

SEA Screening Toolkit for Neighbourhood Plans OR Neighbourhood Development Orders

SEA Screening stage 1: Establishing the need for SEA - Generic application of SEA Directive to Moreton, Bobbingworth and the Lavers Neighbourhood Plan

SEA Criteria	NP/NDO Outcome Y/N	Reason/Commentary NB instructions to officer completing tables in italic type. Standard response applicable in normal type
1. Is the NDP or NDO subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (SEA Directive Art. 2(a))	Y	A local planning authority has a statutory obligation to “make” a Neighbourhood Plan (NP) /Neighbourhood Development Order (NDO) once it has successfully gone through the relevant statutory preparation stages, culminating in a local referendum(s). This is allowed under the Town and County Planning Act 1990 as amended by the Localism Act 2011 and is prepared subject to The Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012. To this extent, the NP or NDO process is directed through a legislative process.
2. Is the NP or NDO required by legislative, regulatory or administrative provisions? (SEA Directive Art. 2(a))	N	The preparation of a NP or NDO is not mandatory; i.e. a Parish Council or Neighbourhood Forum can choose to undertake either of these. However, once the relevant body decides to prepare a NP or NDO, then it is required to follow the set regulatory and administrative procedures.

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<p>3. Is the NP or NDO prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (SEA Directive Art. 3.2(a)) EIA Directive 85/337/EEC has been updated and is codified in 2011/92/EU (Art 4 and Annexes).</p> <p>(The Annexes are reproduced at Appendix 3 of this toolkit)</p>	<p>Possibly</p>	<p>A NP or NDO must relate to land use planning. Once made, it will form part of the statutory framework for the determination of planning applications. A NP or NDO both therefore set specific frameworks, for future development consents.</p> <p>Policy 2.3 of the NP (Farm diversification) has direct links with Annex II 1(a) – projects for the restructuring of rural land holdings, although it is very unlikely that such diversification will have significant environmental effects which would not already be addressed by either the NPPF or policies in the new Local Plan.</p>
<p>4. Will the NP or NDO, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (SEA Directive Art. 3.2(b)) (Habitats Directive 92/43/EEC Article 6 provides for special areas of conservation and Habitats in Annex I and species in Annex II – such sites are found within and neighbouring the district – see commentary column.</p>	<p>N</p>	
<p>5. Does the NP or NDO determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (SEA Directive Art. 3.4)</p>	<p>Y</p>	<p>The policies of the Plan are very unlikely to have significant environmental effects</p>

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6. Is the NP or NDO likely to have a significant effect on the environment? (Article 3 (5) Annex II of the SEA Directive)	N	
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