

King's Somborne Neighbourhood Plan
Request for Screening Opinion for Strategic Environmental Assessment (SEA)
and Habitats Regulations Assessment (HRA)
23rd May 2018

Introduction

This statement has been prepared by Test Valley Borough Council (as responsible authority) to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment are required for the draft King's Somborne Neighbourhood Plan following the submission of a screening opinion.

The Regulations advise that where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination. The Council will prepare a statement whether or not it concludes that environmental effects are likely. This statement fulfils that purpose.

Context

The preparation of a Neighbourhood Plan involves a series of stages as required by legislation before it can be 'made'. To be 'made', a Neighbourhood Plan must meet certain Basic Conditions. These include that the making of the plan *"does not breach, and is otherwise compatible with, EU obligations"*.

One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. This is often referred to as the strategic environmental assessment (or SEA) Directive. The SEA Directive seeks *"to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes."* The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') and it is these Regulations that the neighbourhood plan will need to be compatible with.

Another key obligation is Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora', often referred to as the Habitats Directive. This has been translated into UK law via The Conservation of Habitats and Species Regulations 2017. Under the 'Habitats Regulations' an assessment referred to as an Appropriate Assessment must be undertaken if a Neighbourhood Plan is likely to have a significant effect on a European protected wildlife site.

Under both the SEA and Habitats Regulations it is the Council's role to advise whether further work is required once the first stage, a screening assessment, has been undertaken by the Parish Council on its Neighbourhood Plan.

Process

A screening report has been produced by King's Somborne Parish Council (Annex A). This was submitted to the Council on the 5th March, and received on 12th March

2018. The report concluded that the draft NDP is unlikely to have any significant environmental effects and therefore does not require a SEA. In accordance with the Regulations, Natural England, Historic England and the Environment Agency were consulted on the findings of the screening report. The consultation started on the 12th March for a five week period (deadline of 16th April). A summary of the responses received and the Council's response is outlined in Table A. Copies of the responses are included at Annex B.

Table A: Summary of Responses

Consultation body (date of response)	Consultation response (summary)	Test Valley BC response
Environment Agency <i>Date received: 11th April 2018</i>	It is recommended that a Sequential Test is undertaken to ensure development is directed to areas of the lowest flood risk.	Response noted
Natural England <i>Date received : 16th April 2018</i>	In the context of the SEA, there are unlikely to be significant environmental effects from the proposed plan. A Habitats Regulations Assessment (HRA) should be conducted in light of King's Somborne's NDP area being within 2.5km of the Mottisfont Special Area of Conservation (SAC). This would assess any effect of development on the loss of bat foraging habitats. The NDP should explicitly acknowledge the River Test Site of Special Scientific Interest (SSSI), and that any development proposals should be assessed for potential impacts on the SSSI.	Response noted
Historic England <i>Date received: 14th April 2018</i>	Given the large number of heritage assets within the Parish, the Plan area is deemed to have a very sensitive historic	Response noted

	<p>environment.</p> <p>In light of a lack of information provided relating to the number of sites, the number of dwellings and the locations of such sites, it could not be demonstrated that development would not have an adverse effect on the historic environment and these would not be significant.</p> <p>Therefore a Strategic Environmental Assessment should be undertaken.</p>	
<p><i>Date received: 2nd May 2018</i></p>	<p>Having received a draft plan containing the aforementioned information, Historic England reviewed its opinion.</p> <p>All five sites are completely or partly within the King's Somborne Conservation Area, with four sites are within the setting of one or more listed buildings. Development could therefore harm the special interest, character and appearance of the Conservation Area and significance of listed buildings.</p> <p>Based on the findings of the 1987 Conservation Policy, there is the potential for the proposed sites to harm the character and appearance of the Conservation Area.</p> <p>In light of the above</p>	

	responses, it is recommended that a Strategic Environmental Assessment is conducted.	
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Conclusion

The Council has had regard to the letter and associated document that the Parish Council provided (Annex A) and the consultation responses from Natural England, Environment Agency and Historic England (Annex B). The response from Historic England has indicated that the proposed Neighbourhood Plan would be likely to have significant environmental effects.

The Council has had due regard to the statutory consultee responses and the criteria within Schedule 1 of the SEA Regulations in coming to a view on whether the proposed Neighbourhood Plan is likely to have significant environmental effects. Based on the response from Historic England, it is the Council's opinion that the Plan would be likely to have significant environmental effects. On this basis, a proportionate Strategic Environmental Assessment would be required for the proposed King's Somborne Neighbourhood Plan.

With regards to the Habitats Regulations and whether an Appropriate Assessment is required, the Council concludes that at this stage it is not possible to rule out likely significant effects on European designations, specifically Mottisfont Bats Special Area of Conservation (SAC), as a result of the proposed Neighbourhood Plan. Therefore this matter would need further consideration. This is supported by the response from Natural England. It may be appropriate to seek professional guidance on this matter including whether this results in implications for the scope of the SEA.

This was confirmed in a letter to the Parish Council dated the 23rd May 2018 (see Annex C).

Annex A
King's Somborne Parish Council Screening Report



KING'S SOMBORNE PARISH COUNCIL
AND BURIAL AUTHORITY

Peter Storey OBE FCIS
Clerk to the Council

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Email: kingssomborne.pc@btconnect.com

c/o 2 Old Fromans Farm
King's Somborne
Stockbridge
Hampshire
SO20 6QD

5 March 2018

Mr G Smith
Planning Policy Manager, Planning Policy & Transport Service
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

Dear Graham,

Re: Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA)

Further to your recent guidance and in accordance with current regulations, King's Somborne Parish Council are writing to request a screening opinion of the above in relation to its Neighbourhood Development Plan ("NDP") which as you are aware is in draft form in readiness for The Neighbourhood Planning (General) Regulations 2012, Regulation 14 pre-submission consultation and publicity stage

Please find attached the NPD Steering Group's briefing paper which I trust provides you with sufficient information to ascertain whether or not the NDP is likely to have any significant environment impact.

Please do not hesitate to contact me or our NDP Steering Group Chair should you require any further information or clarification.

Yours sincerely,

P J Storey OBE FCIS
Clerk to King's Somborne Parish Council

King's Somborne Parish Council Neighbourhood Development Plan



1. Introduction

- 1.1. This briefing paper is prepared to support the request to Test Valley Borough Council ("TVBC") for a screening opinion as to whether the proposed King's Somborne Parish Council Neighbourhood Development Plan ("NDP") is likely to have a significant environmental impact and therefore require a Strategic Environmental Assessment (SEA).
- 1.2. The request is made pursuant to Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 which implements the requirements of the European Directive 2001/42/EC.
- 1.3. The Parish Council is also seeking an opinion from TVBC as to whether a Habitats Regulations Assessment (HRA) will be required for its NDP.
- 1.4. To conform with the regulations, the NDP will require a statement confirming that the Plan does not breach and is otherwise in compliance with EU regulations and obligations and therefore not likely to have an adverse impact on a European site either on its own or in conjunction with other plans or projects with reasons for this determination or failing this, should significant environmental effects be identified, an Environmental Report prepared and submitted with the proposed NDP.
- 1.5. In order to ascertain if the proposed NDP is in need for a SEA and/or HRA to be provided the following is provided to confirm the overall parameters of the NDP to enable an informed screening opinion to be undertaken:
 - i. Summary of relevant environmental features of the NDP area;
 - ii. Summary of the NDP proposal; and
 - iii. An initial assessment in accordance with Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

2. Environmental features of the NDP Area

- 2.1. The neighbourhood area is shown in *Figure 1*. The Parish comprises of four settlements, the major settlement of King's Somborne together with the three smaller settlements of Up Somborne, Horsebridge and Brook. The latter three settlements are linear developments strung out along single roads.
- 2.2. The village of King's Somborne and its significant features are shown in *Figure 2*. The village is a linear settlement sitting at the bottom of a minor V-shaped valley, alongside the ephemeral 'winterbourne' stream which is one of the tributaries of the River Test. The village lies within a wider landscape of open chalk downland that has a gently rolling, undulating landform. This landscape comprises predominantly expansive and open, large, arable fields, with very few intervening hedgerows or trees. In contrast, a small number of woodlands, shrubs and trees are located in the valley bottom adjacent to the village providing shelter and enclosure.



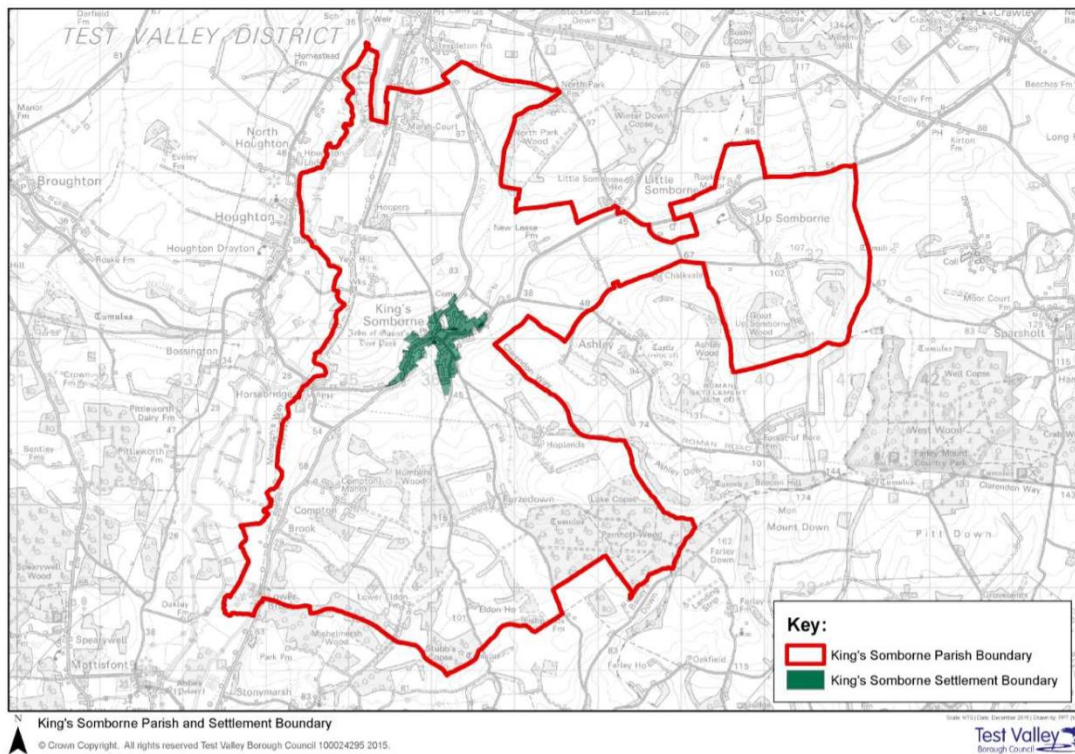


Figure 1: King's Somborne Parish NDP Area

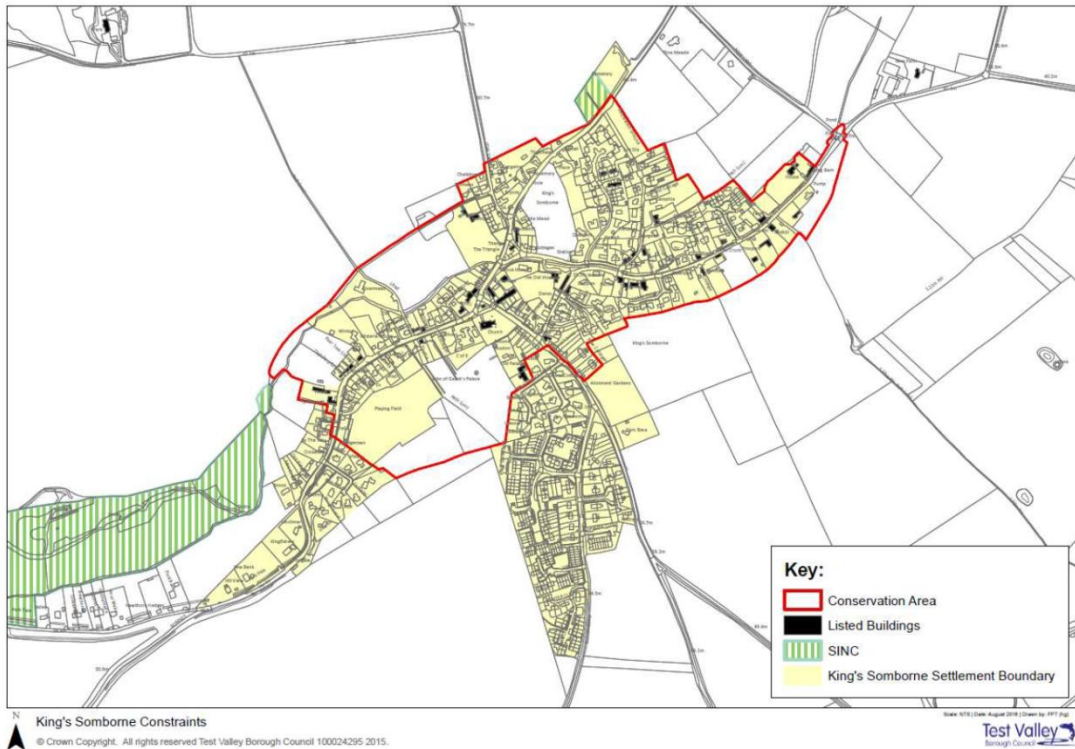


Figure 2: Village of King's Somborne



2.3. In summary, the principal environmental features to be considered are:

- The King's Somborne Conservation Area (*Figure 2*).
- The 148 predominately Grade II listed buildings of the Parish of which 60 fall within the village of King's Somborne concentrated within the Conservation area including the medieval church of St Peter and St Paul.
- Flood Zones 2&3 associated with the winterbourne stream which is one of the tributaries of the River Test joining it at the Parish settlement of Horsebridge
- Sites of importance to Nature and Conservation (SINC) shown in *Figure 2*.
- Priority Habitat Inventory (Natural England) of Floodplain Grazing Marsh, Good quality semi-improved grassland and broadleaved deciduous woodland located to the southern and western edges of King's Somborne village.

3. Summary of the NDP proposal

- 3.1. The NDP has been developed through a programme of community consultation, public steering group meetings with Q&A sessions, attendances at various public events and workshops building on the original NDP survey to meet the needs of the community.
- 3.2. The Community vision is focussed on developing a sustainable vibrant community which provides for and supports people of all ages in the community whilst maintaining the character of the King's Somborne Parish, in particular, protecting and enhancing the natural and historic environment including the conservation area within the main village of King's Somborne, its listed buildings, and its numerous rural views.
- 3.3. The Policies of the NDP provide a subset to the TVBC Local plan that are particular to the character of the Parish and are centred around the preservation of landscape features, heritage buildings and sites whilst providing for sensitive development taking in to account the local distinctness and character supported by Design Guidance which is additionally catered for in the NDP. Copies of the proposed policies have been made available to TVBC to help inform the screening assessment.
- 3.4. The NDP recognises and endorses the TVBC Local Plan Hierarchy and in particular the features of Policy COM2 with regard to Rural Villages (King's Somborne and its settlement boundary as shown in *Figure 2* above) and the Countryside which caters for the other settlement that fall with the Parish as described in Table 7 of the Local Plan restricting development to protect the countryside and promote sustainable development in rural areas.
- 3.5. The NDP does not propose or anticipate any Rural Exception Affordable Housing or Community Led Development under TVBC Local Plan Policy COM 8 and COM9.
- 3.6. Due to the physical constraints of the settlement boundary of King's Somborne, the NDP has had to necessarily include site allocations for new development to meet the housing need in as sensitive manner as possible, building on King's Somborne's historic evolution along the valley floor. Particular emphasis has been made on ensuring that the sites chosen preserve, as far as is possible, the rural views, natural environment, and archaeological features whilst minimising any adverse impacts such as flood risk through careful location, SuDs and requirement for developers to endorse this and undertake additional measures to protect the environment and rural landscape.



3.7. Any development will be in accordance to TVBC Local Plan E1 for High Quality Development within the Borough and E2 to Protect, Conserve and Enhance the Land Scape Character of the Borough, and this is actively supported through the use of Design Guidance an integral part of the NDP. Moreover, developments are limited in size to ensure delivery of affordable homes (in accordance with TVBC Local Plan COM 7) and phased over the lifetime of the NDP.

4. initial Assessment in Accordance with Schedule 1

Criteria	Assessment of KSPC NDP	Significant Environmental Impact? (Y/N)
The characteristics of plans and programmes, having regard, in particular, to:		
(a)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 KSPC NDP includes policies and guidance for development proposal in the village of King's Somborne only and that are entirely aligned to the Policies of the TVBC Local Plan and the National Planning Policy Framework ("NPPF"). The Policies are criteria based and support the protection of the character of the village and its surrounding countryside	N
(b)the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The NDP will be a subset of the Local Plan. There are therefore no plans or programmes that need to be in conformity with it, nor will the NDP significantly influence other plans and programmes	N
(c)the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The NDP solely supports sustainable development and it polices are aimed and protecting the village heritage and having a positive effect on the built environment of the Parish though enhancing the provision already made through the TVBC Local Plan and the NPPF	N
(d)environmental problems relevant to the plan or programme; and	One of the key environmental concerns is the propensity of flooding in the village of King's Somborne – and mitigating measures are catered for in a number of Policies in the NDP	N
(e)the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The NDP contains policies to protect and enhance the natural and built environment which includes biodiversity and water management and should therefore support any legislative measures implemented with regard to biodiversity and water management	N



2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
Criteria	Assessment of KSPC NDP	Significant Environmental Impact? (Y/N)
(a)the probability, duration, frequency and reversibility of the effects;	The NDP contains policies focussed on protecting and enhancing the existing character of the village and surrounding countryside and its view. The proposed allocated sites necessary to meet the housing need have been carefully chosen to minimise the impact though sensitive preservation of the evolution of the village, being cognisant of its existing heritage features and the surrounding countryside	N
(b)the cumulative nature of the effects;	The NDP will add local detail to the NPPF and TVBC Local Plan and in respect of existing environmental designations and features. Accordingly, the cumulative effects arising from the introduction of the NDP are expected to be complimentary	N
(c)the transboundary nature of the effects;	There are no transboundary effects envisaged though the adoption of the NDP	N
(d)the risks to human health or the environment (for example, due to accidents);	There are no risks to human health envisaged though the adoption of the NDP	N
(e)the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The NDP is catering for an area of 4,270 hectares which accounts for 6.8% of Test Valley and has a total population of 1600 (2016 data). The NDP however has a much tighter local focus of just 2.87 hectare of allocated sites in addition to any development under TVBC Local Plan policy COM2 and as a result the overall environmental effects will be extremely limited both spatially and in magnitude.	N
(f)the value and vulnerability of the area likely to be affected due to— (i)special natural characteristics or cultural heritage; (ii)exceeded environmental quality standards or limit values; or (iii)intensive land-use; and	<p>(i) the NDP includes policies to protect and enhance existing characteristics such as open countryside, SINC sites, agricultural land, trees and hedgerows and in particular the winterbourne that flows through the Parish as well as cultural heritage sites</p> <p>(ii) There are no exceeded quality standards or limit values envisaged though the adoption of the NDP</p> <p>(iii) There is no intensive land use impacted though the adoption of the NDP</p>	N



Criteria	Assessment of KSPC NDP	Significant Environmental Impact? (Y/N)
g)the effects on areas or landscapes which have a recognised national, Community or international protection status	As considered above and to be addressed in the HRA screening for likely significant effects on European sites, The NDP contains policies which are likely to have a positive effect on the natural and built environment generally.	N

- 4.1. The overall conclusion from the Schedule 1 Table above is that the proposed NDP for King's Somborne Parish is unlikely to have any significant environmental effects and therefore does not require a SEA. A Determination to the effect is recommended.
- 4.2. With regard to the HRA, a screening opinion is required to determine whether or not the King's Somborne Parish Council's NDP is likely to have any significant effect on a European Site
- 4.3. Notwithstanding that there are no European sites within the NDP area, Mottisfont BAT SAC does lie about 1km southwest of the extreme south westerly corner of the NPP area, but the proposed NDP is not envisaged to impact this in anyway.

King's Somborne Parish Council Neighbourhood Development Steering Group
March 2018



Annex B Natural England Response

Date: 16 April 2018
Our ref: 241409
Your ref: King's Somborne NDP Screening Opinion



Graham Smith
Head of Planning
Test Valley Borough Council
Beech Hurst
Andover SP10 3AJ

Customer Services
Hornbeam House
Crewe Business Park
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Crewe
Cheshire
CW1 6GJ

By email only: planning@testvalley.gov.uk.

T 0300 060 3900

Dear Graham,

King's Somborne Neighbourhood Plan – Screening Opinion SEA and HRA

Thank you for your consultation on the above dated 12 March 2018 which was received by Natural England on 12 March 2018.

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)

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance¹. 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.

Designated sites that Natural England has a duty to protect

We have checked our records and;

- **Mottisfont Special Area of Conservation (SAC)** is situated within 2.5km of the King's Somborne NDP Area. Based on the information provided, namely the proposed allocation of 2.87ha of development sites (in addition to any development under TVBC Local Plan policy COM2) within the Neighbourhood Plan, we advise that a Habitats Regulations Assessment (HRA) in relation to the designated site is required. This is to assess any likely significant effect

on sensitive sites due to potential loss of bat foraging habitat as a result of any development within the Plan.

- **River Test Site of Special Scientific Interest (SSSI)** lies adjacent to the west of King's Somborne NDP Area. This classic chalk stream is one of the most species-rich lowland rivers in England. In view of the winterbourne tributary which passes through King's Somborne village, we advise that the NDP acknowledges the designated status of the River Test and that development proposals within the NDP area should be assessed for impacts on the interest features for which the SSSI has been designated.

We are not aware of *any other significant* populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, 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.

For any queries relating to the specific advice in this letter only please contact **Sarah Skinner** on **07813593588**. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sarah Skinner

Adviser Planning and Sustainable Development
Dorset, Hampshire and Isle of Wight Area Team

Annex B Historic England Responses



Mr Graham Smith
Head of Planning Policy
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover, SP10 3AJ.

Our ref: HD/P5240/
Your ref:

Telephone 01483 252040
Fax

14th April 2018

Dear Mr Smith,

King's Somborne Neighbourhood Plan - SEA and HRA Screening Opinion

Thank you for your e-mail of 12th March seeking the views of Historic England on whether or not the policies and proposals of the King's Somborne Neighbourhood Plan are likely to have significant environmental effects and therefore whether or not it should be subject to strategic environmental assessment.

According to the National Heritage List for England, the parish contains 104 listed buildings, including the Grade I Marshcourt School and five listed at Grade II*, a conservation area, five scheduled monuments, a Grade II* Registered Historic Park and Garden and potentially a number of locally important heritage assets (we do not know why the Parish Council's Screening Request/Opinion refers to 148 listed buildings in the parish). The Plan area is, therefore, a very sensitive historic environment which may be affected by any development promoted or allowed for by the Neighbourhood Plan.

Paragraph 3.6 of the Screening Request/Opinion refers to site allocations for new development, but there is no indication of the numbers of sites or new dwellings or where these sites are. There is, therefore, substantial potential for one or more of these sites to affect the significance of the heritage assets, including the special interest, character and appearance of the Conservation Area, within the parish.

We do also note that, according to the Screening Request/Opinion, "*particular emphasis has been made on ensuring that the sites chosen preserve, as far as is possible.....archaeological features whilst minimising any adverse impacts*" and that they have been "*carefully chosen to minimise the impact though sensitive preservation of the evolution of the village, being cognisant of its existing heritage features*". However, without knowing where the proposed sites are, we are not able to undertake our own assessment of the potential impact of the sites on heritage assets.



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Correspondence or information which you send us may therefore become publicly available.



We also note that the Request/Opinion indicates that the Plan will contain policies to protect and enhance the existing character of the village and “cultural heritage sites”. However, we are not clear if it is intended that the Plan will have a specific policy to conserve and enhance the heritage assets (designated and non-designated) in the Plan area.

Depending on how robust and comprehensive these policies are, they could be sufficient to ensure that, in principle, at least, no site within or outside the settlement boundary would be allowed to be developed if it would harm the significance or special interest, character and appearance of a heritage asset.

However, although we understand that the Council has been provided with a set of draft policies, Historic England has not, and we are therefore unable to ascertain whether or not these policies would provide sufficient protection for the heritage assets in the Parish.

At this stage, therefore, given the very sensitive historic environment of the Plan area, the fact that the Plan will allocate an unspecified number of sites for an unspecified number of dwellings in unspecified locations, and our inability to confirm that other policies of the Plan will be sufficient to protect the heritage assets of the Plan area from adverse effects, we cannot be confident that such adverse effects are not likely to occur and not be significant.

We therefore consider that the King's Somborne Neighbourhood Plan should be subject to strategic environmental assessment. However, when we see the draft Plan or are otherwise provided with more information, we would be happy to review our opinion.

We hope these comments are helpful. Please contact me if you have any queries.

Thank you again for consulting Historic England.

Yours sincerely,

Martin Small
Principal Adviser, Historic Environment Planning
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs and New Forest National Parks and
Chichester)

E-mail: martin.small@historicengland.org.uk





Historic England

Mr Graham Smith
Head of Planning Policy
Test Valley Borough Council
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Our ref: HD/P5240/
Your ref:

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2nd May 2018

Dear Graham,

King's Somborne Neighbourhood Plan - SEA and HRA Screening Opinion

Thank you for your e-mail of 25th April advising us of the proposed housing allocations in the draft King's Somborne Neighbourhood Plan in response to our opinion as to the need for the Plan to be subject to Strategic Environmental Assessment as set out in our letter of 14th April.

In that letter we concluded that given the very sensitive historic environment of the Plan area, the fact that, based on the information available to us at the time, the Plan would allocate an unspecified number of sites for an unspecified number of dwellings in unspecified locations, and our inability to confirm that other policies of the Plan would be sufficient to protect the heritage assets of the Plan area from adverse effects, we could not be confident that such adverse effects are not likely to occur and not be significant.

We therefore considered that the Neighbourhood Plan should be subject to strategic environmental assessment. However, we offered to review our opinion when we saw the draft Plan or were otherwise provided with more information.

You have now advised us that the Parish Council is proposing 33 - 42 dwellings over the plan period on five sites. You have also provided a map of the proposed sites and a copy of the draft Plan, in which we note Policy E9 - Conservation Area, Heritage Buildings and Heritage Sites.

According to our records, all five sites are within or within the setting of the King's Somborne Conservation Area and all but one (KS5) are within the setting of one or more listed buildings. Although the number of dwellings on each site may not be high, we consider that the development of these sites therefore has the potential to harm the special interest, character and appearance of the conservation area and significance of listed buildings, as we surmised in our previous letter.



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We do note that, according to the Screening Request/Opinion, *"particular emphasis has been made on ensuring that the sites chosen preserve, as far as is possible.....archaeological features whilst minimising any adverse impacts"* and that they have been *"carefully chosen to minimise the impact though sensitive preservation of the evolution of the village, being cognisant of its existing heritage features"*.

We also note Policy E9 - Conservation Area, Heritage Buildings and Heritage Sites, which requires that *"Any developments must not change the character or nature of the Conservation Area and must preserve the setting and significance of individual heritage assets and listed buildings"*

However, we are still concerned that the development of the proposed sites would harm the significance of designated heritage assets, and would therefore be in direct conflict with Policy E9.

Three of the proposed development sites are on greenfield sites within the Conservation Area. We have not been able to visit the sites and, unfortunately, we cannot find an up-to-date Conservation Area Character Appraisal for the Conservation Area (which we would recommend as an important part of the evidence base for the Neighbourhood Plan), but we note that the 1987 Conservation Policy for King's Somborne states:

"Certain open areas are identified within and adjacent to the conservation area as being important to the character of the village. Because of this, it is improbable that development will be permitted on them. The Borough Council would therefore wish to see them retained and enhanced accordingly where appropriate".

These important open spaces are difficult to see clearly on the map in the Policy Statement on the Borough Council's website, but certainly appear to include the proposed development sites KS5 and SHLAA 208, and quite possibly the other proposed development sites. If this is so, then the Borough Council has already recognised the harm to the character and appearance of the Conservation Area that development of these sites would cause.

In addition, although the Screening Request/Opinion refers to archaeological features, we are not entirely sure what consideration has been given to potential archaeological remains. Has, for example, the Hampshire Historic Environment Record and/or the Borough Council's Archaeological Adviser been consulted in respect of these sites ?

In summary, therefore, the additional information provided as regards the location of the proposed allocation sites confirms our suspicion that they would impact upon the significance of heritage assets. We therefore remain of the opinion that Policy H6/the proposed allocations should be subject to Strategic Environmental Assessment.



Historic England, Eastgate Court, 195-205 High Street, Guildford GU1 3EH

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As we believe that the proposed allocation sites have not previously been subject to SEA e.g. through the local plan process, we believe that a proportionate, focused, SEA of the Neighbourhood Plan is required. The SEA should demonstrate why these sites have been selected rather than other potential sites, and would result in a more robust Plan.

Pending the outcome of that SEA, we are very concerned at the proposed allocation of any sites identified as being important to the character and appearance of the village and conservation area and we would therefore be likely to object to their inclusion in the Plan.

We hope these comments are helpful. Please contact me if you have any queries.

Yours sincerely,

Martin Small
Principal Adviser, Historic Environment Planning
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs and New Forest National Parks and
Chichester)

E-mail: martin.small@historicengland.org.uk



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Annex B Environment Agency Response

From: Lines, Charlotte A. [mailto:charlotte.lines@environment-agency.gov.uk]
Sent: 11 April 2018 16:33
To: Smith, Graham
Cc: Lax, Laura
Subject: RE: Kings Somborne NP

Hi Graham,

From an initial scan we would have concerns if development is allocated in this flood zone without the Sequential Test being undertaken, it also appears that one of the site's is within 8m of the River Test any works within 8m may require a flood risk activity permit from us.

In accordance with the National Planning Policy Framework (NPPF) para 100-102, we recommend the Sequential Test is undertaken when allocating sites to ensure development is directed to the areas of lowest flood risk.

The Sequential Test should be informed by the Local Planning Authorities Strategic Flood Risk Assessment (SFRA).

It is important that the Plan also considers whether the flood risk issues associated with these sites can be safely managed to ensure development can come forward. Without this understanding we would not be sure how the emerging NP could demonstrate compliance with the NPPF.

Many thanks,
Charlotte

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Andrew Brock
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Your ref:
Our ref: pp11.5
Date: 23.05.2018

Dear Andrew

**King's Somborne Neighbourhood Plan
Request for Screening Opinion for Strategic Environmental Assessment (SEA)
and Habitats Regulations Assessment (HRA)**

I write in response to your request for a screening opinion for Strategic Environmental Assessment in relation to the proposed King's Somborne Neighbourhood Plan. This request was received by the Council on the 12th March 2018.

Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 requires that the responsible authority (Test Valley Borough Council) shall determine whether or not a plan is likely to have significant environmental effects. As part of making this assessment, the responsible authority shall —

- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
- (b) consult the consultation bodies.

The Regulations advise that where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination. This statement will be published on our website in due course. Natural England, Environment Agency and Historic England, as the statutory consultation bodies for the Regulations, were consulted on this SEA screening request. The consultation started on 12th March 2018 for a five week period, ending on 16th April 2018.

Having reviewed the letter and document that you provided, the consultation responses from Natural England, Environment Agency and Historic England and the criteria within Schedule 1 of the Regulations, it is the Council's opinion that the

proposed Neighbourhood Plan is likely to have significant environmental effects. On this basis, a proportionate and focussed Strategic Environmental Assessment would be required for the proposed King's Somborne Neighbourhood Plan.

With regards to the Habitats Regulations Assessment and whether an Appropriate Assessment is required, the Council concludes that a likely significant effect cannot be ruled out as a result of the proposed Neighbourhood Plan and therefore a HRA is required. This is supported by the response from Natural England. You are advised to seek professional guidance on this matter including whether this results in implications for the scope of the SEA.

You are advised that if the anticipated vision and scope of policies for the Neighbourhood Plan are subject to significant change, it would be appropriate to review the Screening Opinion and the position regarding the Habitat Regulations Assessment.

Yours sincerely

Graham Smith
Head of Planning Policy