

Pluckley Neighbourhood Plan
Strategic Environmental Assessment Screening Report
And
Habitats Regulations Assessment Screening Report

Prepared by Ashford Borough Council on behalf of Pluckley Parish Council

DATE: February 2016

Contents

1. Non-technical Summary	3
2. Pluckley Neighbourhood Plan	3
3. Strategic Environmental Assessment.....	5
SEA Screening Assessment.....	7
4. Habitats Regulations Assessment	8
HRA Screening Assessment	10
5. Conclusions and recommendations.....	11
APPENDIX	
Appendix 1: Reproduction of European Directive 2001/42/EC- Annex I and II.....	12
Appendix 2: Response to screening report from Statutory Consultees.....	16

1. Non-technical Summary

1.1 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which may have a significant effect on the environment. This particularly relates to plans which allocate development sites, including Local Plans and Neighbourhood Plans.

1.2 The purpose of SEA is to provide a high level of protection of the environment and to integrate environmental into the preparation and adoption of plans with a view to promoting sustainable development.

1.3 The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. For example, if a plan proposes a housing development it may have an impact on the wildlife of the area or have an impact on landscape. If a significant effect is possible, the assessment requires the consideration of options and for the evaluation of the potential effects on the environment.

1.4 To ascertain if SEA is required, a “screening” exercise is undertaken which looks at the proposals in a Neighbourhood Plan to see if a significant effect is likely. The criteria for doing this are set out in the relevant legislation.

1.5 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on internationally designated wildlife sites. For the purpose of the HRA, internationally designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar wetland sites, also known as Natura 2000 sites.

1.6 The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each internationally designated wildlife site within a reasonable distance of the Neighbourhood Plan Area and the potential impact of the proposals within the plan on these.

1.7 This report details the assessment of the Pluckley Neighbourhood Plan against the need for an SEA or HRA to be produced to accompany the Plan. **It concludes that an SEA and HRA is not likely to be required to accompany the Pluckley Neighbourhood Plan.**

1.8 This report has been sent to the three statutory consultees for planning, including the Environment Agency, Historic England and Natural England to elicit their views on its content. This consultation period is to be carried out between the 10th February and the 23rd March 2016.

The results of this consultation are included at Appendix 2 and a formal screening opinion has been issued to Pluckley Parish Council indicating the outcomes of the screening stage including responses to this consultation.

2. The Pluckley Neighbourhood Plan

2.1 Pluckley is a rural community village located approximately 6 miles northwest of Ashford in Kent. It has a population of 1069 people¹ and has 447 existing dwellings. The village has good access to transport links, it has its own railway station, which links the parish to Ashford international and its

¹ 2011 Census, www.ons.gov.uk

high Speed Services and it also provides direct train services to London. The village is also able to access the wider road network, via the A20 through the villages of Charing.

2.2 Pluckley is a dispersed settlement, it comprises three settlement areas: the village core; Thorne/Fir Toll; and the station area. These areas are separated by fields given over to agriculture which is the main land use in the Parish. In addition, there are several outlying dwellings in small clusters or singly. The largest residential concentration is at the village core, where most of the services are located, but this accounts for less than half of the community, given its dispersed nature

2.3 The Pluckley NP project is led by the Pluckley Neighbourhood Plan Steering Group, which is supported by the Parish Council. The steering group potentially seek to allocate development sites and where appropriate establish local policies for Pluckley through the NP process. The Steering group aim to consult the parish community on draft proposals for the village in parallel to the consultation on this Screening Report.

2.4 On 5th January 2015 the Borough Council received a request from Pluckley Parish Council for the designation of a Neighbourhood Area (See Figure 1). The area requested to be designated was the entire Parish of Pluckley. The application and map of the area went out for public consultation for 6 weeks, and closed on Monday 2nd March 2015. On 10th March the planning policy manager, through delegated powers, approved the designation of the Pluckley Neighbourhood Area.

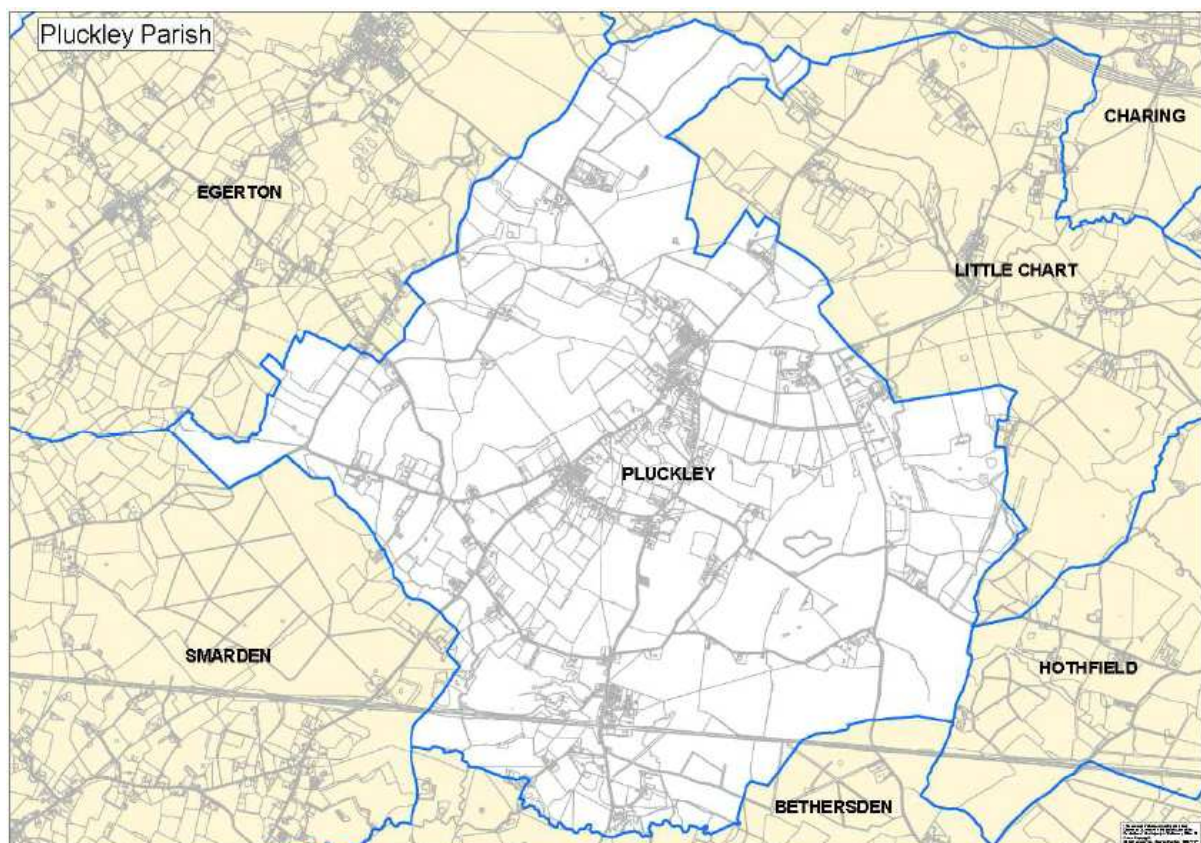


Figure 1: Pluckley Neighbourhood Area Boundary

2.5 The Pluckley NP has the following vision:

“Our vision is for Pluckley to continue to thrive, meeting the evolving needs of its community whilst preserving the rural character, natural beauty and views that are what attract its residents and visitors alike.”

2.6 The Pluckley Neighbourhood Plan steering group has indicated that the approximate parameters of development they are looking to secure through the plan process is; residential development up to 33 additional dwellings and provision of a additional parking to serve Pluckley Station.

2.7 This report focuses on the screening of the Pluckley Neighbourhood Plan against the need for a Strategic Environmental Assessment and Habitat Regulation Assessment. It will be supported by the Appropriate Assessments and screening exercises already carried out for the Ashford Borough Core Strategy 2008 and the Tenterden and Rural Sites DPD.

3. Strategic Environmental Assessment

3.1 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).

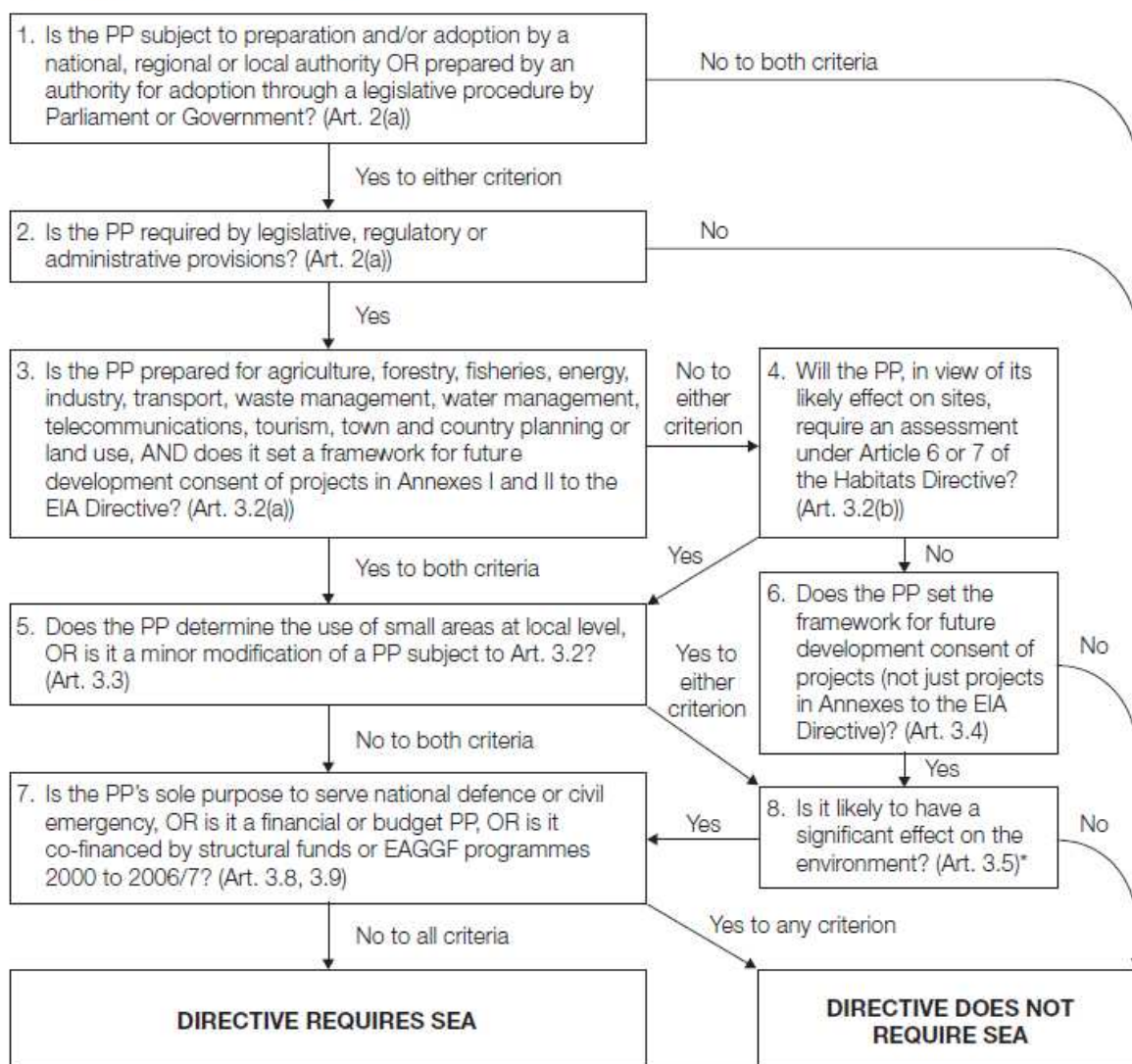
3.2 To establish if a plan needs to be accompanied by a full SEA, a “screening” assessment is required against a series of criteria set out in the SEA Directive. A Practical Guide to the Strategic Environmental Assessment Directive² sets out in a diagrammatic form the series of criteria (reproduced below at Figure 2).

3.3 By following the step by step guide (See Figure 3) it is possible to identify that the Pluckley Neighbourhood Plan does not require a full SEA. However, if the issues addressed in the Neighbourhood Plan should change then a new screening process will need to be undertaken to determine whether an SEA will be required.

² ODPM September (2005) ‘Practical guidance on applying European Directive 2001/42/EC’

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.

Figure 2: Application of the SEA Directive to plans to programmes, reproduced from ODPM September (2005) 'Practical guidance on applying European Directive 2001/42/EC'

Screening Stages	Answer	Reasons
1. Is the PP 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	<p>The preparation of and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011.</p> <p>The preparation of the NP is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012</p> <p>Move to question 2.</p>
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	<p>Whilst the provision of a Neighbourhood Plan is optional, it will form part of the Development Plan for the Ashford District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p> <p>Move to question 3.</p>
3. Is the PP 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? (Art. 3.2(a))	Yes	<p>Whilst the NP allocates sites, the development proposed is not included in Annexes I and II of the EIA Directive (see Appendix 1 for list).</p> <p>Move to question 5.</p>
4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))		
5. Does the PP 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	<p>The NP determines small sites at local level</p> <p>Move to question 8.</p>
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)		The NP is to be used for determining future planning applications
7. Is the PP's sole purpose to serve 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)		
8. Is it likely to have a significant effect on the environment? (Art. 3.5)*	No	Directive does not require SEA

Figure 3: Utilising the step-by-step guide at Figure 2 in relation to the Pluckley Neighbourhood Plan.

4. HRA Screening Assessment

4.1 The Habitats Regulations Assessment (HRA) refers to the appropriate assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would 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)

4.2 In addition to SPAs and SACs 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.

4.3 Firstly, it should be noted that the Ashford Borough Core Strategy was subject to HRA during its production, as was the Tenterden and Rural Sites DPD, which covered the Pluckley parish area. The Appropriate Assessment for the Tenterden and Rural Sites DPD concluded that the potential significant effects identified, are either assessed as not having a significant impact on the European sites or are mitigated by the approach set out within Core Strategy, the Tenterden & Rural Sites DPD and other related documents (including the Kent Downs AONB Management Plan and the Ashford Integrated Water Management Study).

4.4 The first stage of the HRA process is a “screening” exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site. Therefore, the following paragraphs will screen the potential impact of the proposals for the Pluckley Neighbourhood Plan on these sites within 20km of the Neighbourhood Area Boundary.

4.5 The following Natura 2000 sites are located within 20km of the Pluckley Neighbourhood Area boundary (See Figure 4 for mapping).

SACs:	SPAs	Ramsar Sites:
Wye and Crundale Downs SAC		The Swale
North Downs Woodlands SAC		

4.6 The NP is unlikely to have a substantial effect on these Natura 2000 protected sites, only 3 sites were identified and of these 3 Natura 2000 sites, Wye and Crundale SAC is closest, lying some 14 km away. The Wye and Crundale SAC is identified as semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia)³, it is considered to be one of the best areas of its kind in the United Kingdom and also an important Orchid site. The Pluckley NP is unlikely to affect this site as the JNCC and DEFRA state that this site is only vulnerable to changes in the grazing

³ Joint Nature Conservation Committee (JNCC) and Defra website: <http://jncc.defra.gov.uk>

management of the site, especially in areas in private ownership. Neither of which will be affected by the Pluckley NP.

4.7 Pluckley is also 17km distance from the North Downs Woodlands SAC, this site has been identified as a SAC as it supports the following three qualifying species:

- H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*); Dry grasslands and scrublands on chalk or limestone
- H9130. *Asperulo-Fagetum* beech forests; Beech forests on neutral to rich soils
- H91J0. *Taxus baccata* woods of the British Isles; Yew-dominated woodland, which is An Annex I priority habitat

The management strategy for these sites is trying to retain the integrity of the site through maintaining and restoring:

1. the extent and distribution of the qualifying natural habitats
2. the structure and function (including typical species) of the qualifying natural habitats, and,
3. the supporting processes on which the qualifying natural habitats rely

4.8 The Pluckley NP will not directly affect points 1 and 2 above, as these are site based. It is also unlikely to affect point 3, as the NP area is located 17km away from the SAC.

4.9 The Swale Ramsar Site is only just found within the 20km zone and it is considered that the NP will not affect it over and above the impacts identified in the Habitats Regulation Assessment Screening Report carried out for the Ashford Borough Core Strategy. Therefore, it is concluded that a full Appropriate Assessment is not deemed to be required.

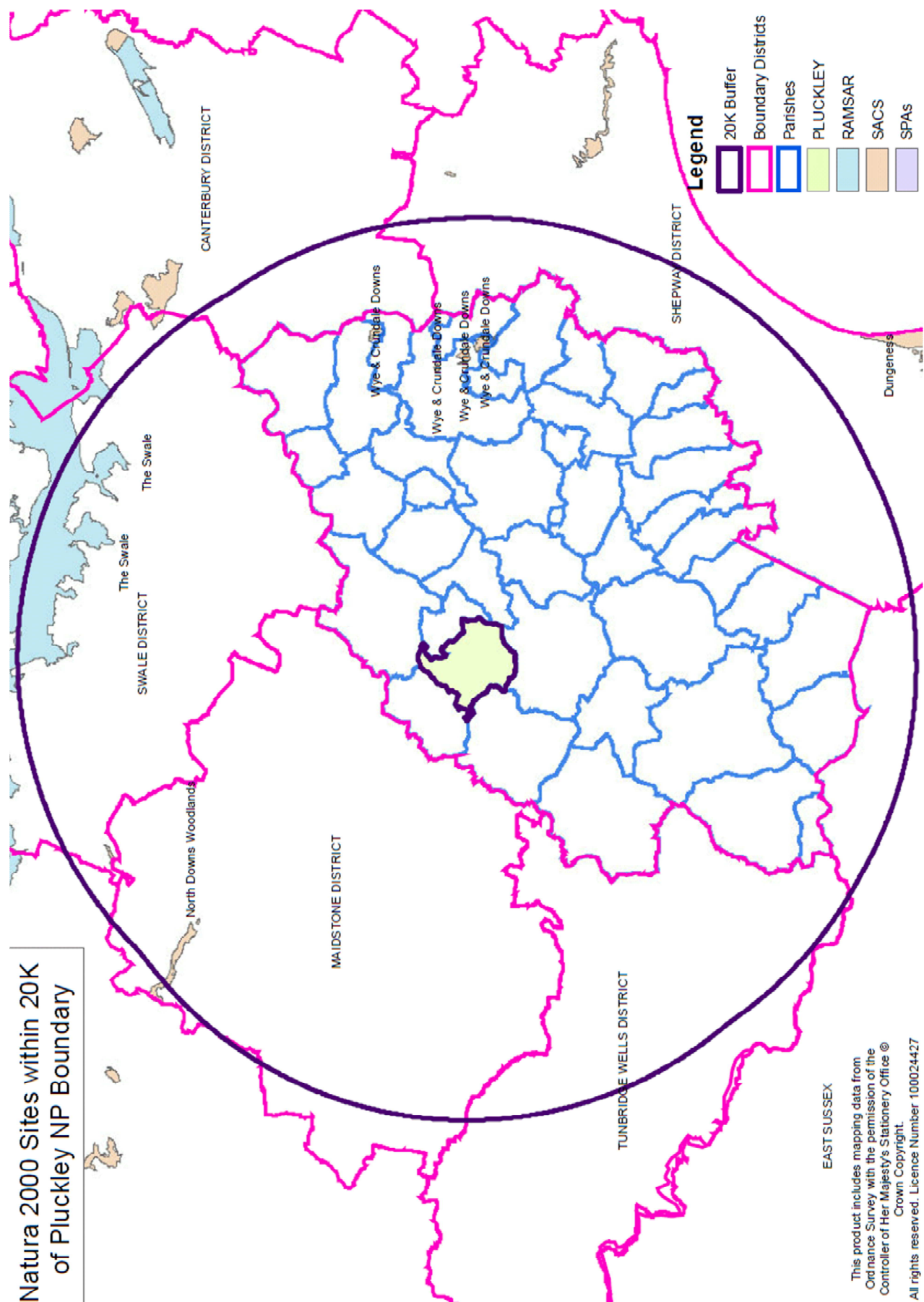


Figure 4: Natura 2000 sites within 20K of Pluckley

5 Conclusions and Recommendations:

5.1 A screening assessment to determine the need for a SEA in line with regulations and guidance was undertaken and can be found in chapter 3 of this report. The assessment finds no significant and / or negative effects will occur as a result of the Pluckley Neighbourhood Plan. The assessment also finds many of the policies are in conformity with the local plan policies which have a full SA/SEA which identified no significant effects will occur as a result of the implementation of policies.

5.2 From the findings of the screening assessment it is recommended that a full SEA does not need to be undertaken for the NP.

5.3 A screening assessment to determine the need for a HRA in line with regulations and guidance was undertaken and can be found in chapter 4 of this report. The assessment finds no likely significant effects will occur as a result of the Pluckley Neighbourhood Plan and any affects that may occur have already been assessed as part of the Ashford Borough Core Strategy and Tenterden and Rural Sites Appropriate Assessment.

Appendix 1:

Reproduction of European Directive 2001/42/EC

Annex I

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for the permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast-iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads (1) and lines for long-distance railway traffic and of airports (2) with a basic runway length of 2 100 m or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or land fill of toxic and dangerous wastes.

(1) For the purposes of the Directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.

(2) For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

Annex II

1. Agriculture

- (a) Projects for the restructuring of rural land holdings.
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
- (c) Water-management projects for agriculture.
- (d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
- (e) Poultry-rearing installations.
- (f) Pig-rearing installations.

- (g) Salmon breeding.
- (h) Reclamation of land from the sea.

2. Extractive industry

- (a) Extraction of peat.
- (b) Deep drillings with the exception of drillings for investigating the stability of the soil and in particular:
 - geothermal drilling,
 - drilling for the storage of nuclear waste material,
 - drilling for water supplies.
- (c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
- (d) Extraction of coal and lignite by underground mining. (e) Extraction of coal and lignite by open-cast mining.
- (f) Extraction of petroleum.
- (g) Extraction of natural gas.
- (h) Extraction of ores.
- (i) Extraction of bituminous shale.
- (j) Extraction of minerals other than metalliferous and energy-producing minerals by open-cast mining.
- (k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
- (l) Coke ovens (dry coal distillation).
- (m) Installations for the manufacture of cement.

3. Energy industry

- (a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I).
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables.
- (c) Surface storage of natural gas.
- (d) Underground storage of combustible gases.
- (e) Surface storage of fossil fuels.
- (f) Industrial briquetting of coal and lignite.
- (g) Installations for the production or enrichment of nuclear fuels.
- (h) Installations for the reprocessing of irradiated nuclear fuels.
- (i) Installations for the collection and processing of radioactive waste (unless included in Annex I).
- (j) Installations for hydroelectric energy production.

4. Processing of metals

- (a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I).
- (b) Installations for the production, including smelting, refining, drawing and rolling, of nonferrous

metals, excluding precious metals.

- (c) Pressing, drawing and stamping of large castings.
- (d) Surface treatment and coating of metals.
- (e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
- (g) Shipyards.
- (h) Installations for the construction and repair of aircraft.
- (i) Manufacture of railway equipment.
- (j) Swaging by explosives.
- (k) Installations for the roasting and sintering of metallic ores.

5. Manufacture of glass

6. Chemical industry

- (a) Treatment of intermediate products and production of chemicals (unless included in Annex I).
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
- (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry

- (a) Manufacture of vegetable and animal oils and fats.
- (b) Packing and canning of animal and vegetable products.
- (c) Manufacture of dairy products.
- (d) Brewing and malting.
- (e) Confectionery and syrup manufacture.
- (f) Installations for the slaughter of animals.
- (g) Industrial starch manufacturing installations.
- (h) Fish-meal and fish-oil factories.
- (i) Sugar factories.

8. Textile, leather, wood and paper industries

- (a) Wool scouring, degreasing and bleaching factories.
- (b) Manufacture of fibre board, particle board and plywood.
- (c) Manufacture of pulp, paper and board.
- (d) Fibre-dyeing factories.
- (e) Cellulose-processing and production installations.
- (f) Tannery and leather-dressing factories.

9. Rubber industry

- (a) Manufacture and treatment of elastomer-based products.

10. Infrastructure projects

- (a) Industrial-estate development projects.
- (b) Urban-development projects.

- (c) Ski-lifts and cable-cars.
- (d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I).
- (e) Canalization and flood-relief works.
- (f) Dams and other installations designed to hold water or store it on a long-term basis.
- (g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
- (h) Oil and gas pipeline installations.
- (i) Installation of long-distance aqueducts.
- (j) Yacht marinas.

11. Other projects

- (a) Holiday villages, hotel complexes.
- (b) Permanent racing and test tracks for cars and motor cycles.
- (c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
- (d) Waste water treatment plants.
- (e) Sludge-deposition sites.
- (f) Storage of scrap iron.
- (g) Test benches for engines, turbines or reactors.
- (h) Manufacture of artificial mineral fibres.
- (i) Manufacture, packing, loading or placing in cartridges of gunpowder and explosives.
- (j) Knackers' yards.

12. Modifications to development projects included in Annex I and projects in Annex I undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year.

Appendix 2:

Response from Statutory Consultees on the contents of this screening report.