

Egerton Neighbourhood Plan
Strategic Environmental Assessment (SEA) Screening Report
And
Habitats Regulations Assessment (HRA) Screening Report
Determination Report March 2021

Prepared by Ashford Borough Council on behalf of Egerton Parish Council

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1. Non-technical Summary and Introduction

Introduction

- 1.1 This report focuses on the screening of the Egerton Neighbourhood Plan against the need for a Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).

Amendments to the original September 2020 Determination Report are shown in red text throughout the document for ease of reference (March 2021).

What is an SEA?

- 1.2 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which may have a significant effect on the environment. This particularly relates to plans which allocate development sites, including Local Plans and Neighbourhood Plans. An SEA is a mechanism for considering and communicating the likely significant effects of a draft Plan, and reasonable alternatives, with a view to avoiding and mitigating negative environmental effects and maximising the positives.
- 1.3 The purpose of SEA is to provide a high level of protection of the environment and to integrate environmental issues into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.4 Not every plan needs an SEA. To determine whether the neighbourhood plan requires an SEA it is necessary to screen the objectives and proposals of the plan to determine whether it is likely to result in significant environmental effects. This can either be the local authority or the qualifying body (i.e. parish/town council or neighbourhood forum). As part of this screening process it will be necessary to consult the SEA consultation bodies (Historic England, Natural England and the Environment Agency) to get their opinion on whether or not the plan is likely to result in significant environmental effects and therefore whether an SEA is required.
- 1.5 One of the basic conditions (condition 'f') for a neighbourhood plan is that it does not breach, and is otherwise compatible with, EU obligations. To meet this condition with regard to strategic environmental assessment (SEA), a neighbourhood planning group needs to have either a statement of reasons as to why SEA is not required, or, where an SEA is deemed necessary, an environmental report (and non-technical summary) which documents the findings of the SEA.
- 1.6 A neighbourhood plan should be screened as soon as there is sufficient information available to consider whether the proposed content of the plan or its

likely intent (e.g. will it allocate development sites or not) are likely to lead to significant effects.

- 1.7 There are two potential outcomes to this screening: either the plan is not likely to result in any significant environmental effects and an SEA is not required, or the plan is deemed to be likely to result in significant environmental effects and that SEA (scoping report and full report) is required.

What is HRA?

- 1.8 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on internationally designated wildlife sites. For the purpose of the HRA, internationally designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar wetland sites, which together are also known as '**Natura 2000**' sites¹.
- 1.9 This initial screening stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each internationally designated wildlife site within a 'reasonable' distance of the particular Neighbourhood Plan Area and the potential impact of the proposals within the draft neighbourhood plan on these.

Relevant Ashford Borough Assessments

- 1.10 The screenings set out in this report are supported by the Appropriate Assessments and screening/scoping exercises previously carried out for the current adopted development plans; most recently HRA and SEA/SA work undertaken for the Ashford Local Plan 2030, which are published background documents. These most recent reports are available here: <http://www.ashford.gov.uk/local-plan-2030-evidence-base>.

¹ With regards to the references to the European sites, the UK has issued new legislation which will cover these matters following Brexit. The legislation states that any previous references to the European Natura Sites can still remain, but in future they will be referenced as 'National Site network'.

<https://www.legislation.gov.uk/uksi/2019/579/regulation/4/made>

Consultation and Conclusion

- 1.11 This report details the screening process undertaken for the Egerton Neighbourhood Plan against the requirements for an SEA and HRA to be produced to accompany the pre-submission version of the Neighbourhood Plan.
- 1.12 A copy of this report was sent to the three statutory consultees; Environment Agency, Historic England and Natural England to obtain their views on its content between May and July 2020. **A subsequent and revised position was received from Natural England in January 2021.** Full copies of their responses are included in Appendix 2 and summarised below:

Environment Agency – no comments provided on the need for SEA / HRA screening. However the Environment Agent scanned policy proposals and noted that there is no flood risk policy in the draft Neighbourhood Plan. There are flood risk areas in Egerton and they request a policy be included in the neighbourhood plan requiring any proposed development in excess of 1 hectare within Flood zone 1 or, if the development lies within Flood zone 2 or 3 in the area of the neighbourhood plan to be supported by a specific flood risk assessment.

Historic England – At present do not consider Egerton neighbourhood plan's allocation of two preferred sites would have significant environmental effects, a SEA is therefore not required. However SEA screening needs to take into account the potential effects of sites considered and rejected as 'reasonable alternatives'. It is advised that the details of any sites identified as 'reasonable alternatives' be provided to Historic England for consideration. In addition Historic England seek further assurance that the Kent Historic Environment Record and Kent County Council Archaeological Service were consulted to determine whether non-designated heritage assets of archaeological interest could be affected, particularly in the vicinity of the scheduled 'bowl barrow 350m SE of Egerton Church. It is advised that this matter be clarified with Historic England. There are no comments provided regarding the need for Habitats Regulation Assessment.

Natural England

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Based on the information provided within the Neighbourhood Plan, Natural England previously advised that the foul water associated with the proposed developments will discharge into the Stour catchment. This has the potential to cause a detrimental impact on the Stodmarsh Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Area of Protection (SPA) and Ramsar.

However following discussions with Southern Water, Natural England considers that the proposed development will not have significant adverse impacts on Stodmarsh SSSI, SAC, SPA and Ramsar and has no objection. It has been confirmed by Southern Water this development will utilise Stone Hill Road Water Treatment Works, which discharges outside of the Stour catchment, thus removing the potential for water quality impacts.

Screening Determination

1.13 The screening report concludes that:

- A full Strategic Environmental Assessment is not required to accompany the submission version of the Egerton Neighbourhood Plan covering the requirements of the SEA Directive, for the reasons set out in Section 3 of this report
- An Appropriate Assessment is not required to accompany the Egerton Neighbourhood Plan, for the reasons set out in Section 4 of this report.

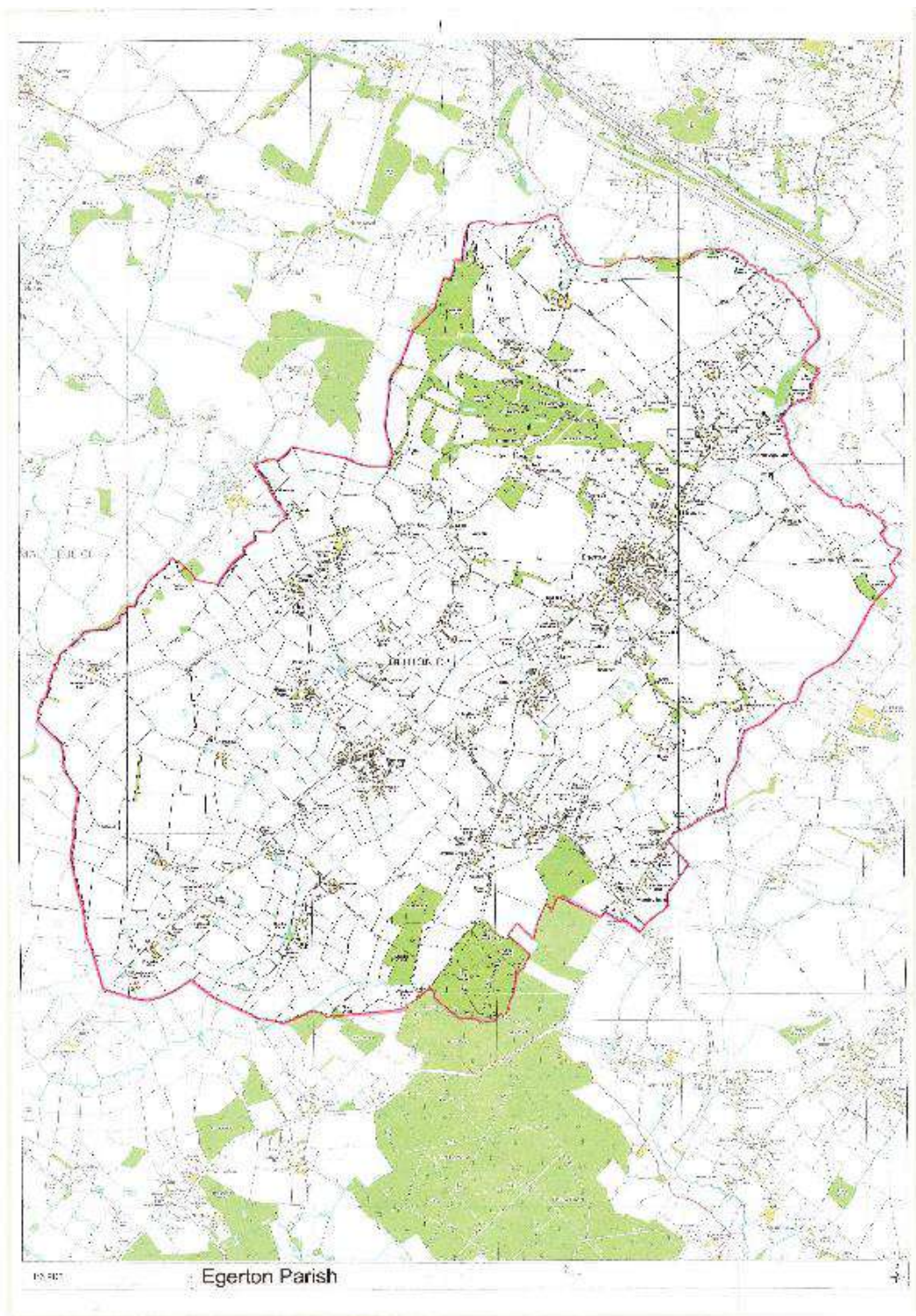
This formal screening report and determination has been issued to Egerton Neighbourhood Plan Steering Group indicating the outcomes of the screening on Friday 25th September 2020. **Subsequently re-issued with updates in March 2021.**

1.14 At this stage of Neighbourhood Plan preparation, the draft vision and objectives and policy themes of the neighbourhood plan as outlined in Chapter 2 of this report have been used to undertake this screening assessment. If the proposals in the Neighbourhood Plan change in a significant manner, such as quantum or locations of development, then an additional screening exercise may be required.

2. The Egerton Neighbourhood Plan Context

- 2.1 The parish of Egerton is located in the Borough of Ashford, Kent. The entire parish makes up the designated neighbourhood area (see Figure 1 below.) The parish is largely rural in nature, the neighbourhood area includes the settlements of Egerton the local service centre, Egerton Forstal 0.7 miles to the south and several small hamlets and farmsteads located among agricultural landscape and areas of woodland.
- 2.2 The landscape is characterised by the 350 ft Greensand Ridge on which Egerton village sits at the top, while Egerton Forstal and neighbouring hamlets and farmsteads sit on lower weald. The dispersed settlement pattern means only 3% of the parish is development the majority of land being in agricultural use a mix of orchards, arable and grazing.
- 2.3 Egerton covers an area of some 2,800 acres, containing 491 households. Egerton Parish is located approximately 9 miles from Ashford town centre in principal town for Ashford Borough, and 13 miles from Maidstone town centre.
- 2.4 The parish of Egerton has very limited public transport there is no train station, there are currently 3 buses a day between Egerton village and Ashford, in term time there is school bus to local Secondary Schools. The parish is however well connected by the rural and local road network to the A20, and on to the main service centres of Ashford and Maidstone and the M20 junctions 8 or 9. Egerton's nearest train station is at Pluckley 1.9 miles away, although only accessible car. By necessity most journeys both within and out of the parish are made by car.
- 2.5 The Egerton NP project is led by a Steering Group which includes a combination of parish councillors and volunteers and is overseen by the Parish Council. In October 2016 Egerton Parish Council announced their decision to develop a NP following the completion of the Parish Plan. Terms of reference for the steering group were agreed in early 2017 followed by a public consultation to determine a vision for Egerton's future and key objectives.
- 2.6 In July 2017 Ashford Borough Council approved the designated neighbourhood area as the current parish boundaries. In 2018 the Steering group consulted on key views and vistas, and a Housing Needs Survey was carried out by Action with Rural communities in Kent followed by a call for sites. In 2019 the Steering group engaged consultants South Downs National Park Authority who carried a Green Space Assessment, a Local Heritage Sites Assessment and a Site Selection policy conforming to national and local planning policy guidelines.
- 2.7 A draft Neighbourhood Plan document has been produced to cover the period 2020 to 2040. This document sets out the following draft vision, objectives and policy framework for the Egerton Neighbourhood Plan and forms the basis for this screening assessment.

Figure 1: Egerton Neighbourhood Area Boundary



3. Vision for the Egerton Neighbourhood Plan

3.1 The draft NP states its core vision as 'Please don't change too much, we love our village as it is.' The stated NP vision for the future of Egerton combines the need;

- to protect the quality of community life and the parish environment as identified by its residents,
- to ensure that there is a sustainable future for the people who live and work in the parish including the right to housing, infrastructure, business and leisure/community facilities,
- and to develop small-scale housing and supporting infrastructure that is sensitive to the distinctive character of the parish and meets the needs of local people.

Objectives and policies

3.2 The stated **key objectives** for future land use in Egerton are to

- **protect** the local environment,
- to ensure a **sustainable** social and economic future for all residents, and
- to **develop** housing to meet local needs.

3.3 PROTECT: Protection of the overall quality of rural community life includes protection of:

- the distinctive rural, agricultural character and landscape of the village that sets it apart from other parishes in the Ashford area, combining Greensand fruit farming in the upper part of the parish with mixed farmlands around Mundy Bois and extensive Wealden pasture for grazing;
- the views and vistas both down from the village centre over the Kent Weald and up from the outlying settlements towards Egerton;
- the amenity value of footpaths and bridleways;
- the conservation area at the heart of the village, its immediate environs and the overall settlement pattern of Egerton positioned at the top of a hill on the Greensand Ridge;
- the green spaces which enhance the setting and character of the existing built environment throughout the parish;
- heritage assets such as the church, the significant number and distribution of medieval and later timber frame buildings, Kentish

ragstone farm buildings and walls, oast-houses and more modern buildings that have character and prominence such as the village hall;

- the quality of the physical environment, including trees and deciduous woodland, relics of former orchards, mixed hedgerows and wildlife.

3.4 SUSTAIN: Sustainability of village life includes:

- ensuring that the Parish contains a mix of housing and therefore increasing the provision of housing for young people, families and older residents;
- providing facilities to support older and disabled people wishing to remain in the community;
- support for the local services and businesses essential to the maintenance of village life such as the local school and pre-school, the shop, garages, inns;
- support for the rural economy, including agriculture, local businesses and individuals working from home;
- maintenance and improvement of facilities to support residents' health and well-being such as the village hall and recreation field.

3.5 DEVELOP: Small-scale **development** and the infrastructure necessary to support it means:

- affordable, adaptable and smaller homes allowing younger people, older residents and/or families to stay in or return to the parish;
- energy-efficient, sensitively laid-out development that conforms with the vernacular materials, density and models described in the Parish Design Statement ;
- small-scale local business premises;
- provision of essential services and utilities such as water, sewerage, drainage, high-speed broadband and adequate mobile phone signal.

The draft version of the Egerton Neighbourhood Plan (ENP) contains the following policies (available at <http://egertonnp.co.uk/draft-plan-policies.html>):

Protect	Sustain	Develop:
P1 – Distinctive Landscape Character	S1 – Community Facilities	D1 – Development Principles
P2 – Trees, hedges and woodland	S2 – Community Open Space at Egerton Forstal	D2 – Application of the Parish Design Statement

Protect	Sustain	Develop:
P3 – Local Green Spaces	S3 – Additional Parking	D3 – Housing Policy
P4 – Key Views and Vistas	S4 – Footpaths, Byways and Roads	D4 – Gale Field Development Site
P5 – Non Designated Heritage Assets		D5 – Orchard Nurseries Development Site
P6 – Light Pollution & Dark Skies		D6 – Reuse of Redundant Farm Buildings
		D7 - Water Supply and Drainage
		D8 – Renewable Energy and Climate Change Mitigation

Egerton NP Policy P1 – Distinctive Landscape Character

1. All new development should conserve and enhance the landscape and scenic beauty and avoid any negative impact on identified areas of distinctive character.

Egerton areas of distinctive character have been identified as;

- a) The Greensand Way
 - b) the Conservation area at the centre of the main settlement
 - c) ancient woodland, hedgerows and orchards
 - d) the dispersed settlement pattern over the Greensand Ridge, its slopes and the Low Weald
 - e) field patterns dating from medieval times, surrounded by native hedging and crossed by ancient stone pathways, sunken tracks and bridleways, reflecting the combination of Greensand fruit belt and Pluckley Mixed Farmland
2. The sunken lanes of Egerton House Road, Greenhill, Stone Hill, Stonebridge Green and Field Mill to the boundary of Charing Heath are of historic and environmental importance and contribute to the distinctive character of the parish.
 3. Development proposals that can offer a net biodiversity

gain will be supported.

4. Development proposals that have the potential to result in
5. damage to or loss of woodland habitats and wide grass verges or result in the loss of protected ancient trees, ancient woodland, veteran trees or hedgerows and which cause an adverse impact

Loss of biodiversity, which cannot be adequately avoided, mitigated or compensated for, or which harm the locality's special qualities, will not be supported (see also ENP P2).

Egerton areas of distinctive character have been identified as;

- The Greensand Way
- the Conservation area at the centre of the main settlement
- ancient woodland, hedgerows and orchards
- the dispersed settlement pattern over the Greensand Ridge, its slopes and the Low Weald
- field patterns dating from medieval times, surrounded by native hedging and crossed by ancient stone pathways, sunken tracks and bridleways, reflecting the combination of Greensand fruit belt and Pluckley Mixed Farmland

Development proposals that have the potential to result in damage to or loss of woodland habitats or result in the loss of ancient trees, woodlands, amenity trees or hedgerows and which cause an adverse impact on biodiversity, which cannot be adequately avoided, mitigated or compensated for, or which harm the locality's special qualities, will be refused. Development will not be permitted unless the need for - and the benefit of - the development at that location clearly outweighs the loss.

Egerton NP Policy P2 – Trees, hedges and woodland

- 5.2 Proposals for any new development should include carefully situated tree planting where there is currently none or little. New proposals that would damage or result in the loss of ancient trees, veteran trees, trees that are subject to Tree Protection Orders or trees that are of good arboricultural and amenity value, or loss of native hedges will not normally be supported.
 1. Proposals should be designed to retain ancient trees or trees of arboricultural and amenity value, allowing for the extent of tree roots which must be

protected.

2. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and any hedges on or bordering the

site and ensure that:

- a) there is no loss of ancient woodland and no net loss of woods and trees in general;
- b) any felled trees are replaced by indigenous trees on a 2 to 1 or 3 to 1 ratio in a suitable position; and
- c) there is no loss of native hedges except for necessary access points; green spaces with new native hedging to be included in site design and layout to compensate for any loss.

Egerton NP Policy P3 - Local Green Spaces

5.1 The purpose of this policy is to designate local green spaces which are demonstrably special

5.2 to the local community.

- a. The Street / the Glebe
- b. Green space off Elm Close and behind Rock Hill Road
- c. Lower Recreation Ground, Rock Hill Road

The purpose of this policy is to designate local green spaces which are demonstrably special to the local community.

Egerton NP Policy P4 – Key Views and Vistas

3. Development proposals should protect, and where possible, positively contribute to the following views and vistas:
 - a) *Court Lodge Farm to Charing/North Downs*
 - b) *New Road to Greenhill/ The Weald*
 - c) *New Road to the North Downs*

- d) Munday Bois Road to the village/church
 - e) Bedlam Lane to the Greensand Ridge
 - f) Egerton House over the Weald
 - g) Link Hill to Pemples Cross/The Weald
 - h) Elm Close and the Recreation Ground to the Weald
6. The parish church of St James is a focus for many key views towards and within the village. Any new development should be sensitive to this and avoid obscuring this significant landmark.

Egerton NP Policy P5 – Local Non-designated Heritage Assets

4. New development in accordance with the Neighbourhood Plan should protect, conserve and enhance the local non- designated heritage assets of historic or social significance to the community, and their setting as well as all scheduled monuments and listed buildings.

The purpose of this policy is to ensure the protection for a list of non-designated local heritage assets identified by the local community and assessed using Historic England guidelines.

Egerton NP Policy P6 – Light Pollution and Dark Skies

1. The following principles should apply for managing existing light schemes and for the introduction of any new lighting scheme:
- a) New lighting should not adversely degrade the sky quality beyond the immediate area to be lit;
 - b) Development proposals should demonstrate that all opportunities to reduce light pollution have been taken, including avoiding the installation of exterior lighting wherever possible;
 - c) Angle Lights Downward – no unnecessary light above or near the horizontal
 - d) Lamps of 500 lumens and less are appropriate for most domestic purposes
 - e) Point where the light is needed not in a direction that causes a nuisance to neighbours or wildlife. Lighting directed at sensitive habitats including trees and hedgerows will not be supported;

- f) Light to the appropriate illuminance – do not over light needlessly
- g) Lamps above 500 lumens should be installed in dark sky friendly fixtures that prevent unnecessary upward light
- h) Install at the lowest possible height to achieve required lighting levels
- i) Avoid bright white and cooler temperature LED's

Egerton NP Policy S1 - Community Facilities

1. Development will be supported where it will result in the improved management and enhancement of community facilities, where it would not damage the conservation area, listed buildings and the environmental quality, biodiversity or character of the area, and where it is designed to meet community needs as identified in the Ashford Local Plan (2030), Policy COM1.
2. Community facilities in the Parish include:
 - * The Millennium Hall
 - * The Games Barn
 - * The Sports Pavilion
 - * Any building/land registered as an Asset of Community Value.

Egerton NP Policy S2 – Community Open Space at Egerton Forstal

Any significant new development (5 or more new homes) in or close to Egerton Forstal should make provision for

New public open space to serve everyone in the locality.

Egerton NP Policy S3 – Additional parking

Egerton Parish Council will work with Egerton Playing Fields to secure funding and to develop approximately 10 additional parking spaces for the Sports Pavilion and Games pitches, using a permeable surface to allow drainage in accordance with Policy ENV9 of the Ashford Local Plan and to maintain the visual appearance of the playing fields.

A cycle rack will also be installed in the same location.

Where feasible, electric charging facilities will be provided.

Egerton NP Policy S4 – Footpaths, byways and roads.

Development in the Parish shall:

- protect and improve these and other public rights of way, and
- construct or provide proportionate contributions towards new rights of way or extensions to link any such development to the village centre.

Egerton NP Policy D1 – Development Principles

Egerton NP Policy D1 – Development Principles

1. All new development is expected to meet a high standard of design and to make a positive contribution to the local character of Egerton.
2. Proposals must respect and enhance Egerton's distinctive built character and its high quality countryside setting. Where innovative and contemporary building designs are proposed, they must be complementary to their local context, and respect the scale, spacing and external materials of existing buildings.
3. All development proposals should take into account the relevant planning and design guidance issued by Ashford Borough Council, of which the Egerton Parish Design Statement forms a part.

Egerton NP Policy D2 – Application of the Parish Design Statement

Proposals for all new development in the Parish, including extensions to, and the conversion or replacement of, existing properties, shall include details of how far the principles and guidelines of the Egerton Parish Design Statement have been taken into consideration in formulating the proposals, in order to maintain the special local characteristics of the Parish. In devising and assessing proposals for new development account should be taken where appropriate of:

- a) development that creates places that are sustainable, durable, safe and suitable for their location and use, whilst meeting the relevant policies of the Development Plan;
- b) building form and style that is valued and promoted locally, including smaller houses with characteristically pitched and/or hipped roofing, richly

detailed walls, small panel windows, timber doors, with subservient
garaging and outbuildings;

- c) the use of locally distinctive external building materials, as appropriate to the location, such as clay roof tiles, Kentish ragstone, timber weatherboarding, red stock bricks;
- d) suitable boundary treatments, such as traditional mixed hedging, red brickwork or ragstone walls, as an attractive method of delineating new boundaries;
- e) attention to design detail, with the discreet positioning of service features, such as bin stores cycle stores, meter boxes, flues and ventilation ducts, renewable energy components, external lighting, satellite dishes, aerials, telephone cabling, etc.

Dwellings should be limited to two-storey in height to prevent a prominent visual edge to the village or obscuring key views and vistas, including views of the Church tower.

Egerton NP Policy D3 –Housing Policy

The ENP makes provision for 6-10 affordable local needs dwellings to meet Egerton's affordable housing need up to 2023. The ENP also makes provision for approximately 8 open market dwellings to meet the needs of older people within the parish.

Additional housing requirements over the full period of this plan will be subject to review at 5-7 year intervals.

Where there is a mix of affordable and open market housing, the houses will be appropriately spread through and integrated into each development so that affordable housing is indistinguishable from the equivalent market housing.

Egerton NP Policy D4 – Land at Gale Field, Egerton Forstal

Land at Gale Field, Egerton Forstal is allocated for the development of 6-11 local needs affordable residential dwellings in line with Policy HOU2 of the Ashford Local Plan 2030

Development of the site will be required to provide a publicly accessible off-road pedestrian route to the new public open space adjacent to the site.
(See Figure 2 on next page.)

Egerton NP Policy D5 – Orchard Nurseries, Egerton

Land at the former Orchard Nurseries, Egerton is allocated for the development of up to 8 residential dwellings for older people with a local connection to the parish.
(See Figure 3 on page 18.)

Figure 2 – Gale Field Housing Development Site.

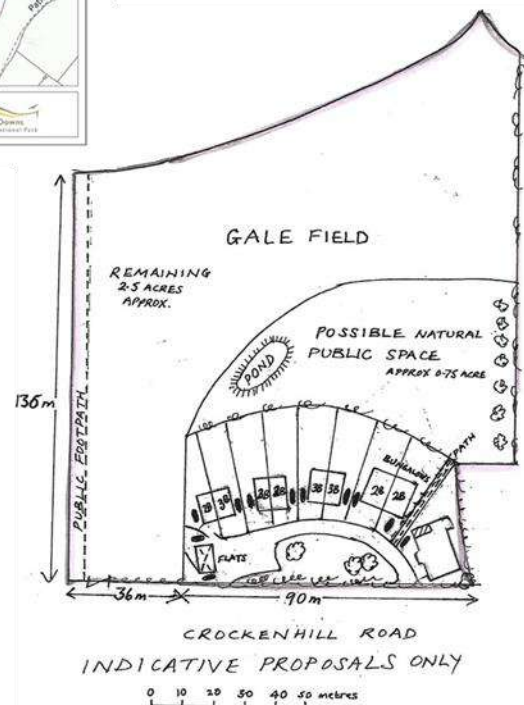
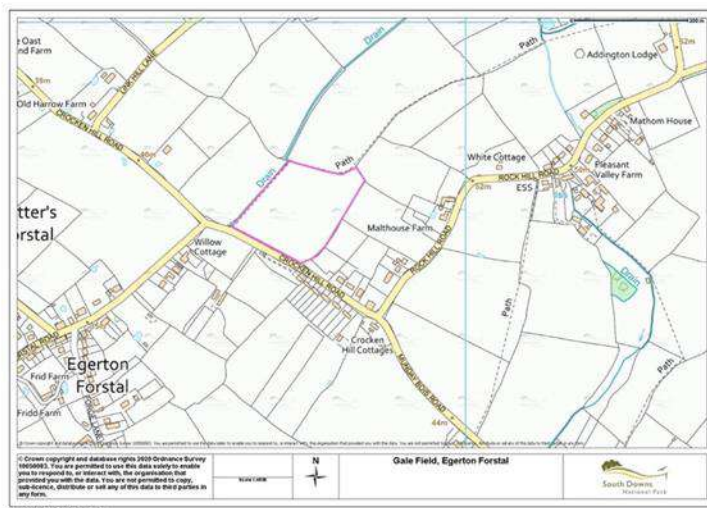
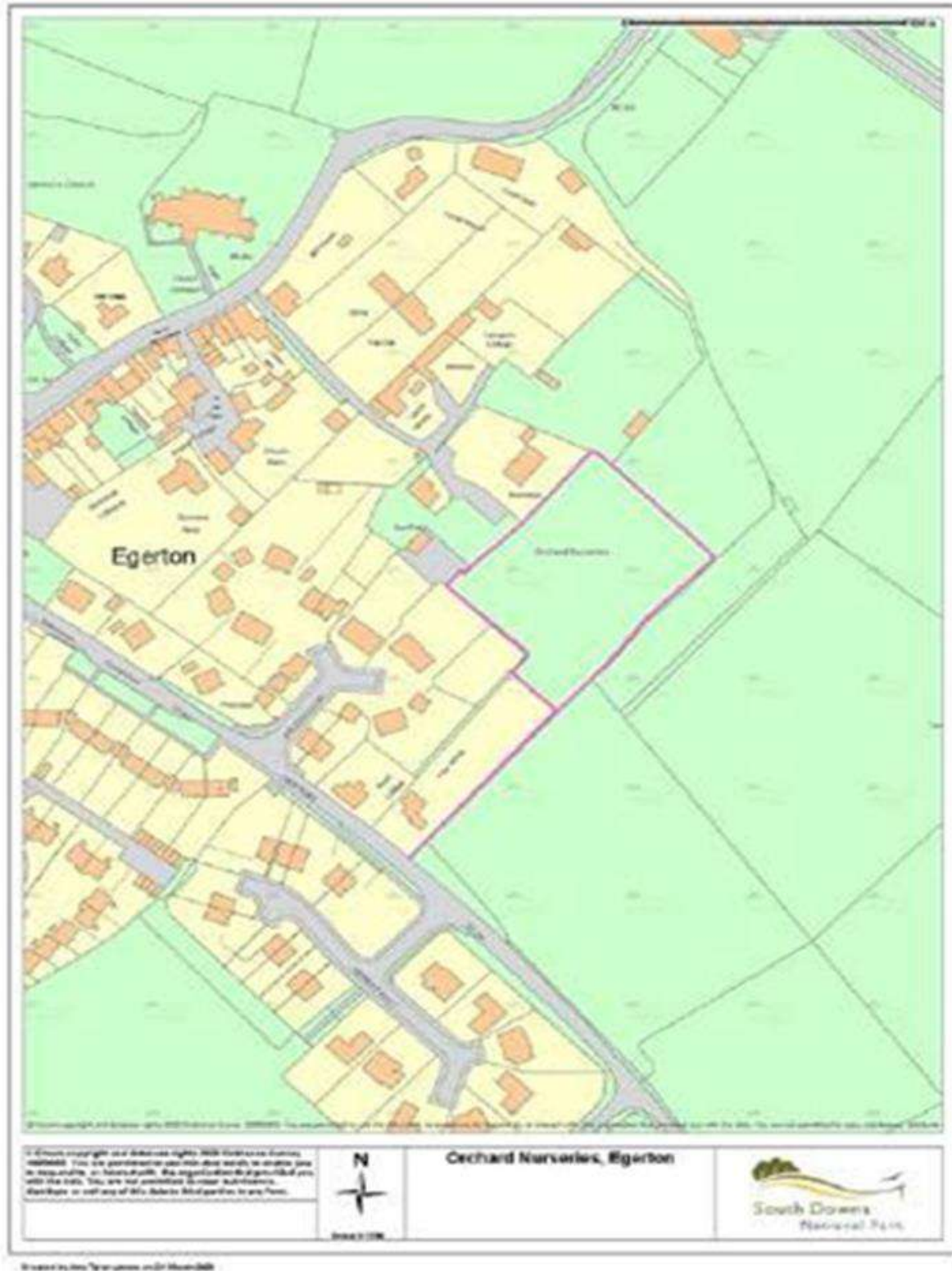


Figure 3 – Orchard Nurseries Housing Development Site



Egerton NP Policy D6 - Reuse of redundant farm buildings

Development of small scale business premises or appropriate residential or visitor accommodation use on existing sites with redundant farm buildings will be supported.

Development in such cases should not have unacceptable impacts on residential amenity and vehicular movement on the local highway network.

Egerton NP Policy D7 - Water Supply and Drainage

1. Any direct connection of new developments to the Egerton water supply and primary sewer network, and/or expansion to existing developments connected to the network, will only be supported if it can be shown by rigorous analysis that there is sufficient capacity in the local sewerage system and that the new connection will not increase the risk of system back up/flooding.
2. In cases where there is no possibility of connection to the primary sewer network, the developer should provide a private site-specific solution to manage drainage and sewerage which meets relevant regulations and has no adverse impact on the community as a whole.

Egerton NP Policy D8 - Renewable Energy and climate change mitigation

1. Energy efficient buildings will be expected on the grounds of sustainability, and should:
 - a) deliver warmer homes to improve comfort and better health, including a minimum 19% carbon dioxide reduction against Part L (2013) of the Government's Building Regulations on energy conservation through energy efficiency of the building.
 - b) Use of Passive House principles will be supported.

2. All residential development should minimise water consumption to no more than 110 litres per person per day. Water conservation measures such as rainwater harvesting and grey water recycling will be supported.
3. The provision of charging points for electric vehicles will be encouraged.

4. Egerton SEA Screening Assessment

- 4.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or 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).
- 4.2 To establish if a plan needs to be accompanied by a full SEA, a “screening” assessment is required against a series of criteria set out in the SEA Directive. A Practical Guide to the Strategic Environmental Assessment Directive² sets out in a diagrammatic form the process for screening the Plan against a series of criteria (Appendix 3).
- 4.3 This screening assessment for SEA is set out in Tables 1 and 2 below, and follows the step by step process set out in the practical guidance (Appendix 3).

Screening Assessment

Table 1: Utilising the step-by-step guide in relation to the Egerton Neighbourhood Plan.

Screening Stages	Answer	Reasons
1. Is the PP 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	Yes	The preparation of and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The preparation of the NP is subject to the following regulations: The Neighbourhood Planning (General)

² ODPM September (2005) ‘Practical guidance on applying European Directive 2001/42/EC’

Parliament or Government? (Art. 2(a))		Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012. Once the plan is prepared, it will be subject to Examination and Referendum, if successful it will be adopted by Ashford Borough Council as the Local Planning Authority.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Whilst the provision of a Neighbourhood Plan is optional, it will form part of the Development Plan for the Ashford Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Yes	The Neighbourhood plan is being prepared for town and country planning and land use. The NP will therefore set a framework for future development consent of projects in Annex II of the EIA Directive including Infrastructure projects 10(b) Urban-development projects.
4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	Yes	See HRA screening assessment at Part 5
5. Does the PP 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	The NP determines two modest sites 8-10 dwellings at local level, Gale Field and Orchard Nurseries.
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The NP is to be used for determining future planning applications.
7. Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-	No	N/A to Neighbourhood Planning

financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)		
8. Is it likely to have a significant effect on the environment? (Art. 3.5)*	No	See SEA Screening Assessment at Part 4 which concludes that there will not be a significant effect on the environment as a result of the proposals in the NP.

4.4 At this stage of Neighbourhood Plan preparation the draft vision and objectives and policy themes of the neighbourhood plan as outlined in Chapter 2 of this report have been used to undertake this screening assessment.

4.5 If it is found that the information used to undertake this screening report is changed in a significant manner as the Neighbourhood Plan, such as quantum or locations of development, then an additional screening exercise will be required.

4.6 This part of the report is to deal specifically with Question 8 of the SEA Directive guidance (Table 1 above). The criteria for this assessment is taken from Article 3.5 of the SEA Directive:

Table 2: Assessment of likelihood of significant environmental effect for Egerton Neighbourhood Plan against Art 3.5 criteria

SEA Requirement	Assessment
The characteristics of plans and programmes, having regard, in particular, to:	
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;	<p>The Egerton Neighbourhood Plan (NP) sits within the wider framework of the National Planning Policy Framework (NPPF) and Ashford Local Plan 2030 policies. The NP is intending to deliver two small scale housing growth on two sites with indicative capacities of 8 and 10 dwellings. See for location of proposed sites Gale Field (Fig 2 page 17, and Orchard Nurseries Fig 3 page 18.)</p> <p>Consequently the projects for which this NP helps to set a framework are localised in nature. The NP proposes policies to protect and enhance the environment. Overall, the likelihood of significant effects on the environment is therefore minimised.</p>

The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The NP must take into account the National Planning Policy Framework and the plan should be in general conformity with the Council's adopted strategic Local Plan policies. Ashford Local Plan 2030 was adopted in February 2019 the NP is therefore required to be in general conformity with the policies in that Plan. A Neighbourhood Plan does not influence other plans.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	A NP is required to contribute to the achievement of sustainable development and therefore the likelihood of significant effects on the environment is minimised. The Egerton Neighbourhood Plan contains a number of draft objectives which seek to promote sustainable development, in particular in relation to protecting the environment. These objectives influence the plan's proposed policies for protection of the distinctive character of the identified areas including; protection of green spaces, protection of distinctive landscape and built heritage village characteristic, key views and vistas, woodland and trees, dark skies, and setting out principles to guide development such as a policy which addresses climate change and its mitigation. In this way, the NP has integrated environmental considerations with a view to promoting sustainable development.
Environmental problems relevant to the plan or programme; and	The plan proposes to include policies covering environmental issues in relation to character areas, Local Green Spaces, locally valued views, and high quality design and policy encouraging proposals for the generation of renewable energy and energy efficiency. The plan aims to protect and enhance environmental designations.
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 NP has to be in conformity with the strategic policies of the adopted Local Plan and National Policy. The Local Plan has had regard to European Community legislation on the environment and therefore this legislation will not be relevant for the Neighbourhood Plan.
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
The probability, duration, frequency and reversibility of the effects;	The NP will contain a number of policies which seek to protect and enhance the environment and secure the retention and enhancement of local employment;

	services and facilities. The plan seeks to allocate a modest amount of land for development on two sites for identified local needs housing which has not already been proposed within the emerging Ashford Local Plan 2030. The Neighbourhood Plan is therefore not likely to result in significant negative environmental effects.
The cumulative nature of the effects;	The NP does not propose any development which is likely to result in any cumulative effects. The NP proposes policies which seek to further protect and enhance the environment and promote renewable energy and energy efficiency. Ashford Borough Council Local Plan 2030 adopted Feb 2019 has been subject to full Sustainability Appraisal, which addresses cumulative matters in more detail.
The transboundary nature of the effects;	Egerton borders the parishes of Smarden, Pluckley and Charing within the Ashford Borough and Boughton Malherbe in Maidstone Borough. There will be no adjoining effects on those parishes.
The risks to human health or the environment (for example, due to accidents);	No risks to human health have been identified nor have risks to the environment. The policies within the Plan seek to protect and enhance the environment.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The geographic area and population of the area the plan covers are relatively small.
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>The parish contains the following designations: Heritage (See Map 1 and 2, Appendix 1) and Environmental (See Map 1, Appendix 1)</p> <ul style="list-style-type: none"> • Two scheduled monuments: Bowl barrow 350m south-east of Egerton Church & Medieval moated site, fishpond and paddock boundary, Coldbridge Farm, Egerton • There is one Grade I listed building; Church of St. James • Currently some 80 Grade II listed buildings • An additional 3 items of historical interest are listed in the NP for additional protection : <ul style="list-style-type: none"> - The Wall and gate piers to churchyard, Church of St. James List Entry: 1071497 - The Mounting Block, opposite Rock Hill House List Entry: 1319909 - The K6 Telephone Kiosk List Entry: 1275166 • There is a conservation area in Egerton village

	<ul style="list-style-type: none"> • There are Areas known to be of archaeological interest and areas with archaeological potential. • Areas of flood zone 3 and limited zone 2. • Ancient woodland and group TPOs <p>The draft NP contains policies to protect and enhance the areas of the environment identified above There is a strong element of protection both the existing built and natural environment in the NP which are regarded as valuable assets.</p> <p>The NP proposes to allocate two sites for development. Figures 2 & 3, pages 17 & 18; both housing sites with indicative capacities of 8-10 to meet identified local needs. These sites are modest in size and located within and adjacent to the existing village of Egerton. These development sites are not judged to result in significant environmental impact.</p> <p>Overall the Plan will seek to achieve sustainable development through the implementation of a number of policies relating, in particular, to high quality design appropriate to distinctive local characteristics; protection and enhancement of heritage assets and their setting (including Buildings of Note); protection and distinctive landscape features and local green spaces, protection of footpaths, woodland and trees and policies to encourage the use of renewable energy and reduce light pollution.</p> <p>The Neighbourhood Plan also offers an opportunity to enhance the Natural Environment and the Heritage of the area through the proposals and policies being considered.</p> <p>In addition, the neighbourhood plan area sits within the broader development plan for the borough, the Ashford Local Plan 2030 policies adopted Feb 2019.</p> <p>The policies contained within the proposed Egerton NP, alongside those within the borough council's adopted plan will ensure that any development coming forward as windfall development would not have a significant negative environmental effect.</p>
--	--

SEA Screening Assessment Conclusion

- 4.7 The NP proposes to allocate two small additional sites for development not considered under the Ashford Local Plan 2030 SEA assessment, and contains policies which would require any development coming forward to protect and enhance the environment.
- 4.8 The assessment finds that no significant negative effects will occur as a result of the Egerton Neighbourhood Plan. It is therefore concluded that a full SEA is **not required** at this time.
- 4.9 If the Neighbourhood Plan is changed in a significant manner, particularly with regards to site allocations, or 'omission' sites being considered a new SEA screening process may be undertaken to re-assess this conclusion on whether a full SEA will be required as advised by Historic England.

5. Habitats Regulations Assessment Screening

- 5.1 The Habitats Regulations Assessment (HRA) refers to the appropriate assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. These include:
- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
 - Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)
- 5.2 In addition to SPAs and SACs Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European³ wildlife sites. These European wildlife sites are often grouped and known as 'Natura 2000' sites.

³ With regards to the references to the European sites, the UK has issued new legislation which will cover these matters following Brexit. The legislation states that any previous references to the European Natura Sites can still remain, but in future they will be referenced as 'National Site network'.

<https://www.legislation.gov.uk/ukxi/2019/579/regulation/4/made>

5.3 The first stage of the HRA process is a “screening” exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site.

5.4 The following assessment will screen the potential impact of the proposals for the Egerton Neighbourhood Plan on these sites within 20km of the Neighbourhood Area Boundary.

5.5 The following Natura 2000 sites are located within 20km of the Egerton Neighbourhood Area boundary (See Map 4 – Appendix 1).

Table 3: International Designated Sites (within 20km)

SACs	SPA	Ramsar Sites
North Downs Woodlands	The Swale	Dungeness, Romney Marsh and Rye Bay
Wye & Crundale Downs		The Swale
Queendown Warren		

5.6 Six designated Natura 2000 sites are identified in Table 3 above. All sites are over 15km away. No direct impact would result from proposals in the Neighbourhood Plan and indirect impacts are unlikely.

5.7 An Appropriate Assessment Screening has been carried out for Ashford Local Plan 2030, and concluded that no significant effect is likely upon the Natura 2000 sites, and therefore there was no requirement to carry out an Appropriate Assessment/Habitats Regulations Assessment for the Local Plan.

5.8 The Egerton Neighbourhood Plan proposes to allocate two additional residential development sites to those that have already been considered within the screening assessment for the emerging Ashford Local Plan 2030.

HRA Screening Assessment Conclusion

5.9 In respect of six designated Natura 2000 sites identified in Table 3 Natural England concluded in their consultation response that there is unlikely to be significant environmental effects on these sites.

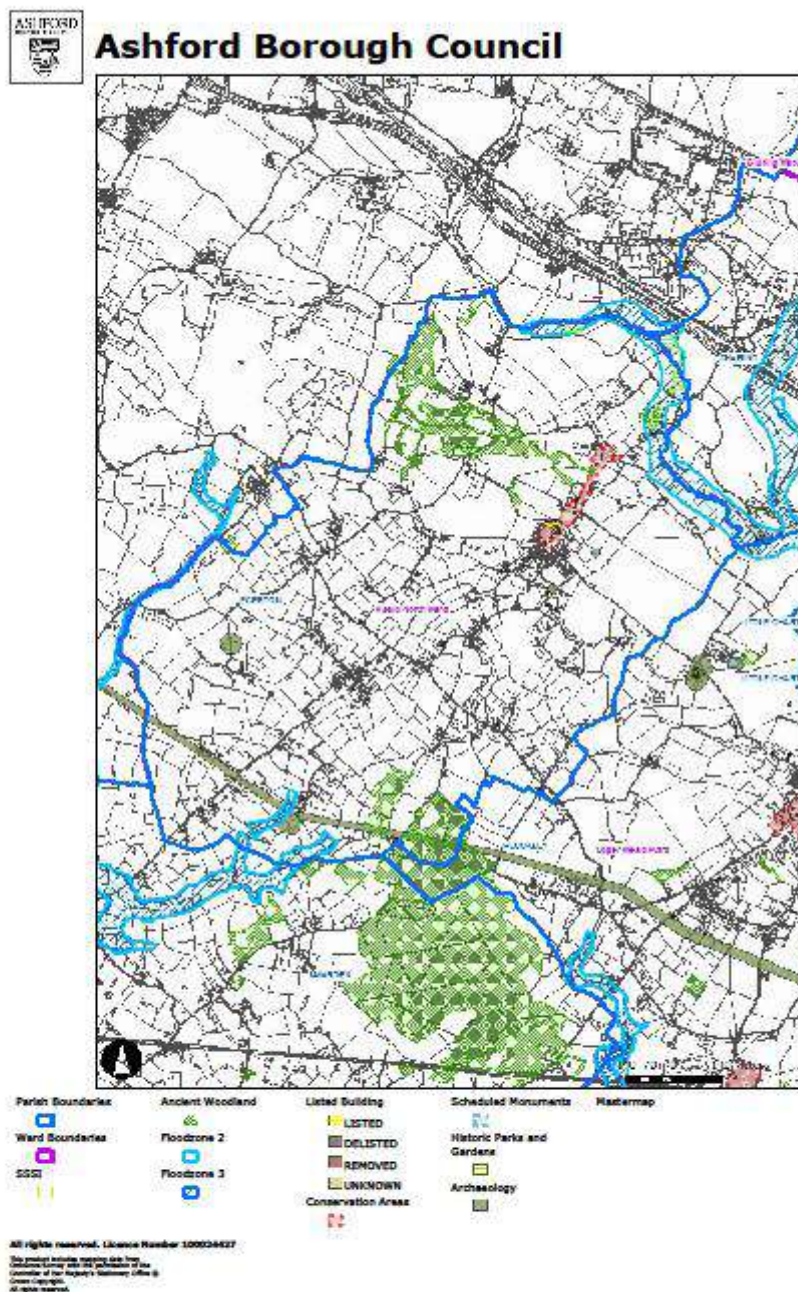
5.10 In addition, based on the latest communication (January 2021) from Natural England that there is no longer the potential for a likely significant effect to result from an increase in residential properties within the Stour catchment to the Stodmarsh SAC, SPA and Ramsar Site along with impacts to the Stodmarsh Site of Special Scientific Interest, it is concluded that a full Appropriate Assessment of the Egerton Neighbourhood Plan **is not required**.

Appendix 1: Maps

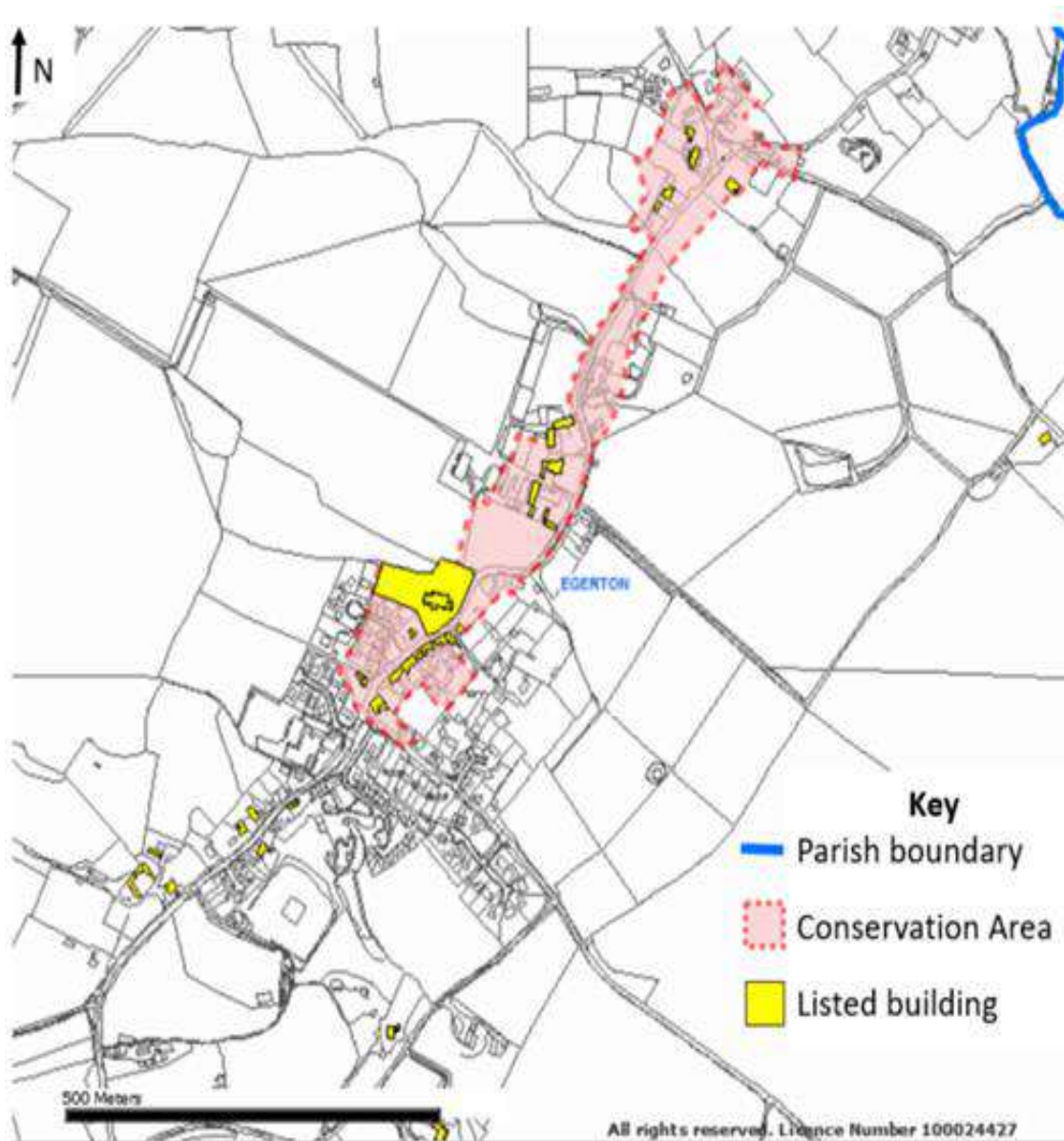
Map 1: Heritage and Environmental Designations – Egerton

Ashford Borough Council

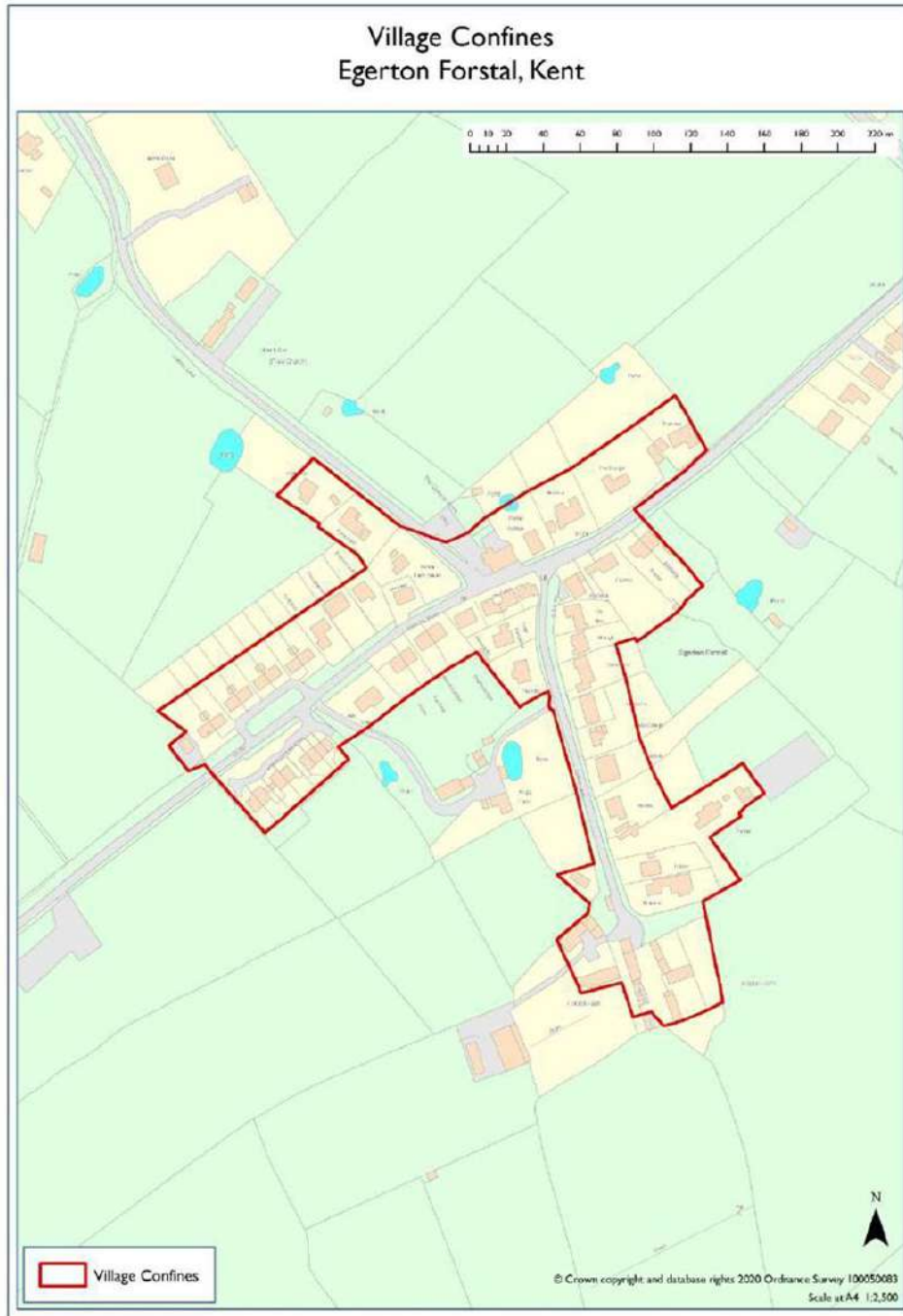
Page 1 of 1



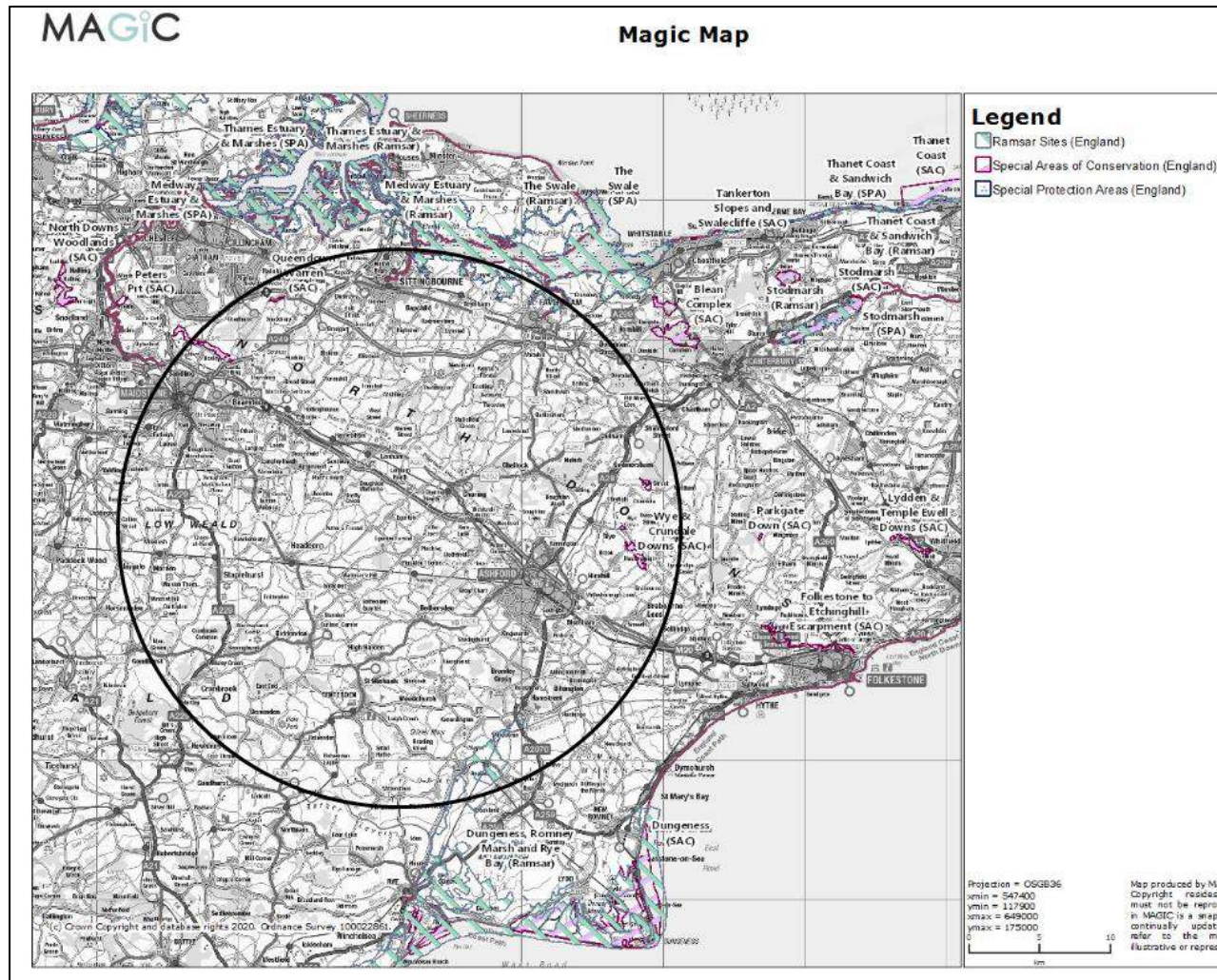
Map 2 – Egerton Village – Conservation Area and Listed Buildings.



Map 3: Proposed Village Confines line, defining extent of existing built up area.

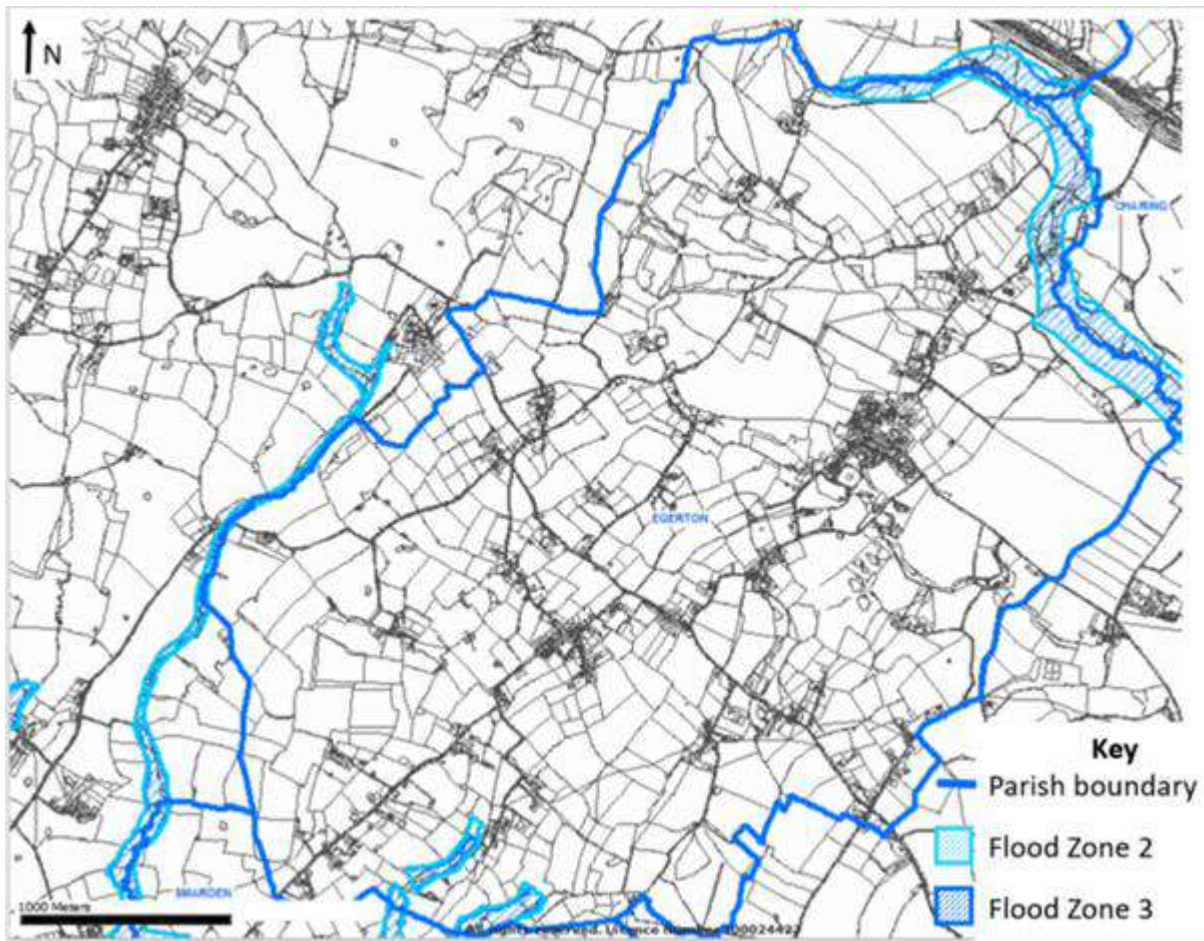


Map 4 : International Designations (HRA) Location of Egerton and internationally designated sites within 20km



Map 5 – Illustrating location and extent of Flooding Risk

Not assessed as a Significant issues in the Parish of Egerton, mainly Level 3 limited Level 2.



Appendix 2: Response from Statutory Consultees

Response from Statutory Consultees on the contents of this screening report.



Ms. Bethan Hall
Planning Policy
Ashford Borough Council

Our ref: 2020-07-02
Your ref: Egerton NP
SEA
Screening HE
RLS
comments
01483 252028

Email: bethan.hall@ashford.gov.uk

By email only

Telephone

02 July 2020

Dear Ms. Hall

Re: Egerton Neighbourhood Plan Screening Opinion

Thank you for consulting Historic England on the screening opinion for SEA of the proposed Egerton Neighbourhood Plan. As the government's adviser on planning for the historic environment I have focused on how the assessment reflects the potential of the plan to affect the historic environment and heritage asset in particular. In coming to our view on whether SEA should be required I have taken the following considerations into account:

The plan will provide allocations for up to 19 homes on two sites that have already been identified in the plan making process and that have not previously been assessed through SA/SEA of the Local Plan;

This type of development is likely to result in permanent or longterm impacts, either singularly or cumulatively;

Both development allocations would be considered to constitute green field land (unless the site at Orchard Nurseries is considered to be brownfield land);

It is not clear whether this will be on sites that have previously been subject to assessment through SEA of a development plan document for development of a similar form, scale or use, although it is presumed this is not the case;

The site at Orchard Nurseries lies approximately 100 metres north west of a scheduled ancient monument (List Entry 1012266 Bowl Barrow 350 South East of Egerton Church);

A very brief review of the Kent HER via Heritage Gateway does not reveal any further heritage constraints affecting the Orchard Nurseries or Land at Gale Field (although we recommend consultation with Kent County Council Archaeological Service with regard to potential for remains of archaeological interest associated with the bowl barrow near the Orchard Nurseries site);

We assume that the identification of these two sites as preferred development locations has been the result of a site assessment process that we have not seen. We are uncertain whether other, rejected sites may or may not have had potential for impacts to heritage assets that could have constituted likely significant environmental effects that would have merited the completion of an SEA. Whilst the plan drafting is at an advanced stage, the potential impacts of options that were 'reasonable' and considered in the plan making process still need to be considered in screening the plan for SEA (otherwise all plans could be left to be screened until such time as environmental impacts were considered unlikely);

Heritage assets are a fragile and irreplaceable resource and, as such any harm to them is likely to be irreversible; and

The screening opinion should not predict the effectiveness of mitigation measures within the plan in avoiding negative effects on environmental receptors as this is the purpose of the assessment. Whilst a neighbourhood plan that meets the basic requirements should achieve positive outcomes for heritage assets, Strategic Environmental Assessment is a part of the process of ensuring that it does so when required.

Without sight of the site assessment process we are limited in the conclusions that we can draw, but we can provide some comments. At present we do not consider that the plan's allocation of these two sites would have likely significant effects for previously identified historic environment receptors, although with some reservation that consultation of the Kent Historic Environment Record is necessary to determine whether non-designated heritage assets of archaeological interest in particular could be affected, particularly in the vicinity of the scheduled "bowl barrow 350 metres south east of Egerton church". If these were the only two sites considered in the plan making process we would agree that the plan does not merit SEA. However, to avoid a potential future challenge to the validity of the plan-making process (including by potentially aggrieved promoters of alternative sites) we do recommend review of the alternative sites assessed to determine whether SEA is relevant to an earlier part of the plan making process and therefore remains a necessary requirement.

In such circumstances we would also emphasise that SEA should not require collecting data that is additional to the requirements for a well evidenced neighbourhood plan, that it should only require assessment of those areas of the plan considered to have likely significant environmental

effects, that it provides transparency for decisions, that it provides an important mechanism of checking the internal consistency of the plan

We hope these comments are of assistance but would be pleased to answer any queries relating to them if required or to review them if and when more information is available. If it can help to attend an online meeting with the neighbourhood plan steering group we would also be happy to accommodate that.

Yours sincerely

Robert Lloyd-Sweet

Historic Places Adviser (South East England)

E-mail: Robert.lloydsweet@HistoricEngland.org.uk

Copy email response from Environment Agency

From: KSLPlanning <KSLPLANNING@environment-agency.gov.uk>
Sent: 22 May 2020 12:31
To: Bethan Hall
Subject: RE: Statutory Consultation Egerton Neighbourhood Plan
Attachments: New Neighbourhood Plan Guidance - External.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Morning Bethan

Thank you for your email.

We do not comment on SEA screening opinions any longer. As such we have no comments to make on this aspect of the document.

I have had a quick scan of the proposed policies. What I have noted is there is no flood risk policy, requiring any proposed development in the area of the neighbourhood plan should to be supported by the site specific flood risk assessment, if the development is in excess of 1 hectare within Flood zone 1 or if the development lies within FZ2/3.

There are areas of flood risk in Egerton.

The attached a guidance document that will also stir the Egerton Parish Council. Make sure they cover everything that we would want covered.

Hope this helps.

Jen

Kind Regards,

Jennifer Wilson
Planning Specialist
Sustainable Places — Kent and South London

kslplanning@environment-agency.gov.uk
External: 020 8474 6711



Does Your Proposal Does Your Proposal Have Environmental Issues or Opportunities,
Speak To Us Early!

Advice provided by the Environment Agency regarding Flood Risk Policies



Hyperlink to attached Neighbourhood Plan Guidance: <https://neighbourhoodplanning.org/wp-content/uploads/Environment-Toolkit-20181220FSfixed-links.pdf>

ORIGINAL RESPONSE FROM NE JULY 2020 (NOW UPDATED SEE BELOW)

Date: 15 July 2020
Our ref: 318473
Your ref: Egerton Neighbourhood Plan



Bethan Hall
Ashford Borough Council
Civic Centre
Tannery Lane
Ashford TN23
1PL

Hornbeam House
Crew e Business Park
Electra Way
Crew e
Cheshire
CW1 6GJ

T 0300 060 3900

By email only, no hard copy to follow

Bethan.hall@ashford.gov.uk

Dear Bethan Hall,

Egerton Neighbourhood Plan – Regulation 14 Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Thank you for your consultation on the above dated 21st May 2020 which was received by Natural England on the same day. Please accept my apologies for the delay in Natural England providing our response.

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.

Draft Neighbourhood Plan:

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Whilst Natural England does not have any specific comments on the draft Egerton Neighbourhood Plan, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Natural England concurs that the Egerton Neighbourhood Plan is unlikely to result in a likely significant effect for the following sites:

- North Downs Woodland Special Area of Conservation (SAC)
- Queendown Warren SAC

- Wye and Crundale Downs SAC
- Dungeness, Romney Marsh and Rye Bay Special Protection Area and Ramsar Site
- The Swale SPA and Ramsar Site

Based upon the information provided within the Neighbourhood Plan, we understand that the proposal is for the foul water to be disposed of via the existing wastewater treatment facilities which discharge into the Stour catchment. As such, our advice is that there is the potential for a likely significant effect to result from an increase in residential properties within the Stour catchment to the Stodmarsh SAC, SPA and Ramsar Site along with impacts to the Stodmarsh Site of Special Scientific Interest.

Stodmarsh is important principally for its wetland habitats and the rare and special wildlife they support. These wetlands rely on a high quality of water and stable water levels; in particular the lake habitats.

Some of the lakes are currently impacted by an excess of both nitrogen (N) and phosphorus (P) and are not achieving the required standard to support their favourable condition. This is because both Nitrogen and Phosphorous can have a range of negative impacts, including promoting algae growth, which can lead to reduced light and oxygen available for aquatic plants and animals and affect those birds that feed on them. Increased nutrients can also promote changes in structure which make it unsuitable for wetland species, including the main SAC feature.

Natural England's advice is that a likely significant effect on the Stodmarsh designated sites from development that increases these nutrients cannot be ruled out, on objective evidence, at this stage. In the absence of evidence to the contrary, our advice is that all new plans or projects that will result in an increase in residential properties within the Stour catchment, will need to consider, via an appropriate assessment, the impact of adding to the existing water quality target failures in the Stodmarsh European sites.

Natural England has recently written to all of the local authorities within the catchment providing further information and guidance which I have included with this response.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us via consultations@naturalengland.org.uk.

Yours sincerely

Sean Hanna

Sean Hanna

Senior Adviser
Sussex and Kent Team

UPDATED RESPONSE FROM NATURAL ENGLAND JANUARY 2021

Date: 11 January 2021
Our ref: 336239
Your ref: Egerton Neighbourhood Plan

Planning Department
Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
TN23 1PL

BY EMAIL ONLY, no hard copy to follow
Bethan.hall@ashford.gov.uk
Cc ljanecarr@btinternet.com



Customer Services
Hombeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Bethan Hall,

Planning consultation: Regulation 14 Draft for Consultation Egerton Neighbourhood Plan

Thank you for your consultation on the above dated 12 August 2020 which was received by Natural England on the same date.

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.

Draft Neighbourhood Plan

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Based on the information provided within the Neighbourhood Plan, Natural England previously advised that the foul water associated with the proposed developments will discharge into the Stour catchment. This has the potential to cause a detrimental impact on the Stodmarsh Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Area of Protection (SPA) and Ramsar.

However following discussions with Southern Water, Natural England considers that the proposed development will not have significant adverse impacts on Stodmarsh SSSI, SAC, SPA and Ramsar and has no objection. It has been confirmed by Southern Water this development will utilise Stone Hill Road Water Treatment Works, which discharges outside of the Stour catchment, thus removing the potential for water quality impacts.

Natural England supports the following objectives and policies:

Egerton NP Policy P1, specifically the objective 'Development proposals that can offer a net biodiversity gain will be supported.' Furthermore, we wish to highlight our [Biodiversity Metric](#) which may be of use in this objective. We also support the objective 'Development proposals that have the potential to result in damage to or loss of woodland habitats and wide grass verges or result in the loss of protected ancient trees, ancient woodland, veteran trees or hedgerows and which cause an adverse impact on biodiversity, which cannot be adequately avoided, mitigated or compensated for, or which harm the locality's special qualities, will not be supported.' Further information on biodiversity, geodiversity and ecology can be found [here](#).

Egerton NP Policy P2 regarding trees, hedges and woodland and the objectives to increase the number of trees and to retain trees of value.

Egerton NP Policy P3, the retention of green spaces, but recommend they are enhanced to increase ecological connectivity.

Egerton NP Policy P6, the measures and objectives to reduce light pollution.

Egerton NP Policy D7, however Natural England suggests the water supply and drainage policy also considers the prevention of negative impacts to habitats as a potential result of changes to water quality.

Egerton NP Policy D8, the renewable energy and climate change mitigation policy.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on Perdeep.maan@naturalengland.org.uk

Yours faithfully

Perdeep Maan
Sussex and Kent

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification**, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, [National Parks \(England\)](#), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) **and** Sites of Special Scientific Interest (including their impact risk zones).

Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats ([listed here⁹](#)), such as Sites of Special Scientific Interest or [Ancient woodland¹⁰](#). If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species ([listed here¹¹](#)) or protected species. To help you do this, Natural England has produced [advice here¹²](#) to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land¹³](#).

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.

- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

⁹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

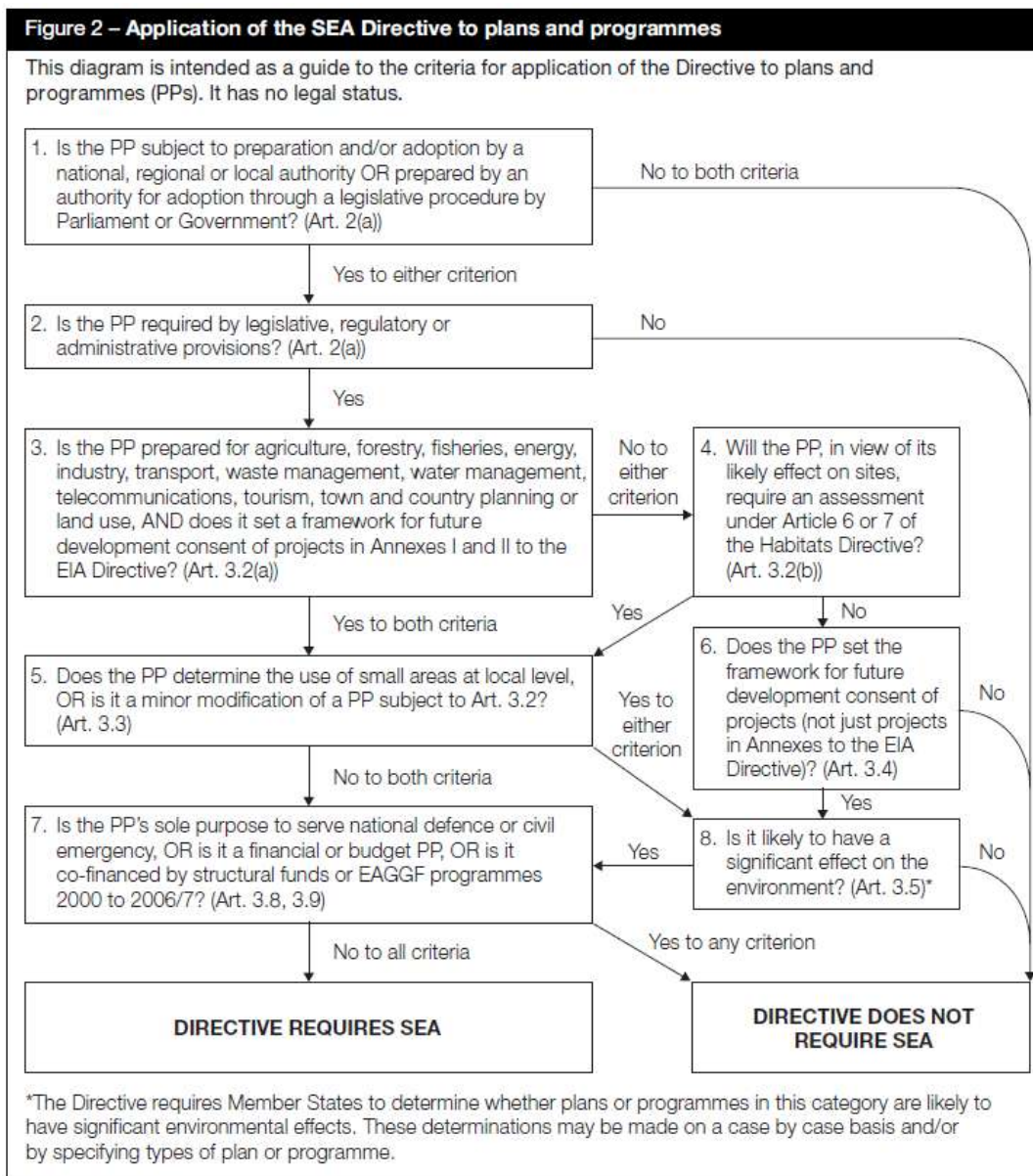
¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Appendix 3 – Extracts from ‘A Practical Guide to the Strategic Environmental Assessment Directive’



Criteria for determining likely significance of effects on the environment (from Article 3.5 of the SEA Directive)

1. The characteristics of neighbourhood plans, having regard, in particular, to
 - the degree to which the plan 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 influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan,
 - the relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or waste protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability , duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans boundary nature of the effects,
 - the risks to human health of the environment (e.g. 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.