



Strategic Environmental Assessment Screening Opinion

Torver Neighbourhood Plan

July 2015

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Introduction

This screening report is designed to test whether or not the Torver 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 has undertaken an assessment of the draft policies in the Pre-Submission draft, which contain the main land-use principles to be included in the final plan. Comments were invited from the consultation bodies, and the assessment was finalised following comments from Natural England, the Environment Agency and Historic England.

What is the scope of the Plan?

The Neighbourhood Plan sets the local planning policy framework for Torver 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 Torver Parish, where relevant.

What is the Vision of the Plan?

The Neighbourhood Plan seeks to protect those Special Qualities identified in the Core Strategy that exist within Torver Parish, namely

- Complex Geology
- Diverse Landscape
- Concentration of Common Land
- Unique Mosaic of Lakes, Tarns and Rivers
- Wealth of habitats and wildlife
- Extensive semi-natural woodland
- History of tourism and Outdoor Activities
- Opportunities for quiet enjoyment
- Open nature of the fells
- Rich archaeology
- Distinctive settlement character
- Celebrated social and cultural heritage

What are the themes considered by the Plan?

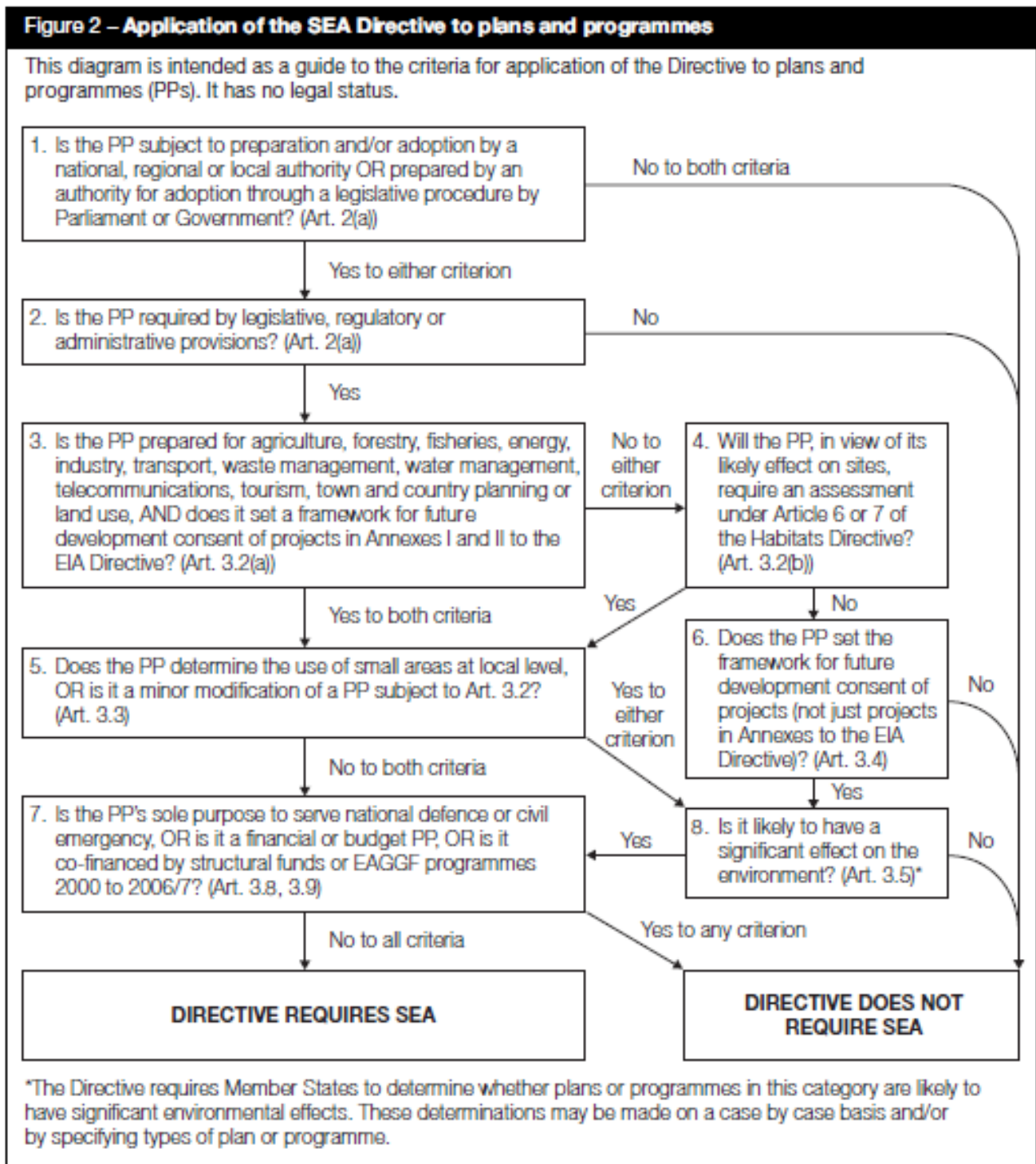
- Village Conservation and Enhancement
- Housing
- Employment
- Sustainable Transport
- Rights of Way
- Environment
- Small scale Renewable Energy Generation

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 policy in the neighbourhood plan (N1) 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 Torver 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 Torver Neighbourhood Plan is prepared by a qualifying body – namely Torver Parish Council with support and advice from the local planning authority. 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, new business opportunities and small scale renewable energy generation.
- 8. Is it likely to have a significant effect on the environment? (Art. 3.5)**
No.

Conclusion

The draft Torver 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. It does not allocated sites for specific development. The Torver Neighbourhood Plan provides additional guidance on location, nature and size of development and considers the following themes:

- a. Housing
- b. Employment
- c. Small scale renewable energy generation

- **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 Torver 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 Torver Parish.

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

The Torver Neighbourhood Plan area falls entirely within the Lake District National Park. This is a nationally important landscape and the Special Qualities of the National Park are considered as part of this plan. It aims to protect those Special Qualities which are prevalent within Torver Parish. In addition, the plan also identifies internationally, nationally and locally designated sites in Appendix 5 which are found within the boundary of the neighbourhood plan. The plan supports small scale development, particularly in relation to housing and employment. The types of environmental impact which could occur include, but are not restricted too, disturbance to landscape and biodiversity and consumption of energy and water, including abstraction. The extent of these effects 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 Torver Parish

Sites of Special Scientific Interest (SSSIs)
Torver Low Common
Ash Gill
Special Area of Conservation (SAC)
Torver Low Common
Local Wildlife Sites
Calf Close coppice
Coniston Water
Emlin Hall Heath
Hollace Field
Huntpot Dub
Kelly Hall Tarn
Long Moss Tarn
Lord's Wood
Moor Farm Grassland
Pool Close Wood
Sattery Lane Meadow
The Plattocks
Torver Common Wood
Wheel Bank Coppice

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;

Torver 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 Torver Parish, and the draft neighbourhood plan acknowledges these special qualities and those particular to Torver Parish. Policy N1 seeks to protect the Special Qualities and identified wildlife sites.

b. The cumulative nature of the effects;

At the heart of the neighbourhood plan is the principle to protect the Special Qualities of Torver Parish. The draft policies seek to facilitate small scale development and appropriate land uses which should not have significant detrimental effects on factors such as climate change, air quality 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 Torver 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 draft environment policies seek to protect the quiet enjoyment of the Special Qualities by residents and visitors, whilst the policies in the neighbourhood plan as a whole seek to support the aspirations of the community and protect the environment.

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

Torver Parish covers an area of 1543ha and has a resident population of approximately 140.

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 protect the Special Qualities of the Lake District and those of Torver 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	C1. The Torver Neighbourhood Plan will maintain the unspoilt, un-commercialised nature of the parish, which is its greatest asset, while seeking to enhance the appearance of the village and support the use and development of existing community facilities.	x	x	x	x	x	x	x
2	C2. The Torver Neighbourhood Plan will support means to enhance the appearance of the village centre, while maintaining the parish's beautiful landscape and tranquil, ecologically-rich, and irreplaceable environment.	x	x	x	x	x	x	x
3	C3. The Torver Neighbourhood Plan does not support development which will significantly increase motor traffic in residential areas of the village or on quiet lanes.	x	x	x	x	x	x	x
4	C5. The Torver Neighbourhood Plan will preserve the parking areas at Crook Corner, above and below Cragg Cottage, at Tommy Hoggus Hill and on the closed highway outside the Wilson Arms for community use and recreation (shown on map in Appendix 3 in red)	x	x	x	x	x	x	x
5	C6. The Church and Schoolroom are of particular importance; the Torver Neighbourhood Plan supports enhancements such as disabled access and expanded facilities at the Schoolroom.	x	x	x	x	x	x	x
6	C7. The Torver Neighbourhood Plan supports the provision of a play area in the village	x	x	x	x	x	x	x
7	C8 the Torver Neighbourhood Plan will support appropriate sites for recycling bin provision.	x	x	x	x	x	x	x
8	H1. Any further requirement for local need housing will be identified through the Parish Plan process; the next Parish Plan is scheduled for 2015	x	x	x	x	x	x	x
9	H2. Where there is evidence that more local need housing is required, the plan supports housing development which is well designed, proportionate to the size of Torver village and enhances its local distinctiveness and character.	x	x	x	x	x	x	x
10	H3. Any proposed developments will fit in with the architecture of existing vernacular housing stock, will be environmentally sustainable, will keep light pollution to a minimum and foul sewerage, will wherever reasonably possible, be linked into Torver's mains waste water treatment works	x	x	x	x	x	x	x
11	H4. The Torver Neighbourhood Plan recognises the need for urgent expansion of the United Utilities Waste Water Treatment Works and strongly supports any proposal to do so.	x	x	x	x	x	x	x
12	E1. The Torver Neighbourhood Plan encourages economic activity appropriate in scale and type, that is sustainable, does not degrade the environment (for example by excessive light and noise pollution), is of benefit to the community, and increases economic prosperity for the parish)	x	x	x	x	x	x	x
13	E3. The Torver Neighbourhood Plan supports proposals which enable people to work from home	x	x	x	x	x	x	x
14	E4. The Goods Yard is suitable for the provision of employment, any new buildings should be in keeping with the existing character and architecture of the village.	x	x	x	x	x	x	x
15	E5. The Torver Neighbourhood Plan supports the infrastructure required to provide expansion of the	x	x	x	x	x	x	x

	broadband network.							
16	ST1. The Torver Neighbourhood Plan supports schemes to provide safe, off road routes for cyclists, horse riders and walkers, linking where possible to cycle routes to nearby service centres	x	x	x	x	x	x	x
17	ST2. The Torver Neighbourhood Plans supports improvements that encourage and facilitate use of public transport to and from the area including the boat services on Coniston Water.	x	x	x	x	x	x	x
18	R1. The Torver Neighbourhood Plan supports the extension of the Torver Trail south to the parish boundary. It is supported as a stand-alone project but it may, at some time in the future, be part of a longer Coniston to Foxfield route.	x	x	x	x	x	x	x
19	R2. The Torver Neighbourhood Plan also supports a roadside path from Crook Corner to the Schoolroom to provide safe passage along a narrow stretch of road with little or no verge along its length.	x	x	x	x	x	x	x
20	N1. The Torver Neighbourhood Plan does not support development proposals that are likely to be deleterious to the Special Qualities, identified Wildlife Sites, or tranquillity of the Parish, or are likely to interfere with the Quiet Enjoyment of those Special Qualities by residents or visitors.	x	x	x	x	x	x	x
21	N2. Torver Neighbourhood Plan supports the protection of Common Land in accordance with the Commons Act 2006.	x	x	x	x	x	x	x
22	N3. The Torver Neighbourhood Plan supports the maintenance of the Local Green Spaces in front of the Wilson's Arms and Kitchen Syke, as an area for the village activities (See Appendix 4.) The Highways Act 1980 would require extinguishment of Highway rights prior to any development.	x	x	x	x	x	x	x
23	N4. Except where specifically identified in other areas of the Neighbourhood Plan, any proposed developments should not expand into the green space surrounding the existing village centre in order to protect the integrity of the distinctive, un-commercialised, historic settlement pattern.	x	x	x	x	x	x	x
24	SSR1. The Torver Neighbourhood Plan supports proposals for the development of small scale renewable energy generation which do not have an adverse impact on the ecology, landscape or community.	x	x	x	x	x	x	x