



Rye Neighbourhood Development Plan 2016-2028 Strategic Environmental Assessment Adoption Statement:

July 2019

1. Introduction

- 1.1. Rother District Council made the [Rye Neighbourhood Plan](#) part of the Development Plan at Full Council on 8 July 2019 following a favourable outcome at Referendum.
- 1.2. This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 Regulation 16 (1)¹, which requires a statement to be produced on adoption of a plan or programme, to detail:
 - a) How environmental considerations have been integrated into the plan or programme;
 - b) How the environmental report has been taken into account;
 - c) How opinions expressed through public consultation have been taking into account;
 - d) The reasons for choosing this plan or programme as adopted, in light of the other reasonable alternatives dealt with; and
 - e) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

2. How environmental considerations have been integrated into the plan

- 2.1. The [Strategic Environmental Assessment Report \(SEA\)](#) for the Rye Neighbourhood Plan sets out the baseline information about the Parish of Rye as the Neighbourhood Plan Area. The Plan identifies the environmental issues affecting the plan area.
- 2.2. Additionally, the Rye Neighbourhood Plan SEA has been informed through detailed [Evidence Base Documents](#) which identify key plans, policies, and guidance, which have influenced the content of the Neighbourhood Plan. The issues identified informed the setting of environmental objectives, which the objectives for the Rye Neighbourhood Plan were assessed against. These objectives have helped ensure that the most sustainable location options were identified. The identification of environmental issues also helped shape the policy requirements for each site that is allocated or identified in the Rye Neighbourhood Plan.

¹ <http://www.legislation.gov.uk/uksi/2004/1633/regulation/16/made>

3. How the Environmental Report has been taken into account

- 3.1. The SEA has contributed to the development of the Rye Neighbourhood Plan in that it provides a distinct assessment, specifically against environmental objectives, independent of the plan objectives, of the site options for possible allocation, and of the policies which make up the Plan itself.
- 3.2. In 2018, Rye Town Council prepared the SEA alongside the development of the Neighbourhood Plan. The SEA process began with a request for a Screening Opinion, which the Town Council sent to Rother District Council. Upon receiving advice from the Statutory Consultees, Rother District Council confirmed on 15 September 2015 that the Neighbourhood Plan would need a SEA. The Council also issued a Scoping Statement in August 2016. The Parish Council prepared a SEA, which was consulted upon at both Regulation 14 and 16 stages of the Neighbourhood Planning Regulations². Statutory Environmental Bodies and other key consultees were invited to make representations.
- 3.3. The baseline for the SEA was also informed by the Sustainability Appraisal of Rother District Council's Core Strategy, with those environmental objectives of greatest relevance to the Neighbourhood Plan selected.
- 3.4. A Sustainability Appraisal incorporating the Strategic Environmental Assessment was submitted in September 2018.
- 3.5. The District Council, as competent authority, issued a screening report under the Habitat Regulations in August 2016 and this was updated in September 2018. This screening assessed the emerging Development and Site Allocations Local Plan and the neighbourhood plans being prepared in the district and concluded that they would not have any adverse effects upon the European protected sites, namely Pevensey Levels SAC and Ramsar Site, the Dungeness Complex of designated sites and the Hastings Cliff SAC.

4. How opinions expressed through public consultation have been addressed

- 4.1. Key Environmental Bodies: The Strategic Environmental Assessment Directive 2001 requires that authorities referred to in Article 6(3)³ shall be consulted when deciding upon the scope and the level of detail in the SEA. In England, the key bodies are: Environment Agency; Historic England; and Natural England. These bodies were all consulted by Rother District Council when screening/scoping the Neighbourhood Plan prior to Regulation 14. They were also consulted during respective public consultations throughout the Neighbourhood Plan process.

² <http://www.legislation.gov.uk/ksi/2012/637/regulation/14/made>

³ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

- 4.2. Public Participation: Article 6(2) of the Strategic Environmental Assessment Directive requires the public to have an early and effective opportunity within appropriate timeframes to express their opinion on the draft plan or programme, and the accompanying Environmental Report, before the adoption of the plan or programme or its submission to the legislative procedure.
- 4.3. The SEA was consulted upon alongside the Rye Neighbourhood Plan for six weeks at the Neighbourhood Plan Regulation 14 stage (23 February to 6 April 2018), and for a further six weeks alongside the Neighbourhood Plan Regulation 16 Submission Consultation (16 November 2018 to 11 January 2019). Amendments to the SEA in response to consultation comments are shown in Appendix D of the RNP Sustainability Appraisal (incorporating Strategic Environmental Assessment).

5. The reasons for choosing the plan or programme as ‘made’, in the light of other reasonable alternatives dealt with

- 5.1. Paragraph 12(2b) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires environmental reports to examine reasonable alternatives for the plan or programme while taking account of the objectives and the scope of the plan or programme. This statement is required to set out the reasons for choosing the plan or programme as ‘made’ in light of other reasonable alternatives.
- 5.2. At both stages of the neighbourhood planning process, policies were assessed against alternatives such as not having a Neighbourhood Plan or not allocating sites or allocating other sites.
- 5.3. In respect of the revised SEA the Examiner concluded that “*I am satisfied that the basic conditions regarding compliance with European legislation including the newly introduced basic condition regarding compliance with the Habitat Regulations are met.*”
6. The final Rye Neighbourhood Plan has been ‘made’ in line with the recommendations of the Examiner which stated as follows: “*I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.*” He also recommended that the referendum area be Rye Parish.

7. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme

- 7.1. The SEA process does not finish with the publication of the document. Under Regulation 17 of the Environmental Assessment of Plans and Programmes Regulation 2004⁴, the Rye Neighbourhood Plan will be subject to on-going monitoring. This will be carried out by jointly Rye Town Council and Rother District Council. The latter will monitor the continuing suitability of the Neighbourhood Plan's policies, including in terms of significant environmental effects, through its Local Plan Monitoring Report.

8. Further Information

- 8.1. The Rye Neighbourhood Plan, the SEA and related documents can be viewed online at: <http://www.rother.gov.uk/Rye-Neighbourhood-Plan>

⁴ <http://www.legislation.gov.uk/uksi/2004/1633/regulation/17/made>