

Neighbourhood Planning

Guidance Note 5

Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HEA)

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This guidance note provides information on what a Strategic Environmental Assessment and Habitat Regulations Assessment is and where you will come across them in the preparation of a Neighbourhood Plan.

If you need this document in an alternative format, such as large print or a different language, contact Breckland Council on 01362 656870.



What is a Strategic Environmental Assessment and a Habitat Regulations Assessment (HRA)?

A Strategic Environmental Assessment (SEA) assessment looks at the positive and negative environmental issues that your Neighbourhood Plan might have on your local environmental assets.

All Plans which may have a significant effect on designated European Sites are required to undertake a Habitat Regulations Assessment (HRA).

Strategic Environmental Assessment

A Strategic Environmental Assessment (SEA) of your Neighbourhood Plan may be required if:

- A Habitat Regulations Assessment is required
- A Neighbourhood Plan allocates sites for development (that haven't been appraised as part of the Local Plan)
- A neighbourhood Plan area contains sensitive environmental assets that may be affected by proposed policies.

The individual aspects you need to be considering are:

- **Biodiversity**
Are there any impacts on any local wildlife sites, Sites of Special Scientific Interest and any European Sites?
- **Landscape**
Are there any impacts your plan will have on the landscape character of the local area?

- **Air and Climate**
How will your plan affect air quality and climate change? Consider how people will travel within and out of the Neighbourhood Area. Are there enough footpaths, cycleways or connection to public transport services?
- **Water**
Will water quality or quantity be adversely affected or improved by your plan? Flood alleviation schemes and storage of water for irrigation can help the regeneration of rivers/streams. Incorporating sustainable drainage systems in new developments could help existing developments in the area.
- **Soil**
Do you have any erosion concerns?
- **Population**
What are the demographics of your area and does your plan cater for all?
- **Human Health**
Do you have good access to health facilities (indoor or outdoor)?
- **Heritage**
Are there impacts your plan will have on local heritage, considering historic growth patterns and listed or locally important buildings?
- **Material Assets**
This includes a wide range of social, environmental and economic assets, e.g. Transport, waste and minerals, water, energy, industry, shops, library, post office.

Does your Neighbourhood Plan require an SEA?

Screening to see whether an SEA needs to be undertaken occurs once there are draft policies in place. As the Plan

progresses, additions or alterations may trigger a need for another SEA screening.

The initial screening will identify any physical environmental features which are within or in the vicinity of your Neighbourhood Area. This initial screening will take eight weeks. This is to allow for consultation with Natural England, Historic England and the Environment Agency.

A Screening Determination will be drafted by Breckland Council for the purposes of clarifying the screening outcome. This can be referenced in the Statement of Basic Conditions towards the end of the Neighbourhood Plan process.

As your draft vision, objectives, options and policies emerge, Breckland Council will help to identify any new need for an SEA screening.

If a full SEA is deemed to be required at any point in the formulation of your Neighbourhood Plan the process will consist of:

- **Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope**
This stage is carried out at the same time as you are gathering local information to identify issues and develop a vision and objectives for your Neighbourhood Plan.
- **Stage B: Developing and refining alternatives and assessing effects**
This stage typically takes place once you have a first draft of your Plan.
- **Stage C: Preparing the Environmental Report**
An Environmental Report will need to be prepared to accompany your Neighbourhood Plan.

- **Stage D: Consulting on the draft plan or programme and the Environmental Report**
The Environmental Report is consulted on at the same time that your Neighbourhood Plan is submitted for formal consultation.
- **Stage E: Monitoring the significant effects of implementing the plan or programme on the environment**
This stage occurs once the Plan has been accepted at referendum and is being implemented.

Alternatively, if a full SEA is required, a Sustainability Appraisal could be carried out instead, which incorporates the requirements of an SEA (see the guidance note on Sustainability Appraisals for more information).

Habitat Regulations Assessment

There is a network of protected sites across Europe, which includes Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and RAMSAR sites. These are designated for their flora, fauna or birds under the Habitats Directive or the Birds Directive, respectively. Collectively these are known as European Sites.

All Neighbourhood Plans which may have a significant effect on designated European Sites are required to undertake a Habitat Regulations Assessment (HRA). These assess the effect on the flora and fauna that are listed as the reason for the designation.

Neighbourhood Plans may only proceed to examination where it has been ascertained that there are no 'Likely Significant Effects'.

HRA's will usually only be required when the Plan designates sites for development, however, as Breckland contains many European sites, every Plan will be screened.

Breckland Council will advise if there are any European sites within or close to your

Neighbourhood Area once it has been designated. An initial HRA screening will be carried out once a draft plan has been drawn up (usually after pre-submission consultation but may be sooner depending on the proximity of the European Sites). Natural England is consulted within this process as the Statutory Body. If the initial HRA screening identifies that there are European Sites in the proximity (within 15km) in which the Plan may have significant effects upon then a full Habitat Regulations Assessment will be required.

Further Assessment

If the initial screening suggests that the Plan is likely to have a significant effect on a European Site you will need to carry out an Appropriate Assessment. This involves evaluating possible impacts and what changes are needed to prevent damage to the Site.

An Appropriate Assessment involves a high degree of technical knowledge so Breckland Council recommends that you appoint a specialist consultant to help with this unless a member of your neighbourhood planning team has this expertise.