



## **Burwash Neighbourhood Development Plan 2020-2028: Strategic Environmental Assessment Adoption Statement**

**11 July 2022**

### **1. Introduction**

1.1. Rother District Council made the [Burwash Neighbourhood Development Plan](#) part of the Development Plan at Full Council on 4<sup>th</sup> July 2022 following a successful 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)<sup>1</sup>, 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 taken 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 \(SEA\)](#) for the Burwash Neighbourhood Development Plan sets out the baseline information about the Parish of Burwash as the Neighbourhood Plan Area. The Plan identifies the environmental issues affecting the plan area.

2.2. Additionally, the Burwash Neighbourhood Development 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 Development Plan. The issues identified informed the setting of environmental objectives, which the objectives for the Burwash Neighbourhood Development Plan were assessed against. The Burwash Neighbourhood Development does not allocate sites; this decision was made as the SEA progressed.

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<sup>1</sup> <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 Burwash Neighbourhood Development 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 2019, Burwash Parish Council prepared the SEA alongside the development of the Neighbourhood Plan. The SEA process began with a request for a Screening Opinion, which the Parish Council sent to Rother District Council. Upon receiving advice from the Statutory Consultees, Rother District Council confirmed on 19<sup>th</sup> October 2018 that the Neighbourhood Plan would need a SEA. The Parish Council prepared the assessment, which was consulted upon at both Regulation 14 and 16 stages of the Neighbourhood Planning Regulations<sup>2</sup>. 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. The BNDP was screened out in the AECOM first stage HRA of the Rother DC Development and Site Allocation Plan 2019, which also considered neighbourhood plans in development. The AECOM HRA report considered potential impact from the BNDP and concluded that it, and the development proposed in it, was not likely to have a significant effect on European sites due to the 'considerable distance' between the designated sites and the parish and 'no site-specific likely significant effect would arise' (AECOM, HRA: Rother District Council, Sept 18, pg.25).

3.5. A SEA was submitted with the BNDP. A draft version of this report was consulted on at Reg14 alongside the draft BNDP, and amendments made in the light of comments received. A SEA was required for the Plan due to its potential impact on the High Weald AONB and the substantial number of natural and historic assets within the Parish. The SEA has considered options for policy issues such as the development boundary and site allocations and assessed the impact of the BNDP policies. It concludes that 'the overall impacts on the environment are largely positive, there will be no worsening of existing issues connected with the environment and for a significant number will result in positive impacts to the environment from the adoption and implementation of all the policies contained within the plan.' The SEA and HRA are the main environmental requirements in EU law and Directives that neighbourhood plans need to comply with, and it is considered that the BNDP has complied with the Basic Conditions with regard to being compatible with EU obligations.

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

#### **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)<sup>3</sup> shall be consulted when deciding upon the scope and the level of detail in the SEA. In England, the key bodies are: the 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.

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 Burwash Neighbourhood Development Plan for 6 weeks at the Neighbourhood Plan Regulation 14 stage (30 May to 18 July 2019), and for a further 8 weeks alongside the Neighbourhood Plan Regulation 16 Submission Consultation (11 September – 6 November 2020). Responses to comments made to the SEA are set out within the Consultation Statement. Changes were made to the draft SEA in response to the consultation.

#### **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<sup>4</sup> 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 allocating sites or allocating other sites.

5.3. In respect of the SEA the Examiner commented that *“The report is thorough and detailed. It assesses the Plan’s policies against relevant elements of the Sustainability Appraisal.”*

5.4. The final BNDP has been ‘made’ in line with the recommendations of the Examiner which stated as follows: *“On the basis of the findings in this report I recommend to Rother District Council that subject to the incorporation of the modifications set out in this report that the Burwash Neighbourhood Development*

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

<sup>4</sup> [The Environmental Assessment of Plans and Programmes Regulations 2004 \(legislation.gov.uk\)](http://www.legislation.gov.uk)

*Plan should proceed to referendum.*” He also recommended that the referendum area be Burwash Parish.

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

6.1. The SEA process does not finish with the publication of the document. Under Regulation 17 of the Environmental Assessment of Plans and Programmes Regulation 2004, the BNDP will be subject to on-going monitoring. This will be carried out by jointly Burwash Parish 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.

## **7. Further Information**

7.1. Burwash Neighbourhood Development Plan, the Strategic Environmental Assessment and related documents can be viewed online at: [Burwash Neighbourhood Plan – Rother District Council](#).