**Appendix A**

The Planning and Compulsory Purchase Act 2004 requires all local development documents (LDDs) to be supported, and to a great extent led, by a formal Sustainability Appraisal (SA) designed to meet the requirements of the SEA Directive. This requirement was amended as part of the Planning Act 2008 to only require full SA of development plan documents (DPDs) which are those documents that make up a ‘local plan.’ There is no requirement under either Act for a full SA to be prepared for Neighbourhood Plans. However, SEA may still be required.

The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPP Regulations) are used to determine whether a plan or programme (PP) such as the Earls Barton Neighbourhood Plan (EBNP) require SEA, directing the responsible authority in a series of steps to reach a view.

The following assessment, in accordance with the EAPP Regulations, was undertaken by BCW to identify any requirement for full SEA. The relevant Articles from the SEA directive are given in brackets:

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| Regulation | Y / N | Reason |
| Regulation 2 (1)  PP means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which –  (a) are subject to preparation or adoption by an authority at national, regional or local level; or  (b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and in either case,  (c) are required by legislative, regulatory or administrative provisions;  (Article 2(a)) | Y | The EBNP is prepared by Earls Barton Parish Council. Upon successful completion of an examination and referendum it will be made by the local authority as part of the development plan. It is regulated by legislative procedures. |
| Regulation 5(2)  Is it a PP which:   1. Is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use; AND 2. Sets the framework for future development consent of projects in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC?   (Article 3.2(a)) | Y | The EBNP is a PP required for town and country planning purposes and it sets the framework for Annex II development. Whilst it is known that no EIA would be required for the proposal subject of the main allocation within the Plan it may still be considered to be a project listed under Annex II of the EIA Directive. |
| Regulation 5(3)  Has the PP, in view of the likely effect on sites, been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive?  (Article 3.2(b)) | N | The need for appropriate assessment has been screened out following separate consultation with Natural England. |
| It may be required that the Plan would be eligible for full SEA, unless the exemptions set out under Reg 5 (5) or 5(6) apply. | | |
| Regulation 5 (5)  Is the PP’s sole purpose to serve national defence or civil emergency; a financial or budget PP or is it co-financed under Council Regulations (EC) No’s 1260/1999 or 1257/1999  (Article 3.8,3.9) | N | N/A |
| Regulation 5(6)  Does the PP:   1. determine the use of a small area at local level; or 2. propose a minor modification of an existing PP subject of the regulations.   (Article 3.3) | Y | (a) The EBNP only seeks to designate the use of sites at a local level that are not strategic in scale. This view is enforced by the analysis of likely significant effects set out in the table below. The policies and allocation included in the Plan principally seek to respond to local level needs and place importance on maintaining the contained nature of Earls Barton. It is also consistent with the strategic provisions of the adopted development plan.  (b)The EBNP does not propose minor modifications of an existing pp subject of the regulations. |
| It may still be required that the Plan would be eligible for full SEA, unless it is determined that it will not give rise to significant environmental effects under Regulation 9. | | |
| Regulation 9(1)  Is the PP likely to have a significant effect on the environment taking into account the views of the consultation bodies and the criteria set out at Schedule 1 of the Regulations?  (Article 3.5) | N | Following consultation with NE, EH and EA and their own independent assessment of the PP against Schedule 1 of the Regulations it has been identified that the EBNP will not give rise to any significant environmental effects. Further detail for this decision is set out below. |

The following assessment was made by BCW as to whether the plan was likely to have any significant environmental effects. This takes into account the responses and independent assessments of the three consultation bodies against the Schedule 1 criteria in the EAPP Regulations, set out below. This assessment has been undertaken bearing in mind the following context:

* The EBNP has been developed to be in general conformity with the strategic policies of the adopted development plan contained in the North Northamptonshire Core Spatial Strategy 2008 which itself was subject of SEA.
* Where relevant, we have had reference to the SEA work undertaken in support of the emerging Joint Core Strategy that additionally supports Earls Barton’s assumptions around growth.
* The assessment set out below has been informed in a large part by discussions and the written responses of the three named consultation bodies.
* The assessment set out below has also been informed by other relevant screenings of the EBNP against the Habitat Regulations as well as an EIA screening opinion covering a planning application at local level seeking the development of the EBNP’s primary allocation at the Grange.

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| Criteria | Assessment | Significant environmental effect (positive or negative)? |
| The characteristics of plans and programmes, having regard to: | | |
| The degree to which the plan or programme sets a framework for projects and other activities, either in regard to location, nature, size and operating conditions or by allocating resources. | The PP only sets the framework for projects in a local context. There is a statutory requirement for the plan to provide policies in the context of the strategic policies of the adopted development plan. To this end it cannot by its nature provide for development that exceeds the intentions of the adopted CSS 2008 and instead provides for the local needs of Earls Barton. | None likely |
| The degree to which the plan or programme influences other plans and programmes including those in the hierarchy. | Whilst Neighbourhood Plans comprise part of the statutory development plan for the Borough they are required to conform with the strategic policies of the development plan. They are effectively the bottom tier of the statutory policy pyramid. | None likely |
| The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development. | Neighbourhood Plans are required by legislation to help achieve sustainable development. This includes environmental sustainability, as one of the three pillars identified in the NPPF. The primary objective of the EBNP is to plan positively and achieve a sustainable level of growth whilst maintaining both the built and natural environment of the village and the surrounding rural area. | None likely |
| Environmental problems relevant to the plan or programme. | Numerous potential environmental issues have been identified in the responses from the consultation bodies. In each instance it has been judged that the framework of policies provided by the EBNP will successfully manage the introduction of development to the extent that any residual environmental issues will be mitigated against sufficiently. Primarily, one of the key provisions of the EBNP is to direct growth away from the Nene Valley SPA as far as is possible in the context of the plan area and to provide alternative recreation options. | None likely |
| The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | The plan is not relevant in this instance, as the matters described are guided by higher level legislation (in some instances these matters will fall under the category of ‘excluded development’ in the case of Neighbourhood Plans). Instead, the policies of the EBNP must have regard to these matters and seek to ensure that any development it promotes does not compromise the objectives of higher level strategies. | None likely |
| The characteristics of the effects and of the area likely to be affected, having regard, in particular, to: | | |
| The probability, duration, frequency and reversibility of effects | A number of potential effects of the EBNP have been identified in both the responses from the consultation bodies in relation to the determination of SEA, as well as in response to the Habitats screening. Whilst it is identified that there may be effects caused by way of the local increase in population and associated traffic movements and recreational activities it is not anticipated that the proposed level of growth will result in additional human activity of any level of significance. The primary effect will be one of traffic movement to and from Earls Barton (likely be way of commuting) although these movements will be low in volume and low in terms of duration. All of the potential impacts identified during the course of consultation will either be mitigated against through policy provisions in the plan (including the most sensitive location of new development) or through the existing strategic policies of the local plan concerning modal shift towards sustainable transport and protection of our most sensitive habitats and environments. | Potential for minimal effects but no significant effects likely |
| The cumulative nature of the effects | The cumulative nature of the effects is described in part above. Ultimately the cumulative nature of the effects can be characterised by the impact the residents of the level of new homes planned for Earls Barton will have on the environment. Whilst it is accepted that unmitigated there may be a number of potential effects around traffic movement, waste generation, recreational uses and impact on the water environment the plan, the EBNP in combination with the adopted development plan and other plans and programmes, including the various management plans for the Nene Valley, propose measures to restrict and neutralise the impact of new development in and around the SPA primarily. In addition, the cumulative impact of potential development across North Northamptonshire (including the borough) has been considered as part of the SEA for the CSS. | None likely |
| The transboundary nature of the effects | In context the EBNP is seeking to manage future development in a small, parish level area within the wider Borough of Wellingborough. It is unlikely that the Plan will have any sort of significant transboundary effect, taken primarily to mean impacting on another EU member state, as defined in the EIA Regulations. Even if ‘transboundary’ were to be defined as impacting on the jurisdiction of other administrative areas within the UK (for example between parishes or boroughs) the effect would be minimal in both instances. | None likely |
| The risks to human health or the environment (for example, due to accidents) | It is highly unlikely that the EBNP will give rise to any significant instances of risk to human health. It principally proposes the delivery of residential development by way of a policy that seeks to ensure it has no impact on highway safety. | None likely |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | As identified above it is highly unlikely that any environmental effect brought about by the EBNP will be of any magnitude or impact on any area of scale. It must be remembers at this stage that Neighbourhood Plans have a very limited ability to influence the delivery of strategic levels of development and this neighbourhood plan in particular only seeks to direct development to a small area at local level. | None likely |
| The value and vulnerability of the area likely to be affected due to (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land use. | The response from all three consultation bodies, including NE’s response in relation to Habitats screening have been referred to in this instance. Whilst it has been identified that there are several protected designations in the plan area and the surrounding area, all three bodies are confident that the scale, location and probable impact of growth will not give rise to any significant environmental effects. | None likely |
| The effects on areas or landscapes which have a recognised national, Community or international protection status. | The principal area of concern in this regard in the Nene Valley Gravel Pits SPA, which is a Natura 2000 site. A full assessment of the potential impact on this designation by NE has taken place as a result both this screening, the screening against the Habitats Regulations as well as at local level as a result of the screening for EIA undertaken in response to a planning application on the single residential allocation included within the EBNP. | None likely |

As a result of the assessment set out above, incorporating the comments of the three consultation bodies, it is the unanimous view of all of three bodies as well as BCW that the EBNP will not give rise to any significant environmental effects.