

Strategic Environmental Assessment Screening of the Kineton Neighbourhood Development Plan

SEA Screening Document

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Photo: King John's Castle

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Acronyms

AQMA	Air Quality Management Area
EIA	Environmental Impact Assessment
LNR	Local Nature Reserve
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
ODPM	Office of the Deputy Prime Minister
PP	Policy or Programme
SEA	Strategic Environmental Assessment
SSSI	Site of Special Scientific Interest

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1 Introduction

1.1 This report

- 1.1.1 This screening report has been prepared to determine whether the Kineton Neighbourhood Development Plan (NDP) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

1.2 Strategic Environmental Assessment

- 1.2.1 The basis for Strategic Environmental Assessment 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).
- 1.2.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.
- 1.2.3 The 2008 Planning Act requires plan making bodies to comply with the SEA Directive by screening the plan's potential effects on the environment.

1.3 The Kineton Neighbourhood Development Plan

- 1.3.1 The creation of neighbourhood plans started with the UK Government's Localism Act 2011. The Act set out a series of measures to shift power away from central government and towards local people. One of the Localism Act's key components is the Neighbourhood Development Plan; a new tier in planning policy which enables local people to shape the development of the community in which they live.
- 1.3.2 The neighbourhood planning process started on 20th May 2013 when Stratford-on-Avon District Council approved Kineton Parish Council as an appropriate qualifying body to submit a Neighbourhood Plan.
- 1.3.3 A Consultation Final Draft of the plan has been produced and was subject to public consultation from April to May 2015. This constitutes a submission draft NDP that will be submitted for inspection by an independent examiner.

Consultation

- 1.3.4 The NDP has been published for consultation. This provided an opportunity for the public and local organisations to comment on the plan.
- 1.3.5 After consultation, any responses were taken into account and used to prepare a 'submission draft' of the NDP. This version of the plan will be subject to inspection by an independent examiner. If the examiner approves the NDP it will be subject to a local referendum. If 50% or more of people voting in the referendum support the plan, the NDP will be adopted.

Size

- 1.3.6 Kineton Parish is located within the Stratford-on-Avon district. The majority of the parish is rural and the main settlement is the village of Kineton, located to the north of the parish. Little Kineton is a smaller settlement located southwest of Kineton village. Kineton lies to the southeast of Stratford-upon-Avon and Wellesbourne. The estimated total population for the parish of Kineton is 2,278¹ (ONS 2012).
- 1.3.7 The proposed Kineton Neighbourhood Development Plan covers the administrative boundaries of the Kineton Parish, including Kineton village and Little Kineton. **Figure 1.1** shows the current NDP boundary.
- 1.3.8 The plan area is approximately 4.8 kilometres north-to-south and 4.4 kilometres east-to-west at its widest points. The Parish of Kineton is approximately 10.2 square kilometres in area.

¹ ONS, (2011), Usual resident population estimates for Kineton [online] Available at: <http://neighbourhood.statistics.gov.uk/dissemination/LeadTableView.do?a=7&b=13694329&c=trull&d=14&g=6462640&i=1001x1003x1006&k=population&m=0&r=1&s=1428931253547&enc=1&domainId=62&dsFamilyId=2473>

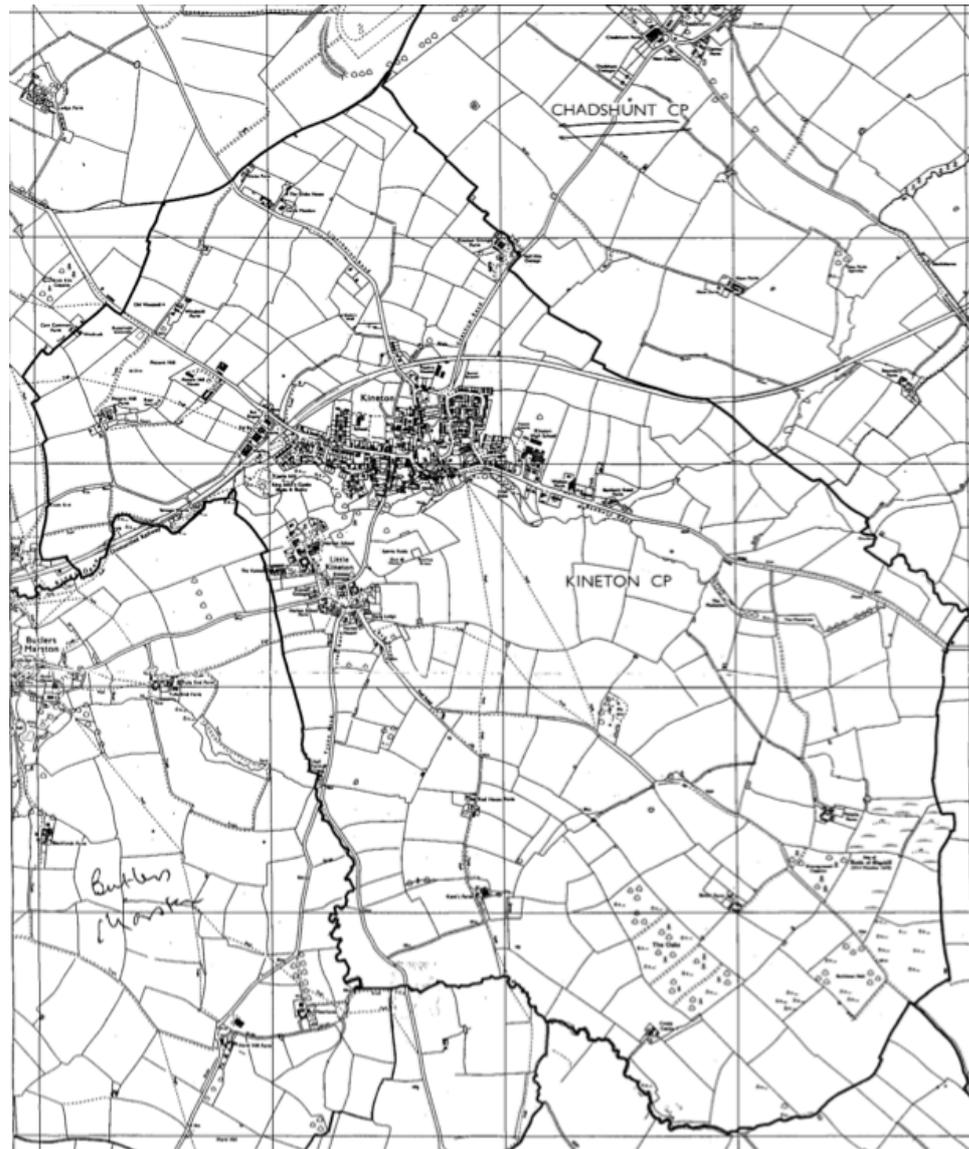


Figure 1.1: Neighbourhood Plan Boundary (Neighbourhood Plan Steering Group 2015)

Location

- 1.3.9 Kineton is a village and Parish in Warwickshire. The Parish includes two main settlements; Kineton and Little Kineton. The surrounding area is predominately rural with Stratford-upon-Avon town centre lying 11.8 from the Kineton parish boundary.
- 1.3.10 The River Dene is the main watercourse within the parish, which is a tributary of the River Avon. Flood Zone 2 and 3 is present within the parish, both of which pose a potential risk of flooding around these areas (Flood Risk is shown on **Figure 1.2**). Both Flood Zones 2 and 3 are considered generally unsuitable for development.

- 1.3.11 Kineton is a small village with a range of amenities. The village benefits from a primary and high school, pubs, post office, a village shop, a medical centre, vets and bank. The area centred around the main road through the village, Southam Street and Warwick Road, is a designated Conservation Area.
- 1.3.12 Approximately 45 Listed Buildings are present within the Kineton parish, two of these are Grade II*, 3 Market Square and Church of St Peter.
- 1.3.13 Two Scheduled Monuments lie within the parish boundary. The first of these is King John's Castle and the second is a Medieval settlement at Brookhampton.
- 1.3.14 A Registered Battlefield lies to the south of the parish and is registered as the location for the Battle of Edgehill 1642.
- 1.3.15 No sites that are internationally designated for nature conservation are located within the Kineton parish, nor do any lie within 10km of the plan area. A total of six Local Wildlife Sites (LWS) are present within the parish. The location of the designated sites can be seen in **Figure 1.4**.

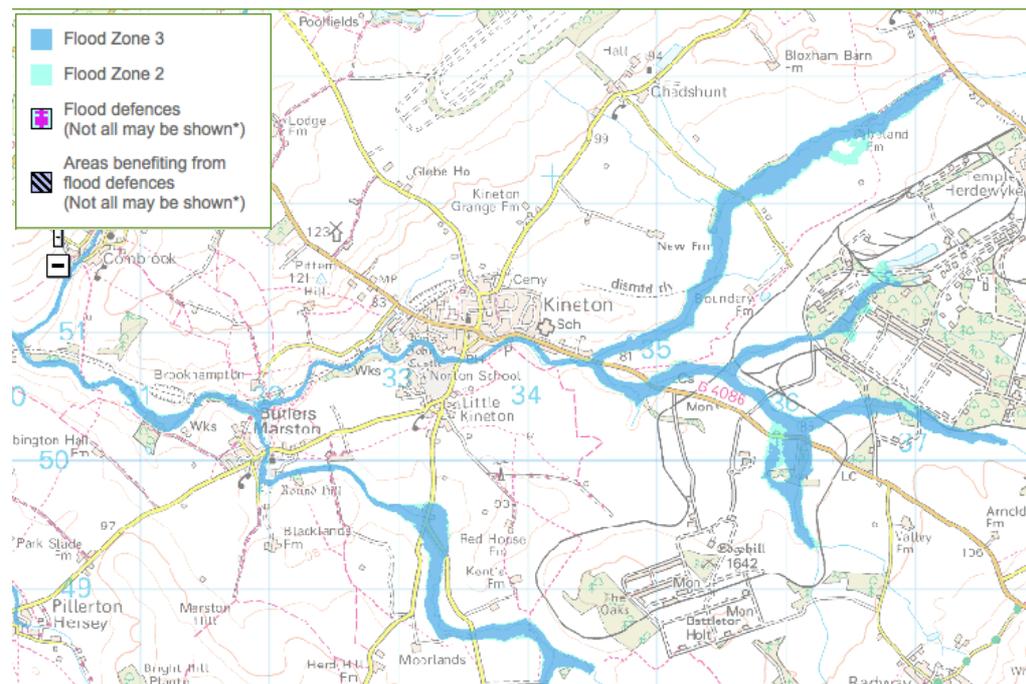


Figure 1.2: Risk of flooding from rivers and sea (Environment Agency 2015)

- 1.3.16 The land surrounding Kineton contains areas of Grade 3 and 4 agricultural land, (See **Figure 1.3**). Grades 1, 2 and 3a agricultural land is the most productive; therefore it is often considered most important. The majority of the parish is grade 3 agricultural land and may be the best and most versatile.

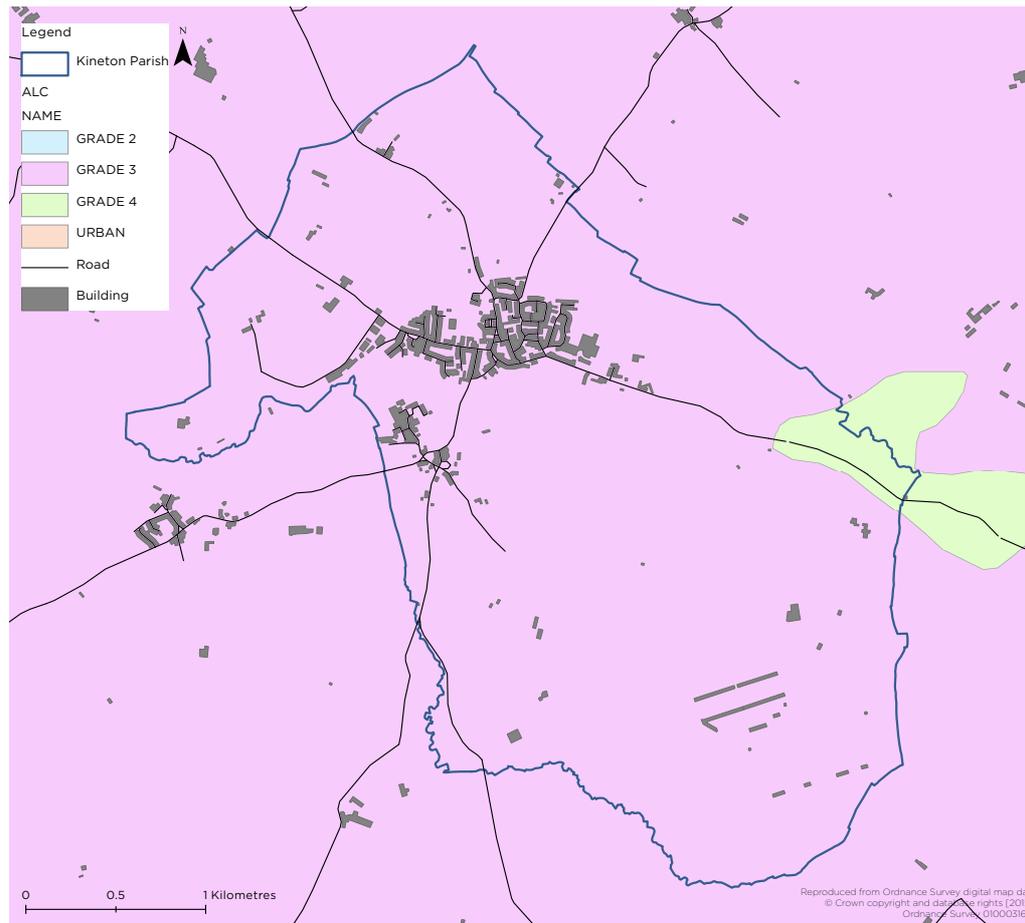


Figure 1.3: Agricultural land classification (MAGIC, 2015)

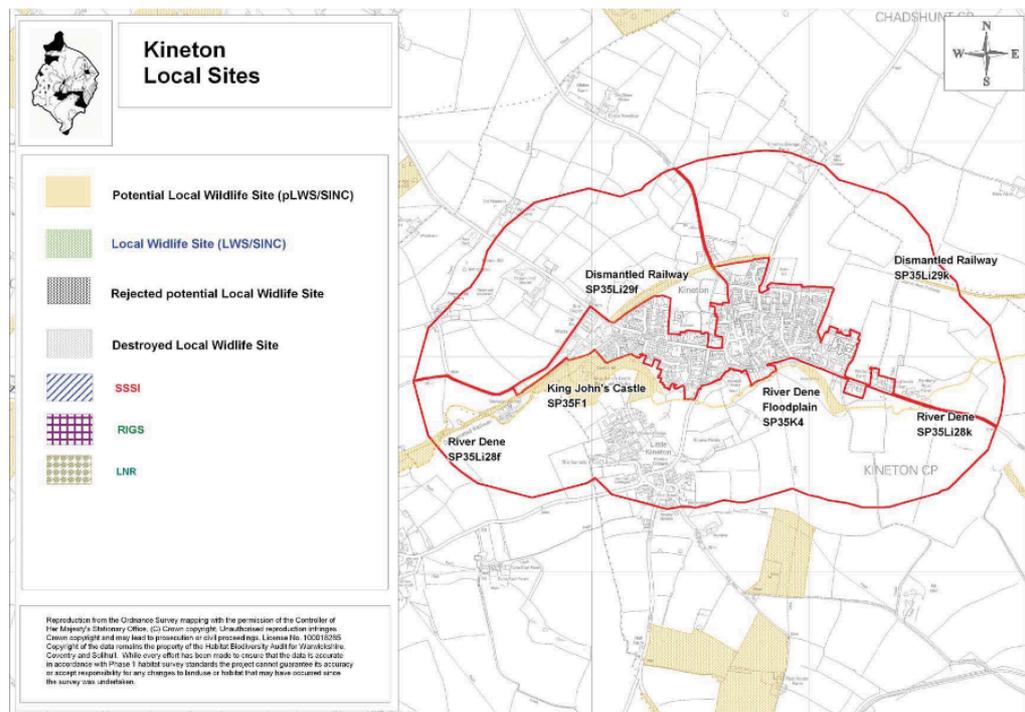


Figure 1.4: Local Nature Reserves (MAGIC, 2015)

Nature of the plan

1.3.17

The NDP is a land-use plan, prepared for town and country planning purposes. It sets out a framework for future development consents within the Kineton NDP area. The NDP is the lowest tier in the planning hierarchy and must conform to plans in the upper tiers, such as the Stratford-on-Avon Core Strategy, as well as national policy including the National Planning Policy Framework (NPPF).

2 The Screening Process

2.1 Strategic Environmental Assessment screening

2.1.1 The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and English Heritage.

2.1.2 Within 28 days of its determination, the plan makers must publish a statement, setting out its decision. If they determine that an SEA is not required, the statement must include the reasons for this.

2.2 The screening process

2.2.1 The Localism Act requires Neighbourhood Plans to be in general conformity with the strategic policies of the Stratford-on-Avon Core Strategy.

2.2.2 The Core Strategy was subject to a Sustainability Appraisal (SA), which assessed the plan for significant effects on sustainability and fulfilled the requirements of the SEA Directive. Mitigation measures were suggested where negative or uncertain impacts were identified.

2.2.3 **Figure 2.1** presents a diagram prepared by ODPM (2005). This shows the application of the SEA process to plans and programmes. The sequential approach in the flow diagram can be used to screen the Kineton NDP.

2.2.4 **Table 2.1** uses the questions presented in **Figure 2.1** to establish whether there is a need for SEA of the Kineton NDP.

2.2.5 It should be recognised that, in preparing a SEA screening report at this late stage in the plan making process, it is possible to draw on more detail than would otherwise be available earlier in the plan making process. The NDP includes environmental protection policies and has also been subject to public consultation.

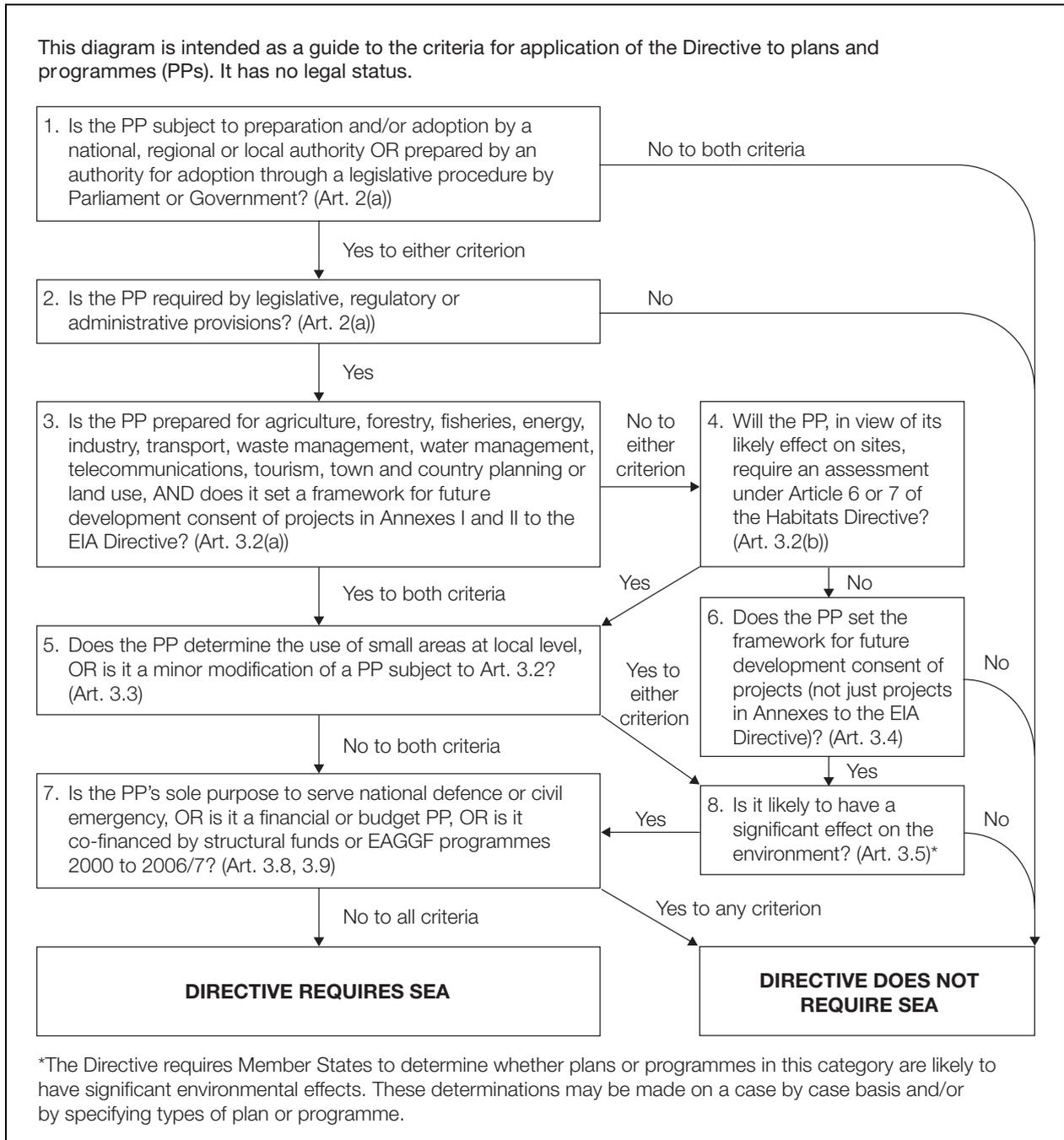


Figure 2.1: Application of the SEA Directive to plans and programmes (ODPM, 2005)

Table 2.1: Establishing whether there is a need for SEA

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 plan constitutes a NDP, which will be adopted by Stratford-on-Avon District Council if it receives 50% or more affirmative votes at referendum.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Communities and neighbourhoods have a right to produce a NDP, however it is not required by legislative, regulatory or administrative bodies. If the NDP is adopted it would become part of the statutory development plan, meaning it should continue to be screened under the SEA Directive.
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))	?	The NDP is a land-use plan and sets the framework for future development consents within the Kineton area. Due to the neighbourhood quality of the plan area, development projects contained in Annex I are unlikely to take place in Kineton. It is possible the NDP could contain infrastructure projects, which are listed in Annex II of Directive 97/11/EC. These include urban development projects, which may be subject to EIA if they are considered to have potential significant effects on the environment.
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	The Kineton NDP is not anticipated to have a likely significant effect on any European sites, as it is in conformity with the HRA of the Stratford-on-Avon Core Strategy.
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)	Y	General areas and criteria for housing and development are outlined.
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)	?	Depending on size and nature of submitted applications in context of NPPF.
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	

8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See Section 2.3 .
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2.3 Relevance to the SEA Directive

2.3.1 Question 8 within the ODPM guidance (see **Figure 2.1**) refers to whether the NDP would have a significant effect on the environment. The criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations (2004) can be used to consider the relevance of the plan to the SEA Directive. **Section 2.4** considers likely environmental effects of the plan.

Table 2.2: Kineton NDP and the SEA Directive

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Response
The characteristics of plans and programmes	
(a) 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	As demonstrated in Section 1.2 the Kineton NDP will establish the development control framework for the parish of Kineton. The NDP is prepared for town and country planning and land use planning purposes and sets out a framework for future development in Kineton.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NDP is the lowest tier in the planning hierarchy and must conform to plans in the upper tiers, rather than influence them. The Kineton NDP must conform to the Stratford-on-Avon Core Strategy, the National Planning Policy Framework and European Directives.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	There are opportunities for integrating environmental considerations within Kineton (see section 2.4.1). Policies within the NDP promote use of brownfield land and best practices in development to achieve high levels of sustainability.
(d) environmental problems relevant to the plan or programme	Key issues taken from the Proposed Submission Version Stratford-on-Avon Core Strategy include: <ol style="list-style-type: none"> 1. A significant risk of flooding in the valley of the River Dene which runs along the southern edge of the village 2. Capacity constraints at Kineton Wastewater Treatment Works 3. Two areas of high landscape sensitivity to the southeast and southwest of the village 4. Fast increase of houses in the village.

(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	<p>The NDP is a land-use plan and sets the framework for future development consents within the Kineton NDP area.</p> <p>The NDP sets policies which planning applications within the Kineton NDP area must adhere to.</p>
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects	<ol style="list-style-type: none"> 1. Six LWS are present within the parish boundary and any development near to a site or impacting on the qualifying feature may cause long-term effects which may be irreversible. 2. The historic environment is a key receptor within Kineton Parish. The Scheduled Monuments which lie within Kineton Parish could be adversely affected by inappropriate development. Any impacts of development may cause long-term, irreversible effects. 3. Areas of the parish are of high sensitivity to commercial and housing development, any development in these areas can detract from the setting of the parish and may have long-term, irreversible effects. 4. The increase in houses within Kineton Parish may result in an increase in waste, carbon emissions as well as a loss of flood plain. Any effects of an increase in houses may result in long-term, irreversible effects that could exacerbate climate change. 5. The Kineton Waste Water Treatment works have insufficient capacity and will need improvements to allow for any increase in development. Development may cause short-term, reversible effects if capacity is not dealt with prior to development. 6. The impact of the construction of 200 dwellings in Kineton Parish is not anticipated to produce any significant effects on Air Quality, Health, Material Assets or Population in Kineton Parish.
(b) the cumulative nature of the effects	<p>The plan is not thought to contribute to cumulative impacts in combination with the Stratford-on-Avon Core Strategy. The impacts of development on certain receptors, such as water and air quality, within the parish are unlikely to produce cumulative effects with other developments in Stratford-on-Avon.</p>

(c) the transboundary nature of the effects	The majority of effects will be localised within the parish.
(d) the risks to human health or the environment (for example, due to accidents)	Kineton does not currently have any AQMAs. The NDP may increase traffic levels but not to an extent that is anticipated to cause significant effects on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The magnitude and spatial extent of the effects outlined in (a) are not thought to extend further than the parish boundary
<p>(f) the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards or limit values (iii) intensive land-use 	<p>(i) Any inappropriate development may have an impact on the setting of the registered battlefield and scheduled monuments within the parish.</p> <p>The landscape sensitivity of Kineton is recognised as moderate/high. Any inappropriate development is likely to adversely affect the natural characteristics of the parish. Policies included in the plan will not permit development that will result in adverse effects on the landscape in Kineton.</p> <p>(iii) Kineton Parish has areas of potential best and most versatile agricultural land. The majority of the Parish is Grade 3 agricultural land (Figure 1.3), which may be 3a. Development outside of existing residential areas could lead to a loss of best and most versatile agricultural land.</p>
(g) the effects on areas or landscapes which have a recognised national, EU Community or international protection status	<p>The Conservation Area within Kineton extends along the centre of the village, near to where the majority of the shops and material assets are located. Inappropriate development in the area could detract from its overall character.</p> <p>Six locally designated wildlife site lies within the NDP area. No internationally designated wildlife sites within the NDP area (see Figure 1.4).</p> <p>A registered battlefield and two scheduled monuments are present within the parish, both of which are nationally protected designations.</p>

2.4 Determination of significant effects

2.4.1 The Kineton Neighbourhood Development Plan will conform to the strategic influence of the Stratford-on-Avon Core Strategy. The NDP will influence where housing should be located, as well as influence design across the plan area. Responding to local character and history as well as using good quality materials are both aspects of good design. Both of these factors can be significant determinants of environmental effects.

2.4.2 This screening report has explored the potential effects of the proposed Kineton NDP with a view to determining the likely requirement for an environmental assessment under the SEA Directive. Significant environmental impacts are not expected to occur, as the NDP includes a number of environmental protection policies that seek to avoid any potential effects or mitigate the effects such that there are no residual adverse effects. Details of these NDP policies and how they are expected to avoid or mitigate potential environmental effects are given below.

Biodiversity

2.4.3 No international designated sites are present within the Kineton parish. Six LWS are present within the parish and the plan has proposed policy D2 which will involve protecting and enhancing biodiversity. Policy CS.6 in the Proposed Submission Stratford-on-Avon Core Strategy states that Local Wildlife Sites will be protected.

Cultural heritage

2.4.4 Two scheduled monuments, a registered battlefield, listed buildings and a conservation area are all present within the parish. Policy SSB3 states that development will not be permitted to extend onto the battlefield and Policy D2 will preserve and enhance heritage assets, including listed buildings and the conservation area.

2.4.5 The Proposed Submission Stratford-on-Avon Core Strategy has Policy CS.8 in order to protect and enhance heritage assets within the district, including the Battle of Edgehill registered battlefield.

Landscape

2.4.6 Areas of Kineton have been assessed as highly sensitive to new housing or commercial development. Policy D2 of the NDP works to protect and enhance landscape within the parish.

Natural resources

2.4.7 Most of Kineton Parish is grade 3 agricultural land, this may be grade 3a, which is one of the best and most versatile grades of agricultural land. Policy D9 in the Kineton NDP states that best and most versatile agricultural land will only be used in exceptional circumstances.

Climate change

- 2.4.8 An increase in housing within an area can have an impact on climate change. Policy D7 of the Kineton NDP ensures appropriate measures will be taken to deal with climate change alongside the use of Sustainable Drainage Systems, in any new development.

Water

- 2.4.9 The Kineton Wastewater Treatment Works are currently at significant capacity. Any future development will need to deal with the foul sewerage system prior to development. Policy E8 states that any development proposals must demonstrate that there are or will be adequate water supply and water treatment facilities in place to serve the whole development.

2.5 Screening outcome

- 2.5.1 In accordance with topics cited in Annex 1(f) of the SEA directive, likely significant effects on the environment are not anticipated.
- 2.5.2 It is recommended that the Kineton Neighbourhood Development Plan is not screened into the SEA process.

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