



# Neighbourhood Planning Neighbourhood Plans and Strategic Environmental Assessment (SEA)



This guidance note provides information on Strategic Environmental Assessment and what you need to do to meet the SEA Regulations when developing a neighbourhood plan. It sets out the stages for producing an environmental report and where to get help to support you through the process.

## What is SEA and when is it required?

SEA is a process that helps to understand how plans (including the choice of sites and policies) will affect the environment of the area that it covers. It is required by the SEA Directive, which places a legal duty on people preparing some development plans to assess those plans for their potential effect on the environment.

A SEA is required if your plan is likely to have a significant effect on the environment, particularly where it affects a sensitive area and the features for which it was designated.

The Environmental Impact Regulations (2011) define sensitive areas as:

- Sites of Special Scientific Interest and European sites (Special Areas of Conservation and Special Protection Areas);
- Areas of Outstanding Natural Beauty; and
- World Heritage Sites and Scheduled Monuments.

This information can be found using the [Cornwall Council Interactive Mapping Tool](#)

In addition, proposals may also be significant if they affect other designations or features (such as Conservation Areas or Listed buildings).

The more environmentally sensitive the location, the more likely it is that the effects will be significant and will require an assessment.

## How to check whether you will need to undertake SEA (SEA Screening Stage)

Once you have a draft NDP document and before you carry out your Regulation 14 (pre submission) consultation, we advise that you submit your draft document to us

([neighbourhoodplanning@cornwall.gov.uk](mailto:neighbourhoodplanning@cornwall.gov.uk)) with a request for us to provide you a SEA and HRA

(Habitats Regulation Assessment)<sup>1</sup> Screening Opinion. The purpose of the SEA/HRA Screening Opinion is to ascertain whether a SEA and/or HRA should be carried out. The SEA Screening stage also includes a statutory 3 week consultation period with Heritage England, Natural England and the Environment Agency.

In addition when you submit this (informal draft) NDP to us, we will circulate internally around key specialist officers, providing them an opportunity to provide informal comments to you. The advantage of this is that it helps iron out any obvious issues ahead of progressing to publication at the Regulation 14 stage.

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<sup>1</sup> HRA is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. HRA also requires screening as a first step, to ascertain whether a plan is likely to have



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significant adverse effects on the integrity of 'European' sites. If the screening identifies likely significant effects, Appropriate Assessment of the NDP will be required and the need for SEA is also automatically triggered. We take the opportunity of carrying out the HRA Screening at the SEA Screening Stage. If it is concluded that a HRA is required, we will provide further information to you at that stage.

When we carry out the SEA Screening Opinion we need to interrogate the evidence behind the policies, in particular where they relate to policies which permit development in particular locations (e.g. a site allocation boundary, a large site within a development boundary or direction for future growth). This aspect is being particularly picked up by the statutory consultees at the SEA Screening Stage (Historic England and Natural England) and, where there is insufficient evidence, the draft NDP is returned to groups for the gaps to be filled. In truth the SEA/HRA Screening Stage requires some preparation from groups to get through, but in doing so you will find that you are getting everything in order and then the remainder of the process is easier as a result.

When you submit the informal draft NDP and the SEA/HRA Screening request can you please ensure that you submit the following:

- a) An unprotected Microsoft Word version of your Draft NDP, ensuring that;
  - this has paragraph numbers throughout;
  - this has page numbers throughout; and,
  - all contents of figures are clearly visible and understandable to the document user; also considering when this is printed at A4 scale and in black and white.
- b) A document presenting an index to your evidence base.
- c) A link to your online evidence base, where all of your NDPs supporting evidence to date should be readily accessible.

Cornwall Council will provide you with an opinion (the 'Screening Opinion') as to whether your plan is likely to have a significant effect and whether or not you need to undertake SEA.



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Whilst you will know your way easily around your evidence base, it is often difficult and time consuming for others to navigate and so, to assist both us and the statutory consultees, please could you present an index of your evidence base, presented in tabular format as shown in the example below, taking care to signpost specific section(s) of documents where this is appropriate:

<b>Policy</b>	<b>Evidence Source (all on our online Evidence Base Library <u>unless otherwise stated</u>)</b>
Policy 1: Housing	Main Evidence Overview Summary – Chapter 2, Section 5-9 Consultation Response Report – Section 7 Cornwall’s Local Plan Policy 3 & 9 Etc...
Policy 2: Development Boundary	Forming the Development Boundary for Brankston Village; The Evidence Base Report Cornwall’s Local Plan Policy 3 Etc...
Policy 3: Hill Top (Brankston) Site Allocation	Establishing Site Allocations at Brankston; The Evidence Base Report Etc....

Early screening will help any assessment to be built into your project plan so that it can be carried out alongside plan development. This will allow the environmental considerations to shape your plan and will avoid delays later in the process.

### What has to be done if SEA is required?

If you require SEA, there is a prescribed process to follow; you must assess the environmental qualities of your area, test the possible impacts of your plan on the environment, consider reasonable alternatives (that is, explore different approaches to deliver what you want to) and prepare a report showing how you have taken the special qualities of your area into account and made choices in your plan accordingly. You must consult for five weeks on a SEA Scoping Report (your initial assessment of the qualities of the area and how you intend to assess the impacts of your plan) and then for a further six weeks on the Environmental Report.

Whilst it may sound like a lot of extra work, if it is started early on in the process, it can really help to maximise the environmental value of your plan and help you to choose the right solutions for your area. You will need to demonstrate this to meet the ‘Basic Conditions’ that your plan will be tested on at Examination.



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There are five stages in the SEA process:

SEA Stage	SEA tasks	How this fits with neighbourhood plan production
Scoping	Setting the context and objectives, establishing the baseline and deciding on the scope for the SEA. <b>Includes a 5 week consultation on a Scoping Report.</b>	Early evidence gathering
Assessment of alternatives	Assessing the effects of alternative approaches for the plan	Developing, refining and testing alternatives
Appraising the draft plan	Appraising the draft plan and preparation of Environmental Report	Draft plan
Consultation on the Environmental Report	Releasing the Environmental Report for consultation alongside the draft plan	<b>6 week consultation on the Environmental Report</b> (can run alongside your draft plan (usually the 6 week 'Regulation 14' pre-submission consultation)).
Submission	Updating Environmental Report to reflect changes to the plan, submission to Cornwall Council	Updating the plan following Regulation 14 consultation, submission to Cornwall Council.

## Is there any assistance for neighbourhood planning groups?

You may be able to carry out your own SEA using the guidance in the links above, especially if you have the right skills in the community. Officers at Cornwall Council will give advice, but will not be able to carry out the SEA for you.

National grants are available if you want to employ someone to carry out the assessment for you. Those groups facing more complex issues can apply for specific packages of technical support which includes support in carrying out SEA. More information is available at <https://neighbourhoodplanning.org/about/technical-support/>.

## SEA and Sustainability Appraisal

The SEA requirements can be covered by carrying out Sustainability Appraisal, which covers Social and Economic Issues as well as Environmental Issues. Please see our '[Sustainability Check \(Report Template and Guidance\)](#)'<sup>2</sup>.

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<sup>2</sup> If for any reason this hyperlink fails, the 'Sustainability Check (Report Template and Guidance)' can be found on Cornwall Councils online Neighbourhood Planning resource, within the Guide Note and Templates Section at [www.cornwall.gov.uk](http://www.cornwall.gov.uk).