# Uttlesford District Council

**Little Dunmow Neighbourhood Plan** 

Strategic Environmental Assessment (SEA)
Screening Determination Statement (under
Regulation 9 and 11 of the Environmental Assessment of
Plans and Programmes 2004)

08 June 2024

#### **EXECUTIVE SUMMARY**

This statement provides the determination (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)) that the draft Little Dunmow Neighbourhood Plan is unlikely to result in significant environmental effects and therefore, does not require a Strategic Environmental Assessment. This statement also includes the reasons for this determination (in line with Regulation 11 of the SEA Regulations).

In addition, this statement determines that the making of the draft Little Dunmow Neighbourhood Plan is unlikely to result in significant effects on any European sites and consequently the plan does not require Habitat Regulation Assessment.

This determination statement is also intended to demonstrate that the Little Dunmow Neighbourhood Plan is compatible with certain European Union obligations as required by the basic conditions, namely:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment;
   and
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

This determination has been made on <u>08 August 2024.</u> Within 28 days of this determination, Uttlesford District Council will publish this determination statement in accordance with its regulatory requirements (as per Regulation 11 of the SEA Regulations). The statutory consultees will be sent a copy of this statement and a copy of the statement will be available for inspection at the Council's website at <a href="https://www.uttlesford.gov.uk/little-dunmow-plan">https://www.uttlesford.gov.uk/little-dunmow-plan</a> It will also be available on request at: Uttlesford District Council, Council Offices, London Road, Saffron Walden, Essex, CB11 4ER.

If you require any further information, then please contact Demetria Macdonald by email at dmacdonald@uttlesford.gov.uk.

#### **DETERMINATION STATEMENT (including reasons for the determination)**

This statement has been produced to ensure the Little Dunmow Neighbourhood Plan will, when examined, comply with the Neighbourhood Planning (General) Regulations 2012 (as amended) in particular Regulation 32 and Regulation 15(1) e (ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

A neighbourhood plan is required to meet a number of basic conditions (which are set out in the Town and Country Planning Act 1990), one of which being, it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the SEA Regulations<sup>1</sup> which transpose the EU's SEA Directive<sup>2</sup> into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in primary legislation. Regulation 32 states: "The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e)) (either alone or in combination with other plans or projects).

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) preliminary Screening Opinion was prepared by Uttlesford District Council for the Ashdon Neighbourhood Plan. This opinion, see **Appendix 1** to this report, was made available to the statutory environmental bodies (Natural England, Historic England and Environment Agency) for comment starting on 05 June 2024.

Consultation responses were received from the three statutory bodies (Historic England and Natural England and Environment Agency. The conclusions from the three statutory bodies are summarised below, and their detailed comments are included in **Appendix 2**.

#### **Historic England Response:**

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a **Strategic Environmental Assessment is not required.** 

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

<sup>&</sup>lt;sup>1</sup> . Known fully as The Environmental Assessment of Plans and Programmes Regulations 2004.

<sup>&</sup>lt;sup>2</sup> Known fully as Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment **is not required.** 

#### **Natural England Response:**

Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,
- significant effects on Habitats sites1, either alone or in combination, are unlikely.

#### **Environment Agency:**

We have raised the environmental constraint of water quality to ensure that this is considered as part of the Neighbourhood Plan Draft.

Regarding the need for an SEA, as there is no draft of allocated sites or policies outside of the local plan remit, we do not consider that an SEA is required. For the Little Dunmow Neighbourhood Plan.

#### **Uttlesford District Council's Screening Opinion**

Based on the three Statutory Consultees responses i.e. Historic England, Natural England and the Environment Agency to the Council's Screening Opinion, Uttlesford District Council's conclusion is that:

Subject to ecological, landscape and soils advice that the plan will not adversely affect the most versatile agricultural land, landscape, geodiversity and biodiversity receptors the Little Dunmow Neighbourhood Plan is unlikely to have-significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and significant effects on Habitats sites, either alone or in combination, are unlikely.

In the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a **Strategic Environmental Assessment is** <u>not </u>**required.** 

The draft neighbourhood plan does not propose site allocations and any policies affecting development will be led by the Local Plan and an SEA/HRA is not required for the Little Dunmow Neighbourhood Plan.

### **APPENDIX 1: Little Dunmow SEA/HRA Screening Report**

# Strategic Environmental Assessment and Habitats Regulations Assessment

Screening Report for the Little Dunmow Neighbourhood Plan

04 June 2024

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#### Introduction

There are two purposes to this screening report:

#### **SEA Screening**

- 1.2 The purpose of this document is to help determine whether or not the draft Little Dunmow Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.3 Uttlesford District Council (UDC) is required to consult the statutory bodies, the Environment Agency, Natural England and Historic England prior to reaching a screening determination and will use this report as a basis for this consultation.

#### **HRA Screening**

- 1.4 The purpose of this document is also to ascertain whether the making of the Little Dunmow Neighbourhood Plan would breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. This is a required basic condition of neighbourhood plans as laid out in Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 as amended.
- 1.5 Article 6(3) of the Habitats Directive 92/43/EEC reads:
  - "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."
- 1.6 In practice Article 6(3) requires a two-stage process.
  - a) initially seeing if the draft plan is likely to have a significant effect on a European site (either alone or in combination with others plans or projects); and if likely significant effects cannot be ruled out
  - b) subjecting the neighbourhood plan to appropriate assessment where the purpose of the appropriate assessment is to ascertain the implications of the neighbourhood plan on the European site in view of the conservation objectives of the European site.
- 1.7 Where an appropriate assessment is required, the plan can only proceed to adoption if it is found the plan will have no adverse effects on the integrity of the European site. At the appropriate assessment stage (if that stage is needed) account may be taken of proposed mitigation measures but not prior to this.

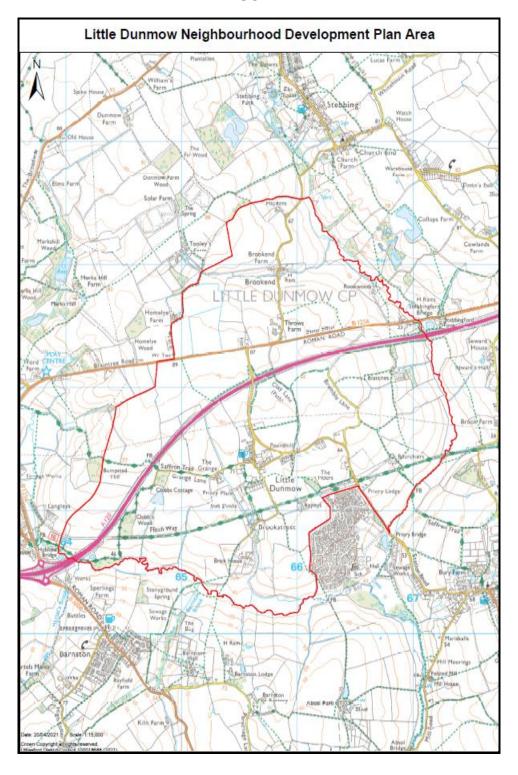
#### Status of this Screening Report

1.8 The views reached in this SEA/HRA screening report are preliminary views prior to consulting with Natural England, the Environment Agency, and Historic England.

#### Introduction to Little Dunmow

- 1.9 Within the Uttlesford district in the county of Essex, Little Dunmow is a small rural parish situated in the vale of the River Chelmer on its northern bank and approximately 3 miles (4.8km) to the east-southeast of Great Dunmow. London Stansted Airport is located along the A120 to the west of Little Dunmow. The neighbourhood plan area is made up of Little Dunmow Parish. The Parish covers an area of approximately 656 hectares.
- 1.10 Little Dunmow is a rural community set in open countryside but close to a newer development of Oakwood Park built on the site of the former Sugar Beet works. The Flitch Way (a linear country park that follows the route of the defunct Braintree to Bishop's Stortford railway) links Little Dunmow and the new settlement of Flitch Green There was a settlement at Little Dunmow as early as Roman times. Stane Street (remains of a Roman Road) that bisects the Parish running from east to west has been incorporated into the B1256. In the Domesday Book Little Dunmow was known as Dommawa. Parts of The Priory Church of St Mary the Virgin are the earliest architectural remains of the village. The Priory founded in 1106 was demolished in 1536 and the remaining Lady Chapel currently serves as the parish church. There are 45 Listed Buildings or groups of Listed Buildings in the Parish whilst within the Conservation Area, half of which date from the 17th century and a significant number from the 14th Century. The village pump is 19th century. dating from there are 15 Listed Buildings. The Flitch of Bacon, public house and restaurant dates to the 17th century. Little Dunmow is classified as a Smaller Village in the emerging Local Plan.
- 1.11 The landscape in Little Dunmow falls within two Landscape Character Areas: Landscape Character A6 Upper Chelmer River Valley mostly in the southern and northwestern part of the parish and Landscape Character B13 Rayne Farmland Plateau mostly in the eastern part of the parish. The southern and northwestern parts of the parish are characterised by a narrow valley with a restricted valley floor, a small meandering river channel, dense riverside trees, arable valley sides with a fairly open character. Smaller linear settlements occupy the upper valley sides or straggle down to a few bridge points. The area is mostly tranquil away from Great Dunmow and the A120. The western part of the parish is classed as Landscape Character Area B13 Rayne Farmland Plateau. The Rayne Farmland Plateau is characterised by an irregular field pattern of mainly medium and large arable fields, many small woods and copses. Typical of this area is a scattered settlement pattern with a few hamlets.
- 1.12 As at the 2021 Census the population was 257 comprising 110 households.
- 1.13 The Little Dunmow Neighbourhood plan area can be seen in Figure 1

FIGURE 1



1.14 The Little Dunmow Neighbourhood Plan (NP) covers the period 2021 – 2041 and has the following vision:

"To enhance Little Dunmow as a rural and historic parish with a mediaeval settlement style and a beautiful Magna Carta village at its heart.

For any new development to be sustainable and a beautiful inheritance for future generations.

To nurture the flourishing community spirit within the parish and the different hamlets.

To encourage enjoyment of the Flitch Way Country Park and the many pathways which lead to delight in the surrounding landscape and views across to five other parishes."

1.15 The vision is underpinned by the following objectives:

#### Rural Landscape, Nature and the Environment

- 1. To maintain and enhance the rural nature of the parish, views to surrounding churches, and the Vale of Chelmer
- 2. To protect and enhance local habitats such as our valued hedgerows and river corridor, to the benefit of local wildlife and biodiversity.
- 3. To protect the dark skies within the parish.
- 4. To help the parish become more resilient to climate change.

#### Heritage and Green Spaces

- 5. To conserve and enhance heritage assets in the Parish including Little Dunmow's historic Core and medieval settlement style.
- 6. To strengthen the identity of Little Dunmow, preventing coalescence between settlements within the parish and our neighbouring parishes, and to maintain important gateways.
- 7. To protect the green spaces within the parish.

#### Housing, Design and Development

- 8. To ensure that any new housing meets identified needs within the parish, such as being suitable for young people and to meet the needs of an ageing population.
- 9. To encourage new housing developments to be environmentally sustainable, well designed, and in keeping with the parish.
- 10. To identify pressures on and highlight the needs of local infrastructure.

#### Recreation and Community Facilities

- 11. To recognise the importance of the Flitch Way Country Park, the many footpaths and bridleways in the Parish, and to seek to encourage and assist in their maintenance and management.
- 12. To maintain and enhance the village recreation ground.
- 13. To seek to deal with the parish parking issues.
- 14. To work toward a community hub, increase community wellbeing, and social responsibility.

#### **Getting Around**

- 15. To encourage environmentally friendly means of transport, such as the introduction of cycle paths, and to support the maintenance of the current network.
- 16. To highlight and lobby Essex County Council on road safety issues.
- 1.16 Individual policies and community aspirations have yet to be developed within the components of the Plan underlying each objective. To help realise the objectives listed above the proposed planning policies in the NP are arranged under the topics and set out in Paragraph 115. The planning policies are yet to be drafted for the Regulation 14 consultation draft document.
- 1.17 The Little Dunmow Neighbourhood Plan does not allocate any residential sites. The Uttlesford District Council emerging Local Plan has classified Little Dunmow as a Smaller Village with a residential requirement of <u>zero</u>. The Little Dunmow Neighbourhood Plan will not be allocating any sites.
- 1.19 Any future development in Little Dunmow will be subject to policies which will contain specific criteria to ensure mitigation of adverse impacts and implementation of potential positive effects.
- 1.20 The Little Dunmow Neighbourhood Plan does not identify new housing allocations but recognises that additional dwellings are likely to come forward during the Neighbourhood Plan period to 2041 that are compliant with planning policies. Since the inception (May 2021) of the Little Dunmow Neighbourhood Plan planning permission has been granted for 179 dwellings.
- 1.21 Infill development will be supported within the Development Limits subject to compatibility with the character of the settlement. Affordable housing development will be supported within the Development Limits and on rural exception sites outside the Development Limits.
- 1.22 The Little Dunmow Neighbourhood Plan is underpinned by a comprehensive set of evidence base documents comprising:
  - Little Dunmow Housing Needs Survey (2022) RCCE
  - Little Dunmow Design Guidance and Codes (2022)
  - Uttlesford District Council Rural Housing Strategy (2023 TBC)
  - Little Dunmow Landscape Character Assessment (2023)
  - Essex Landscape Character Assessment (2003)
  - Uttlesford District Landscape Character Assessment (2006)
  - UK State of Nature Report (2020)
  - Strategic Flood Risk Assessment
  - Little Dunmow Conservation Area Appraisal and Management Plan (2014)
  - Local Heritage List

- Little Dunmow Local Green Space Assessment (2023)
- ◆ Little Dunmow Green Infrastructure Assessment
- Essex Public Rights of Way Network
- The lack of local facilities to support parish
- Essex Local Transport Plan
- 1.23 This evidence will ensure that proposed policies in the Neighbourhood Plan are robust, and evidence based.
- 1.24 Of great importance is the current policy context in which the NP sits. In the adopted 2005 Local plan, Little Dunmow within the Other Villages classification. Paragraph 2.2.4 of the Local Plan states that where there are development limits in Other Villages they are tightly drawn. The potential for development within these tightly drawn limits is limited to previously developed sites. Local affordable housing and community facility needs may be met on "exception sites" outside development limits. The Uttlesford District Council updated housing trajectory and 5-year housing land supply demonstrate a housing supply of 5.14 years for the period 2023-2028.
- 1.25 The Local Plan 2005 is out of date and increasingly so as time passes, the spatial strategy which identified development along the A120 corridor identified Little Dunmow (Oakwood Park) for a significant previously developed site. This area became part of the Flitch Green Parish. In Little Dunmow, development was permitted within the boundaries in accordance with the Plan. Small and medium development proposals on sustainable sites within or adjacent to the development limits and in the countryside were likely to be permitted when considered against the policies in the NPPF.
- 1.26 In the emerging Local Plan currently in preparation for Regulation 19 Consultation, Little Dunmow has been categorised as a Smaller Village where the indicative housing requirement is zero. However, limited infill development may be appropriate within the existing built areas of the settlement, or if it allocated within an adopted Neighbourhood Development Plan or future parts of the Local Plan. Proposals for limited infill development will be supported where they are:
  - i. in keeping with local character, and
  - ii. proportionate in scale, and
  - iii. meet local housing needs, and/ or provide local employment, services, and facilities.
- 1.27 There are currently 200 commitments in the Parish. The potential number of dwellings with all commitments when built out in 2041 will be 313 dwellings.

## Table 1: An indicative overview of the emerging development management policies in the Little Dunmow Neighbourhood Plan

#### Rural Landscape, Nature, and the Environment

#### Policy Intention A-1 – Key Views and View Corridors

Policy will identify 10 key views and key view corridors and ensure that development proposals seek to avoid or minimise any adverse impacts that they may have on key views or view corridors. It will also encourage proposals to enhance key views or view corridors.

#### Policy Intention A-2 - Landscape Character

Policy will incorporate the character assessment and guidance set out in the Little Dunmow Landscape Assessment. Development proposals will be required to demonstrate how this guidance has been taken into account.

#### Policy Intention A-3 – Key Habitats

Policy will identify key habitat features for protection, such as mature hedgerows, rural lanes that provide wildlife corridors, linear tree belts, larger semi-natural or ancient woodlands, semi natural grasslands, plantations and orchards, ponds and reservoirs, rivers, streams and their corridors.

Development proposals will be required to avoid harming these habitat features and contribute to their enhancement where possible.

The policy will reinforce the importance of The Flitch Way as a local Nature Reserve.

#### Policy Intention A-4 - Dark Sky

Policy will require development proposals to demonstrably minimise light pollution and protect the dark sky to the north of the parish.

#### Policy Intention A-5 - Climate Resilience

Policy may identify and support locally appropriate energy generation initiatives.

Policy may identify flood risk mitigation measures appropriate to the local flood risk profile of the parish and encourage the use of run-off reduction measures in new developments, such as Sustainable Drainage Systems (SuDS).

#### **HERITAGE, DESIGN and GREENSPACES**

#### Policy Intention B-1 – Non-designated Heritage Assets

Policy will identify buildings /sites that are not formally listed as "non-designated assets" in the planning process.

#### Policy Intention B-2 - Design and Development in the Conservation Area

The policy will identify design requirements for development within the Conservation Area and this will include recommendations set out in the Conservation Area Appraisal and Management Plan Proposals (Uttlesford District Council 2014).

Requirements will include density of development, boundary treatments, gaps between houses, views, building heights, roof styles and house styles.

#### Policy Intention B-3 – Historic Character

Policy may identify the historic character of the hamlets (Brook Street, Brook End, Stebbingford, Bouchiers, Hoydens Hill) and require development proposals to demonstrate how this character has been taken into account.

#### Policy Intention B-4 - Local Green Spaces

The policy subject to meeting the set criteria will designate several Local Green Spaces.

#### Policy Intention B-5 – Key Gateways and Avoiding Coalescence

The policy identifies several Key Gateways where development proposals that may affect these Gateways will be required to demonstrate how they avoid any harmful impact as well as provide enhancements to the Key Gateways.

#### Policy Intention B-6 – Green Infrastructure

The Policy will identify green infrastructure within the parish and support measures that improve and enhance green infrastructure.

#### Policy Intention B-7 - Green Wedges

The Policy will identify Green Wedges that make a positive contribution to the local character and serve as important buffers to offset the impact of the built environment.

#### **HOUSING, DESIGN and DEVELOPMENT**

#### Policy Intention C-1 Housing Development

The policy will require new housing developments to address the locally identified housing needs set out within the Housing Needs Survey, i.e. providing affordable social rented homes, provide accessible/adaptable homes and provision of 1- and 2- bedroom homes suitable for younger/young families as well as the needs of an ageing population looking to downsize into smaller homes.

#### Policy Intention C-2 Design Guidance and Codes

Development proposals are expected to be environmentally sustainable, well- designed and in keeping with the design principles codes set out in the Little Dunmow Design Guidance and Codes. Proposals for new development should demonstrate resilience and durability of buildings, reflect the local character and settlement pattern, be of appropriate scale and density as well as use appropriate materials, details and finishing.

#### Policy Intention C-3 – Sustainable Design

The policy will identify sustainable design features to be incorporated into new developments and retrofit measures that may be introduced to existing buildings, subject to being appropriate to the historic context.

#### Policy Intention C-4 – Infrastructure Considerations

Development proposals will be required to demonstrate how they have had regard to the capacity of local infrastructure, including: Local Health/medical facilities, school provision, social facilities and transport infrastructure.

#### Policy Intention C-5 – Construction Management

The policy will require development proposals to submit construction management information which details how the development will address amenity issues arising from construction in the parish such as, workforce parking, construction traffic/access routes, working times, communications and engagement with local residents, road closure notices and restrictions to rights of way.

#### RECREATION and COMMUNITY FACILITIES

#### Policy Intention D - 1 - The Flitch Way Country Park and Prow Network

Policy may identify opportunities for improved connectivity and specific upgrades to the Flitch Way Country Park and PROW Network.

#### Policy Intention D - 2 - Village Recreation Ground

Policy may identify specific improvements to make t the village recreation ground, including enhanced tree planting, opportunities for local food growing and will support specific proposals relating to the improvement of the village "portacabin".

#### Policy Intention D - 3 - Parking

Policy will require development proposals to provide appropriate parking provision which is commensurate with the expected level of car usage, including the provision of Electric Vehicle Charging Infrastructure.

Policy will support the provision of a centrally located public car park to alleviate on-street parking issues in the centre of the main village.

#### Policy Intention D - 4 - Parish Hub

Policy may support the development of an appropriately sited parish hub which provides facilities for a range of activities, including meeting space (to an adequate capacity), coworking opportunities, public WC provision, and indoor sports facilities (at an appropriate scale).

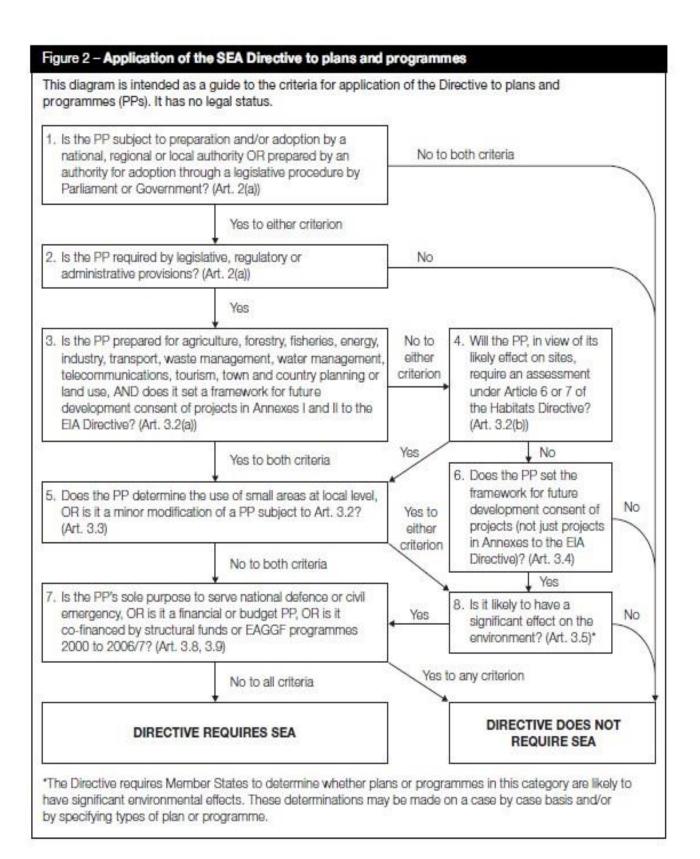
#### GETTING AROUND

#### Policy Intention E - 1 - Improving Connectivity

The Policy may support the delivery of local transport infrastructure improvements, e.g. provision of better pedestrian footways, cycle routes, and the enhancement of the existing network. Development proposals may be required to demonstrate how they have considered public transport connectivity.

#### 2. Legislative Background to SEA

- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, often referred to as the "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) available to view at
  - https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance
- 2.2 The Government publication "A Practical Guide to the Strategic Environmental Assessment Directive" (ODPM 2005) includes a useful table intended as a guide to the circumstances where the SEA directive applies to plans and programmes. This is reproduced below:



2.3 The table below uses the diagram above to help determine whether or not the SEA directive applies to the Little Dunmow Neighbourhood Plan.

			on applies to the Little Dunmow NP
Stage	Response	Outcome	Comment
1. Is the NP 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	Go to question 2	The preparation and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by the Little Dunmow Neighbourhood Steering Group which has been appointed by Little Dunmow Parish Council (as the Qualifying Body) and will be "made" by Uttlesford District Council as the local authority. The preparation of NP is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.
2. Is the NP required by	Yes	Go to question 3	Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country
legislative, regulatory or administrative provisions? (Art. 2(a))	No	NO SEA required	Planning Act 1990 as amended by the Localism Act 2011, it will, if "made", form part of the statutory Development Plan for the District.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management,	Yes to both	Go to question 5	The Neighbourhood Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive.
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))	No to either	Go to question 4	

Table 2: Assessing how the SEA legislation applies to the Little Dunmow NP				
Stage	Response	Outcome	Comment	
4. Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)	Yes	Go to question 5 Go to question 6.	See screening assessment for HRA in Section 6 of this report which concludes that the Neighbourhood Plan would not affect internationally designated sites and so a HRA is not required.	
5. Does the NP 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 to either  No to both	Go to question 8 Go to question7.	The Neighbourhood Plan applies to the Civil Parish of Little Dunmow.	
6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes	Go to question8 Does not require SEA	The Neighbourhood Plan once "made" will form part of the statutory development plan and will be used to determine planning applications within the Neighbourhood Plan Area. Therefore, the Neighbourhood Plan will set the framework for future developments.	
7. Is the NP's sole purpose to serve the 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)	Yes to any criteria  No to all criteria	Does not require SEA Requires SEA	Not applicable	
8. Is it likely to have a significant effect on the environment? (Art 3.5)	No	Requires SEA Does not require SEA	Likely significant effects are explored in more detail in section 3 of this report.	

2.4	The table above tells us that an environmental assessment of the Little Dunmow Neighbourhood Plan is only required if it is 'screened in' following an assessment of likely significant effects on the environment.

3.1 When determining whether a Neighbourhood Plan (NP) has a likely significant effect on the environment, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are the criteria "for determining the likely significance of effects on the environment". These criteria are split into two categories: those relating to the characteristics of the plan and those relating to the characteristics of the effects and area likely to be affected. These are set out below.

#### Plan Characteristics

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development
- environmental problems relevant to the plan or programme
- the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

#### Characteristics of the effects and the plan area

- the probability, duration, frequency and reversibility of the effects
- the cumulative nature of the effects
- the transboundary nature of the effects
- the risks to human health or the environment (for example, due to accidents)
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
- the value and vulnerability of the area likely to be affected due to
- special natural characteristics or cultural heritage
- exceeded environmental quality standards or limit values
- intensive land-use
- the effects on areas or landscapes which have a recognised national, community or international protection status
- 3.2 In order to identify any likely significant environmental effects, Table 3 below considers the characteristics of the Little Dunmow Neighbourhood Plan and Table 4 considers the characteristics of the effects and the plan area likely to be affected.

The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources

The Little Dunmow NP would, if adopted ("made"), will form part of the Statutory Development Plan and as such will contribute to the Framework for future development consent of projects. However, the plan will sit within the wider framework set by the National Planning Policy Framework (NPPF), the strategic polices of the Uttlesford District Council Local Plan (2005) and the emerging Local Plan. The NP will include a range of development management type policies underpinned by the following policy intentions:

#### Rural Landscape, Nature and the Environment

#### Policy Intention A-1: Key Views and View Corridors

This policy seeks to protect the identified key views corridors from new development and ensure that development proposals minimise any adverse impacts on these views. This policy encourages enhancement of the identified key views.

#### Policy Intention A-2: Landscape Character

This policy based on the character assessment and guidance set out in the Little Dunmow Landscape Assessment seeks to address and manage on-site drainage and water resources so that new development does not cause or exacerbate surface water and fluvial flooding in the parish.

#### Policy Intention A-3: Key Habitats

This policy seeks to avoid the loss of or substantial harm to, important trees, hedgerows, semi=natural or ancient woodlands, plantations and orchards, wildlife corridors and other natural features including reservoirs and ponds. The policy will also encourage the enhancement of habitat features where possible.

#### Policy Intention A-4: Dark Sky

The policy seeks to minimise light pollution, protect the dark sky to the north of the parish and thereby reduce impacts on wildlife and humans.

#### Policy Intention A--5: Climate Resilience

This policy may seek to identify and support appropriate energy generation initiatives as well as identify flood risk mitigation measures appropriate to the local flood risk profile and encourage the use of run-off reduction measures in new developments such as Sustainable Drainage Systems (SuDS).

#### HERITAGE, DESIGN AND GREENSPACES

#### Policy Intention B-1: Non-Designated Heritage Assets

The policy may identify buildings /sites that are not listed as "non-designated heritage assets" for consideration in the planning process.

#### Policy Intention B -2: Design and Development in the Conservation Area Plan

The policy will identify and support design requirements for development within the conservation area including the recommendations set out in the Conservation Area Appraisal and Management Plan (Uttlesford District Council 2014).

#### Policy Intention B-3: Historic Character

This policy may identify the historic character of hamlets (Brook Street, Brook End, Stebbingford, Bouchiers, Hayden Hill) and require development proposals to demonstrate that the historic characteristics have been taken into account in design and development.

#### Policy Intention B-4: Local Green Spaces

This policy seeks to designate approximately 16 local green spaces which are of importance to the local communities.

#### Policy Intention B-5: Key Gateways and Avoiding Coalescence

The Policy will identify 17 Key Gateways that are to be protected from development to avoid any adverse impacts and enhancements will be encouraged.

#### Policy Intention B-6: Green Infrastructure

The Policy will support measures that improve and enhance green infrastructure including connectivity between infrastructure features.

#### Policy Intention B-7: Green Wedges

The Policy will identify Green Wedges that make a positive contribution to local character and also serve as a buffer to offset the impact of built environment.

#### **HOUSING, DESIGN and DEVELOPMENT**

#### Policy Intention C-1: Housing Development

The Policy supports housing to address locally identified housing need by proving affordable social rented homes, accessible/adaptable homes and 1- and 2- bedrooms suitable for younger people and young families.

#### Policy Intention C-2: Little Dunmow Design Guidance and Codes

Development proposals will be required to be in accordance with the yet to be adopted Little Dunmow Design Guidance and Codes.

#### Policy Intention C-3: Sustainable Design

The policy will support the incorporation of sustainable design features to be incorporated into new developments and retrofitting measures that may be introduced to existing buildings subject to being appropriate to the historic context.

#### Policy Intention C-4: Infrastructure Considerations

This policy will require development proposals to demonstrate that they have had regard to local infrastructure capacity such as local health/medical facilities, school provision, social facilities, and transport infrastructure.

#### Policy Intention C-5: Construction Management

The Policy may require development proposals to submit construction management information which details how the developer will address amenity issues arising from construction in the parish.

#### **RECREATION and COMMUNITY FACILITIES**

#### Policy Intention D-1: The Flitch Way Country Park and PROW Network

The Policy will support and encourage opportunities for improved connectivity and specific upgrades with the Flitch Way Country Park and local Public Rights of Way.

#### Policy Intention D-2: Village Recreation Ground

Policy will identify and support specific improvements to the Village Recreation Ground including enhanced tree planting, allotments for and the improvement of the village "portacabin."

#### Policy Intention D-3: Parking

The Policy will support the provision of a centrally located public car park in the centre of the main village.

#### Policy Intention D-4: Parish Hub

Policy may support the development of a parish hub to provide facilities for a range of activities such as co-working opportunities, public toilets, and indoor sports.

#### **GETTING AROUND**

#### Policy Intention E-1: Improving Connectivity

Policy may support the delivery of local transport infrastructure improvements, e.g., the provision of better pedestrian footways, cycle routes, and the enhancement of the existing network. Development proposals may be required to demonstrate how they have considered public transport connectivity.

#### the degree to which the plan or programme influences other plans and programmes including those in a hierarchy

A Neighbourhood Plan must be in general conformity with the strategic policies contained in the Development Plan for the District. Whilst it does not influence other lower level plans the community will expect the District Council to take into account the Neighbourhood Plan in the drafting of the new Local Plan. The plan will form part of the development plan, however strategic policies of the District Council and the site allocations made in the Local Plan take priority.

the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development

National policy requires a presumption in favour of sustainable development which should be seen as a golden thread through the plan-making including the Little Dunmow NP. Before the NP can be made it will need to be tested against the basic conditions. This includes a requirement to contribute towards the achievement of sustainable development. The plan will promote sustainable development through policies requiring the protection and enhancement of local habitats, protection of local wildlife, policy requirements for community facilities, and protection of biodiversity.

#### environmental problems relevant to the plan or programme

Environmental issues relevant to the Little Dunmow Neighbourhood area are set out below theme by theme:

#### Biodiversity:

European sites: There are no European sites within or close to the NP area. The closest European sites are Essex Estuaries SAC 22.7km away, Wormley Hoddesdon Park 35.7km away, Epping Forest SAC 27.4 km away, Devil's Dyke SAC is 40.7km away and Eversden & Wimpole Woods Sac is 50,.4km away from Little Dunmow. The Blackwater Estuary (Mid Essex Coat Phase 4) SPA is 23.1km away and Lee Valley Spa is 29.8 km away. The Blackwater Estuary (Mid Essex Coast Phase 4) Ramsar and Lee Vally Ramsar are approximately 20.8 km and 33.8km away respectively. The Neighbourhood Plan makes no allocations, and no environmental problems are likely to arise from the Neighbourhood plan.

SSSIs and NNRs: There are no Local Nature reserves in the plan area but High Wood, Great Dunmow SSSS1 TL 604220 is the nearest.

<u>Local Wildlife Sites</u>: Clobbs Wood (Ufd256) is one of the two wildlife sites in the parish. <u>www.uttlesford.gov.uk/media/1799/Local-Wildlife-Site-Review-2007/pdf/Local Wildlife Site Review Oct07 PDFA.pdf?m=636989606384370000</u> The only protected lane is Bramble Lane. The parish has several Public Rights of Way.

Part of The Flitch Way Local Wildlife runs through Little Dunmow Parish. This disused railway line and at nearly 34 hectares forms one of the largest woodland/scrub/grassland habitats of the high nature conservation value. There are several woodland and hedgerow species along the embankments. The varied ground conditions that result from the various embankments and cuttings as well as the importation of artificial substrates gives rise to a high diversity of grassland types. The invertebrate populations include some interesting records, including many Nationally Scarce species, such as the Hornet Moth (Sesia apiformis), the Pimpinel Pug moth (Eupithecia pimpinellata) and the digger wasp Crossocerus distinguendus.

<u>Population:</u> No identified issues: According to the Census 2011, there were 284 residents in 117 households occupying 119 dwellings. Little Dunmow Parish as at Census Day 2021 the population was 257 indicating a - 9.5% decline in population between 2011 and 2021 Census. In 2011 there were 119 dwellings and in 2021 there were 112 dwellings showing a -7% decline in dwellings. Current commitments in the Neighbourhood Area are 200 dwellings.

Flora: A variety is recorded on www.magic.gov.uk.

The whole parish is characterised by Superficial Drift classified as secondary and undifferentiated. Groundwater vulnerability is Medium -Low from the centre to the northern parish boundary. Along the southern boundary and, a small portion in the uppermost northeastern section of the parish is also classified as Low Groundwater vulnerability. The majority of the Parish is characterised by Enclosed Agriculture (Typically Modern Form) but to the north and west of Little Dunmow Village the Enclosed Agriculture is Typically of the Ancient Form. Much of the Parish is classified as arable with sporadic patches of grassland.

Lime-rich loamy and clayey soils with impeded drainage and freely draining lime-rich loamy soils are found along the southern and eastern parish boundaries.

<u>Surface Water Issues</u>: Surface water Nitrate Issues, Surface Water Pesticide Issues Priority and Phosphate Issues Priority all rank as Medium Priority. Flood Risk Management Priorities (England) is a High Priority and Woodland Water Quality (England) is of High Spatial Quality. Woodland Flood Risk is a Lower Spatial Priority.

<u>Landscape Character:</u> Little Dunmow Parish falls mostly within the Upper Chelmer River Valley. Key characteristics of Upper Chelmer River Landscape are narrow valleys with a restricted flow, small meandering river channel on the left side of the valley close to the rising ground of the valley side, dense riverside trees, arable valley sides with a fairly open character and small linear settlements occupying the upper valley sides or straggle down to a few bridging points. Second World War pillboxes are a feature.

Fauna: A variety is recorded on www.magic.gov.uk In Little Dunmow Parish are recorded: arable assemblage farmland birds, and turtle doves

<u>Soil:</u> The southern part of the parish comprises Grade 2 (very good) agricultural and whilst from the central area to the northern boundary agricultural land is Grade 3.

<u>Water:</u> Little Dunmow is liable has been identified as having a surface water flooding problem through a flood history review. Little Dunmow is susceptible to surface water flooding. Little Dunmow is located north of the confluence of the River Chelmer and Stebbing Brook, and there are

several surface water flow paths that converge here from flow paths along the smaller streets and Station Road. On 28 May 2012 a flood incident was reported at New Key, The street due to surface water flooding possibly due to blocked ditches.

Climatic factors: no noted issues.

#### Cultural heritage:

Little Dunmow is a rural community in open countryside but close to the Oakwood Park built on the former Sugar Beet works now known as Flitch Green. The Parish has approximately 45 Listed Buildings. The largest percentage of the buildings (approximately 50%) in the parish date from the 17<sup>th</sup> century when compared with the national percentage (19%) over the same period. The Parish has 15<sup>th</sup>, 16<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century buildings as well.

Landscape: At the national scale, Little Dunmow Parish falls Landscape Character Area: A4 Upper Chelmer River Valley.

Essex County-wide Landscape Character Assessment places the Little Dunmow neighbourhood plan area, primarily within the Upper Chelmer River Valley).

The area is characterised by a narrow valley with a restricted river floor. The area is characterised by a small meandering river channel on the left side of the valley close to the rising ground of the valley side. There are dense riverside trees. The arable valley sides are fairly open in character. Small linear settlements occupy the upper valley sides or straggle down to a few bridging points. Historic watermills and Second World War pillboxes are distinctive features of the area. The gently undulating valley floor has an enclosed character and restricted views often framed by the many riverside and hedgerow trees, a string of small wet woodlands and the sloping valley sides meeting the river. There is an overall sense of tranquillity within the river valley, with a comprehensive network of public rights of way and narrow lanes winding through the landscape.

#### Material Assets:

Public Rights of Way: Little Dunmow Parish has a good network of footpaths to the surrounding countryside but connections to Great Dunmow are poor. The Flitch Way routes run through the plan area.

the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

There are no known conflicts between the Little Dunmow Neighbourhood Plan and statutory plans linked to waste, water etc.

3.3 Table 4 below focuses on any identified effects and the characteristics of the plan area.

Table 4: Criteria for determining the likely significance of environmental effects: Effects and areas characteristics from the Little Dunmow NP the

probability, duration, frequency and reversibility of the effects

The following likely impacts of the draft plan have been identified theme by theme:

#### Biodiversity, fauna and flora:

The Little Dunmow does not propose to allocate any sites for development. The Plan does not propose any allocations and any future development is expected to be small scale and restricted to the less sensitive areas. Any future development will be steered to areas in and around existing settlements on land that is least sensitive in landscape and heritage terms. Policy Intention A-3 – Key Habitats states that "Development Proposals will be required to avoid harming these habitat features and contribute to their enhancement where possible.

No likely significant environmental effects are therefore identified as a result of the draft Little Dunmow NP.

#### Population and Human Health:

The NP is focused on reinstating a plan led approach to planning the plan area. The vision and objectives are very much focused on improving wellbeing in the plan area.

No likely significant environmental effects therefore identified.

#### Soil:

The area is characterised by lime-rich loamy and clayey soils with slightly impeded drainage. The soil is naturally very fertile. Also characteristic of the area are base-rich pastures and classic 'chalky boulder clay' ancient woodlands; some wetter areas and lime-rich flush vegetation. The main land cover is arable and some grassland.

No likely significant environmental effects are identified as a result of the draft Little Dunmow Neighbourhood Plan.

#### Water:

No likely significant environmental effects therefore identified as a result of the draft Little Dunmow Neighbourhood Plan.

#### Table 4: Criteria for determining the likely significance of environmental effects: Effects and areas characteristics from the Little Dunmow NP the

#### Air and climatic factors:

No likely significant environmental effects are therefore identified as a result of the draft Little Dunmow Neighbourhood Plan.

#### Surface and Fluvial Water Flood Risk:

Floodplain Zones 2, 3 and 3a-CC follow the southern and western parish boundaries. the course of the River Chelmer along the western boundary of the Parish.

The Neighbourhood Plan proposes to address the challenge of climate change.

No likely significant effects.

#### Material Assets:

No known impacts resulting from the Neighbourhood Plan.

#### Cultural Heritage:

The plan area's rich heritage is one of the key elements in the quality of the local environment. The NP has no site allocations but expects that future developments will be mostly on small or medium sites and modest development is anticipated for the life of this NP. Conserving and enhancing the historic heritage is a key element of the NP. Protecting the distinctiveness of Little Dunmow will be achieved by:

- conserving and enhancing heritage assets in the parish including Little Dunmow's Heritage Core and medieval settlement style,
- strengthening the identity of Little Dunmow by preventing coalescence between settlements within parish and maintaining important gateways,
- maintaining and enhancing the rural nature of the parish, views to surrounding churches, and the Vale of Chelmer,
- recognising importance of the Flitch Way Country Park, the many footpaths and bridleways in the parish,
- · protecting green spaces within the parish, and
- protecting the green spaces within the parish.

No likely significant environmental effects subject to determination of planning applications in line with the relevant NP, NPPF and Local Plan policies.

#### Table 4: Criteria for determining the likely significance of environmental effects: Effects and areas characteristics from the Little Dunmow NP the

#### Landscape:

Landscape quality and sensitivity is a key consideration in the Little Dunmow NP area. It is expected to be fully taken into account when determining planning applications. The site allocations will be on small or medium sites and overall number of dwellings is expected to be modest over the plan period. Protecting landscape quality is a key thrust of the NP as seen in the draft objective:

- The village with its close connection to the rural landscape will be protected and this includes key views
- Any new development will deliver high quality design and be appropriate and sensitive to neighbouring buildings and landscape setting
- Any new development in the Parish will be modest in scale and appropriate to meeting village needs.

No likely significant environmental effects subject to determination of planning application in accordance with relevant policies.

#### the cumulative nature of the effects

The development management policies in the draft NP are focused on enhancing wellbeing and the environment. These are anticipated to have several minor positive impacts. There may be some negative impacts resulting from some of the extant planning permissions, but these are not expected to be significant when looked at collectively. The emerging Local Plan has undertaken the appropriate SEA and HRA to ensure that any impacts are adequately mitigated or sustainable.

the risks to human health or the environment (for example, due to accidents)

No likely significant environmental effects

the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected

The development proposed through extant planning permissions in the neighbourhood plan is modest (approximately 200 dwellings).

the value and vulnerability of the area likely to be affected due to: - special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values intensive land-use

#### Table 4: Criteria for determining the likely significance of environmental effects: Effects and areas characteristics from the Little Dunmow NP the

The plan area is sensitive in terms of historic and landscape value. However, most of the proposed development policies aimed at protecting the landscape value form a key thrust of the plan.

the effects on areas or landscapes which have a recognised national, Community or international protection status

The Uttlesford Landscape Character Assessment (2023) identifies Little Dunmow as falling within LCA A4: Upper Chelmer River Valley. The landscape has been assessed as moderate – high sensitivity. Little Dunmow Parish is characterised by small historic linear settlements located high on the valley sides with limited modern development and clusters of listed buildings. The capacity to accommodate large housing development is limited by ensuring that future residential expansion on the valley sides is small -scale and respects the historic pattern of dispersed villages and traditional vernacular. The Little Dunmow Neighbourhood Plan aims to ensure that future development is well integrated with the surrounding landscape to minimise visual impact. Due to the area's special qualities, appropriate development is most likely to comprise small scale schemes rather than a single larger development. The effects are not likely to be significant due to the modest level of Neighbourhood Plan growth expected.

#### 4. SEA Conclusions

- 4.1 The Little Dunmow Neighbourhood Plan (NP) has been prepared for town and country planning purposes and sets a framework for future development.
- 4.2 The NP does not include any site allocations. Currently Little Dunmow Parish has extant planning permissions for 200 dwellings. It is likely the NP will be adopted ahead of the Local Plan. The NP will therefore have an important influence on the location of future development in the plan area.
- 4.3 The plan area is sensitive in terms of heritage assets and landscape sensitivities. These are well documented and evidenced based through the:
  - Little Dunmow Landscape Character Assessment (2023)
  - Little Dunmow Conservation Area Appraisal and Draft Management Proposals, Approved March 2014 (Uttlesford District Council)
- 4.4 The draft NP includes a community shared vision, sixteen objectives and a number of development management type policies which are focused on enhancing well-being in the plan area protecting and enhancing village and rural characteristics and delivering infrastructure improvements. To reflect the environmental sensitivities in the plan area a key thrust of the plan is focused on protecting historic assets and landscape quality. The NP does not site allocations but supports development within and adjacent to development limits and in the countryside in line with Local Plan and NPPF policies.
- 4.5 The context within which this NP is being prepared is important. The Local Plan 2005 is out of date and increasingly so as time passes, the spatial strategy which recognises the role of certain settlements such as Little Dunmow is still important. However, the emerging Local Plan strategy, also recognises the role of smaller villages (Little Dunmow) in the distribution of development throughout the district. In other words, small development proposals on sustainable sites within the countryside are likely to be permitted when considered against the policies in the NPPF.
- 4.6 Should further development proposals be consented in the NP area ahead of the NP being made, it is likely the amount of growth being permitted will be minimal. However, depending on what is consented during the interim period it is also possible that the overall net level of growth being delivered in the plan area 2021 to 2041 will be modest.
- 4.7 The additional impact the Little Dunmow NP is likely to make in terms of quantity of current extant planning permissions against the current context is therefore modest. The Little Dunmow NP will once adopted succeed to reinstate a plan-led process to the plan area.
- 4.8 Subject to the application of the plan's policies this assessment therefore identifies no likely significant effects resulting from this NP.

#### 5. Legislative Background to HRA

- 5.1 The application of Habitats Regulation Assessment to land use plans is a requirement of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations); the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (widely referred as to the Habitats Directive). Article 6(3) of the Habitats Directive requires that any plan (or project) which is not directly connected with or necessary to the management of a European site (also known as a Natura 2000 site) but would be likely to have a significant effect on such a site, either individually or in combination with other plans and projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives. The plan-making body shall agree to the plan only after having ascertained that it will not adversely affect the integrity of the site concerned.
- 5.2 European sites provide ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs), designated under the Habitats Directive and Special Protection Areas (SPAs), designated under European Union Directive 2009/147/EC on the conservation of wild birds (the Birds Directive). The government also expects authorities to treat Ramsar sites, designated under the Convention of Wetlands of International Importance, UNESCO 1971, as if they are European sites.

#### 6. HRA Screening for the Little Dunmow NP

6.1 This section of the report considers whether there are any European sites which could potentially be affected by the Little Dunmow Neighbourhood Plan.

#### Natura 2000 Sites

- 6.2 Natura 2000 is central to the EU nature and biodiversity policy and forms an EU wide network of nature protection areas. The aim of the network is to ensure the long-term survival of Europe's most valuable and threatened species and habitats.
- 6.3 The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the conservation of Natural Habitats and of Wild Fauna and Flora).
- 6.4 The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. Similarly, the Habitats Directive requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Ramsar sites (Wetlands of International Importance) are also part of the Natura 2000 network. SPAs and SACs comprise Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. The Natura Network in England comprises SPAs, SACs and Ramsar sites.

#### European Sites to be Considered

6.5 As shown on Table 2 below, there are no European sites which lie within or close to the Little Dunmow NP area. The closest European sites are shown in the Table below.

SAC	SPA	RAMSAR
Devil's Dyke SAC =40.7km	Blackwater Estuary (Mid Essex Coast Phase 4) SPA == 23.1km	Blackwater Estuary (Mid Essex Coast Phase 4) Ramsar= 20.8km
Epping Forest SAC =27.4km	Lee Valley SPA = 29.8 km	Lee Valley Ramsar = 33.8km
Essex Estuaries SAC = 22.7km		
Eversden & Wimpole Woods SAC = 50.4km		
Wormley – Hoddesdonpark Woods SAC = 35.7km		

6.6 **Blackwater Estuary SPA:** Little Dunmow Parish falls within the 22km zone of influence for the group of ten Essex Coast designated European sites including the Blackwater Estuary SPA.

This zone of influence was established as part of the Essex Coast Recreation Disturbance and Avoidance Mitigation Strategy (RAMS). The Essex coast RAMS aims to deliver the mitigation necessary to avoid significant adverse effects from 'in-combination' impacts of residential development that is anticipated across Essex; thus, protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity. The Essex Coast RAMS identifies a detailed programme of strategic mitigation measures which are to be funded by developer contributions from residential development schemes.

The zone of influence was determined following an analysis, undertaken in 2018, of visitor surveys. Little Dunmow is not within the Zone of Influence.

The implication of this zone of influence is that it is expected people will travel up to 22km to access the Blackwater Estuary for 22km for recreational reasons (bird watching, dog walking, walking etc.).

Public Access and disturbance are identified pressures or vulnerabilities identified in the Site Improvement Plan for the Blackwater Estuary SPA.

There is no evidence that reliably indicates that any of the planning policies in the Little Dunmow NP will have any impact on visitor numbers at the Blackwater Estuary SPA. Little Dunmow Parish has access to numerous more locally located outdoor recreational areas. Within this parish this includes an extensive network of public rights of ways and bridleways. Beyond the parish, residents are within easy reach of Hatfield Forest, several SSSI sites and Local Nature Reserves.

It is therefore concluded that the Stebbing NP is unlikely to have any significant adverse effect on any European site.

- 6.7 **Hatfield Forest:** It is noted that the National Trust report recommended a 14.6 km Zone of Influence from the Hatfield Forest SSSI in terms of recreational pressure. It is therefore important to consider any additional recreational impacts arising from the Little Dunmow NP on Hatfield Forest. The Little Dunmow Neighbourhood Plan and emerging Local Plan smaller villages (Little Dunmow) concur in that developments should be modest and proportionate in scale and primarily meet local needs. From this respect, it is considered that the Little Dunmow Neighbourhood Plan has no conceivable result likely to impact on the characteristics of the European sites set out in this assessment.
- 6.7.1 Due to the fact that the policies of the plan are all considered to be general policy statements setting general criteria for the protection of assets and there are no proposed allocations in the Neighbourhood plan, it is considered that there is no conceivable result likely to impact on the characteristics of the European sites set out in this assessment.

#### 7. SEA and HRA Conclusions

# 7.1 Strategic Environmental Assessment (SEA)

- 7.1.1 The Little Dunmow Neighbourhood Plan (NP) has been prepared for town and country planning purposes and sets a framework for future development.
- 7.1.2 The NP does not include site allocations and will not direct development to specific locations. It is likely the NP will be adopted ahead of the emerging Local Plan. The NP Policies will therefore have an important influence on the location of new development in the plan area.
- 7.1.3 The impact, the Little Dunmow NP is likely to make is in terms of the quantity of future development against the current context is very modest. The Local Plan is currently out of date. This means, there is a presumption in favour of sustainable development. In this regard, the 2005 Local Plan and emerging Local Plan Spatial Strategies which recognises the role of smaller settlements such as Little Dunmow, remains a cornerstone of the distribution of development throughout the district. The implications of this, is that small and medium development proposals on sustainable sites within or adjacent to the settlement are likely to be permitted when considered against the policies in the NPPF. The Little Dunmow NP will once adopted reinstate a plan-led process to the plan area.
- 7.1.4 Subject to the implementation of the NP policies and the modest expected development this assessment identifies no likely significant effects resulting from this NP. Given that the NP policies are informed by up-to-date evidence on cultural and landscape assets.
- 7.1.5 This is a preliminary view reached prior to consulting the statutory consultees: Natural England, Historic England and the Environment Agency.

### 7.2 HRA Screening

- 7.2.1 The Neighbourhood Plan HRA Screening Assessment concludes that there are no European sites which need to be assessed for likely significant effects as a result of the Little Dunmow NP.
- 7.2.2 Subject to Natural England's review, this HRA screening report indicates that the Little Dunmow Neighbourhood Plan is not predicted to have likely significant effects on any European site, either in isolation or in combination with other plans and projects.
- 7.2.3 This is a preliminary view reached prior to consulting the statutory consultee: Natural England.

# **APPENDIX 2**

# CONSULTATION RESPONSES FROM STATUTORY BODIES

### HISTORIC ENGLAND RESPONSE

# [External] >> CONSULTATION: PL00796228 Little Dunmow Neighbourhood Plan Screening Opinion for SEA

Fri 28/06/2024 13:08

#### Dear Demetria,

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Little Dunmow Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is <u>not</u> required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number below, if you have any queries.

Ross

Historic Places Adviser

East of England Region

Partnerships Team

Historic England | Brooklands 24 Brooklands Avenue | Cambridge | CB2 8BU

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### NATURAL ENGLAND RESPONSE



Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ

Dear Ms Macdonald

### Little Dunmow Neighbourhood Plan - SEA & HRA Screening Opinion Consultation

Thank you for your consultation on the above dated and received by Natural England on 7 June 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

# Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,
- significant effects on Habitats sites1, either alone or in combination, are unlikely.

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the <u>Planning Practice Guidance</u>. This identifies three triggers that may require the production of an SEA:

- 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 hold information on the location of significant populations of protected

<sup>&</sup>lt;sup>1</sup> Habitats sites are those referred to in the <u>National Planning Policy Framework</u> (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's <u>standing advice</u> on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>

Yours sincerely

# **ENVIRONMENTAL AGENCY RESPONSE**



Uttlesford District Council Council Offices London Road Saffron Walden Essex CB11 4ER Our ref: Your ref: AC/2024/132212/01-L01 LittleDunmowNHP

Date:

27 June 2024

Dear Sir/Madam

# LITTLE DUNMOW NEIGHBOURHOOD PLAN SCREENING OPINION FOR SEA/HRA

#### LITTLE DUNMOW

Thank you for consulting us on the Strategic Environmental Assessment (SEA) for the Little Dunmow Neighbourhood Plan. We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. Based on our review of the draft plan, we think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

We note that the Uttlesford Local Plan is older than 5 years, and therefore any assessment through its Sustainability Appraisal may not take into consideration the latest environmental data or guidance when considering the constraints present. We consider that an SEA should be screened in for this Neighbourhood Plan to consider any environmental constraints and latest guidance and data. We have identified that the neighbourhood plan area will be affected by the following environmental constraints within our remit.

# Flood Risk

The Neighbourhood Plan site boundary has areas within Flood Zones 2 and 3. The Local Authority's Strategic Flood Risk Assessment and Surface Water Management Plans forms the evidence base to determine the level of flood risk in this area.

#### **Water Quality**

We recommend that the Neighbourhood Plan (NP) reflects relevant policies from the Uttlesford District Council emerging Local Plan in relation to Water

Recycling Centre (WRC) and sewage network capacity, and that policies generally ensure that there is sufficient capacity within the foul infrastructure to support growth in the area. At present, this aspect does not appear to be represented within the NP policies related to 'Infrastructure Considerations'.

For your awareness, our records indicate that Felsted WRC has some capacity to receive new flows, whilst Great Dunmow WRC is over capacity. Anglian Water should be consulted in any case to ascertain capacity when any development is put

forward for consideration.

# **Water Resources**

Being in one of the driest areas of the country, our environment has come under significant pressure from potable water demand. New developments should make a significant contribution towards reducing water demand and mitigate against the risk of deterioration to our rivers, groundwater and habitats from groundwater abstraction.

We recommend you check the capacity of available water supplies with the water company, in line with the emerging 2024 Water Resources Management Plan which is due to be published in 2023. The Local Planning Authorities Water Cycle Study and Local Plan may indicate constraints in water supply and provide recommendations for phasing of development to tie in with new alternative strategic supplies.

New development should as a minimum meet the highest levels of water efficiency standards, as per the policies in the adopted Local Plan. In most cases development will be expected to achieve 110 litres per person per day as set out in the Building Regulations &c. (Amendment) Regulations 2015. However, a higher standard of water efficiency (e.g. 85 l/p/d) should be considered, looking at all options including rainwater harvesting and greywater systems. Using the water efficiency calculator in Part G of the Building Regulations enables you to calculate the devices and fittings required to ensure a home is built to the right specifications to meet the 110 l/p/d requirement. We recommend all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption.

Developments that require their own abstraction where it will exceed 20 cubic metres per day from a surface water source (river, stream) or from underground strata (via borehole or well) will require an abstraction licence under the terms of the Water Resources Act 1991. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. The relevant abstraction licencing strategy for your area provides information on

water availability and licencing policy at Abstraction licensing strategies (CAMS process) - GOV.UK (www.gov.uk).

# **Informatives**

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: <a href="How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning">How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning</a>.

### **Source Protection Zones**

Your plan includes areas which are located on Source Protection Zone 3. These should be considered within your plan if growth or development is proposed here. The relevance of the designation and the potential implication upon development proposals should be considered with reference to our Groundwater Protection guidance: <a href="https://www.gov.uk/government/collections/groundwater-protection">https://www.gov.uk/government/collections/groundwater-protection</a>.

We trust that this advice is useful.

Yours sincerely



Sustainable Places - Planning Advisor

Team e-mail Planning.eastanglia@environmentagency.gov.uk Team number 02084 745242

#### **UTTLESFORD DISTRICT COUNCIL RESPONSE:**

Uttlesford District Council did not agree with the Environment Agency's conclusion that an SEA was required for the Little Dunmow Neighbourhood Plan. The correspondence below between the Council and the Environment Agency shows the conclusion that the Environment Agency concurs with the Council that an SEA is not required for the Little Dunmow Neighbourhood Plan.



#### **UTTLESFORD DISTRICT COUNCIL**

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website
www.uttlesford.gov.uk

**Environment Agency** 

Iceni House

Cobham Road Ipswich IP3 9JD

31 July 2024



# Little Dunmow Neighbourhood Plan Screening Opinion for SEA/HRA

Thank you for your response dated 27 June 2024 in response to the Uttlesford District Council's Little Dunmow Neighbourhood Plan Screening Opinion.

#### **Little Dunmow**

The Little Dunmow Neighbourhood Plan does not propose to allocate any development. Any current or future development within the Little Dunmow Neighbourhood Plan Area will be considered against the emerging Local Plan Policies. Although there are potential significant

environmental effects that that relate to the Neighbourhood Plan area, the Neighbourhood Plan itself is not likely to have adverse significant environmental effects since the plan is not allocating any development sites. Any development proposed in the Neighbourhood Area will be considered and addressed through emerging Local Plan Policies.

It is noted that the Uttlesford Local Plan is outdated however, the Sustainability Appraisal dated July 2024 undertaken for the emerging Local Plan takes into account the latest environmental data and guidance. The emerging Local Plan evidence base is a material consideration for development within the District and at this stage has limited weight when determining planning applications within the Little Dunmow Neighbourhood Plan Area.

#### **Flood Risk**

The emerging <u>Local Plan Core Policy 36</u>: <u>Flood Risk</u> ensures that any development proposed in the Neighbourhood Plan site boundaries within Flood zones 2 and 3 avoid and reduce the risk of all forms of flooding. Since the Little Dunmow Neighbourhood Plan is not allocating any sites, any non-site-specific policies would be merely duplicating and addressing issues that are already covered by the emerging Local Plan.

#### **Water Quality and Water Resources**

The emerging <u>Local Plan Core Policy 34: Water Supply and Protection of Water Resources</u> addresses the issues raised in your consultation response. The emerging Local Plan proposes a stringent water efficiency of 90 litres per person.

The law requires that a neighbourhood plan must be in general conformity with the Strategic Policies of the Local Plan and the National Policy Planning Framework paragraph 20 notes that strategic policies set out the overall strategy for the pattern scale, scale and sufficient provision for infrastructure.

#### **Source Protection Zones**

The Little Dunmow Neighbourhood Plan does not propose to allocate any development sites. Any development within the Neighbourhood Area in the Source Protection Zone will be considered and determined in accordance with Local Plan policies.

#### Conclusion

Guidance on assessment of Neighbourhood Plans in line with the Environmental Assessment of Plans and Programmes Regulations 2002 contained in the Planning Practice Guidance identifies following three riggers that may require the production of an SEA:

- a neighbourhood plan allocates sites
- the neighbourhood plan 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.

The Neighbourhood Plan is not allocating any sites for development and its main objectives are to improve the local environment, the plan would therefore not have any significant impacts. The emerging Local Plan has considered and dealt with the environmental impacts arising from the proposed Local Plan site allocations.

I sincerely hope that the above has fully addressed your concerns and you agree with our screening opinion that the proposed Little Dunmow Neighbourhood does not meet any of the three triggers outlined above and therefore an SEA is not required for the Little Dunmow Neighbourhood Plan which is not allocating any development sites and that the Neighbourhood Plan Area will not be adversely impacted by the proposed Neighbourhood Plan Policies.

I look forward to your response at your earliest convenience.

**Kind Regards** 



# CORRESPONDENCE BETWEEN UTTLESFORD DISTRICT COUNCIL and the ENVIRONMENT AGENCY

# [External] >> RE: Little Dunmow Neighbourhood Plan Screening Opinion for SEA/HRA (Date: Tue 06/08/2024 10:39)

Good morning, Demetria,

Thank you for your email, and apologies for missing your call yesterday.

We have raised the environmental constraint of water quality to ensure that this is considered as part of the Neighbourhood Plan Draft.

Regarding the need for an SEA, as there is no draft of allocated sites or policies outside of the local plan remit, we do not consider that an SEA is required. For the Little Dunmow Neighbourhood Plan.

Kind regards,

Sustainable Places East Anglia | Environment Agency

Team e-mail: Planning.Eastanglia@Environment-agency.gov.uk

Team number: 02084 745242





From: uttlesford.gov.uk>

Sent: Monday, August 5, 2024 11:14 AM

To: EastAnglia, Planning < Planning. EastAnglia@environment-agency.gov.uk >

Cc: uttlesford.gov.uk>

Subject: RE: Little Dunmow Neighbourhood Plan Screening Opinion for SEA/HRA

Importance: High

Dear

Thank you for your email dated 02/08/2024 regarding our comments to your initial consultation response.

For purposes of our drafting a Strategic Environmental Assessment Screening Determination Statement (under Regulation 9 and 11 of the Environmental Assessment of Plans and Programmes 20024) it would be greatly appreciated if you could please provide us with a definitive response as to whether or not an SEA is required for the Little Dunmow NP. Should you conclude that an SEA is required, could you please also provide the justification for an SEA requirement for a Neighbourhood Plan that does not propose allocating development sites.

I would be most grateful for an urgent response at your earliest convenience as the Little Neighbourhood Plan Group is eager to progress their plan to the next stage.

Kind Regards

# EastAnglia, Planning Planning.EastAnglia@environment-agency.gov.uk

(Fri 02/08/2024 10:14)

Good morning, Demetria,

Thank you for your response to our comments for the Little Dunmow Neighbourhood Plan. As there are no allocated sites and no further constraints, we have no further comments or concerns to raise.

Kind regards,

Sustainable Places East Anglia | Environment Agency

Team e-mail: Planning.Eastanglia@Environment-agency.gov.uk

Team number: 02084 745242



