

## **ECONOMIC, SOCIAL AND ENVIRONMENTAL ASSESSMENT OF NEIGHBOURHOOD PLANS**

### **1. Introduction**

- 1.1 The Localism Act 2011 requires neighbourhood plans to not breach, and be otherwise compatible with, EU and Human Rights obligations.
- 1.2 This note explains the assessments which are advised and/or required to be undertaken in relation to Neighbourhood Plans, and is in part adapted from advice on PAS website 08/08/13. This document does not constitute formal council policy.
- 1.3 In carrying any assessment work, it is advisable to first consider what assessment work has been carried out for the Local Authority's plans (i.e. Doncaster's Local Development Framework or LDF). All neighbourhood plans must be in conformity with the strategic policies of the Local Plan (i.e. the LDF Core Strategy), and the starting point should therefore be to review in the Equalities Impact Assessment, Sustainability Appraisal (including Strategic Environmental Assessment) and Habitats Regulation Assessment documents produced to inform the Core Strategy. Where a Neighbourhood Plan builds on the approach of the emerging Sites and Policies Development Plan Document, the relevant reports produced to inform that document may also be relevant.
- 1.4 The Council is happy to provide further advice on all forms of assessment referred to in this note.

### **2. Equalities Impact Assessment**

- 2.1 Neighbourhood Plans are not required to undertake a formal Equalities Impact Assessment. However, those undertaking Neighbourhood plans may wish to consider carrying one out voluntarily and/or subsuming this within a more general Sustainability Appraisal (see below).

### **3. Sustainability Appraisal**

- 3.1 Sustainability appraisal of the type that is legally required for development plan documents is not required for neighbourhood development plans. This is because they are not 'Local Plans', or development plan documents as defined by the 2004 Planning Act. Neighbourhood development plans have their own designation: they are neighbourhood development plans produced by qualifying bodies under the Localism Act. Even when a neighbourhood development plan is 'made' by a local authority following a successful referendum, and it becomes part of the development plan it does not change its designation into a development plan document (this does not mean it has any less status in terms of decision making, though).
- 3.2 Nevertheless, it is good planning practice to check what the potential impacts of a planning policy will be on an area, helping to advise which potential options might be best; and doing this against the topics of social, environmental and economic impacts would make a lot of sense. Therefore Neighbourhood Plans are advised to consider voluntarily carrying out a Sustainability Appraisal. This need not be complicated or resource intensive, and simply involves considering whether the plan has been prepared to:

- *Take account of effects on the environment;*
- *Take into account effects on the economy;*
- *Improve the area for the community.*

3.3 A sustainability appraisal will help you demonstrate your neighbourhood plan is sustainable and make it more likely that it will be supported by Doncaster Council and, potentially, the Inspector who will check it for compliance.

### **Habitats Regulation Assessment**

3.4 The 'competent authority' under the Conservation of Habitats and Species Regulations 2010, needs to ensure that Neighbourhood Plans have been assessed through the Habitat Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance, also referred to as Natura 2000.

3.5 There are two such sites within Doncaster – Thorne and Hatfield Moors (although there are also sites in neighbouring authorities). Because Neighbourhood Plans must conform to the LDF Core Strategy, which has itself been subject to a Habitat Regulation Assessment (HRA), the key issue will be whether the Neighbourhood Plan will potentially:

- result an impact to the moors not previously considered;
- result in an increase in the likelihood or severity of an impact already assessed;
- undermine the avoidance/mitigation measures contained within the Core Strategy to address potential impacts; and/or
- enable the more detailed assessment of a potential impact which could not be fully assessed and screened out at the Core Strategy level (these are identified within the Core Strategy HRA). There are the 'in-combination' impacts that have to be considered where a plan is in combination with another plan or project (LDF Core Strategy) therefore Neighbourhood Plans may need to be considered through an 'in-combination' assessment.

3.6 In practice, this means that unless a Neighbourhood Plan includes land allocations close to the Moors, it is unlikely to require an HRA. It is useful to note that Core Strategy Policy CS 16C states that, "Proposals located within 3km of Thorne and Hatfield Moors Special Protection Area will be supported where they deliver a net gain in nightjar foraging habitat". As a strategic policy within the Local Authority's plan, this policy would need to be complied with by relevant Neighbourhood Plans. Nevertheless, it is advisable to seek advice from the Local Authority in relation to this early in the process.

### **Strategic Environmental Assessment**

3.7 A neighbourhood development plan may require a strategic environmental assessment (SEA) under the EU regulations – but this will depend on the content of the neighbourhood plan. The local authority is required to undertake the SEA screening, however if this concludes that an SEA is required, those producing the Neighbourhood Plan are responsible for its production and it must form part of the document that is consulted on once the formal consultation stage is reached. It is therefore advisable to ask the local authority early in the process to undertake an early SEA screening of the plan to highlight if a SEA will be required.

- 3.8 It is not the case that every neighbourhood plan will need an environmental assessment of the type normally associated with the process of preparing local plans. However, those containing allocations for significant land allocations for development, which are not included in the Local Authorities plan, are likely to require an SEA. Neighbourhood Plans which do not contain such allocations (or simply reflects allocations which have been assessed as part of the Local Authority Local Plan) are less likely to require an SEA.
- 3.9 **To find out if a Neighbourhood Plan requires an SEA, a screening opinion should be sought from the Local Authority.** This will enable us to consider whether the policies and proposals you have developed warrant a formal assessment process. It is not necessary to wait until a draft plan is produced as all that is required for us to undertake a screening opinion is the following information.
- How might the plan affect the environment, community or economy;
  - Does the plan propose a higher level of development than is already identified in Doncaster Council planning policies
  - Does the plan include any land allocations for development which are not included within Doncaster Council's planning policies?
  - Are any of the proposals are likely to affect a 'sensitive area', for example a Site of Special Scientific Interest?
  - Will the implementation of policies in the plan lead to major new development in the future (for example if you are proposing a new road, that new road might lead to new housing development in the future?)
  - Will there be cumulative impact of the policies and proposals when assessed together may give rise to a likely significant environmental effect (for example several relatively small housing proposals may cumulatively have a significant effect on a nearby rare wildlife habitat or species)?
- 3.10 We will consult with the key environmental statutory bodies in relation to Strategic Environmental Assessment (Natural England, English Heritage and the Environment Agency) as appropriate. This means that any information you supply in relation to the above, will be made available to these bodies.
- 3.11 We will aim to provide a screening opinion using the template at appendix 1, which may be made available to the public (along with any information you have provided in requesting the opinion – other than personal contact details).
- 3.12 If a Strategic Environmental Assessment is required, those undertaking Neighbourhood plans may wish to consider voluntarily expanding the scope so that it covers wider economic and social issues (this is the approach taken by the Local Authority, as we are required to produce both assessments we produce a Sustainability Appraisal which includes a Strategic Environmental Assessment).

## APPENDIX 1: NEIGHBOURHOOD PLAN SCREENING FORM

## A. Summary of Plan

Details of Neighbourhood Plan	
<b>Name of Neighbourhood Plan</b>	Burghwallis Neighbourhood Plan (2015 to 2028)
<b>Geographic Coverage of Plan</b>	Burghwallis Parish 
<b>Key topics/scope of Plan</b>	Protection and conservation of built heritage Protection and conservation of green infrastructure and green space Protection, conservation and provision of improved community assets Maintaining and improving design quality and adequate provision for sustainable urban drainage
<b>Key Issues</b>	None – the policies will protect and enhance the character and quality of the environment in the parish
<b>Date Screening Opinion Requested</b>	14/05/2015
<b>Person requesting Screening Opinion</b>	Kathleen Walters (Chair of Burghwallis Parish Council) on behalf of the Burghwallis Neighbourhood Plan Working Group

## B. Summary of Screening Opinion

Local Authority Details	
<b>Name and Job Title of officer producing Screening Opinion</b>	Helen McCluskie Planning Officer
<b>Date of assessment</b>	14/05/2015
<b>Conclusion of assessment</b>	<i>Is an SEA required? Y/N? No</i>
<b>Reason for conclusion</b>	<ul style="list-style-type: none"> <li><i>There are no allocation proposals within Burghwallis Neighbourhood Plan. In fact the plan does not propose any development at all. Therefore no impacts on sensitive receptors such as SSSIs and ground water source protection zones</i></li> <li><i>The cumulative impact of the</i></li> </ul>

	<i>Burghwallis Neighbourhood Plan proposals will result in positive environmental benefits</i>
<b>Name and Job Title of officer approving Screening Opinion</b>	
<b>Date of approval</b>	

### C. Summary of Consultation

<b>Internal consultation</b>	
<b>OfAfcier (name and job title)</b>	<b>Summary of Comments</b>
N/	

<b>External Consultation</b>	
<b>Officer (name and job title)</b>	<b>Summary of Comments</b>
John King <a href="mailto:John.King2@naturalengland.org.uk">John.King2@naturalengland.org.uk</a>	
Bev Lambert <a href="mailto:bev.lambert@environment-agency.gov.uk">bev.lambert@environment-agency.gov.uk</a>	
Craig Broadwith <a href="mailto:Craig.Broadwith@HistoricEngland.org.uk">Craig.Broadwith@HistoricEngland.org.uk</a>	

### D. Assessment

<b>Stage</b>	<b>Y/N</b>	<b>Reason</b>
1. Is the PP (plan or programme) 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))	Y	The Local Planning Authority is required to formally adopt the Neighbourhood Plan after it has been independently assessed and subjected to a referendum
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The preparation of a Neighbourhood plan is voluntary
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))	Y	town and country planning / land use (minor) Annex I - not applicable Annex II – not applicable
4. Will the PP, 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))	N	No internationally significant sensitive receptors within the parish boundary or within the vicinity of the parish boundary

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)	N	No allocations proposed
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)	Y	The Neighbourhood Plan will inform the determination of planning applications, within the context set by the LDF Core Strategy. Responsibility for development consent will remain with the Local Authority
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	n/a	n/a
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	no	