

**Strategic Environment Assessment
(SEA) and Habitats Regulations
Assessment (HRA) Screening
Statement for the Draft Botley
Neighbourhood Plan**

March 2022

Contents

Page Number

1. Introduction	1
2. Background Context – Botley Neighbourhood Plan	2
3. Strategic Environmental Assessment	4
4. SEA Screening Process	5
5. SEA Determination and Reasoning	5
6. SEA Conclusions and Next Steps	16
7. Habitats Regulations Assessment	16
8. HRA Screening Process	17
9. HRA Determination and Reasoning	18
10. HRA Screening Conclusions and Next Steps	27
11. Appendices	28

1. Introduction

- 1.1 The purpose of this report is to determine whether the initial screening draft of the Botley Neighbourhood Plan (i.e. to be referred throughout this report as the BNP) requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) through a process referred to as SEA and HRA screening.
- 1.2 A Strategic Environmental Assessment is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan. The SEA screening determines whether the plan is likely to have significant environmental effects and, if so, an environmental report is required. This is undertaken in accordance with the 'European Directive 2001/42/EC'² and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.3 A Habitats Regulations Assessment identifies whether a plan is likely to have significant effects on a European site (Natura 2000 sites), either alone or in combination with other plans or projects. An Appropriate Assessment or full HRA will be required when it is deemed that likely significant effects may occur as a result of the implementation of a plan/project. The HRA screening will determine whether significant effects on a European site are likely. This is undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended, including through EU Exit legislation) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).
- 1.4 Eastleigh Borough Council has prepared this SEA/HRA screening report on behalf of Botley Parish Council who are the qualifying body for the BNP. The Council as the competent authority has a responsibility to advise the Botley Neighbourhood Plan Committee who form part of Botley Parish Council whether there is a need for a full SEA and/or Appropriate Assessment or full HRA of the draft plan.
- 1.5 One of the basic conditions that will be tested by the independent examiner once the Plan proceeds to that stage of the process is whether the making of the neighbourhood plan will be compatible with EU obligations (including under the SEA Directive).
- 1.6 The initial screening draft of the BNP is considered to show a clear vision and policy content subject to further changes which may be forthcoming following consultation which would be undertaken at the Regulation 14¹ draft and Regulation 16² submission stages. Therefore, the BNP is considered to be at an appropriate stage for an initial screening exercise to be undertaken.
- 1.7 This report is split into two parts. The first part covers the screening for the SEA along with the conclusions of this assessment (see Sections 3 to 6). The second part covers the screening process for the HRA along with the conclusions of this assessment (see Sections 7 to 10).

¹ Published in accordance with the Neighbourhood Planning (General) Regulations 2012

² Published in accordance with the Neighbourhood Planning (General) Regulations 2012

2. Background Context on the Botley Neighbourhood Plan (BNP)

- 2.1 The BNP is being prepared by Botley Parish Council's Neighbourhood Plan Committee. The initial screening draft of the BNP constitutes the first version of the document that Eastleigh Borough Council has been provided to date. The purpose of the BNP is to provide a set of statutory planning policies to guide development within Botley Parish over the life of the plan.
- 2.2 The initial screening draft of the BNP proposes to cover the period between 2016 to 2036 which is consistent with the emerging Eastleigh Borough Local Plan (2016-2036). This latter is now considered to carry at least considerable weight apart from those policies which may be subject to further potential material changes in the form of final main modifications set out by the inspector.
- 2.3 The initial screening draft of the BNP contains a vision for the future of Botley and includes a number of planning policies to realise this vision. The vision for Botley 2036 which has been established through consultation undertaken by Botley Parish Council with the local community is as follows:

Vision for Botley

In 2036, Botley remains a warm and friendly place to live, work and to visit. New developments have been well incorporated into the parish through our sensitive Neighbourhood Plan policies, and have provided homes needed by both the local and wider community and for all generations.

Well-managed infrastructure and resource facilities provide residents with a quality environment, good access to health care, excellent educational opportunities and reliable access to modern technologies.

Local children and young people can walk or cycle safely to their educational establishments or the play and green areas, on the many footpaths and cycleways introduced over the last 20 years. These routes provide a healthy alternative network for pedestrians and cyclists throughout the locality and link to neighbouring parishes.

The bypass has been built, and an update to the routing system traffic calming measures in the parish has led to a decrease in rat-runs and have been effective in creating safer roads.

The village centre has been recognised as an important for its heritage, businesses and shops and provides a popular destination for locals and visitors alike.

- 2.4 The Plan also proposes 25 objectives which underpin themes relating to the economy, environment and character, housing and transport. The objectives provide the basis for the 18 policies as currently drafted. Some of the policies are general and apply throughout the plan area, whilst others are site or area-specific and apply

only to the areas illustrated on the relevant map. This includes two residential site allocation policies for a maximum of 20 dwellings each. Once 'made', the plan's policies will form part of the Eastleigh Development Plan and will be used alongside those of the emerging Local Plan (2016-2036) once adopted for determining planning applications in the Botley Neighbourhood Area.

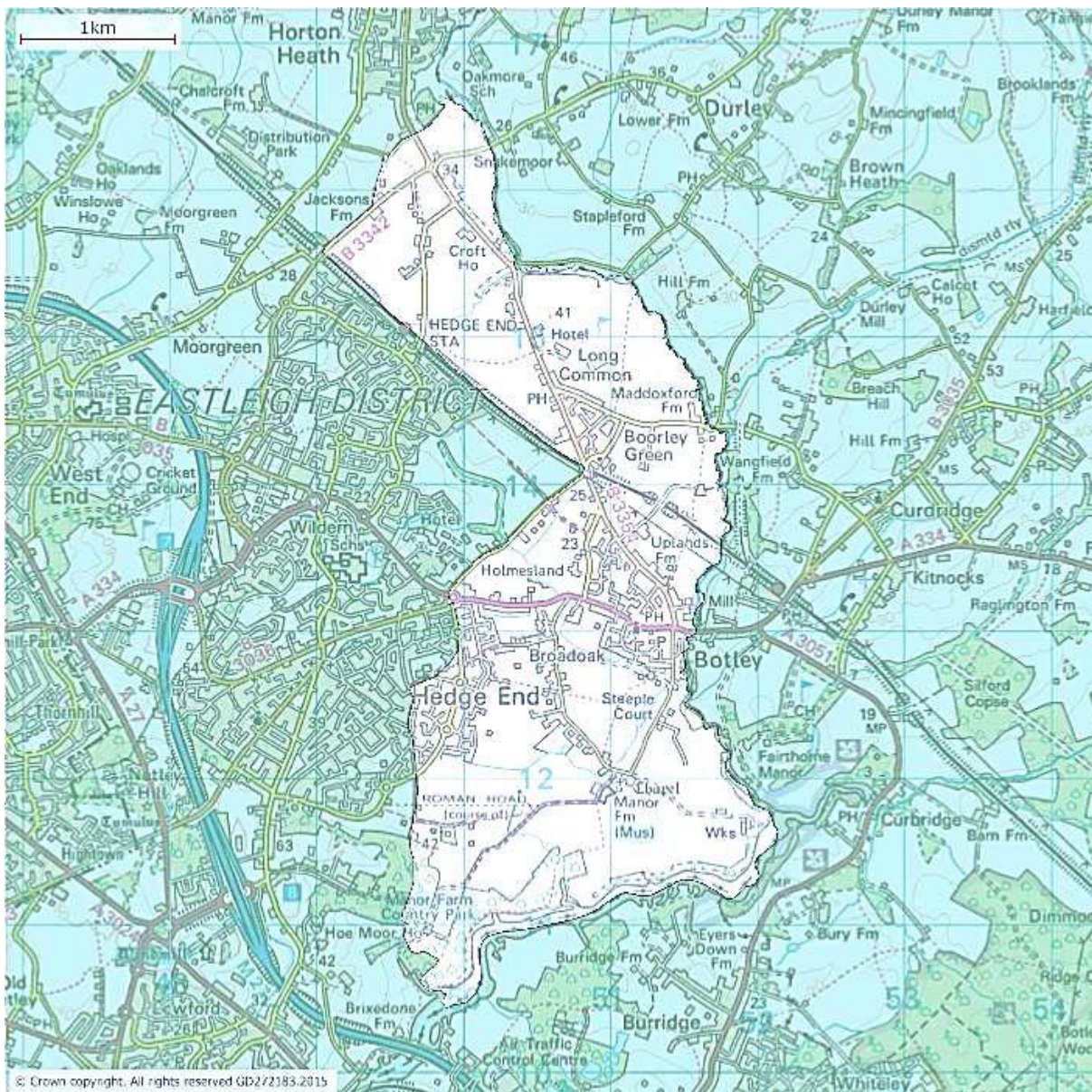
2.5 The policies proposed in the initial screening draft of the BNP are as follows:

- Policy 1: Retention of Existing Commercial Premises**
- Policy 2: Retail development sites**
- Policy 3: Protection and maintenance of Local Green Spaces**
- Policy 4: Developer contribution**
- Policy 5: Settlement gaps**
- Policy 6: New cemetery provision**
- Policy 7: SLAA-3-20-C northern parcel Woodhill School**
- Policy 8: SLAA-3-21-C southern parcel Woodhill School**
- Policy 9: Site BO3 (Strategic Allocation)**
- Policy 10: Utilities Provision**
- Policy 11: Flood mitigation**
- Policy 12: Strategic high and intermediate pressure pipelines and high voltage electric cables**
- Policy 13: Parking standards for new residential developments**
- Policy 14: Housing mix and affordable housing**
- Policy 15: Built form, design and materials**
- Policy 16: Renewable energy**
- Policy 17: Off-road parking for educational facilities**
- Policy 18: Community infrastructure**

2.6 This screening report assesses the initial screening draft of the BNP and makes any appropriate recommendations for the purpose of SEA/HRA screening only. It makes no further observations on the wider content of the Plan in terms of meeting the wider basic conditions such as whether the proposed objectives and drafted policies would be in conformity with the strategic policies of the emerging Eastleigh Borough Local Plan (2016-2036). It simply seeks to meet the basic condition to not breach and to otherwise be compatible with EU obligations.

2.7 Figure 1 which follows shows the extent of the Botley Neighbourhood Area which was approved at an Eastleigh Borough Council Cabinet meeting on 30 November 2015.

Figure 1: Map of the Botley Neighbourhood Area



3. Strategic Environment Assessment

- 3.1 A Strategic Environmental Assessment (SEA) concerns the evaluation of the environmental impacts of a plan or programme. The requirement for an SEA is detailed in the 'European Directive 2001/42/EC' which is adopted into UK legislation as the 'Environmental Assessment of Plans or Programmes Regulations 2004', or SEA Regulations. Local Plans often comply with SEA requirements by being the subject of a Sustainability Appraisal.
- 3.2 The Neighbourhood Planning (Amendment) Regulations 2015 introduced the requirement for an environmental report (prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004), or a statement of reasons for why an environment assessment is not required to be

submitted to the Local Planning Authority. This is to inform the public and to ensure independent examiners have sufficient information to determine whether a neighbourhood plan is likely to have significant environmental effects.

- 3.3 Planning Practice Guidance also states that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. It further states that draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.

4. SEA Screening Process

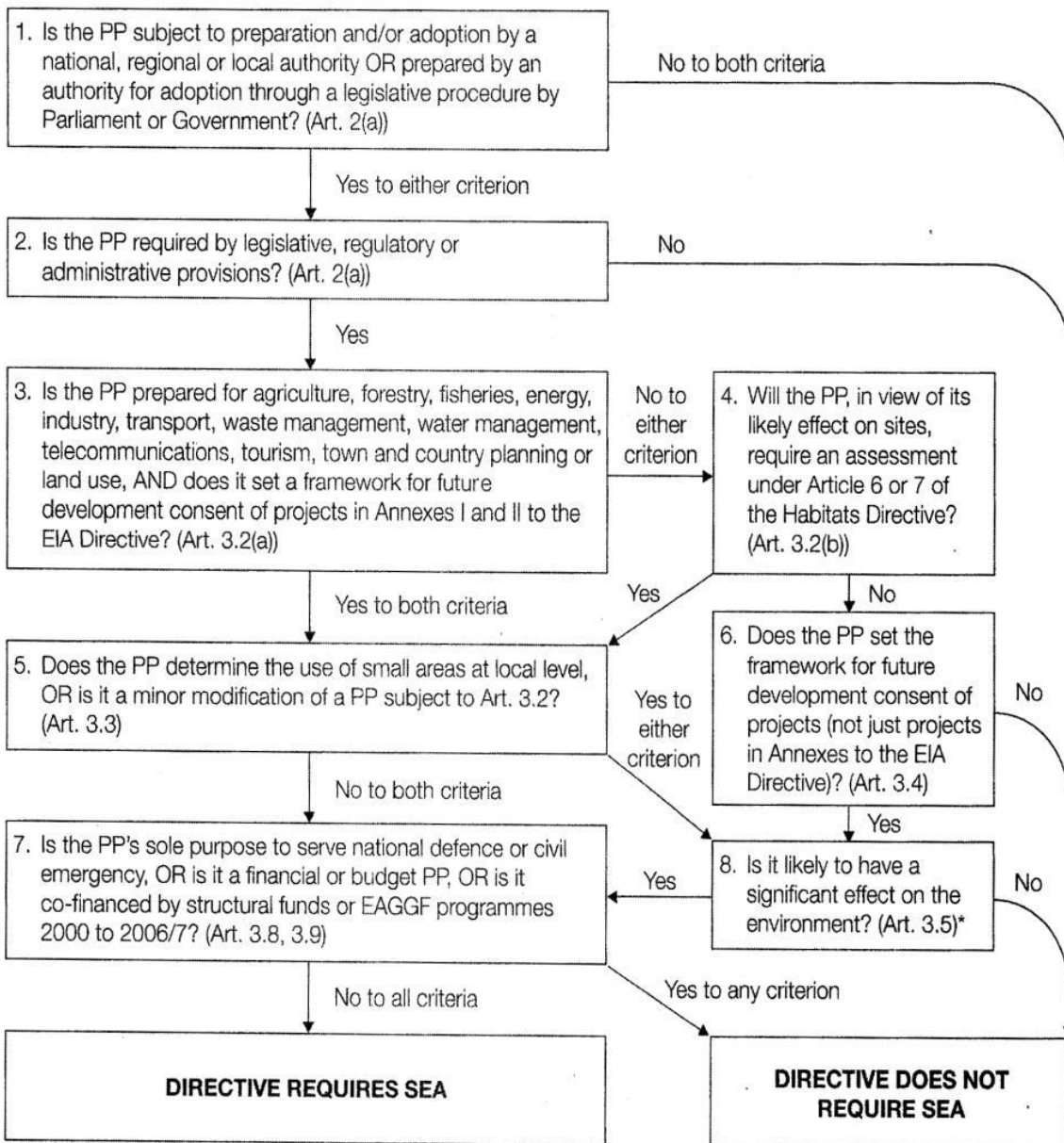
- 4.1 To determine if the neighbourhood plan is likely to have significant environment effects, Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 advises that draft neighbourhood plan proposals should be screened (assessed) to determine whether the plan is likely to have significant environmental effects, taking into account the criteria specified in schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and comments from the environmental consultation bodies.
- 4.2 Planning Practice Guidance also recommends local planning authorities take account of the criteria specified in schedule 1 and consult the consultation bodies cited in the Environmental Assessment of Plans and Programmes Regulations 2004. Historic England, Natural England and the Environment Agency will therefore be consulted for their formal view on the initial screening opinion of the initial screening draft of the BNP with regards to any identified significant environmental effects and associated conclusions.
- 4.3 A SEA may be required, for example, where the neighbourhood plan allocates sites for development or the neighbourhood area contains sensitive natural or heritage assets that may be affected by proposals in the plan.
- 4.4 Where it is determined that the plan is unlikely to have significant environmental effects, and accordingly does not require an environmental assessment, the authority is required to prepare a statement for its reasons for the determination. If likely significant environmental effects are identified then an environmental report must be prepared in accordance with paragraphs (2) and (3) of Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 4.5 Table 1 of this report presents the criteria specified in schedule 1 in table form along with a commentary on the policies of the initial screening draft of the BNP. Table 2 shows the results of the screening process. Section 6 presents the overall conclusion for the decision.

5. SEA Determination and Reasoning

- 5.1 The diagram which follows 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.

5.2 The following assessment in Table 1 applies the questions from the preceding diagram. The answers have been used to inform Table 2 which determines whether the initial screening draft of the Botley NP in the view of the Eastleigh Borough Council requires a full Strategic Environmental Assessment.

Table 1: Establishing the need for SEA

Stage	Yes / No	Reason
1. Is the BNP 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 BNP is being prepared by the Botley Neighbourhood Plan Committee and will be 'made' by Eastleigh Borough Council should it progress through the various statutory preparation stages. This includes meeting the basic conditions along with a successful examination and referendum outcome.</p> <p>Go to Stage 2</p>
2. Is the BNP required by legislative, regulatory or administrative provisions? (Art.2(a))	No	<p>A Neighbourhood Plan is not required by legislative, regulatory or administrative provisions. However, if the BNP is 'made' it will become part of the statutory development plan for the Botley Neighbourhood Area. It would then form part of the statutory Eastleigh Development Plan for Eastleigh Borough along with the Eastleigh Borough Local Plan (2016-2036) once this is adopted.</p> <p>Go to Stage 3</p>
3. Is the BNP 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	Yes / No	<p>The initial screening draft of the BNP includes policies relating to water management (e.g. for covering flood mitigation and surface water drainage) and is being prepared for town and country planning and land use within the Botley Neighbourhood Area.</p>

Stage	Yes / No	Reason
projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))		<p>It does not set a framework for future development consent of projects in Annex I and Annex II of the EIA Directive.</p> <p>Go to Stage 5</p>
4. Will the BNP, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	Yes	<p>The two residential site allocations proposed in the initial screening draft of the BNP may have uncertain effects upon the integrity of protected Habitats sites. The proposed movement routes along with the proposed Botley Centre car park expansion may also have such uncertain effects. Further details are set out in Table 2 below.</p> <p>A HRA screening assessment has also been undertaken to access these effects which has concluded that Appropriate Assessment is required. See Table 3 for details.</p>
5. Does the BNP 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? (Art.3.3)	Yes	<p>The initial screening draft of the BNP proposes to allocate two sites for residential development. An expansion of an existing car park at the Botley Centre is also proposed.</p> <p>A number of Local Green Spaces are also proposed to be designated along with new movement routes and a heritage an history trail, which can be interpreted as determining the use of land at a local level.</p>

Stage	Yes / No	Reason
		Go to Stage 8
6. Does the BNP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The initial screening draft of the BNP would be used for the determination of planning applications based on the proposed policy content relating to more general thematic and more specific land use policies. This is subject to the BNP proceeding through each of the statutory stages and then being 'made' by Eastleigh Borough Council following a successful referendum.
7. Is the BNP's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	Not applicable	Not applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	Yes	See Part 2, assessment of the likely significant environmental effects in Table 2. This concludes that the initial screening draft of the BNP may have a significant effect on the Environment. DIRECTIVE DOES REQUIRE SEA of the initial screening draft of the BNP.

SEA Screening Assessment

- 5.3 Table 2 sets out the Council's assessment against the Strategic Environmental Assessment criteria for the initial screening draft of the BNP. This provides the reasoning behind the conclusions drawn in question 8 in Table 1. The criteria against which the screening is carried out are taken directly from Annex II of the SEA Directive, as required by Article 3 (5).

Table 2: Screening Draft of the Botley Neighbourhood Plan - criteria for determining the likely significant environmental effects referred to in Article 3(5) (as taken from Annex II of the SEA Directive)

Criteria specified schedule 1 SEA Regulations	Assessment
<i>1. The characteristics of plans and programmes, having regard, in particular, to -</i>	
a) The degree to which the BNP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The initial screening draft of the BNP is not the main framework for projects and activities, but rather it applies national and local strategic policies to a neighbourhood level.</p> <p>The initial screening draft of the BNP includes two new residential allocations (for a maximum of 20 dwellings each, one of which would be located on countryside on the edge of the settlement boundary) as well as policies which would guide the use of developer contributions for a range of identified projects and schemes in the Botley Neighbourhood Area.</p> <p>The policies in the initial screening draft of the BNP also propose to set criteria which would be used in the determination of planning applications. A number of these policies supplement those in the emerging Eastleigh Borough Local Plan (2016-2036)³ with their neighbourhood level detail.</p>
b) The degree to which the BNP influences other plans and programmes including those in a hierarchy;	The initial screening draft of the BNP will need to comply with higher-tier policies and plans. It proposes to build upon the policies proposed within the emerging Eastleigh Local Plan (2016-2036) through the inclusion of neighbourhood-specific policies which

³ With the advanced stage of the emerging Local Plan 2016-2036, the Botley Neighbourhood Plan Committee is proposing to develop the BNP to be in general conformity with its strategic policies in order to meet the basic conditions. Some of these policies may be subject to final modifications following receipt of the inspector's report. Eastleigh Borough Council will assess the BNP against the basic conditions which must be met prior to it proceeding to the referendum stage.

Criteria specified schedule 1 SEA Regulations	Assessment
	<p>cover a number of themes that are grouped under a set of developed objectives.</p> <p>Due to the neighbourhood specific nature of these policies, the effects of the initial screening draft of the BNP on other plans and programmes within the wider development plan will not be significant in their nature. Rather, the initial screening draft of the BNP is influenced by higher-tiered plans. There is no lower tier below the neighbourhood plan within the statutory development plan which covers Eastleigh Borough.</p>
<p>c) The relevance of the BNP for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The initial screening draft of the BNP seeks to integrate environmental measures with a view to promoting sustainable development. This would be achieved through policies proposed which are aimed at creating a network of movement routes (which would increase active travel such as walking and cycling) and increasing the installation of small-scale renewables and EV charging points.</p> <p>The initial screening draft of the BNP as currently drafted in proposing two new residential allocations (for a maximum of 20 dwellings each), increased car parking provision for the Botley Centre and 4 off-road vehicle parking spaces for 4+bed dwellings (therefore more than the existing Parking Standards SPD for dwellings of this size) could result in localised increase in vehicle traffic movements and associated air pollution.</p> <p>If the BNP reaches the Regulation 16 submission stage, it will be assessed to see if it complies with the basic conditions as prescribed by national legislation. This requires neighbourhood plans to promote sustainable development. The Plan will be extensively consulted on through both the Regulation 14 and Regulation 16 stages prior to this point of the process to ensure this is achieved. The Plan will also be subject to an examination process which will further help to determine whether sustainable development will be achieved prior to proceeding to referendum to be 'made'.</p>
<p>d) Environmental problems relevant to the BNP; and</p>	<p>The River Hamble defines the south eastern boundary the Botley Neighbourhood Area. This part of the River Hamble is the Solent & Southampton Water SPA/Ramsar and Solent Maritime SAC.</p>

Criteria specified schedule 1 SEA Regulations	Assessment
	<p>Some parts of the Botley Neighbourhood Area including those adjoining tributaries of the River Hamble are at greater risk of flooding (i.e. located in Flood Zones 2 & 3 with regards to fluvial flood risk). There are also LNR and SINC designations and important wildlife corridors within the Botley Neighbourhood Area.</p> <p>The edges of the northern and southern parcels of the Woodhill School site allocations subject to proposed policies 7 and 8 are located within Flood Zones 2 and 3.</p> <p>Broad Oak and High Street are also located in an Air Quality Management Area (AQMA). The two proposed residential allocations could also have potential uncertain effects upon air quality in this area depending on the level of traffic generated.</p>
e) The relevance of the BNP for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The policies in the initial screening draft of the BNP will seek to address environmental issues in the Botley Neighbourhood Area. The Plan is therefore considered to be relevant to various aspects of community legislation, such as environmental protection (e.g. relating to water management).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -	
a) The probability, duration, frequency and reversibility of the effects;	<p>The two residential site allocation policies proposed in the initial screening draft of the BNP are in addition to those already identified in the emerging Eastleigh Local Plan (2016-2036) and are likely to have environmental effects. It is considered they could result in a localised increase and frequency of traffic movements leading to an uncertain localised effect upon local air quality. This is exacerbated through the adjacent location of the Botley Air Quality Management Area (AQMA) which runs along Broad Oak through to Botley High Street. These effects are likely to be irreversible since they relate to new development.</p> <p>Other environmental impacts are likely to be associated with flood risk and drainage issues due to the location of the two residential site allocations</p>

Criteria specified schedule 1 SEA Regulations	Assessment
	<p>adjacent to the Pudbrook watercourse. Such effects are likely to occur during periods of higher rainfall or high tide. The southern parcel of the Woodhill School site allocation would also incorporate site access crossing the Pudbrook Lake watercourse corridor. This could lead to uncertain environmental impacts upon this watercourse and its associated habitats.</p> <p>There is the likelihood of effects upon water quality, nutrients, air quality and protected species (e.g. otters and bats) caused by increased disturbance upon the Solent & Southampton Water (SPA and Ramsar) and Solent Maritime (SAC) European designated sites located approximately 1 kilometre from the two proposed residential site allocations – including tributaries to these designations. Other potential impacts are likely through anthropogenic disturbance to protected habitats and species – including that from domestic animals (and predation).</p> <p>There may also be uncertain impacts beyond the SPA/Ramsar and SAC designations such as upon the Local Nature Reserve designations in the Botley Neighbourhood Area. This includes that located within nearby proximity to the site to the north of Broad Oak and the presence of existing habitats and species.</p> <p>There are further uncertain environmental effects due to the potential loss of trees and the potential loss of habitat for protected species (e.g. bats) with regards to the proposal for new site access and routes such as the newly proposed access from Brook Lane to access the southern parcel of the Woodhill School proposed site allocation.</p> <p>The proposed movement routes and heritage and history trail could lead to increases in walking and cycling across the Botley Neighbourhood Area. Whilst these could lead to positive environmental benefits such as reduced car use, they may also have uncertain recreational impacts such as upon the Solent & Southampton Water SPA and Ramsar and Solent Maritime SAC European designated sites, other habitats and existing biodiversity corridors.</p>

Criteria specified schedule 1 SEA Regulations	Assessment
	<p>The uncertain environmental impacts associated with the two proposed residential allocations would be expected over the longer term since they are not expected to be developed in the shorter-term period in relation to the policy criteria proposed.</p> <p>.</p> <p>The land proposed for the expansion of the Botley Centre car park which constitutes the northern part of the northern parcel of the Woodhill School site may also lead to uncertain air quality impacts with regards to the issues outlined above. However, if this car park is dependent on the residential site allocations coming forward, these effects might not be expected over the shorter-term period.</p> <p>Policy 9 (Strategic Allocation) proposes changes to proposed Policy BO3 Land east of Kings Copse Avenue and east of Tanhouse Lane on the basis it is not removed from the emerging Local Plan (2016-2036). This may have uncertain environmental impacts through the provision of a cemetery on the site. This is due to the impacts this could have upon existing biodiversity value. Any such impacts would be likely over the shorter-term in accordance with the projected delivery of this site as shown in the Council's Housing Trajectory.</p>
b) The cumulative nature of the effects;	<p>It is possible that the two proposed residential site allocations and proposed movement routes and heritage and history trail could have limited cumulative effects upon the noted European designated sites. The two residential allocations and proposed car park expansion at the Botley Centre may also have localised cumulative effects upon lower air quality.</p> <p>It is also considered that there will be positive cumulative effects upon air quality across the Botley Neighbourhood Area arising from the network of proposed movement routes (which would increase active travel such as walking and cycling) and from increasing the installation of small-scale renewables and EV charging points. However, the limited, localised and uncertain cumulative effects as referenced above could potentially outweigh these benefits.</p>
c) The transboundary nature of the effects	There are not expected to be any significant trans-boundary effects arising from the initial screening draft of the BNP (i.e. those beyond the Botley

Criteria specified schedule 1 SEA Regulations	Assessment
	Neighbourhood Area or beyond the Eastleigh Borough Council administrative boundary). The policies which are proposed including the two residential site allocations would apply at a neighbourhood level, and as such, will generally provide a greater level of detail on local circumstances and characteristics compared to those referenced in the emerging Local Plan (2016-2036).
d) The risks to human health or the environment (for example, due to accidents);	It is considered unlikely that the policies of the initial screening draft of the BNP would result in any risks to human health or the environment which could arise from accidents.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	It is considered unlikely that the policies of the initial screening draft of the BNP would result in significant environmental effects in terms of their magnitude and spatial extent. Any effects as per those identified in this screening assessment would be of a localised nature within the boundary of the Botley Neighbourhood Area.
<p>f) The value and vulnerability of the area likely to be affected due to –</p> <p>(i) Special nature characteristics or cultural heritage;</p> <p>(ii) Exceeded environmental quality standards or limit values;</p> <p>or</p> <p>(iii) Intensive land-use</p>	<p>Whilst the two housing allocations as proposed are likely to have uncertain environmental effects as already set out, it is also noted that the northern parcel would result in the reuse of a vacant Listed Building (Brook House). Therefore, it is likely the value and vulnerability of the area would be enhanced with regards to cultural heritage factors. The proposed heritage and history trail would also have cultural heritage related benefits.</p> <p>The proposals to identify seven new movement routes and one footbridge for enhancing local footpath and cycleway links and enable access on foot and by bicycle are not set out in detail the initial screening draft of the BNP. Therefore, the magnitude of these impacts upon special nature characteristics whilst expected to be localised are uncertain at this stage with regards to the proximity of these movement routes to the banks of the River Hamble and its European designations.</p> <p>The two proposed housing allocations would also make use of previously developed land and buildings which are currently vacant and unused. However, there is scope to further optimise the density of the two proposed housing allocations for the purposes of achieving intensive land use provided the</p>

Criteria specified schedule 1 SEA Regulations	Assessment
	environmental concerns highlighted in this screening assessment are sufficiently addressed.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	It is considered unlikely that the policies of the initial screening draft of the BNP would have effects on landscapes which have a recognised natural, Community or international protection status. This is because there are no internationally protected landscapes located across the Borough (the boundary of the South Downs National Park is also not located in close proximity).

6. SEA Conclusions and Next Steps

6.1 **This SEA screening has identified that the initial screening draft of the BNP may have significant effects on the environment meaning that there is a need for a full SEA to be undertaken.**

6.2 Before this screening opinion is confirmed as final, it will be subject to consultation and feedback from the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

7. Habitats Regulations Assessment

7.1 The Habitats Regulations transpose the Habitats Directive into UK law. A Habitat Regulations Assessment (HRA) refers to one of the several distinct stages of Assessment. These must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).

7.2 A HRA screening assessment should explore whether the implementation of a plan or project not connected to or necessary for a sites management, would be likely to have a significant effect upon or harm the habitats or species for which the European sites otherwise also known as ‘Natura 2000 sites’ are designated. The European sites are:

- Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:
- Special Areas of Conservation (SACs) – designated by the Habitats Directive (92/43/EEC).

7.3 The National Planning Policy Framework (NPPF) also states that Ramsar sites should be afforded the same level of protection as the European sites.

7.4 A screening process has been followed as per this HRA screening assessment to assess if the initial screening draft of the BNP requires a full Appropriate

Assessment. The Appropriate Assessment stage of HRA is only required should this preliminary screening assessment not be able to rule out likely significant effects on a European site.

8. HRA Screening Process

8.1 The HRA is undertaken in separate stages and should conclude whether or not a proposal or policy would adversely affect the integrity of any sites. The stages of the HRA process are further described below.

Stage 1 – Screening

- This is the process which identifies the likely effects upon a European site (Natura 2000 or Ramsar site(s)) of a project or plan, either alone or in combination with other projects or plans, and determines whether these effects are likely to be significant.
- If there is uncertainty, and it is not possible, based on the information available, to confidently determine that there will be no significant effects on a site then the precautionary principle⁴ will be applied. The screening assessment must reflect the outcomes of the 2018 judgement of the Court of Justice of the European Union⁵ which has ruled that where mitigation is necessary this must be identified through an Appropriate Assessment. This means that measures that are necessary to avoid or reduce impacts on the European site, even when considered standard environmental best-practice, cannot be taken into account at this stage. This ruling necessitated a change to the habitat conservation regulations (The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018) which amended the basic condition. Examiners must now consider whether “The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”
- If no likely significant effects are determined, the project or plan can proceed without the need to progress onto the Stage 2 Appropriate Assessment stage. If any likely significant effects are identified, Stage 2 commences.

Stage 2 – Appropriate Assessment

- This is the consideration of the impact on the integrity of the site(s), either alone or in combination with other projects or plans, with respect to the site’s structure and function and its conservation objectives.

4 The Precautionary Principle – Prudent action that avoids the possibility of irreversible environmental damage in situations where the scientific evidence is inconclusive but the potential damage could be significant.

5 C-323/17 – People over Wind, Peter Sweetman v Coillte Teoranta.

- Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts should be provided.

Stage 3 – Assessment of Alternative Solutions

- This is the process which examines alternative ways of achieving the objectives or the project or plan that avoid adverse impacts on the integrity of the European site (Natura 2000 and Ramsar site(s)); and

Stage 4 – Compensatory Measures

- This is an assessment of the compensatory measures where, in light of an assessment of imperative reasons of overriding public interest, it is deemed that the plan should proceed.

9. HRA Determination and Reasoning

9.1 In order to understand the context of the likely effects of the BNP as initially drafted, it is important to consider the likely effects of the emerging Eastleigh Borough Local Plan (2016-2036) which has been subject to a continuous and iterative HRA screening and assessment process.

9.2 In summary, therefore, the HRA report for the emerging Eastleigh Borough Local Plan (2016-2036) considers the following European sites (Natura 2000 and Ramsar site(s)) as shown in the box below. These have been designated to conserve a wide variety of habitats of European importance, along with species populations of high conservation significance:

- New Forest SAC/SPA/Ramsar
- River Itchen SAC
- Solent Maritime SAC
- Solent & Dorset Coast pSPA⁶
- Solent & Southampton Water SPA/Ramsar

9.3 Those scoped out of the assessment of the emerging Eastleigh Borough Local Plan (2016-2036) Habitats Regulations Assessment include the two following European sites (Natura 2000 sites) as shown in the box below:

- Emer Bog SAC
- Mottisfont Bats Sac

⁶ formally designated in January 2020

9.4 The HRA screening report (AECOM, 2015) for the Local Plan at that stage in its preparation considered that Emer Bog SAC and Mottisfont Bats SAC could be screened-out of the assessment process. This was on the basis of their reasons for designation and distance from Eastleigh Borough, reasons which remain valid for the emerging Eastleigh Borough Local Plan (2016-2036) HRA (UE Associates 2021) whereby it has been considered that it is not directly connected with or necessary to the management of these sites for nature conservation.

9.5 The latest conclusions of the emerging Eastleigh Borough Local Plan (2016-2036) HRA constitute the following:

- No likely significant effects were identified in relation to Emer Bog SAC, Mottisfont Bats SAC, New Forest SAC/Ramsar or Solent and Dorset Coast SPA, either alone or in combination with other plans and projects.
- Significant effects through coastal squeeze are not likely for Solent Maritime SAC or Solent and Southampton Water SPA/Ramsar, either alone or in combination with other plans and projects.
- Significant effects through atmospheric pollution are not likely for Solent Maritime SAC or Solent and Southampton Water SPA/Ramsar, either alone or in combination with other plans and projects.
- Significant effects through impacts to land outside the boundary of Solent and Southampton Water SPA/Ramsar (non-designated terrestrial wader and Brent goose sites) are not likely, either alone or in combination with other plans and projects.
- Significant effects resulting from recreation are not likely for River Itchen SAC, either alone or in combination with other plans and projects.
- There will be no adverse effect on the integrity of River Itchen SAC as a result of atmospheric pollution, either alone or in combination with other plans and projects.
- Taking account of the mitigation strategy, it can be concluded that there will be no adverse effect on the integrity of River Itchen SAC as a result of noise and vibration, hydrological impacts, impacts to land outside the SAC boundary (otter dispersal corridors), non-native species, water abstraction or water pollution, either alone or in combination with other plans and projects.
- Taking account of the mitigation strategy, it can be concluded that there will be no adverse effect on the integrity of Solent Maritime SAC as a result of non-native species, site-specific hydrological impacts or water pollution, either alone or in combination with other plans and projects.

- Taking account of the mitigation strategy, it can be concluded that there will be no adverse effect on the integrity of New Forest SPA as a result of disturbance, either alone or in combination with other plans and projects.
- Taking account of the mitigation strategy, it can be concluded that there will be no adverse effect on the integrity of Solent and Southampton Water SPA/Ramsar as a result of disturbance, noise and vibration or water pollution, either alone or in combination with other plans and projects.

9.6 The initial screening draft of the BNP introduces 18 new draft policies which includes two new residential site allocation policies. These are in addition to the minimum 14,580 dwellings that are proposed to be allocated through the emerging Eastleigh Borough Local Plan Review (2016-2036). The initial screening draft of the BNP also proposes locally specific policies and supports additional residential development on small scale infill sites within the settlement boundaries falling in the Botley Neighbourhood Area provided this meets its wider policy objectives.

9.7 Whilst many of the policies as currently drafted in the BNP provide a local steer and address issues in addition to those policies in the emerging Eastleigh Borough Local Plan (2016-2036), it has been concluded that there is uncertainty as to whether the two newly proposed residential allocations with proposed new access over the Pudbrook Lake (Policies 7 & 8), car parking expansion for the Botley Centre (Policy 4), movement routes (due to their unknown location) for walking and cycling (Policy 4) and proposed local heritage and history trail (due to its known location) would have adverse effects on European sites (Natura 2000 and Ramsar site(s)) either alone or in combination with other plan or projects which include the Eastleigh Local Plan (2016-2036).

9.8 The full screening assessment can be viewed in Table 3 which follows.

Table 3: HRA Screening Assessment

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
Policy 1: Retention of existing commercial premises	Policy encouraging the retention, provision and protection of existing business (Class E uses) in the Botley Neighbourhood Area	No likely significant effects – policy does not allocate new sites	None	None
Policy 2: Retail development sites	Policy which supports the provision of small business units, the provision of local shops and re-use of redundant agricultural buildings for business use	No likely significant effects – policy does not allocate new sites	None	None
Policy 3: Protection and maintenance of Local Green Spaces	Protective policy which identifies 30 existing open spaces for protection as Local Green Space	No likely significant effects – this is a protective policy which does not promote development	None	None
Policy 4: Infrastructure investment priorities	Policy identifies projects for spending developer contributions	Uncertain effects – in relation to the increased parking at the Botley Centre and improving the network of movement routes	Possibility of in combination effects arising from increased atmospheric pollution levels. The unknown size of the proposed increase in parking provision means that the magnitude of these effects is uncertain. However, these effects are likely to be on a more localised scale	For consideration at the Appropriate Assessment stage (Stage 2)

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
			The creation of the new movement routes may have uncertain effects relating to disturbance and water quality on the Solent & Southampton Water (SPA and Ramsar) and Solent Maritime (SAC) designated sites – including tributaries to these designations.	
Policy 5: Settlement gaps	Identifies a number of new settlement gaps including those proposed in addition to those identified in the emerging Eastleigh Borough Local Plan (2016-2036)	No likely significant effects – protective policy which aims to prevent physical and visual coalescence of settlements	None	None
Policy 6: Site for new cemetery	Policy supports the provision of a new cemetery in the Botley Neighbourhood Area but is not site specific	No likely significant effects – policy does not allocate new sites	None	None
Policy 7: SLAA-3-20-C northern parcel Woodhill School	Policy supports development for a maximum of 20 dwellings which will include making use of the existing Grade II listed parts of the site. 40% affordable housing is required along with associated open space	Significant effects likely – the site falls within approximately 1km from the Solent & Southampton Water SPA and Ramsar and Solent Maritime SAC. Impacts upon other European designated sites within the Solent Protection Zone are more uncertain.	Likelihood of effects upon water quality, nutrients, air quality, and protected species caused by increased disturbance on the Solent & Southampton Water (SPA and Ramsar) and Solent Maritime (SAC) designated sites – including tributaries to these designations	For consideration at the Appropriate Assessment stage (Stage 2)

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
Policy 8: SLAA-3-21-C southern parcel Woodhill School	Site supports development for a maximum of 20 dwellings. 40% affordable housing is required along with associated open space and safe pedestrian access for linking Botley Bridleway 17 to the Pudbrook Green Route via the southern end of the site.	Significant effects likely – the site falls within approximately 1km from the Solent & Southampton Water SPA and Ramsar and Solent Maritime SAC. Impacts upon other European designated sites within the Solent Protection Zone are more uncertain.	Likelihood of effects upon water quality, nutrients, air quality and protected species caused by increased disturbance on the Solent & Southampton Water (SPA and Ramsar) and Solent Maritime (SAC) designated sites – including tributaries to these designations	For consideration at the Appropriate Assessment stage (Stage 2)
Policy 9 Site BO3 (Strategic Allocation) proposals	Policy proposes additional criteria further to that in Policy BO3 of the emerging Eastleigh Local Plan (2016-2036) if retained following consideration by the inspector. This includes additional requirements such as biodiversity measures and the type of development (e.g. 40% affordable housing, the provision of a cemetery and allotments or community space).	No likely significant effects for the purposes of the HRA – uncertain environmental effects are considered for the proposed cemetery use of the land for the purposes of the SEA screening in Table 2.	None	None
Policy 10: Utilities Provision	Policy proposes to ensure that new development proposals have the required infrastructure for surface water drainage, wastewater and electricity.	No likely significant effects – policy does not allocate new sites but instead gives details of the necessary utility infrastructure that will be required for new development	None	None

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
Policy 11: Flood mitigation	Policy proposes that new development incorporates the use of Sustainable Drainage Systems (SuDS) for ensuring the discharge of surface water flows	No likely significant effects – protective policy which aims to reduce the risk of surface water flooding	None	None
Policy 12: Strategic high and intermediate pressure pipelines and high voltage electric cables	Policy seeks to ensure all new development complies with the existing safety requirements in relation to Consultation Distances around major accident hazard pipelines and for the Health and Safety Executive Planning Advice Web App to be used for identifying if a proposed site lies within the Consultation Distance of any of these strategic pipelines or cables.	No likely significant effects – policy aims to reduce the risks associated with major accident hazard pipelines and cables upon all new development	None	None
Policy 13 Parking standards for new residential developments	The policy sets the requirements for off-street parking for new residential development (standards are proposed for 1-5 bed dwellings)	No likely significant effects – policy does not promote development	None	None
Policy 14: Housing mix and affordable housing	The policy includes criteria for meeting specified local needs and requirements for affordable housing (e.g. all new development is	No likely significant effects – policy does not allocate new development and is criteria based for controlling the type and level of affordable housing	None	None

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
	expected to provide at least 35% affordable housing with 40% to be achieved on developments of 50 dwellings and above).			
Policy 15: Built form, design and materials	Policy includes criteria for ensuring new development in the Botley Neighbourhood Area is well designed and promotes measures such as non-car use in larger schemes, EV charging points and facilities for storing refuse and recycling bins out of sight. This also includes new development being consistent with the requirements of the Botley Design Guide.	No likely significant effects – the policy does not promote development but aims to ensure new development is well designed and incorporates sustainability measures	None	None
Policy 16: Renewable energy	Policy supports the provision of a range of small-scale and micro-scale renewable energy schemes in new development where possible and practical.	No likely significant effects – the policy does not promote development but would have positive environmental effects by encouraging the use of renewable energy sources	None	None
Policy 17: Off-road parking for educational facilities	Policy supports increased parking provision for where this is currently considered to be inadequate for users of educational facilities	No likely significant effects – policy is criteria based and does not promote development. Uncertain effects relating to the Botley Centre car park expansion are	None	None

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation
		considered separately under Policy 4.		
Policy 18: Community infrastructure	Policy supports the retention of community facilities unless their replacement can be justified through the criteria included in the policy. New and improved community facilities are also supported.	No likely significant effects – the policy does not promote development but sets criteria for replacement and new community facilities.	None	None

10. HRA Screening Conclusions and Next Steps

- 10.1 The screening assessment identifies Policies 4, 7 and 8 as having the potential for significant effects upon protected European designated sites – primarily upon the Solent & Southampton Water SPA and Ramsar and Solent Maritime SAC designations due to their nearby proximity to development which is proposed in the screening draft of the BNP. This means likely significant effects on these sites in combination with other growth proposed and being built out through the targets set in the emerging Eastleigh Local Plan (2016-2036) cannot be ruled out.
- 10.2 To ensure compliance with the Sweetman judgement it is not possible to take into account mitigation measures to screen out likely significant effects at this stage. Therefore, the requirement for Botley Parish Council undertake an Appropriate Assessment under the Habitats Regulations 2017 is screened in.

The conclusions therefore mean that Stage 2 of the HRA process as set out on pages 17 & 18 will be necessary whereby an Appropriate Assessment will be required.

- 10.3 This screening opinion will be published alongside the Regulation 14 draft of the BNP and will also be subject to public consultation. Before this screening opinion is confirmed as final, it will also first require feedback from the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

Appendices

Screening Opinion response from the Environment Agency

Dear Planning Policy

Thank you for consulting the Environment Agency on the SEA/HRA screening opinion for Botley Neighbourhood Plan.

Having reviewed the screening document, along with the draft plan, and considering issues within our remit, we would agree that a SEA is required for this plan. There is potential for the Botley NP to have significant effects on the environment. Our main concern is in relation to flood risk.

The NP looks to allocate 2 sites. We have concerns regarding these sites due to the fact that according to our flood map for planning they are within current day flood zone 3. The NPPF is very clear that flood risk areas should be avoided wherever possible to ensure that risk is not increased either to the site itself or others as a result of the development. As part of the evidence base for bringing the plan forward, we would expect the flood risk sequential test to be undertaken to demonstrate that there are no other sites available at lower flood risk. If this can be passed then a strategic flood risk assessment should be undertaken to demonstrate that the sites can be made safe for the lifetime of the development proposed and do not increase flood risk to others. Only if this is possible should the sites be allocated.

In terms of the HRA, we would defer to Natural England's advice on this matter as they are the relevant body in regard to this.

I hope that the above information is useful. If you have any questions please do not hesitate to contact me using the details below.

Kind regards

Screening Opinion response from Natural England

Botley Neighbourhood Plan & draft SEA/HRA Screening

Dear XXXX

Thank you for your consultation request on the above dated and received by Natural England on date 10 February 2022.

At this time, Natural England is not able to fully assess the potential impacts of this plan on statutory nature conservation sites or protected landscapes or, provide detailed advice in relation to this consultation. If you consider there are significant

March 2022

risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the deciding authority to determine whether or not the plan is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the impacts of the plan on the natural environment to assist the decision making process.

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. 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.

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.

Yours sincerely

Screening Opinion response from Historic England

Dear XXXX

Thank you for consulting Historic England on the Botley Neighbourhood Plan strategic environmental assessment (SEA) screening report (February 2022).

The proposed neighbourhood plan includes two housing-led site allocations (Policy 7: SLAA-3-20-C northern parcel Woodhill School and Policy 8: SLAA-3-21-C southern parcel Woodhill School). The grade II listed Brook House (1337023) is located within the Policy 7 allocation and the setting of the building may extend into the area proposed for allocation by Policy 8. Therefore, we consider that the plan is

March 2022

likely to result in significant effects on cultural heritage and it is our opinion that a full SEA of the neighbourhood plan is required.

Kind regards