

# Outwoods Neighbourhood Development Plan (ONDP)

## Basic Conditions Statement

- 1.1. This Basic Conditions Statement has been prepared in support of the Outwoods Neighbourhood Development Plan (ONDP) and demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012. The regulations require that a Neighbourhood Plan deals with planning matters (i.e. the use and development of land), is submitted by a qualifying body, covers a stated Plan Period and identifies a designated Neighbourhood Area.
- 1.2. The core basic conditions for Neighbourhood Plans, as required by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), are as follows:
  - having regard to national policies and advice contained in the National Planning Practice Guidance.
  - the making of the neighbourhood plan contributes to the achievement of sustainable development.
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

## Outwoods Neighbourhood Development Plan (ONDP)

<b>Basic Condition</b>	<b>Statement</b>	<b>Reference/Evidence</b>
<b>The plan related to the use and development of land and does not include excluded development</b>	The ONDP relates to planning matters (the use and development of land) and does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.	
<b>The ONDP is being submitted by a qualifying body</b>	The ONDP is submitted by Outwoods Parish Council, which is a qualifying body as defined by the Localism Act 2011.	
<b>The ONDP covers a stated plan period</b>	The ONDP covers a Plan Period from 2014 to 2031, a period of 17 years.	
<b>The ONDP covers a designated Neighbourhood Area</b>	The ONDP covers a Neighbourhood Area, as designated by ESBC in December 2012. The Neighbourhood Area relates only to the Parish of Outwoods and does not include in whole or part any other Neighbourhood Area. It is the only Neighbourhood Development Plan in the designated area and no other NDP exists or is emerging for any part of the designated area.	Appendix 1– Designated Neighbourhood Area

## Outwoods Neighbourhood Development Plan (ONDP)

<p><b>The ONDP is in conformity with the NPPF</b></p>	<p>In order to ensure that the ONDP conforms to the NPPF an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies all link back into the core aims of the NPPF thus fully supporting the strategy established at the national level.</p>	<p>Appendix 2 – Assessment of Compliance table – column 3</p>
<p><b>The ONDP contributes to sustainable development as set out by the NPPF</b></p>	<p>The policies within ONDP promote sustainable development, as set out in the NPPF. Paragraph 7 of the NPPF sets out sustainable development as consisting of the following factors:</p> <ul style="list-style-type: none"> <li>• to contribute to building a strong, responsive and competitive economy,</li> <li>• to support strong, vibrant and healthy communities; and</li> <li>• to contribute to protecting and enhancing the natural, built and historic environment.</li> </ul> <p>As demonstrated in Appendix 2 the NDP is compliant with the NPPF which has an overarching aim of promoting sustainable development in terms of economic, social and environmental issues. Additionally no adverse effects have been highlighted in the SA (Appendix 3) or the SEA screening report (Appendix 4).</p>	<p>Appendix 2 – Assessment of Compliance table – column 3</p> <p>Appendix 3 – Sustainability Appraisal</p> <p>Appendix 4 – Strategic Environmental Assessment Screening Report</p>

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<p><b>The ONDP is in conformity with the ‘saved’ policies in ESBC Adopted Local Plan</b></p>	<p>In order to ensure that the ONDP conforms to East Staffordshire Borough Council Adopted Local Plan an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies link back into the core aims of the ESBC Adopted Local Plan thus fully supporting the strategy established at the borough level.</p>	<p>Appendix 2 – Assessment of Compliance table – column 2</p>
<p><b>The ONDP is in conformity with the appropriate EU regulations</b></p>	<p><i>Habitats Regulations:</i></p> <p>It is not envisaged that any of the development that would be consented by this framework will have an effect on any habitats covered by Natura 2000 and therefore the subject of Articles 6 &amp; 7 of the Habitats Directive. The Parish is covered almost entirely by the National Forest but this is not subject to Articles 6 &amp; 7 of the Habitats Directive. The nearest designated habitat is the Kingfisher train Local Nature reserve which lies some 1km, east of the Parish Boundary. The Old River Dove (Rolleston) SSSI is some 2.5 – 3km away to the north of the Parish boundary. It is not envisaged that any of the proposals covered in this plan would affect either of these designated areas.</p>	<p><i>Appendix 4 – Strategic Environmental Assessment Screening Report</i></p>

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	<p><i>Environmental Impact:</i></p> <p>The scale of development for which the ONDP provides the framework for consent is particularly small scale and as such it is unlikely that there would be any effects that could be described as 'significant' when measured against Article 3.5. The document is the lowest level of plan adopted within the LPA area, and does not influence the preparation of other plans. It is designed to promote sustainable development - in line with guidance contained in the National Planning Policy Framework.</p> <p>It's not envisaged that over the 17 year life span (to 2031) that the supported development in the Development Plan would individually or cumulative have a significant affect when measure against Article 3.5.</p> <p><i>Human rights:</i></p> <p>The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.</p>	
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## Outwoods Neighbourhood Development Plan (ONDP)

### **Appendices:**

**Appendix 1– Designated Neighbourhood Area**

**Appendix 2 – Assessment of Compliance table**

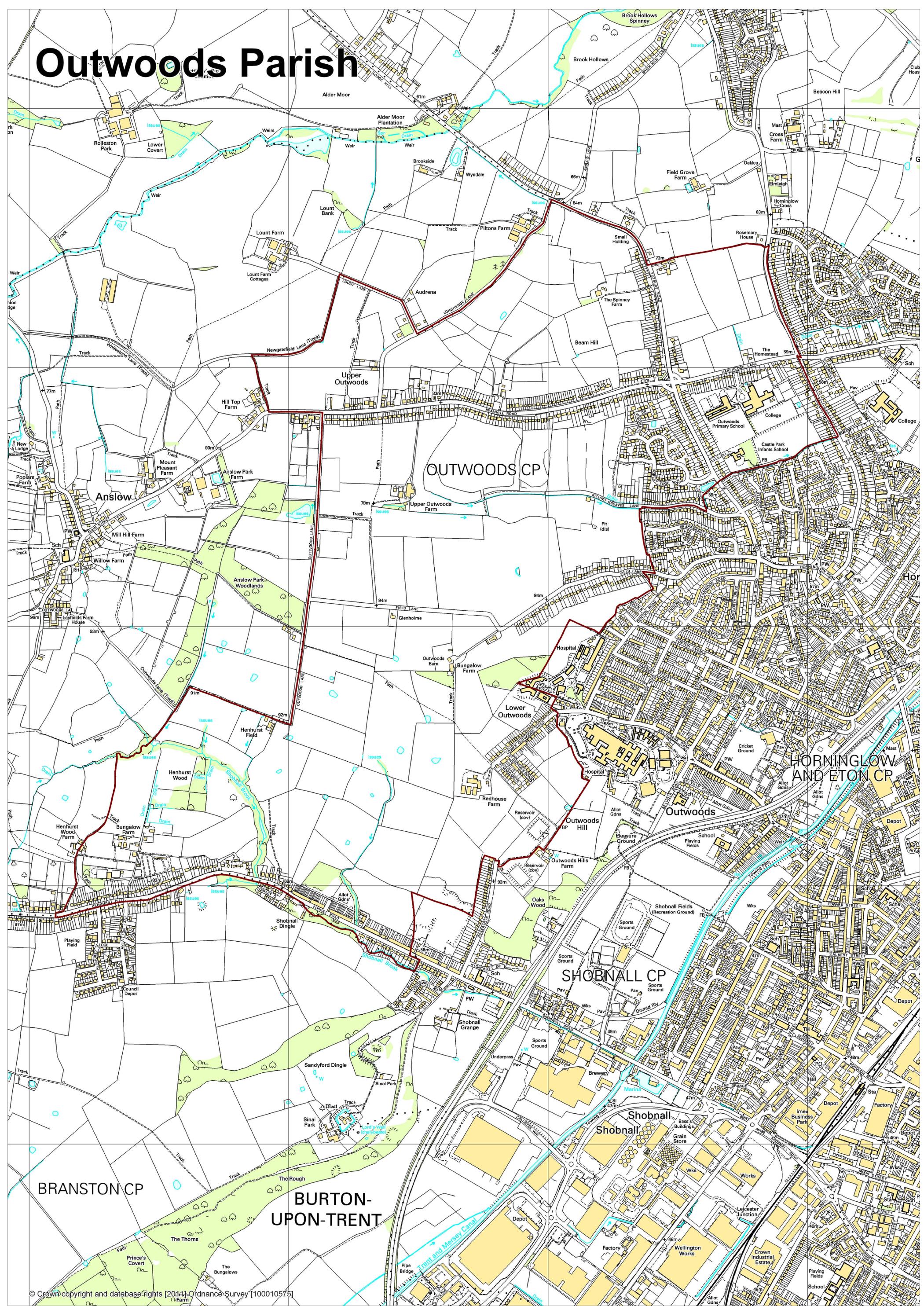
**Appendix 3 – Sustainability Appraisal**

**Appendix 4 – Strategic Environmental Assessment Screening Report**

Outwoods Neighbourhood Development Plan (ONDP)

**Appendix 1– Designated Neighbourhood Area**

# Outwoods Parish



BRANSTON CP

BURTON-UPON-TRENT

OUTWOODS CP

HORNINGLOW AND ETON CP

SHOBNALL CP

Outwoods Neighbourhood Development Plan (ONDP)

**Appendix 2 – Assessment of Compliance table**

## Outwoods Neighbourhood Development Plan (ONDP)

### Assessment of Compliance

The proceeding table outlines the policy links and the general conformity of the Outwoods Neighbourhood Development Plan with the East Staffordshire Borough Council Adopted Local Plan and the NPPF, all considered a material consideration in the determination process.

As East Staffordshire Borough Council does not have an up to date Local Plan and cannot demonstrate a five-year supply of deliverable housing sites there should be an assumption in favour of sustainable development.

<i><b>Policies in the Outwoods Neighbourhood Plan (2014-2031)</b></i>	<i><b>East Staffordshire Borough Council 'Saved' Policies from the Adopted Local Plan (2006)</b></i>	<i><b>National Planning Policy Framework</b></i>
<b>Transport and Access</b>		
TA1 – Public Realm	<b>National Forest</b> <ul style="list-style-type: none"> <li>Policy NE14: National Forest: Planting Schemes</li> </ul>	<b>Section 7</b> <ul style="list-style-type: none"> <li>Paragraphs: 57, 58</li> </ul> <b>Section 8:</b> <ul style="list-style-type: none"> <li>Paragraph: 69</li> </ul>
TA2 – Roads and Streets	<b>Transport</b> <ul style="list-style-type: none"> <li>Policy T1: General Principles for New Developments.</li> <li>Policy T2: Strategic Highway Network</li> <li>Policy T3: Development Proposal Impacting A38.</li> <li>Policy T4: Traffic Managements</li> </ul>	<b>Section 4</b> <ul style="list-style-type: none"> <li>Paragraphs: 32 34., 35</li> </ul> <b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 69</li> </ul>

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TA3 – Parking	<p><b>Housing</b></p> <ul style="list-style-type: none"> <li>• Policy H6: Housing Design and Dwelling Extensions</li> <li>• Policy H16: Residential Institutions: General Principles</li> </ul> <p><b>Parking</b></p> <ul style="list-style-type: none"> <li>• Policy T6: Design</li> <li>• Policy T7: Standards</li> </ul>	<p><b>Section 4</b></p> <ul style="list-style-type: none"> <li>• Paragraph: 39, 40</li> </ul>
TA4 - Footpaths & Cycle Routes	No Adopted Policies	<p><b>Section 4</b></p> <ul style="list-style-type: none"> <li>• Paragraph: 39</li> </ul> <p><b>Section 8</b></p> <ul style="list-style-type: none"> <li>• Paragraph: 69</li> </ul>
TA5 - Public Transport	<p><b>Transport</b></p> <ul style="list-style-type: none"> <li>• Policy T1: General Principles for New Development</li> <li>• Policy T8: Public Transport</li> </ul> <p><b>Natural Environment and National Forest</b></p> <ul style="list-style-type: none"> <li>• Policy NE1: Development outside Development Boundaries:</li> </ul>	<p><b>Core Principles</b></p> <ul style="list-style-type: none"> <li>• Paragraph: 17</li> </ul> <p><b>Section 4</b></p> <ul style="list-style-type: none"> <li>• Paragraph 35, 39</li> </ul>
<b>Community Facilities</b>		
CF1 – Schools and Education	No relevant ‘saved’ adopted policies	<p><b>Section 4</b></p> <ul style="list-style-type: none"> <li>• Paragraph: 37</li> </ul> <p><b>Section 8</b></p> <ul style="list-style-type: none"> <li>• Paragraphs: 72</li> </ul>

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CF2 – Health-Hubs	<b>Leisure and Community Facilities</b> <ul style="list-style-type: none"> <li>Policy L16: Community Facilities Required by Public Authorities</li> </ul>	<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 69</li> </ul> <b>Plan Making</b> <ul style="list-style-type: none"> <li>Paragraph: 156, 162</li> </ul>
CF3 – Community Facilities	<b>Leisure and Community Facilities</b> <ul style="list-style-type: none"> <li>Policy L1: Loss of Sports Pitches and Ancillary Facilities</li> <li>Policy L16: Community Facilities Required by Public Authorities</li> </ul>	<b>Section 3</b> <ul style="list-style-type: none"> <li>Paragraph: 28</li> </ul> <b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 70</li> </ul>
CF4 – Local Shops	<b>Shopping and Town Centres</b> <ul style="list-style-type: none"> <li>Policy R15: Shops Ancillary to Other Uses</li> </ul>	<b>Section 3</b> <ul style="list-style-type: none"> <li>Paragraph: 28`</li> </ul> <b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 70</li> </ul>
CF5 – Places to Meet	<b>Build Environment</b> <ul style="list-style-type: none"> <li>Policy BE1: Design</li> </ul>	<b>Section 7</b> <ul style="list-style-type: none"> <li>Paragraph: 58</li> </ul> <b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 69 &amp; 73</li> </ul>
<b>Residential Development</b>		
RD1 – Design	<b>Built Environment</b> <ul style="list-style-type: none"> <li>Policy BE1: Design</li> </ul> <b>Housing</b> <ul style="list-style-type: none"> <li>Policy H6: Housing Design and Dwelling Extension.</li> </ul>	<b>Core Planning Principles</b> <ul style="list-style-type: none"> <li>Paragraph: 17</li> </ul> <b>Section 7</b> <ul style="list-style-type: none"> <li>Paragraph: 56,57,59, 51</li> </ul>
RD2 – Public and Private Space	<b>Built Environment</b> Policy BE1: Design	<b>Section 7</b> <ul style="list-style-type: none"> <li>Paragraph: 57</li> </ul>

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		<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph 73</li> </ul>
RD3 – Type and Tenure	<b>Housing</b> <ul style="list-style-type: none"> <li>Policy H12: Affordable Housing</li> <li>Policy H13: Affordable Housing in Rural Areas</li> </ul>	<b>Section 6</b> <ul style="list-style-type: none"> <li>Paragraph: 47, 50, 54</li> </ul>
RD4 – Working from Home	No relevant ‘saved’ adopted policies	<b>Section 1</b> <ul style="list-style-type: none"> <li>Paragraph: 21</li> </ul>
<b>Landscape and Recreation</b>		
LR1 – Sports Pitches	<b>Leisure and Community Facilities</b> <ul style="list-style-type: none"> <li>Policy L1: Loss of Sports Pitches and Ancillary Facilities</li> </ul>	<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 70, 73, 74</li> </ul> <b>Section 9</b> <ul style="list-style-type: none"> <li>Paragraph 89</li> </ul>
LR2 – Play for All	No relevant ‘saved’ adopted policies	<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 73</li> </ul>
LR3 – Green Space Strategy	<b>Core Strategy</b> <ul style="list-style-type: none"> <li>CSP6: National Forest</li> </ul> <b>Natural Environment and National Forest</b> <ul style="list-style-type: none"> <li>NE14: National Forest: Planting Scheme</li> </ul> <b>Housing</b> <ul style="list-style-type: none"> <li>Policy H6: Housing Design and Dwelling Extension</li> </ul>	<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 76, 77</li> </ul> <b>Section 10</b> <ul style="list-style-type: none"> <li>Paragraph: 99</li> </ul>
LR4 – Landscape and Drainage	No relevant ‘saved’ adopted policies	<b>Section 10</b> Paragraph: 103
LR5 – Protected Open Spaces and Views	<b>Built Environment</b> <ul style="list-style-type: none"> <li>Policy BE1: Design</li> </ul>	<b>Section 8</b> <ul style="list-style-type: none"> <li>Paragraph: 76, 77, 78.</li> </ul>

Outwoods Neighbourhood Development Plan (ONDP)

**Appendix 3 – Sustainability Appraisal**



# **Sustainability Appraisal**

for the delivery of

## **Outwoods Neighbourhood Plan**

on behalf of:

### **Outwoods Parish Council**

**22<sup>nd</sup> September 2014**



## Contents

1. Purpose of this document
2. Setting of Sustainability Objectives
3. Sustainability Appraisal
4. Conclusions



<b>Document Title / Job No.:</b> Outwoods_SA
<b>Prepared By:</b> JES
<b>Checked By:</b>

## **1. Purpose of this document**

- 1.1. This sustainability appraisal has been prepared in support of the emerging Outwoods Neighbourhood Development Plan. This document looks to the sustainability objectives set out by the adopted and emerging East Staffordshire development plan and combines the two at a local scale to produce sustainability objectives to sit alongside the Outwoods Neighbourhood Development Plan.
- 1.2. Outwoods is a parish located on the fringe to the north west of Burton-on-Trent within East Staffordshire. East Staffordshire Borough Council are currently preparing their emerging Local Plan and are undergoing public examination. Adoption is expected for mid-2015. As the emerging Local Plan is relatively late in the process towards adoption it carries some weight and plays an important role in 'sign-posting' the direction of travel for local planning policy over the next 20 years. Meanwhile the operational development plan is the 2006 Adopted Local Plan Saved Policies.
- 1.3. This document therefore seeks compliance in sustainability terms with both the Adopted Local Plan and the Emerging Local Plan and looks to both to steer the sustainability appraisal of the Outwoods Neighbourhood Plan. The sustainability appraisal will be carried out using the following method:

*1 – Analysis of Sustainability Objectives of the Adopted Local Plan and the emerging Local Plan.*

*2 – Formulation of sustainability objectives for the Outwoods Neighbourhood Plan which take their lead from those set out in the Adopted and emerging Local Plans but are tailored to the local scale and characteristics of Outwoods Parish.*

*3 – Assessment of the emerging Outwoods Neighbourhood Plan Vision and Objectives with the newly created Outwoods Sustainability Objectives.*

*4 – Assessment of the emerging Outwoods Neighbourhood Plan policies with the newly created Outwoods Sustainability Objectives.*

*5 – Discussion of areas where potential conflicts have been identified.*

*6 – Conclusion as to the overall compatibility of the Outwoods Neighbourhood Plan with its Sustainability Objectives.*

## 2. Setting of Sustainability Objectives

2.1. The 2006 Adopted Local Plan does not specify sustainability objectives as such but does set out ten appraisal factors, each covering a key sustainability theme. For the purposes of this document each of the appraisal criteria have been given a code, AP1, AP2 and so on (Adopted Plan 1, Adopted Plan 2).

2.2. Adopted Local Plan Appraisal Criteria:

**AP1 – Emissions** – *The level of emissions to air, land or water and emissions of light and noise.*

**AP2 – Use of Limited Resources** – *The use of scarce resources including land, energy, fossil fuels, natural resources.*

**AP3 – Biodiversity** – *Impacts on the biodiversity of habitats and their associated species.*

**AP4 – Community Safety** – *Hazards to the community including crime, traffic, flooding and subsidence.*

**AP5 – Sustainable Transport** – *Levels of sustainable transport use.*

**AP6 – Landscape** – *Impacts on the landscape character and visual amenity of an area.*

**AP7 – Built Environment** – *Effects on the built environment including design, visual amenity, landscaping, listed buildings, Conservation Areas, derelict land and archaeology.*

**AP8 – Community Facilities** – *Levels of community facility provision including education, health, recreation and shops.*

**AP9 – Economic Benefit** – *Potential to increase overall employment and economic growth.*

**AP10 – Housing** – *Potential to meet the housing needs of the Borough’s population.*

2.3. The emerging Local Plan, currently at Examination, sets out sixteen Sustainability Appraisal Objectives, as set out below, and coded EP1 – 16 for the purpose of this document.

2.4. Emerging Local Plan Sustainability Objectives:

**EP1 - Housing** – *To provide a suitable mix of decent housing available and affordable to everyone.*

**EP2 - Economy** – *To achieve a prosperous and diverse economy, encourage high and stable levels of employment and sustain economic competitiveness.*

**EP3 - Transportation** – *To reduce the need to travel, encourage more sustainable modes of transport and make best use of existing transport infrastructure.*

**EP4 - Climate change, energy and air quality** – *To reduce the causes and impacts of climate change, improve air quality, promote energy efficiency and encourage the use of renewable energy.*

**EP5 - High quality design and sustainability** – To encourage sustainable design and practice and create a high quality built environment.

**EP6 - Green Infrastructure and Open Space** – To protect, enhance and provide new green infrastructure assets.

**EP7 - Town Centre** – To sustain the vitality and viability of Burton and Uttoxeter Town Centres.

**EP8 - Rural Communities** - To sustain vibrant rural communities.

**EP9 - Flood Risk** – To reduce and manage the risk of flooding which would be detrimental to public well-being, the economy and the environment.

**EP10 - Use of land** – to deliver more sustainable use of land and in more sustainable locations.

**EP11 - Natural Resources** – To ensure the prudent use of natural resources and the sustainable management of existing resources.

**EP12 - Quality of life** – To improve the quality of life, including the health, safety and wellbeing of those living and working in the district.

**EP13 - Landscape quality** – To protect, maintain and enhance the character and appearance of the landscape and townscape quality, maintaining and strengthening local distinctiveness and sense of place.

**EP14 - Biodiversity and Geodiversity** – To promote biodiversity and geodiversity through protection, enhancement, and management of species and habitats.

**EP15 - Water quality** – To protect and enhance water quality of the Borough's rivers whilst maximizing their carrying capacity through achieving sustainable water resource management.

**EP16 - Countryside and historic environment** – to protect and enhance landscape character, historic buildings, archaeological sites and cultural features of importance to the community, and to protect and maintain all vulnerable assets (including built and historic).

2.5. Clear themes are apparent within both the Adopted Local Plan Appraisal Criteria and the emerging Local Plan Sustainability Objectives. These themes form the basis of the Outwoods Sustainability Objectives. The themes are; housing, economy, sustainable transport, climate change and energy, good design, community facilities, town centre, vibrant communities, flood risk and water quality, limited resources, landscape quality, biodiversity and geodiversity and heritage and historic environment. These themes have been expanded upon

to create thirteen Sustainability Objectives for the parish of Outwoods as it moves forward with its Neighbourhood Plan. The Sustainability Objectives (SO) are as follows:

**SO1 - Housing (EP1, AP10)**

Meeting the housing needs of the parish's population, providing a suitable mix of decent housing available and affordable to everyone.

**SO2 - Economy (EP2, AP9)**

To achieve a prosperous and diverse local economy, and increase overall employment and economic growth.

**SO3 - Sustainable Transport (EP3, AP5)**

To reduce the need to travel, encourage sustainable modes of travel and make best use of existing transport infrastructure within the parish.

**SO4 - Climate change, energy and air quality (EP4, AP1)**

To reduce the causes and impacts of climate change, improve air quality, promote energy efficiency, reduce emissions and encourage the use of renewable energy.

**SO5 - Good design (EP5, AP7)**

To encourage high quality, sustainable design and create a high quality built environment as the parish changes over the plan period.

**SO6 - Community facilities (EP6, AP8)**

To protect, enhance and provide community facilities for the people of Outwoods including education, health, recreation, shops and open spaces.

**SO7 - Town Centre (EP7, AP8, AP9)**

To sustain the vitality and viability of Burton town centre.

**SO8 - Vibrant Communities (EP8, EP12, AP4)**

To sustain Outwoods as a vibrant community and promote high quality of life for all who live, work and visit the parish.

**SO9 - Flood Risk and Water Quality (EP9, EP15, AP4)**

To prioritise and at all times consider the safety and wellbeing of new and existing parish residents by reducing and managing factors such as flood risk, crime and traffic.

**SO10 - Limited Resources (EP10, EP11, AP2)**

To ensure the prudent use of natural and limited resources and manage these resources in a sustainable manner, e.g. land and energy.

**SO11 - Landscape Quality (EP13, AP6)**

To protect, maintain and enhance the character and appearance of the landscape and townscape quality of Outwoods by maintaining and strengthening local distinctiveness, visual amenity, landscape character and sense of place.

**SO12 - Biodiversity and Geodiversity (EP14, AP3)**

To protect biodiversity and geodiversity within the parish through protection, enhancement and management of habitats and their associated species.

**SO13 - Heritage and Historic Environment (EP16, EP5, AP7)**

To protect and enhance landscape character, historic buildings, archaeological sites and cultural features of importance to the community, whilst protecting and maintaining vulnerable assets.

### 3. Sustainability Appraisal:

#### Testing the ONDP Vision, Objectives and draft policies against the ONDP Sustainability Objectives

- 3.1. The ONDP Sustainability Objectives, as detailed in the previous section, are now used to assess the ONDP Vision, Objectives and draft policies to ensure they all comply with the Adopted and Emerging Local Plan Sustainability Objectives, as amalgamated into the ONDP Sustainability Objectives.
- 3.2. The following table demonstrates the coding used to grade the Vision, Objective or Policy according to whether it 'complies', 'a conflict may occur' or it is 'not applicable' to the ONDP Sustainability Objectives.

√ Complies    ~ Not applicable    x A conflict may occur

- 3.3. The following tables assess the compliance of the Vision, Objectives and draft Policies with the ONDP Sustainability policies in turn.

## 4. Conclusions

- 4.1. Overall, a limited number of potential conflicts occur. The majority of policies, objectives and the vision do comply with the ONDP Sustainability Objectives. Conflicts which do potentially occur are solely with Sustainability Objective SO7 – Town Centre. This Sustainability Objective is designed to think about the parish in a holistic, borough wide manner, by asserting the importance of the Burton town centre.
- 4.2. Components of the ONDP most commonly do not conflict directly with this Sustainability Objective, policies such as improved walking, cycle and transport links to the town centre from the parish. Potential conflict only occurs when the ONDP seeks to improve provision of community facilities and shops and services within the parish of Outwoods, away from the town centre. This however, can be argued to be only a minor conflict as the shops and services on offer in Burton town centre differ from those needed at a local parish level.
- 4.3. Within Outwoods the community wish to see more convenience stores and facilities such as village halls, recreational facilities and health and education services. Burton town centre caters more for the comparison retail market, thus will not be affected greatly by any of the proposed new facilities in Outwoods.

Outwoods Neighbourhood Development Plan (ONDP)

**Appendix 4 – Strategic Environmental Assessment Screening Report**

**Outwoods Parish Neighbourhood  
Development Plan (OPNDP)**

**Strategic Environmental Assessment Screening  
Report**

**June 2014**

**Outwoods Parish Neighbourhood Development Plan  
Strategic Environmental Assessment Screening Report**

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# Outwoods Parish Neighbourhood Development Plan Strategic Environmental Assessment Screening Report

## 1. Introduction

- 1.1 This screening report is designed to determine whether or not the content of the Outwoods Parish Neighbourhood Development Plan (OPNDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the OPNDP is to form a new local tier of the statutory Development Plan under the provision set out in the Localism Act 2011. This allows the community to develop individual planning policies and land use designations for their local area. The document will only affect planning applications within the Outwoods Parish boundary.
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Development Plan and the whether there is a subsequent need for a full SEA.
- 1.4 It should be noted at the outset that the Parish of Outwoods is to be the subject of significant housing development over the next 20 years as allocated by East Staffordshire Borough Council (ESBC). This housing strategy is set out in the emerging East Staffordshire Local Plan (due for adoption late 2014) and as such this neighbourhood plan simply responds to the overarching designation / allocation of land for housing set out by the plan. It does NOT allocate or provide a wider strategy or justification for these housing developments. As such these allocations are not subject to test as part of the OPNDP SEA. Instead an SEA of these allocations should be properly undertaken at the Local Plan level.

## 2. Legislative Background

- 2.1 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).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

## **Outwoods Parish Neighbourhood Development Plan Strategic Environmental Assessment Screening Report**

2.3 However, the 2008 Planning Act removed the requirement to undertake a Sustainability Appraisal for a Supplementary Planning Document (SPD), but not the requirement to produce a Strategic Environmental Assessment. This is due to SPD's not normally introducing new policies or proposals or significantly modifying planning documents which have already been subject to a Sustainability Appraisal.

2.4 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

### **3. Criteria for Assessing the Effects of Supplementary Planning Documents**

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. 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,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- 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).

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 transboundary nature of the effects,
- the risks to human health or 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.

*Source: Annex II of SEA Directive 2001/42/EC*



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4.2 The table below shows the assessment of whether the OPNDP will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Stage	Y/ N	Reason
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 OPNDP will be adopted as part of the Development Plan for East Staffordshire should it pass referendum. As a result it will be adopted as part of a legislative planning framework.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The plan is not a required element of the Development Plan and is entirely at the discretion of the local community, in this case, the Parish Council. Unlike other elements of the Development Plan (the Local Plan specifically) which is a requirement of the Planning Act(s).
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	<p>Yes – this is a town and country planning document and does include guidance for a wider range of uses including housing, traffic and transport, employment, greenspaces. The OPNDP will form one part of the decision making framework for the determination of development consents.</p> <p>It should be noted that this not the only document that will form this framework, as the East Staffordshire Local Plan and the National Planning Policy Framework and the National planning Policy Guidance will also have some bearing on the decisions made. The plan, is required to be in ‘broad compliance’ with the Local Plan and as such reflects the strategic view of that document.</p> <p>The OPNDP is unlikely to have any significant influence on the preparation of other plans or policies, unless the Borough Council wish to develop site specific non-statutory Supplementary Planning Guidance. This is considered unnecessary given this plan and its content.</p>

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<p>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))</p>	<p>N</p>	<p>It is not envisaged that any of the development that would be consented by this framework will have an effect on any habitats covered by Natura 2000 and therefore the subject of Articles 6 &amp; 7 of the Habitats Directive. The Parish is covered by the National Forest but this is not subject to Articles 6 &amp; 7 of the Habitats Directive.</p> <p>The nearest designated habitat assets to the plan area are Kingfisher trail Local Nature reserve which lies some 1km due east of the Parish Boundary. The Old River Dove (Rolleston) SSSI is some 2.5 – 3km away to the north of the Parish boundary.</p> <p>It is not envisaged that any of the proposals covered in this plan would affect either of these designated areas.</p> <p>The Trent &amp; Mersey Canal Conservation Area which runs the length of the canal of the same name is also well outside of the plan boundary and will be unaffected, visually or otherwise by proposals set out in this document.</p>
<p>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)</p>	<p>Y</p>	<p>This is minor modification for another plan – specifically the East Staffordshire Local Plan. The strategic approach to the development is provided within the ESBC Local Plan whilst the framework for the detail behind the delivery of allocated sites, environmental improvements and the protection of the broad landscape are provided within this document.</p>
<p>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)</p>	<p>Y</p>	<p>Yes – see answer to section 3. However, it should be noted that this is only part of the framework by which development will be determined. The document focuses on ensuring that the detailed design and landscape of new allocated developments (all strategic sites) is a high quality solution which benefits the Parish and the surrounding neighbourhoods.</p>
<p>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)</p>	<p>N</p>	<p>The OPNDP does not meet any of the categories set out in stage 7.</p>

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<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>N</p>	<p>The document is the lowest level of plan adopted within the LPA area, and does not influence the preparation of other plans. It is designed to promote sustainable development - in line with guidance contained in the National Planning Policy Framework.</p> <p>The document has a 17 year lifespan (to 2031) where it supports the delivery of allocated sites set out as part of the Local Plan set at the Borough Level. It is not envisaged that the level of development proposed outside of these allocations - which have been subjected to very detailed SEA as part of that plan - would individually or cumulatively have a significant affect when measured against Article 3.5 (see tests above).</p> <p>Previous questions have not considered cultural heritage assets within the plan area with great detail. There are very few heritage assets within the Parish and it's considered that sufficient guidance in other documents and as such no guidance is provided within this plan.</p> <p>As a result it is considered that there is no effect on heritage assets beyond those already subject to SEA / SA.</p> <p>The Parish is at the urban – rural fringe of Burton and it's the OPNDP policies promote development commensurate with the character and landscape setting.</p> <p>The OPNDP includes specific policies contained within the plan which are specifically targeted at ensuring that any effects on the environment, landscape or ecology within the area is minimised or mitigated. As a result any residual effects will be minor / minimal.</p>
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**5. Screening Outcome**

- 5.1 As a result of the assessment in section 4, it is unlikely there will be any significant environmental effects arising from the Outwoods Parish Neighbourhood Development Plan, beyond those covered as part of the emerging East Staffordshire Local Plan or covered as part of the Sustainability Appraisal (SA) that is which supports the document.
- 5.2 The very fact that this plan is not a requirement of the policy framework and only forms one small part of the framework for the decision making process further endorses the view that there is no requirement for SEA. Furthermore, there are very few designated heritage, conservation or biodiversity designations within the Parish boundary, none of which are covered by the Habitats Directive further reducing any requirement for an SEA.
- 5.3 In addition, the assessment above has noted that the significance of the effects of the plan are minor either taken individually or cumulatively. As such, the Outwoods Parish Neighbourhood Development Plan is not required to be supported by a Strategic Environmental Screening Assessment.
- 5.4 A Sustainability Appraisal (None SEA) will be undertaken as part of the ongoing development of the policies and the plan (following further consultation) and will assess the plan against the sustainability indicators set out for the emerging Local Plan to ensure 'broad compliance'.