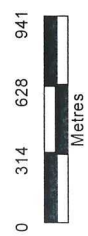
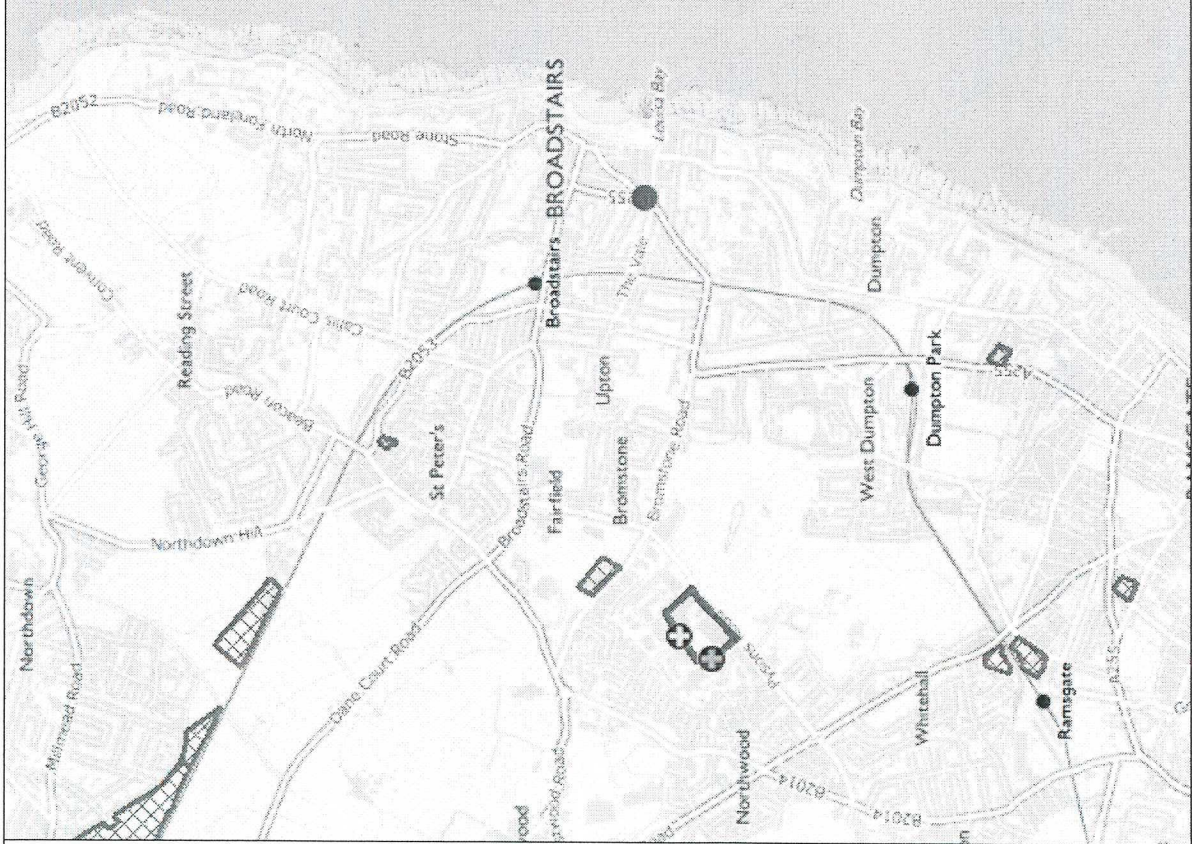


# Industrial Sites



## Legend

- COMAH site primary entrance
- COMAH site alternate entrance
- COMAH site discharge to sewer
- COMAH site boundary
- COMAH site Public Information Zone
- Authorised Landfill Sites
- Historic Landfill Sites



10



# Source Protection Zones

## Legend

- ⊕ Source Protection Locations
- Source Protection Zones
- Zone 1 - Inner Zone
- Zone 1c - Inner Zone subsurface activity
- Zone 2 - Outer Zone
- Zone 2c - Outer Zone subsurface activity
- Zone 3 - Total Catchment
- Zone 3c - Total Catchment subsurface activity
- Zone of Special Interest

