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# Strategic Environmental Assessment Screening Opinion

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Matterdale Neighbourhood  
Plan

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March 2015

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# **Strategic Environmental Assessment Screening Opinion**

## **Introduction**

This screening report is designed to test whether or not the Matterdale Neighbourhood Plan requires a Strategic Environmental Assessment. The exercise tests whether there are likely to be significant environmental effects arising from the policies in the draft neighbourhood plan.

An environmental assessment is a requirement of The Environmental Assessment of Plans and Programmes Regulations 2004.

The Authority undertook an assessment of the policies in the Pre-Submission draft, which contained the main land-use principles to be included in the final plan. Comments were invited from the relevant consultation bodies, and the assessment has been refined following comments from Natural England and the Environment Agency.

## **What is the scope of the Plan?**

The Neighbourhood Plan sets the local planning policy framework for Matterdale Parish. When the Plan is 'adopted' by the local planning authority, it will become part of the Development Plan for the Lake District National Park and will be used in the decision making process for assessing planning applications within Matterdale Parish, where relevant.

## **What is the Vision of the Plan?**

Our Vision is to retain the distinctive character of Matterdale Parish as a sustainable community within a protected and valuable landscape. We will accomplish this by enhancing the existing planning policies within the 2010 Lake District Core Strategy / Local Plan with additional policies aimed at:

- Allowing limited but necessary new housing for local people
- Supporting the provision of affordable housing where possible
- Reinstating the existing non-nuclear pattern of development
- Supporting working people to live in the parish
- Supporting new micro businesses
- Protecting and enhancing the landscape and cultural heritage

## **What are the themes considered by the Plan?**

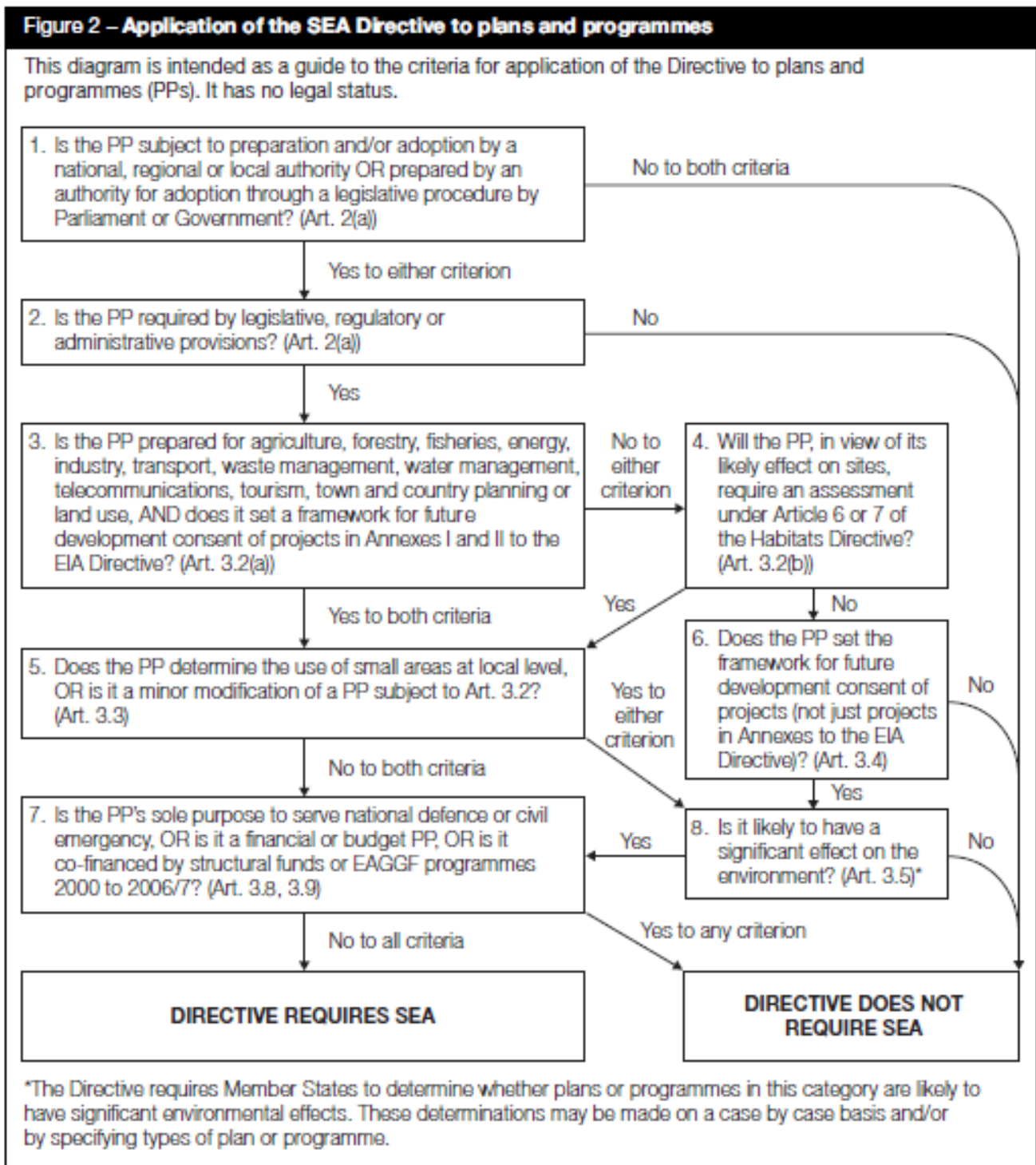
- Housing including housing to support enterprises
- Employment
- Tourism
- Heritage and Environment

## **What is the outcome of Screening?**

The neighbourhood plan area contains a variety of designated sites that may be affected by the policies in plan, but in our opinion the extent of these affects can only feasibly be fully determined at the point of application. The draft policies do not themselves guarantee development, nor does it propose identifiable locations where development is specifically sought; they provide a framework from which a judgement is made on whether the development proposal is acceptable. The strategic policies in the Core Strategy (CS25, CS26) along with the draft policies in the neighbourhood plan (MNP10) seek to avoid environmental impacts on the most sensitive areas within the Parish.

With this in mind, we do not consider it necessary to carry out a full Strategic Environmental Assessment on the draft neighbourhood plan. This determination follows a methodological assessment carried out having regard to the SEA Directive and Schedule 1 and 2 of the Environmental Assessment of Plans and Programmes Regulations 2004.

The diagram below - extracted from the 'A Practical Guide to the Strategic Environmental Assessment Directive (2005)' - illustrates the process for screening a planning document to ascertain whether a full SEA is required



**Does the Matterdale Neighbourhood Plan require a full Strategic Environmental Assessment? The list of questions below follows the screening process set out in Figure 2 above.**

- 1. Is the plan or programme (PP) 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))**

Yes. The draft Matterdale Neighbourhood Plan is prepared by a qualifying body – namely Matterdale Neighbourhood Plan working group with support and advice from the local planning authority and a planning consultant. The legislative procedure is set out in ‘The Neighbourhood Planning (General) Regulations 2012’.

- 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))**

Communities are encouraged rather than required to develop a Neighbourhood Plan. If a community chooses to develop a neighbourhood plan, there are ‘provisions’ in place that require the neighbourhood plan to be prepared in a formal way.

- 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 PP is prepared for town and country planning or land use, but it does NOT set a framework for future development consent of projects in Annexes I and II of the EIA Directive.

- 4. Will the PP, in view of its likely effects on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))**

No.

- 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)**

Yes. The Neighbourhood Plan sets out policies which support small scale housing schemes and new micro business.

- 8. Is it likely to have a significant effect on the environment? (Art. 3.5)**

No.

### **Conclusion**

The draft Matterdale Neighbourhood Plan does not require a full SEA to be undertaken.

## **Criteria for determining the likely significance of effects on the environment**

(Schedule 1: The Environmental Assessment of Plans and Programmes Regulations 2004)

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;**

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area through locally distinct planning policies. The Matterdale Neighbourhood Plan provides additional guidance on location, nature and size of development and considers the following themes:

- a. Housing including housing to support enterprises
- b. Employment
- c. Tourism
- d. Heritage and Environment

- **The degree to which the plan or programme influences other plans and programmes including those in a hierarchy**

A neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is made (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

- **The relevance of the plan and programme for the integration of environmental considerations in particular with a view to promoting sustainable development**

The Matterdale Neighbourhood Plan is in general conformity with the strategic policies of the Core Strategy (Local Plan Part One), which aims to achieve sustainable development and conserve and enhance the special qualities of the Lake District. The draft policies in the neighbourhood plan complement this aim by promoting sustainable development that retains the distinctive character of Matterdale Parish.

- **Environmental problems relevant to the plan or programme**

The neighbourhood plan area falls entirely within the Lake District National Park. This is a nationally important landscape and is considered as part of the neighbourhood plan. It aims to protect and enhance the landscape and cultural heritage. It also acknowledges the pressure associated with tourism related development and the potential this has to undermine the special qualities of the Lake District and the locally distinctive qualities of Matterdale parish. However there are other internationally, nationally and locally designated sites that are found within the boundary of the neighbourhood plan that have not been referenced, see Table 1. An impact risk has been identified by Natural England for any rural, remote housing developments needing their own water supply with 1km and any development within 50m of a nature conservation site. It is acknowledged that the extent of these affects can only feasibly be fully determined at the point of application, because the draft policies themselves do not guarantee development.

- **The relevance of the plan or programme for the implementation of Community legislation on the environment (such as, plans and programmes linked to waste management or water protection)**

The Neighbourhood Plan is prepared for town and country planning and land use. It does not introduce additional environmental criteria not already covered by the NPPF and associated technical guidance.

**Table 1: Designated sites in Matterdale Parish**

<b>Sites of Special Scientific Interest (SSSIs)</b>
Thornsgill Beck, Mosedale Beck and Wold Craggs
River Derwent and Tributaries SSSI
Blackdike Bog SSSI
Little Mell Fell Quarry SSSI
River Eden and Tributaries SSSI
Gowbarrow Park SSSI
<b>Local Wildlife Sites</b>
Gillhead Meadows
Troutbeck Station Embankment
Gillsrow Meadow
Highgate Grassland
Binks Moss
Matterdale Mosses
Dowthwaite Head Grassland
Dowthwaite Grassland
Aira Beck Grassland
Glencoyne Beck Wood
Spring How Wood
Glencoyne Park
Aira Force
Aira Point
Parkhouse Gill Wood (Ullswater)
Birk Crag Wood
Knotts Hill Wood
Watermillock Meadow
Heskett Wood

**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;**

Matterdale Parish is within the Lake District National Park – a protected landscape. National Parks are characterised by special qualities which distinguish them from each other and from other parts of the country. It is essential that they are given the highest level of protection so as not to compromise their integrity and value.

The strategic approach to the conservation and enhancement of the special qualities of the Lake District National Park is articulated in Core Strategy Policy CS01: National significance and distinctive nature of the National Park. These special qualities are prevalent in Matterdale Parish, and the draft neighbourhood plan acknowledges these special qualities and those particular to Matterdale Parish. MNP10 – Environment expects all development proposals to conserve and enhance these special qualities.

**b. The cumulative nature of the effects;**

The neighbourhood plan expects all new development proposals to conserve and enhance the special qualities of the Lake District and those of Matterdale Parish. It seeks to facilitate small scale development which will not have significant detrimental effects on factors such as climate change, air water and soil quality. There should be no negative cumulative effects on the environment as a consequence of the draft policies.

**c. The transboundary nature of the effects;**

The neighbourhood plan establishes locally distinct development policies for Matterdale Parish. Transboundary effects will be minimal.

**d. The risks to human health or the environment (such as due to accidents)**

The draft policies do not provide unacceptable risks to human health or the environment. The vision of the plan is to retain a sustainable community within a protected and valuable landscape. The draft policies seek to create the conditions to improve health by providing opportunities for small scale housing development for local people alongside employment opportunities neither of which have a detrimental effect on the landscape.

**e. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);**

Matterdale Parish covers an area of 6,539ha and has a resident population of 483 (Census 2011).

**f. The value and vulnerability of the area likely to be affected due to**

- a. Special natural characteristics or cultural heritage;**
- b. Exceeded environmental quality standards or limit values; or**
- c. Intensive land-use;**

The draft policies will not create conditions for intensive land-use. Development likely to have a detrimental effect on heritage assets will be refused, and all development is expected to conserve and enhance the special qualities of the Lake District and those of Matterdale Parish in particular.

**g. The effects on areas or landscapes which have a recognised national, Community or international protection status**

The Designated Area is entirely within the Lake District National Park, where great weight is given to conserving landscape and scenic beauty.

	Policy	Characteristics of the effects and of the area likely to be affected						
		a	b	c	d	e	f	g
1	<p><b>MNP1 – Housing Provision</b>  The Neighbourhood Plan will generally allow an average of 1 or 2 new dwellings per year within Matterdale Parish subject to the overall figure not being more than 25 dwellings up to 2030</p> <p>It is recognised however, that a higher figure may come forward and be permitted in the early years of the adoption of this policy as the latent demand for housing in Matterdale is met.</p>	x	x	x	x	x	x	x
2	<p><b>MNP2 – Local Needs Housing (Conversions, Reinstatements and Subdivisions)</b>  Local Needs Housing will be permitted where it meets any of the criteria in list A and all of the criteria in list B:  List A</p> <ol style="list-style-type: none"> <li>1. The reinstatement of a former dwelling including ruins</li> <li>2. The conversion of existing agricultural traditional (pre 1947) buildings</li> <li>3. The reuse of redundant traditional (pre 1947) buildings</li> <li>4. The subdivision of existing dwellings</li> </ol> <p>List B</p> <ol style="list-style-type: none"> <li>1. The proposal including any access tracks will not have a significant unacceptable impact on the landscape or visual amenity of the area</li> <li>2. All normal site planning requirements are met</li> <li>3. The renewable energy requirement of CS16 is increased to 50% provided, where necessary, through rebuilding/ redesign in energy efficient methods rather than preserving inefficient building techniques. This may involve demolition and rebuild</li> <li>4. The design is of high quality and sensitive to the cultural and environmental context of the proposal and the size of the dwelling is a consequence of the design process</li> </ol>	x	x	x	x	x	x	x
3	<p><b>MNP3 – Local Needs Housing (New build)</b>  New build Local Needs Houses may be permitted only where:</p> <ol style="list-style-type: none"> <li>1. an equivalent number of affordable Local Needs houses are delivered as part of the proposal. Provided the following criteria are met: <ul style="list-style-type: none"> <li>• The sites for both the Local Needs and Affordable Local Needs dwellings are acceptable to the Parish Council</li> <li>• A financial appraisal of the proposal shows it is viable within the terms of 173 of NPPF providing a site value for the Local Needs dwelling of £150,000 and £20,000 for the Affordable Local needs dwelling (indexed linked) is used</li> <li>• All other site planning requirements are met</li> </ul> </li> </ol>	x	x	x	x	x	x	x

	<p>Or</p> <p>2. The proposed dwelling meets all the following criteria:</p> <ul style="list-style-type: none"> <li>Limited to 125m2</li> <li>On the site of an existing building or forms an infill or rounding off of an existing group of buildings</li> <li>Is within close proximity to other housing</li> </ul> <p>Or</p> <p>3. Is within a 'cluster community' as defined within the LDNPA Core Strategy / Local Plan</p>							
4	<p><b>MNP4 – Housing for Employees</b></p> <p>Housing comprising hostel accommodation or 1 bedroom units will be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> <li>It is necessary for the sustainability or expansion of an established service or tourist business, and;</li> <li>The occupation of the housing is restricted by those people employed in the relevant business, and;</li> <li>All other site planning criteria are met</li> </ul>	X	X	X	X	X	X	X
5	<p><b>MNP5 – Housing on Farms</b></p> <p>Family owned established Farm Enterprises or Rural Businesses may have an additional dwelling that can be used by family members, holiday letting or renting to local people or workers. Applications for an additional house must be accompanied by justification for at least one of these forms of occupation. In addition it will be subject to a section 106 agreement which specifically restricts the occupation of the dwelling to the flexible forms of occupation that the policy intends together with a provision that in the event that the property is not used as part of the farm or rural business enterprise it shall only be occupied as affordable housing.</p> <p>In the case of farm enterprises operating from a tenant farm who need to manage a generational transition and build a property which they will own, the new dwelling need not be tied to the main farm holding but would become an agricultural workers dwelling after the tenancy has expired.</p> <p>The siting and design of such new housing will need careful consideration to allow both the flexibility that policy intends and also to ensure that there is no unacceptable impact upon the visual or landscape amenity of the area. The reuse of an existing building or a plot near the existing farmyard may prove an acceptable site.</p>	X	X	X	X	X	X	X
6	<p><b>MNP6</b></p> <p>The installation of dishes, masts, cabinets and associated equipment necessary for the delivery of a broadband services will be permitted where:</p> <ul style="list-style-type: none"> <li>It will assist in the delivery of a community or individually owned network, and</li> </ul>	X	X	X	X	X	X	X

	<ul style="list-style-type: none"> <li>It will not cause a significant unacceptable impact on the landscape or visual amenity of the area or where in that case of a significant impact, the permission is strictly time limited to five years.</li> </ul>							
7	<p><b>MNP7 – Micro business and live work support</b></p> <p>In addition to the support given in CS02, development proposals, including new build, which support or result in facilities for micro businesses such as starter units, business hubs, or home office facilities, will be supported. The reuse of redundant traditional buildings for business use in association with a local needs housing development (as set out in MNP2) as a live-work proposal would be particularly supported.</p>	x	x	x	x	x	x	x
8	<p><b>MNP9 – Caravan Parks</b></p> <p>No new caravan parks or further expansion of existing caravans (including replacing caravans with larger versions) will be permitted in Area B on Map 3 without significant increases in the screen planting and general landscaping which must be in place and established before new caravans may be occupied. These provisions will be secured through a s106 agreement in order to ensure that breaches in planning control can be enforced through injunction and without time limit.</p> <p>The existing screen planting shown on plans A, B, C [etc] at the following caravan sites is protected for its amenity value and no development will be permitted which results in a reduction in its ability to screen the caravan sites.</p> <p>List of caravan parks together with Inset plans...</p> <p>New caravan parks within Area A on Map 3 will be permitted provided that sufficient screen planting and general landscaping is provided and that no unacceptable adverse impacts to neighbours' amenity, visual amenity, landscape character, or the road network will result.</p> <p>The change of use from holiday use to permanent homes will not be permitted. The inclusion of new permanent homes within caravan parks will not be permitted.</p>	x	x	x	x	x	x	x
9	<p><b>MNP10 – Environment</b></p> <p>The conservation and enhancement of the special qualities of the Lake District and the special qualities of Matterdale in particular will be respected in all development proposals.</p>	x	x	x	x	x	x	x
10	<p><b>MNP11 – Heritage</b></p> <p>Development that has a detrimental effect on designated heritage assets (conservation areas, listed buildings and scheduled ancient monuments) will be refused.</p>	x	x	x	x	x	x	x
11	<p><b>MNP12 – Parish consultations</b></p> <p>Pre-application discussions with the Parish Council may be helpful in overcoming any site specific issues. Where the Parish Council writes to the Park Authority citing this policy in support or in opposition to a particular proposal and citing material planning considerations, those matters should be given significant additional weight by the decision maker in any balancing exercise to be undertaken.</p>	x	x	x	x	x	x	x