

Neighbourhood Plan SEA Screening Assessment

**Fawkham Neighbourhood Plan
June 2023**

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1. Introduction

- 1.1. A Neighbourhood Plan must meet certain Basic Conditions, as set out in legislation. These include Directive 2001/42/EC or SEA Directive that has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (SEA Regulations) and it is these regulations that the Neighbourhood Plan will need to be compatible with.
- 1.2. A Strategic Environmental Assessment (SEA) is required for all Neighbourhood Plans which may result in likely significant environmental effects. Any Neighbourhood Plan submitted to the Council must be accompanied by either a statement of reasons as to why SEA was not required, or an environmental report as part of the SEA process.
- 1.3. A Screening Report is necessary to assess whether any Neighbourhood Plan is likely to require an SEA. The SEA Regulations require the 'responsible authority' to 'determine' whether or not a plan is likely to have significant effects, and therefore whether an SEA is needed.
- 1.4. This report has been prepared by Sevenoaks District Council as the responsible authority.
- 1.5. This assessment has also been considered by the Environment Agency, Natural England and Historic England in June 2023.

2. The Fawkham Neighbourhood Plan

- 2.1. The Fawkham Neighbourhood Plan (FNP) has been produced by Fawkham Parish Council and the Neighbourhood Plan Steering Committee for the Parish Council Area.
- 2.2. The Neighbourhood Plan has a clear vision which sets out what the town will be like in 2040:

“The Vision for Fawkham Parish

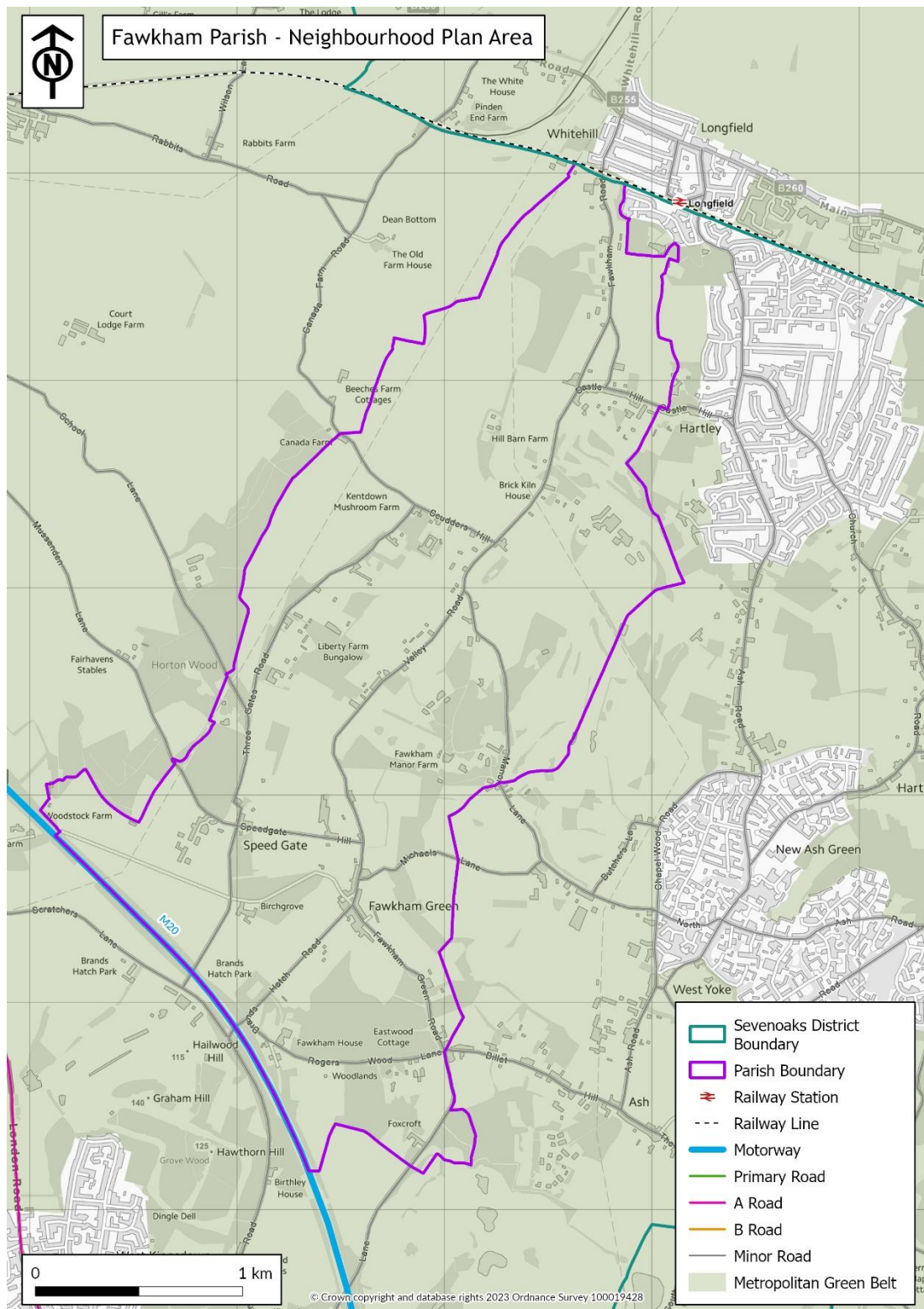
Our vision is for Fawkham Parish to retain and enhance the distinctive rural character of the landscape (particularly its woodland, biodiversity and views), the separate, small scale scattered hamlet of Fawkham and the historic Baldwins Green Conservation Area and its setting whilst meeting the limited local housing need, sustaining the local economy and retaining and enhancing the open space and community facilities of the Parish”

- 2.3. The Neighbourhood Plan also includes 14 objectives set out under the following themes:
 - Environment
 - Housing
 - Local Economy
 - Leisure and Wellbeing
 - Local Infrastructure
- 2.4. The Neighbourhood Plan includes policies to promote sustainable development within Fawkham Parish, as well as more aspirational non-planning aims.
- 2.5. The FNP does not allocate sites for development. The exception to this is proposed Policy FNP16 to allocate for the provision of a small residents car park. This land, as defined at Map 11 in the draft FNP, is not subject to any land use constraints, other than the Metropolitan Green Belt.
- 2.6. The FNP is in general conformity with the Sevenoaks District adopted Core Strategy, Allocations and Development Management Plan (ADMP) and with National Policy.

3. Characteristics of Fawkham Parish Area

3.1. The Neighbourhood Area corresponds to the Fawkham Parish Council boundary of Fawkham parish, as shown in Map 1.

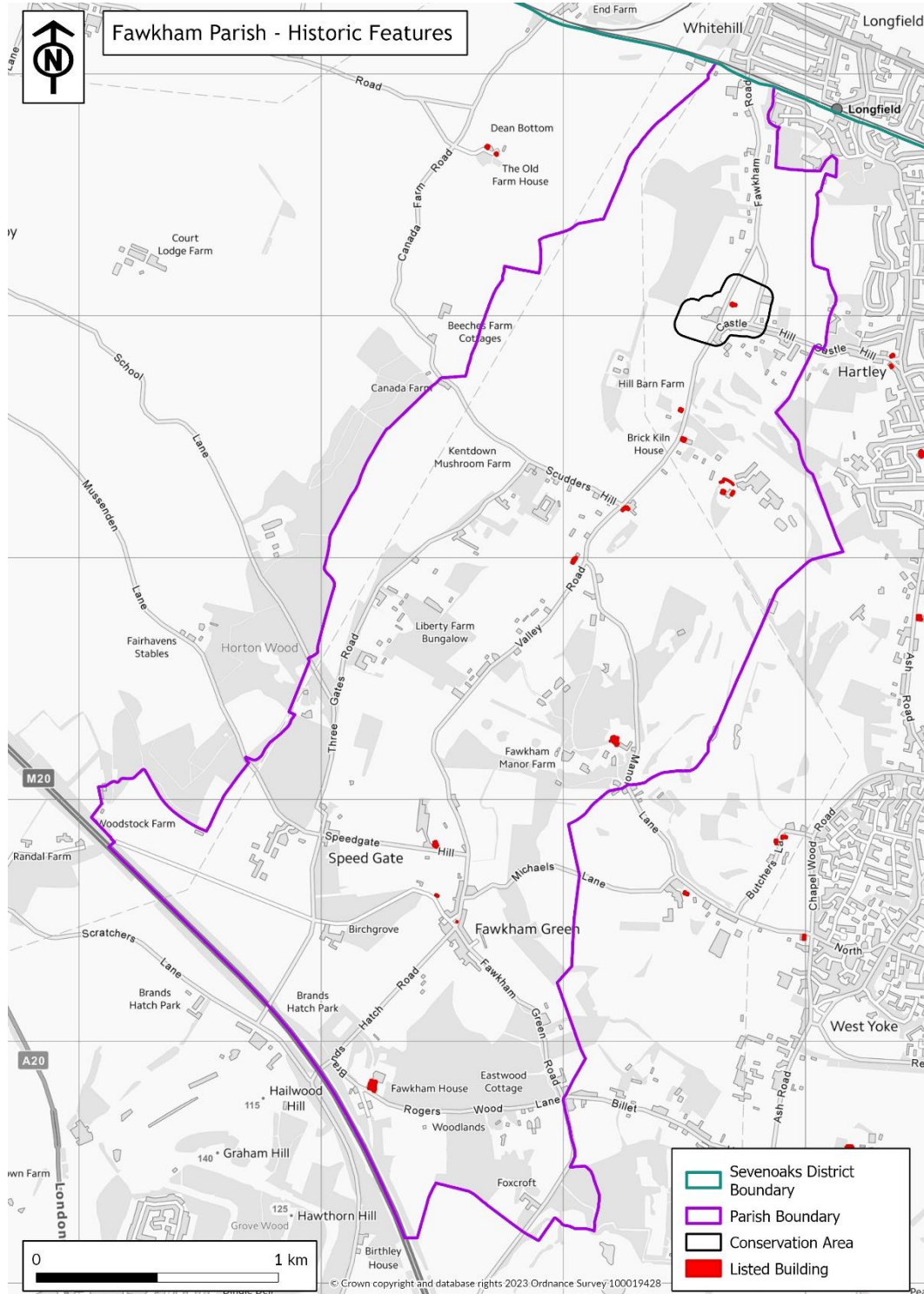
Map 1: Fawkham Parish Neighbourhood Area



3.2. Fawkham Parish lies within North West Kent, within Sevenoaks District, on the edge of London, and includes the Hamlet of Fawkham, as defined in the Settlement Hierarchy 2022. Fawkham abuts the District Boundary to the north, where Sevenoaks meets Dartford.

3.3. Fawkham is a historic parish, with 13 listed buildings & structures (including the Grade 1 listed St Mary’s Church) and Baldwin’s Green Conservation Area.

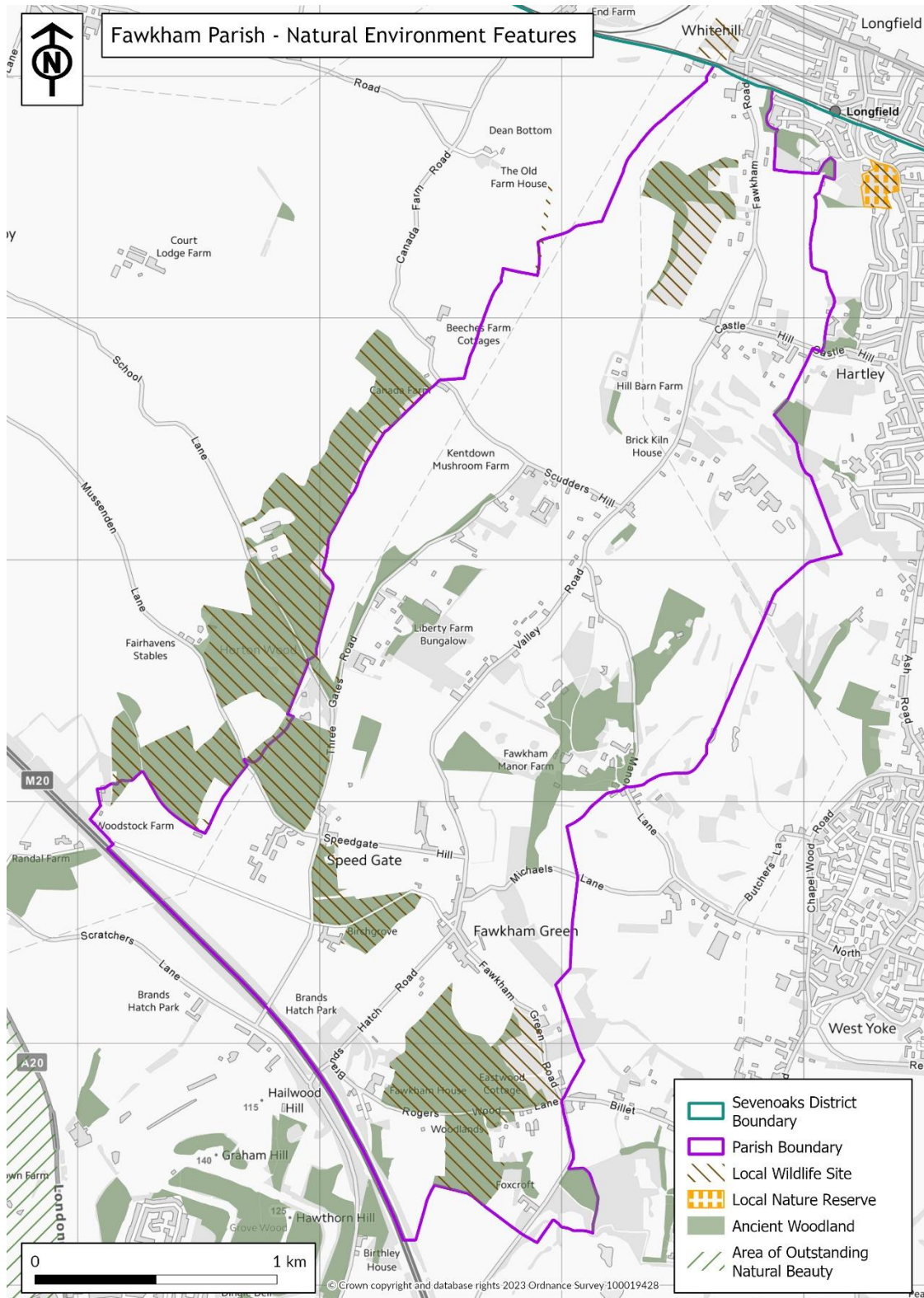
Map 2: Fawkham Parish – Historic Features



3.4. Fawkham Parish is entirely washed over by the Metropolitan Green Belt.

3.5. Ancient Woodland covers 13% of Fawkham Parish and overall the parish is covered by 22% woodland. There are also four designated Local Wildlife Sites within the Parish.

Map 3: Fawkham Parish – Natural Environment Features



4. SEA Screening Assessment

SEA Screening Assessment Part 1: Is SEA Required?

- 4.1. Table 1 sets out how the guidance provided in Paragraph 2.18 of the Government's 'Practical Guide to the Strategic Environmental Assessment Directive' has been applied. This suggests a flowchart of questions to determine whether SEA is required.

Table 1: Is SEA Required?

Assessment Question	Commentary	Conclusion
<p>Question 1</p> <p>Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</p>	<p>The preparation of and adoption of the FNP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act.</p> <p>The FNP has been prepared by Fawkham Parish Council (as the 'relevant body') and will be 'made' by Sevenoaks District Council (as the Local Authority), if successful at referendum.</p> <p>The preparation of Neighbourhood Plans is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.</p>	<p>Yes – go to Q2</p>
<p>Question 2</p> <p>Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if 'made', form part of the Development Plan for the District.</p>	<p>Yes – go to Q3</p>

Assessment Question	Commentary	Conclusion
	It is therefore important that the screening process considers whether the FNP is likely to have significant environmental effects and hence whether a full SEA is required under the Directive.	
<p>Question 3</p> <p>Is the NP 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 (see Appendix 2) to the EIA Directive? (Art 3.2(a))</p>	Whilst the FNP covers a range of land use matters, it does not set the framework for future development consent of projects in Annexes I and II of the EIA Directive.	No – go to Q4
<p>Question 4</p> <p>Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</p>	An assessment is not required as there is no SPA, SAC or Ramsar site that will be impacted by the Neighbourhood Plan.	No – go to Q6
<p>Question 5</p> <p>Does the NP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	N/A	N/A
<p>Question 6</p>	Yes, once made the FNP will form part of the Development Plan for	Yes – go to Q8

Assessment Question	Commentary	Conclusion
<p>Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>the area and will be used to determine planning applications.</p>	
<p>Question 7</p> <p>Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAFF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>N/A</p>	<p>N/A</p>
<p>Question 8</p> <p>Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>Please see Table 2 below. Overall conclusion:</p> <p>The FNP does not propose to allocate specific sites for future development. The exception to this is proposed Policy FNP16 to allocate for the provision of a small residents car park. This land, as defined at Map 11 in the draft FNP, is not subject to any land use constraints, other than the Metropolitan Green Belt.</p> <p>The FNP promotes policies that seek to shape future development proposals in a way that supports sustainable development and conserves and enhances the parish's natural environment.</p> <p>Specific policies are included that seek to enhance and protect the environment.</p> <p>The content and broad approach of the Plan has to be in general</p>	<p>SEA not required.</p>

Assessment Question	Commentary	Conclusion
	<p>conformity with the Sevenoaks District Core Strategy (2011) and ADMP (2015), which has already had regard to European Directives and National Regulations on Environmental Impact.</p> <p>Overall, the Plan is therefore not considered to have a significant effect on the environment, or on designated sites. Therefore, SEA is not required.</p>	

SEA Screening Assessment Part 2: Effect on the Environment

- 4.2. Table 2 sets out the assessment undertaken to determine whether the Neighbourhood Plan is likely to have any significant effects on the environment, using criteria set out in Annex II of the SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004.

Table 2: Effect on the Environment

The Characteristics of the Fawkham Neighbourhood Plan (FNP)

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
<p>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>	<p>Once made, the Fawkham Neighbourhood Plan will form the framework for decision making for development proposals in the area.</p> <p>The Plan does not make any development allocations or site designations. The exception to this is proposed Policy FNP16 to allocate for the provision of a small residents car park. This land, as defined at Map 11 in the draft FNP, is not subject to any land use constraints, other than the Metropolitan Green Belt.</p> <p>The Plan is in general conformity with the adopted plans for Sevenoaks District and as such, the SA/SEA carried out for the Core Strategy and the ADMP is considered sufficient.</p>	<p>No</p>
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy</p>	<p>The influence of the FNP on other plans and/or programmes is limited.</p> <p>The FNP will sit below the Development Plan for the District in the hierarchy of plans and must be in conformity with adopted documents and national planning policy.</p>	<p>No</p>

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
<p>The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.</p>	<p>The FNP has a focus on sustainable development, which conserves and enhances the natural environment and the policies throughout the Neighbourhood Plan are designed to help achieve this.</p> <p>The plan does not allocate any land for development. The exception to this is proposed Policy FNP16 to allocate for the provision of a small residents car park. This land, as defined at Map 11 in the draft FNP, is not subject to any land use constraints, other than the Metropolitan Green Belt.</p>	<p>No</p>
<p>Environmental problems relevant to the plan</p>	<p>Any environmental problems relevant to the Plan are localised and small scale and therefore not considered significant in the context of the SEA.</p>	<p>No</p>
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p>	<p>The FNP is in general conformity with the Development Plan for the District and national planning policy. The Core Strategy and ADMP has had regard to National and European legislation on the environment.</p>	<p>No</p>

The characteristics of the effects and of the area likely to be affected

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
The probability, duration, frequency and reversibility of the effects	<p>An element of environmental change is likely to occur, as the Plan does not seek to prevent change. The impact of this change will depend upon individual proposals and will be assessed at the development management stage.</p> <p>The FNP seeks to promote sustainable development that will conserve and enhance the environment.</p>	No
The cumulative nature of the effects	As above	No
The transboundary nature of the effects	Effects will be localised with limited impact on neighbouring areas, therefore little transboundary effects are expected.	No
The risks to human health or the environment (e.g. due to accidents)	<p>There is limited risk to human health or the environment as a result of the Fawkham Neighbourhood Plan.</p> <p>The Plan seeks to promote well-being and health, by protecting and enhancing open spaces, sport and leisure facilities and the network of public rights of way (PROWs) serving the Parish.</p>	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The FNP covers only the Fawkham Parish area and therefore it is likely that any effects will be primarily limited to the Parish	No

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> • 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. 	<p>The FNP extent includes some areas that are environmentally or culturally sensitive e.g. Local Wildlife Sites, Ancient Woodland and Conservation Areas.</p> <p>The FNP recognises and supports these designations and has taken them into account in drafting policies. They are also considered by the Core Strategy and ADMP which the FNP is in conformity with.</p> <p>The FNP is unlikely to adversely affect the value or vulnerability of these designated areas.</p>	<p>No</p>

5. Conclusion

- 5.1. The results of the above assessment conclude that the Fawkham Neighbourhood Plan is unlikely to have any significant environmental effects and therefore SEA is not required.