

# **Coldean Neighbourhood Plan**

## **Strategic Environmental Assessment Screening Report and Consideration of Habitats Regulations Assessments**

**Brighton & Hove City Council**

**April 2024**

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## Summary

### Strategic Environmental Assessment

Neighbourhood Plans are the type of plan to which the Environmental Assessment of Plans and Programmes Regulations 2004 applies if the Neighbourhood Plan is likely to result in significant effects. A screening assessment is therefore required to determine whether the plan is considered likely to result in significant adverse effects. If significant effects are considered likely, the Neighbourhood Plan will require a Strategic Environmental Assessment (SEA).

A draft version of the Coldean Neighbourhood Plan, which was submitted to the council in March 2024, was used as a basis for this screening assessment. Following the assessment, it is concluded that the Coldean Neighbourhood Plan will not result in significant adverse effects and therefore **does not require an SEA**. The reasons for this are as follows:

- The Coldean NP sits within an existing adopted planning framework that has already been subject to its own SEA during preparation of City Plan Part One and Part Two for the area within the neighbourhood boundary that sits within the built-up area, and the South Downs National Park Local Plan for the area that sits within the South Downs National Park. The Plan does not create a new framework.
- The Coldean NP is considered to be in general conformity with other Development Plan Documents and does not influence other plans within the planning hierarchy.
- The Coldean NP is considered to support sustainable development.
- The Coldean NP does not allocate any sites for new development; the scale and effects of the Coldean NP are therefore limited.
- The principle and impacts of the two urban fringe sites allocated by City Plan Part Two which are within the Neighbourhood Area have already been tested through the SA/SEA of City Plan Part Two.
- The geographic extent of any effects arising from the Coldean NP is limited and the magnitude of effects is low.
- The policies are primarily focused on the acceptability of future development proposals.
- The Coldean NP is unlikely to result in any significant cumulative or transboundary effects.

### Habitats Regulations Screening Assessment

Annex 1 of this report considers HRA screenings and assessments of relevance to the Coldean Neighbourhood Plan. It concludes the existing HRA assessments undertaken for City Plan Part One and Part Two are considered to cover the impacts of any development arising from the Coldean Neighbourhood Plan and that the Neighbourhood Plan does not require its own individual Habitats Regulations Assessment.

## **1. Introduction**

- 1.1 This screening report aims to determine whether the draft Coldean Neighbourhood Plan 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 (as amended).
- 1.2 This is the first screening assessment that has been carried out for the Coldean Neighbourhood Plan. This assessment is based on a draft version of the Coldean Neighbourhood Plan which was submitted to the council in March 2024. More details on this are provided in Section 3.
- 1.3 The legislative background set out in Section 2 outlines the regulations that require the need for this screening exercise. Section 3 provides further details on the contents and area included within the Coldean Neighbourhood Plan. Section 4 provides a screening assessment of the likelihood of significant environmental effects of the Neighbourhood Plan and forms the conclusion as to whether an SEA is required. This assessment also takes into consideration whether the Neighbourhood Plan will result in significant effects beyond those already identified within other local Development Plan Documents (DPDs), including the adopted City Plan Part One and Part Two which forms the 'parent' DPD to the Coldean Neighbourhood Plan.

## **2. Legislative Background and Neighbourhood Planning**

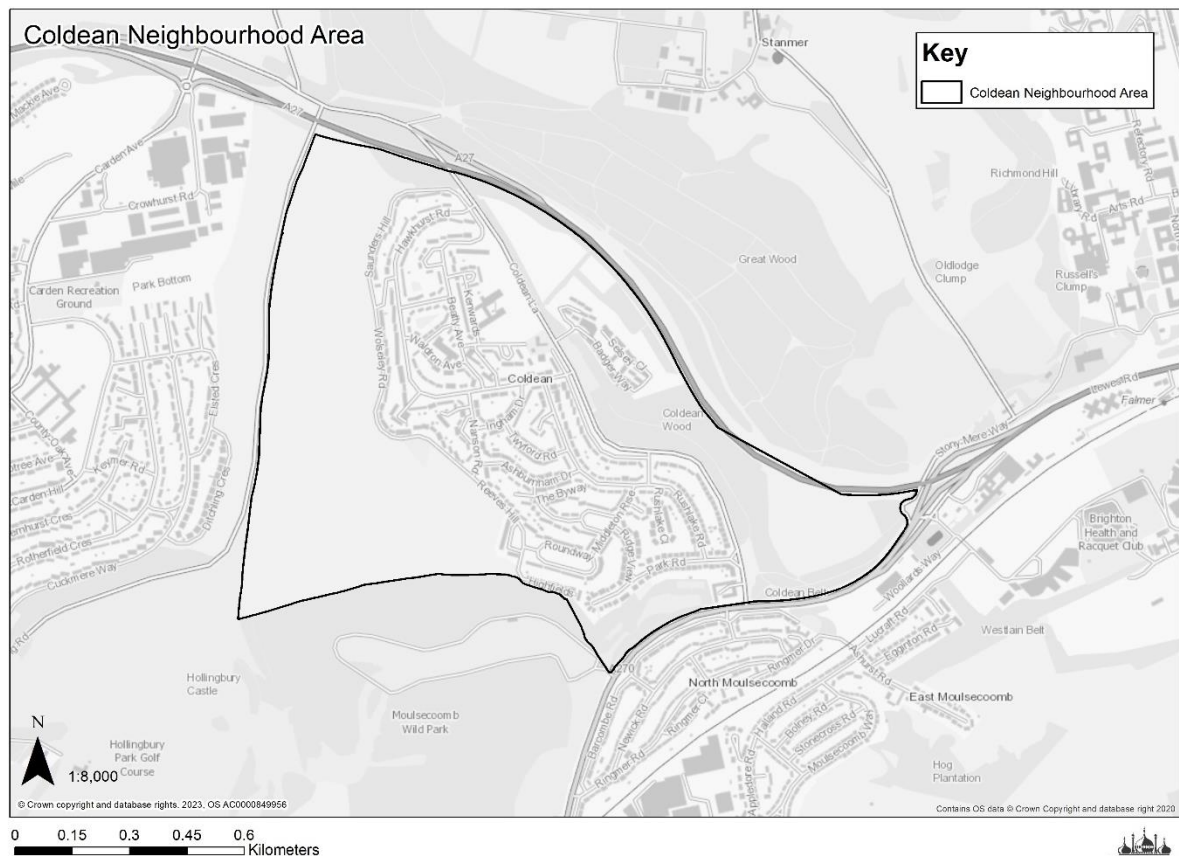
- 2.1 The Government has confirmed in its 'National Planning Practice Guidance' that Sustainability Appraisals are only required for development plan documents and do not apply in the case of Neighbourhood Plans. However, Neighbourhood Plans must not breach and must be otherwise compatible with EU and Human Rights obligations and other relevant regulations. Neighbourhood Plans therefore need to be considered against, for example, the Habitats and Strategic Environmental Assessment Directives and associated regulations.
- 2.2 Strategic Environmental Assessment (SEA) is required by EU Directive 2001/42/EC, to assess the effects of certain plans and programmes on the environment. This Directive was implemented in the United Kingdom in July 2004 with the adoption of the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 2.3 Neighbourhood Plans are not the type of plan that automatically require a Strategic Environmental Assessment. Whether or not a Neighbourhood Plan will need an environmental assessment will be subject to their scope and the issues they are seeking to address and will depend on whether the plan is determined as likely to have significant effects. Under Article 3(4) of the Directive, and Regulation 9 of the Regulations, the responsible authority (the city council) must determine which

plans, other than those for which an SEA is automatically required, are likely to have significant effects.

- 2.4 Both the Directive (in Annex II), and the Regulations (in Schedule 1), set out specific criteria for determining the likely significance of the effects of a plan. These criteria include the consideration of the characteristics of the plan and the effects of the plan.

### 3. Coldean Neighbourhood Plan

- 3.1 Coldean Neighbourhood Forum submitted its application to Brighton & Hove City Council for designation of its Neighbourhood Area and Neighbourhood Forum in August 2021. After a formal eight-week consultation, Brighton & Hove City Council Tourism, Equalities, Communities & Culture Committee resolved to support the Neighbourhood Area and Forum application on 25 November 2021. The area shown in the map below was designated as the Neighbourhood Area.



- 3.2 In March 2024, the Neighbourhood Forum presented a draft plan to the council and requested this be used for the basis of an SEA screening.
- 3.3 The Neighbourhood Plan presents a vision for Coldean which is: *“To remain a residential suburb of Brighton as a family friendly community with uninterrupted connection to Stanmer Park, the Wild Park and Highfields”*.

3.4 The main objectives of the Plan are:

- a) To preserve from development the existing green spaces in, and surrounding, the Neighbourhood Area.
- b) To preserve and encourage a variety of wildlife habitats in those areas.
- c) To encourage families to live in Coldean by reducing the number of HMOs.
- d) To improve the appearance of Coldean and thereby increase community identity.
- e) To work with other agencies to reduce crime and other anti-social behaviour.
- f) To encourage retail diversity by improving the appearance of Coldean.
- g) To increase accessibility to Green Open Spaces by traffic management and improve access to green spaces.

3.5 The Neighbourhood Plan will cover policy areas including: 'Housing and Development', 'Coldean Open Spaces', 'Community Resources', 'Traffic and Travel', 'Building & Design', 'Environmental Policies'. The Plan itself does not propose any site allocations for development.

3.6 Once adopted, the Coldean Neighbourhood Plan, in conjunction with other city-wide adopted planning policies, will be applicable to all planning applications for development consent and will guide planning decisions within the defined Coldean Neighbourhood Area.

## **4. Screening Assessment of the Neighbourhood Plan**

4.1 Brighton & Hove City Council, as the "Responsible Body", consider that the Coldean Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:

- a) is subject to preparation or adoption by an authority at national, regional, or local level (Regulation 2(1)(a)); and
- b) is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5(2)(a)&(b))

4.2 Regulation 5(6)(a) and NPPG Paragraph 027 confirms that an assessment should be carried out for a plan which determines the use of a small area at local level where it has been determined that significant environmental effects are likely.

4.3 A determination under Regulation 9 is therefore required as to whether the Neighbourhood Plan is likely to have significant effects on the environment.

4.4 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance

of effects on the environment: the characteristics of the plan and the characteristics of the effects. In making a determination, Brighton & Hove City Council will take into account these criteria as follows:

- 1) The characteristics of the plans and programs, having regard in particular to:
  - 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;
  - b) the degree to which the plan or programme influences other plans and programs including those in a hierarchy;
  - c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - d) environmental problems relevant to the plan or programme; and
  - e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programs 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:
  - (a) the probability, duration, frequency and reversibility of the effects;
  - (b) the cumulative nature of the effects;
  - (c) the transboundary nature of the effects;
  - (d) the risks to human health or the environment (for example, due to accidents);
  - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
  - (f) the value and vulnerability of the area likely to be affected due to—
    - (i) special natural characteristics or cultural heritage;
    - (ii) exceeded environmental quality standards or limit values; or
    - (iii) intensive land-use; and
  - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

## Assessment of the Characteristics of the Neighbourhood Plan

This stage of the screening considers the various characteristics of the Neighbourhood Plan, having regard for criteria (1a-1e) as set out in the SEA Regulations. This assessment also takes into consideration whether any significant effects are beyond those anticipated by the overarching adopted framework.

**Table 1 Characteristics of the Neighbourhood Plan**

Criteria	Response	Significant effect likely? Yes/No	If significant effect identified, is this beyond those anticipated by the overarching adopted policy framework? Yes/No
(1a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The Coldean Neighbourhood Plan (NP) will form part of the statutory development plan once adopted and will therefore exert a direct influence over development proposals coming forward in the Neighbourhood Area. The Coldean NP will have no influence on proposals outside the Neighbourhood Area.</p> <p>The Coldean NP is considered to be consistent and in general conformity with strategic policies in the adopted statutory DPD for the City, including the Brighton &amp; Hove City Plan Part One and Part Two. In addition, the Coldean NP is also considered to be in conformity with the strategic policies within the South Downs National Park Local Plan. The NP is not considered to set a framework. The NP itself does not allocate any sites for development and is therefore unlikely to generate physical changes which would lead to significant effects.</p>	No	No
(1b) the degree to which the plan or programme influences	The Coldean NP will not influence any higher-level plans and there will not be any plans that sit below it. The NP is therefore not considered to influence	No	No

other plans including those in a hierarchy;	other plans within a hierarchy. It is considered to be supportive of and in general conformity with other adopted plans.		
(1c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	The NP must be in general conformity with strategic policies in locally adopted plans and national planning policy, the NPPF. All plans have an obligation to deliver sustainable development. The Coldean NP will include policies which seek to manage the number of Houses in Multiple Occupation (HMOs), designate areas of local green space, identify community uses as Assets of Community Value (ACVs), improve traffic management, implement a Coldean Design Code, and protect and enhance biodiversity. It is considered to promote sustainable development.	No	No
(1d) environmental problems relevant to the plan;	<p>Listed below are the environmental features of relevance to the Neighbourhood Area (NA):</p> <p><u>Biodiversity, Geodiversity and Landscape</u></p> <ul style="list-style-type: none"> <li>• The South Downs National Park (SDNP) is located within the NA, but outside the main settlement boundary.</li> <li>• The Stanmer Park Local Geological Site (LGS<sup>1</sup>) is located in close proximity to the NA boundary, east of the A27 road.</li> <li>• There is one Local Wildlife Site (LWS) within the NA boundary: BH87 Land at Coldean Lane.</li> <li>• There is one Local Nature Reserve (LNR) which partially falls within the NA boundary: Wild Park</li> </ul> <p><u>Flood Risk</u></p> <ul style="list-style-type: none"> <li>• The Coldean NA is wholly within Flood Zone 1.</li> <li>• The Strategic Flood Risk Assessment (SFRA) (2018) identifies Coldean Lane as a road within the NA boundary particularly at risk of surface water flooding.</li> </ul>	No	No

<sup>1</sup> LGS formerly known as RIGS – Regionally Important Geological Sites



	<p><u>Built Heritage</u></p> <ul style="list-style-type: none"> <li>• There are no Conservation Areas within the NA boundary.</li> <li>• There are no listed buildings within the NA boundary.</li> <li>• Stanmer Park is a Grade II registered park and garden which partially falls within the NA boundary.</li> </ul> <p>Most policies within the Coldean NP are focused on the acceptability of future development proposals and are unlikely to have any potential for significant adverse effects on any of the above features or issues. Several policies within the NP seek to address such issues including protecting and enhancing biodiversity, safeguarding local green space, and promoting well-designed development within the settlement boundary.</p> <p>The NP itself does not allocate any specific sites for development and is therefore unlikely to generate physical changes which would lead to significant effects. It should be noted that there are two urban fringe sites allocated by City Plan Part Two which are located within the NA boundary. The principle of development of these site allocations have already been established in City Plan Part Two. This has been subject to its own Strategic Environmental Assessment/Sustainability Appraisal and the suitability of development is therefore not a consideration for this SEA screening.</p> <p>Overarching and strategic policies within the City Plan Part One and Part Two, particularly those relating to biodiversity, geodiversity, flood risk, transport and travel, design, and landscape, townscape and heritage would also be a determining factor for development coming forward in the Neighbourhood Area, as would relevant similar policies in the South Downs National Park Local Plan.</p>		
(1e) the relevance of the plan for the implementation of	The EU has adopted a range of legislation aimed at protecting the environment which has been transposed into UK law.	No	No

community legislation on the environment	The Coldean NP will be in compliance and conformity with the Brighton & Hove City Plan which has already taken account of the existing European and National legislative framework for environmental protection. It should therefore have either a neutral or positive effect on compliance.		
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## Assessment of the Effects of the Plan

This stage of the screening assesses the possible effects of the Neighbourhood Plan against the criteria (2a-2g) as set out in the SEA Regulations. These criteria are used to determine the significance of the effects. This assessment also takes into consideration whether any significant effects are beyond that anticipated by the overarching adopted framework.

**Table 2: Effects of the Neighbourhood Plan**

Criteria	Response	Is this likely to result in a significant effect? Yes/No	Is there a significant effect beyond that anticipated by the overarching adopted policy framework? Yes/No
(2a) What are the probability, duration, frequency and reversibility of the effects of the plan?	<p>The majority of the policies are focused on the acceptability of future development proposals. The Neighbourhood Plan is likely to have a modest but enduring positive environmental effect, particularly through policies on design, enhancing public transport and active travel, proposed Local Green Space designations, and enhancing biodiversity.</p> <p>The likelihood of significant adverse effects arising from the NP is therefore considered to be low.</p>	No	No
(2b) What is the cumulative nature of the effects of the plan?	<p>Cumulative impacts are those that may arise from development coming forward within the plan or wider area that isn't identified or allocated within the Coldean NP, in combination with the impacts arising from the NP.</p> <p>City Plan Part Two allocates two urban fringe sites for residential development which are located within the NA boundary: Land to the northeast of Coldean Lane, and Land</p>	No	No

	<p>north of Varley Halls. City Plan Part One and Part Two have been subject to their own Strategic Environmental Assessment/Sustainability Appraisal and the policy framework is considered to address any risk of significant cumulative impacts. Any cumulative effects of the plans are considered to be limited in nature and not significant due to the nature of the policies being put forward in the NP, particularly the fact that the Coldean NP does not allocate any additional sites for development.</p> <p>Cumulative impacts can also arise from the in-combination effects from the various policies within the Coldean NA. The cumulative nature of the policies in the NP are considered positive overall. Significant adverse cumulative effects are considered unlikely.</p>		
(2c) What is the trans-boundary nature of the effects of the plan?	The majority of the policies in the NP are focused on acceptability of future development proposals and the probability of any transboundary impacts arising from these policies is considered to be low and not significant in nature. The Coldean NP will only have a direct influence on development within the NA, and although some of the effects could be wider, for example, visual effects on South Downs National Park, these are not considered to be significant in nature due to the nature of the policies within the NP.	No	No
(2d) Are there any risks to human health or the environment (e.g., due to accidents)?	There are not considered to be any risks to human health arising from the policies put forward in the Coldean NP.	No	No
(2e) What is the magnitude and spatial extent of the effects (i.e., geographical area and size of population likely to be affected) of the plan?	The Coldan NA covers an area of approximately 120 hectares, with a population of 2,993 according to the 2021 Census. The spatial extent of the NP is therefore considered to be relatively small. The magnitude of any effects is considered to be relatively low, due to the nature of the policies in the NP which are concerned more with the acceptability of future development proposals.	No	No

<p>(2f) Is the value and vulnerability of the area to which the plan or programme relates likely to be affected by the plan or programmes due to:</p> <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage,</li> <li>• Exceeded environmental quality standards or limit values, or</li> <li>• Intensive Land use?</li> </ul>	<p>There are a number of valued/vulnerable environmental receptors/issues are situated within or in close proximity to the Neighbourhood Area:</p> <p><u>Special characteristic and cultural heritage:</u></p> <ul style="list-style-type: none"> <li>• The South Downs National Park (SDNP) is a highly valued landscape.</li> <li>• The Wild Park LNR and Land at Coldean Lane LWS have high biodiversity value.</li> <li>• The Stanmer Park Local Geological Site LGS has high geological value.</li> <li>• Stanmer Park is a Grade II registered park and garden which partially falls within the NA boundary has high cultural heritage value.</li> </ul> <p><u>Exceeded environmental limits:</u> There are no known exceeded environmental limits.</p> <p>These vulnerable or valued assets and issues are unlikely to be significantly affected by the policies in the NP, due to the matters they are seeking to address and the nature and content of the policies.</p>	No	No
<p>(2g) Will the plan have an effect on areas or landscapes, which have a recognised national, community or international protection status?</p>	<p>As described under 2f, the Neighbourhood Area includes land that is within the South Downs National Park. Coldean is likely to be visible in views from various points within the SDNP. The National Park designation offers a high level of protection.</p> <p>Any proposals coming forward in the built-up area within the NA must have regard to the impact on the National Park, in particular the purposes of the National Park and the ability of the SDNPA to deliver its duty; this is required through Policy SA5 South Downs National Park in City Plan Part One. Any proposals coming forward outside the built-up area and wholly within the South Down National Park would have to meet the policy requirements of the South Downs National Park Local Plan which sets out strong protection for the landscape.</p>	No	No

	The focus of the policies within the Coldean NP are on the acceptability of future development proposals which means the potential for significant adverse impacts on the SDNP is considered unlikely.		
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## **5. Summary of initial findings from Screening Assessment**

5.1 The consideration of the draft Coldean NP and the criteria set out in the Regulations helps to determine whether the characteristics and effects of the Coldean NP are likely to be significant. The assessment considers it unlikely that the Coldean NP will result in significant adverse effects as:

- The Coldean NP sits within an existing adopted planning framework that has already been subject to its own SEA during preparation of City Plan Part One and Part Two for the area within the neighbourhood boundary that sits within the built-up area, and the South Downs National Park Local Plan for the area that sits within the South Downs National Park. The Plan does not create a new framework.
- The Coldean NP is considered to be in general conformity with other Development Plan Documents and does not influence other plans within the planning hierarchy.
- The Coldean NP is considered to support sustainable development.
- The Coldean NP does not allocate any sites for new development; the scale and effects of the Coldean NP are therefore limited.
- The principle and impacts of the two urban fringe sites allocated by City Plan Part Two which are within the Neighbourhood Area have already been tested through the SA/SEA of City Plan Part Two.
- The geographic extent of any effects arising from the Coldean NP is limited and the magnitude of effects is low.
- The policies are primarily focused on the acceptability of future development proposals.
- The Coldean NP is unlikely to result in any significant cumulative or transboundary effects.

## **6. Consultation and final determination**

- 6.1 On the basis of this screening assessment, significant adverse effects arising from the draft Coldean Neighbourhood Plan are considered unlikely. As such, it is the Council's opinion that an SEA is **not** required.
- 6.2 The results of the screening assessment were made available to the three statutory bodies, Historic England, Natural England, and the Environment Agency, for a period of 5 weeks from 14<sup>th</sup> March to 25<sup>th</sup> April 2024, as required by the Regulations.
- 6.3 Responses were received from Historic England and Natural England who concurred with the conclusion that the Neighbourhood Plan was unlikely to give rise to significant adverse effects and that an SEA is **not** required. No consultation response was provided by the Environment Agency.

6.4 As part of the Neighbourhood Area falls within the South Downs National Park, the Park Authority were also consulted, however no consultation response was provided.

6.5 **Full consultation responses can be found in the Appendix.**












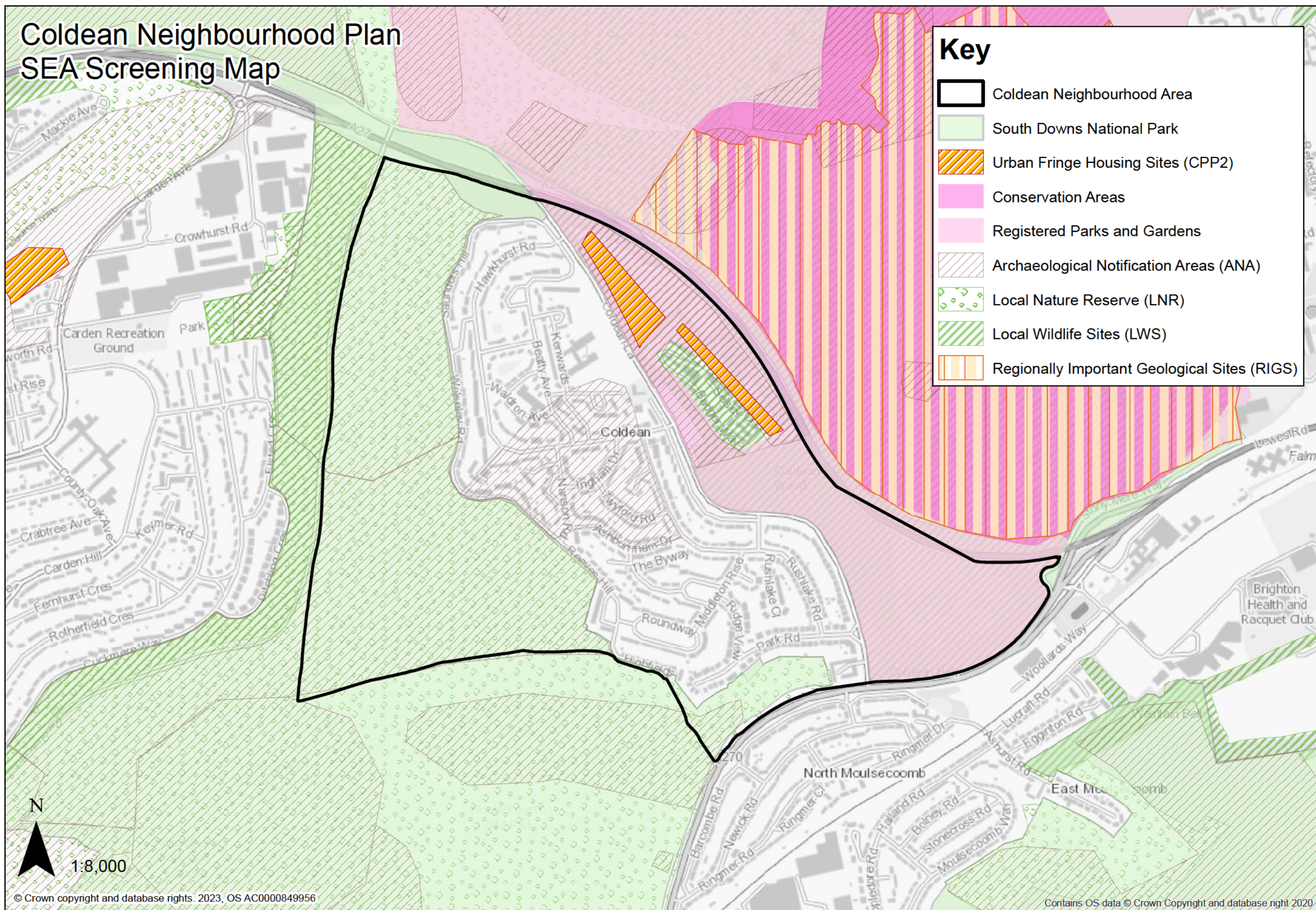
## **Appendix A: Map for SEA Screening**



# Coldean Neighbourhood Plan SEA Screening Map

## Key

-  Coldean Neighbourhood Area
-  South Downs National Park
-  Urban Fringe Housing Sites (CPP2)
-  Conservation Areas
-  Registered Parks and Gardens
-  Archaeological Notification Areas (ANA)
-  Local Nature Reserve (LNR)
-  Local Wildlife Sites (LWS)
-  Regionally Important Geological Sites (RIGS)



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# **Annex 1: Consideration of HRA screenings of relevance to the Coldean Neighbourhood Plan**

**March 2024**

## **1. Introduction**

- 1.1 All planning documents are required to consider whether they will have a significant adverse effect on the integrity of internationally designated sites of nature conservation importance including “European sites” which are designated within the local and wider area. This consideration is undertaken through a process known as Habitats Regulations Assessment (HRA) which is a requirement of the Conservation of Habitats and Species Regulations (2010) (the Habitats Regulations).
- 1.2 European sites provide important habitats for rare, endangered, or vulnerable natural habitats and species of exceptional importance. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)) and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)).
- 1.3 Government policy, National Planning Policy Framework (NPPF, 2023) and Circular 06/05 (ODPM, 2005) requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
- 1.4 There are two stages of HRA; the screening which determines the likelihood of significant effects; and a full HRA which is only undertaken if the screening indicates that significant effects are likely or cannot be discounted at screening stage. Where a full HRA is carried out, a plan may only be adopted after having ascertained that it will not have significant adverse effects on the integrity of the site concerned.

## **2. Purpose of this report**

- 2.1 This assessment has been undertaken to identify whether any European sites exist within or in proximity to the Neighbourhood Area which could potentially be affected by any policies within the Neighbourhood Plan.
- 2.2 This assessment draws on the conclusions of relevant HRA screening and detailed assessment reports that have already been undertaken for the Brighton & Hove City Plan area, which includes the Coldean Neighbourhood Area. Its purpose is

therefore to summarise these reports and consider whether the existing HRAs are sufficient to assess the effects of the Coldean Neighbourhood Plan, or whether the Neighbourhood Plan should carry out its own HRA screening and assessment.

### **3. Local European Sites**

- 3.1 The Castle Hill SAC lies partly within the city's boundary and partly within Lewes District Council's boundary, although is located entirely within the South Downs National Park Authority Area. There are no Special Protection Areas or Ramsar sites within the city's boundary. There are also some European sites within 20km of the city including Lewes Downs SAC, Ashdown Forest SAC/SPA and Arun Valley SPA.
- 3.2 The Castle Hill SAC designation relates to the presence of chalk grassland and some rare and scarce species; the Lewes Down designation also relates to the presence of chalk grassland and some rare and scarce species; the Ashdown Forest designation is due to the largest single continuous blocks of lowland heath in the southeast; and the Arun Valley designation is due to the wintering population of tundra swans.
- 3.3 There are no SACs or SPAs located within the Coldean Neighbourhood Plan area. The Castle Hill SAC is in closest proximity to the Neighbourhood Area, located approximately 3km from the boundary. The South Downs National Park covers land outside the main settlement boundary, but within the Neighbourhood Area.

### **4. Coldean Neighbourhood Plan**

- 4.1 The Coldean NP does not allocate any sites for housing or any other uses. The policies are focused on managing the number of Houses in Multiple Occupation (HMOs), designating areas of local green space, identifying community uses as Assets of Community Value (ACVs), improving traffic management, implementing a Coldean Design Code, and protecting and enhancing biodiversity.

### **5. Brighton & Hove City Plan Part 1 – HRA screening**

- 5.1 An [HRA screening<sup>2</sup>](#) was undertaken on the City Plan Part One at various stages of its development, with the most recent at Proposed Modification stage 2014, relating to the adopted City Plan Part One (2016). This assessed the potential for impacts of all City Plan Part One policies on the Castle Hill SAC and on European sites outside the city including Lewes Downs SAC, Ashdown Forest SAC & SPA and Arun Valley SPA.

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<sup>2</sup> Brighton & Hove Submission City Plan Part 1 – Proposed Modifications July 2014 Updated Appropriate Assessment Report

- 5.2 The screening included an initial assessment of the potential for environmental impacts resulting from each policy that needed to be considered by the HRA screening.
- 5.3 The adopted City Plan sets out a minimum housing target of 13,200 dwellings to be delivered over the plan period, as well as other quantum of development. The HRA screening assessed the likely impacts of the proposed amounts of development set out in the City Plan and concluded that the possible impacts amount to water abstraction, air pollution and recreational pressure. Of these:
- *Water abstraction would not have a significant effect on any European site because there are no such sites which are vulnerable to water abstraction within the water catchment area of Brighton and Hove.*
  - *Despite policies which promote travel choice and minimise air pollution, it is still possible that air pollution may worsen as a result of the City Plan Part One. However localised air pollution of this nature would not have a significant effect on any European site, according to Natural England advice.*
  - *Recreational pressure on downland in the vicinity of Brighton and Hove may increase as a consequence of the City Plan Part One. However only one of the European sites assessed is vulnerable to recreational pressure (Ashdown Forest) and studies elsewhere have shown that this site is far enough away from Brighton and Hove to safely conclude that there would be no significant recreational impact on it as a result of the City Plan Part One.*
- 5.4 Therefore, the HRA screening on the City Plan Part One discounted all possible significant impacts that would affect the designations of the SACs or SPA and therefore did not progress to a full Habitats Regulations Assessment (Appropriate Assessment).
- 6. Brighton & Hove City Plan Part 2 – HRA screening and assessment**
- 6.1 During the preparation of City Plan Part Two, an updated [Habitats Regulations screening](#)<sup>3</sup> was undertaken to reconsider the effects of the growth associated with the entire City Plan Part One, in combination with growth anticipated from other areas, as well as effects arising from City Plan Part Two. This screening assessment discounted the likelihood of significant effects on Castle Hill, Lewes Downs, Arun Valley and Pevensey Levels European sites.
- 6.2 However the screening could not discount the likelihood of significant adverse effects of the Plan on the Ashdown Forest SAC/SPA, therefore a [detailed assessment](#)<sup>4</sup> of air quality impacts (Appropriate Assessment) on Ashdown Forest

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<sup>3</sup> Brighton & Hove City Plan Part 2 HRA: Test of Likely Significant Effects (June 2018)

<sup>4</sup> Brighton & Hove City Plan Part 2 Ashdown Forest Air Quality Impact Assessment (2018)

was undertaken. This involved modelling the potential impact of traffic flows and vehicle exhaust emissions associated with planned development in Brighton & Hove in combination with neighbouring local authorities on the Ashdown Forest SAC. The model covered the period to 2033 and therefore allowed for a higher amount of housing than the City Plan target<sup>5</sup>. The analysis concluded that the expected growth in Brighton and Hove to 2033 (as identified in the adopted City Plan Part One and City Plan Part Two) makes virtually no contribution to changes in ammonia concentrations, NOx concentrations or nitrogen deposition within Ashdown Forest SAC.

- 6.3 The detailed assessment confirmed that growth resulting from City Plan Part One and City Plan Part Two, with an increased trajectory to 2033, would not result in adverse effects that would affect the integrity of the Ashdown Forest SAC/SPA, either alone or in combination with growth from other areas.

## **7. Conclusion**

- 7.1 The updated HRA screening and detailed assessments, undertaken on the City Plan Part Two, considered the impacts of a greater amount of housing than set in the City Plan Part One on local European sites. As the Coldean Neighbourhood Plan does not allocate any sites, it is therefore concluded that the existing HRA assessments are considered to cover the impacts of the Neighbourhood Plan and that it does not require its own individual Habitats Regulations screening assessment or further detailed assessment.
- 7.2 This HRA statement was circulated to Natural England for information.

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<sup>5</sup> The City Plan housing target set out in Policy CP1 is to deliver at least 13,200 new homes over the period 2010-2030. The model assessed traffic growth to 2033 from a base date of 2017, assuming delivery of 11,845 dwellings and 111,500 sqm employment floorspace in Brighton & Hove over the period 2017-2033. In addition, 3,000 net dwellings were already built in Brighton & Hove between 2010-2017 which will already be included within the traffic data for the baseline year (2017).

## **Appendix B: Map for Habitats Regulations Assessment**

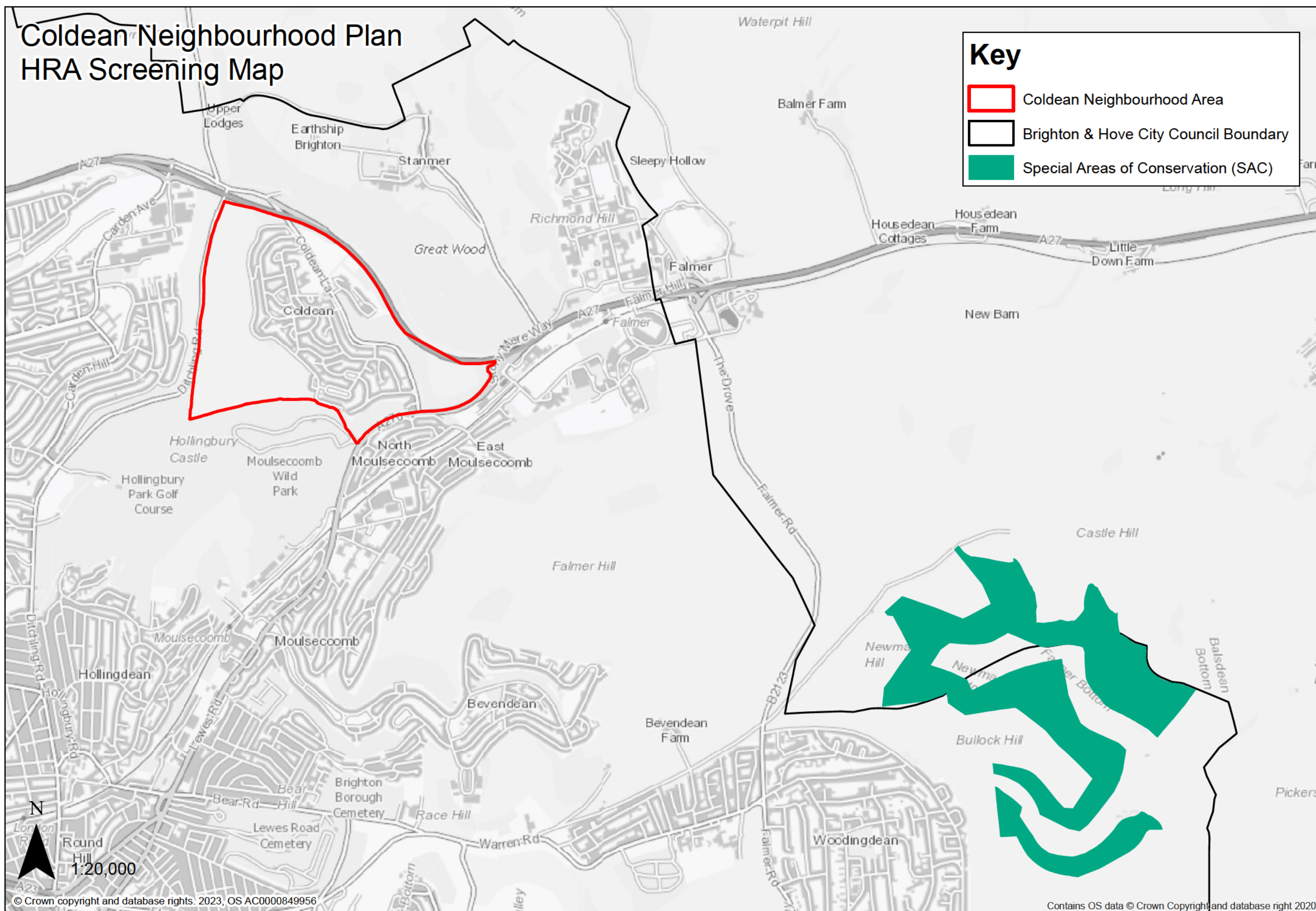
# Coldean Neighbourhood Plan HRA Screening Map

Key

Coldean Neighbourhood Area

Brighton & Hove City Council Boundary

Special Areas of Conservation (SAC)



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## **Appendix C: Consultation responses**



Historic England

By email only to: [Tim.Emery@brighton-hove.gov.uk](mailto:Tim.Emery@brighton-hove.gov.uk)

Our ref: PL00795477

Your ref: Coldean Neighbourhood Plan SEA

Main: 020 7973 3700

[e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)



Date: 29/04/2024

To whom it may concern

## Coldean Neighbourhood Plan SEA Screening Opinion

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Neighbourhood Plan ) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied.

The information supplied indicates that the plan will not have any significant effects on the historic environment. We note there are no site allocations.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.





Historic England

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, via email if you have any queries.

Yours sincerely

[Redacted Signature]

Historic Places Adviser



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Date: 23 April 2024  
Our ref: 469753  
Your ref: Coldean Neighbourhood Plan



Mr Tim Emery  
Brighton & Hove City Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

[Tim.Emery@brighton-hove.gov.uk](mailto:Tim.Emery@brighton-hove.gov.uk)

T 0300 060 3900

Dear Mr Emery

**Coldean Neighbourhood Plan - SEA Screening Consultation**

Thank you for your consultation on the above dated and received by Natural England on 14 March 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Screening Request: Strategic Environmental Assessment (SEA)**

**It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection area (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in

Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely



Consultations Team