

# Lazonby Neighbourhood Plan – Screening re: Strategic Environmental Assessment

Mr David Wright

14 January 2017

Head of Planning

Eden District Council

Town Hall

Penrith

Cumbria

CA11 7QF

Dear Sir

Lazonby Neighbourhood Plan – Screening re: Strategic Environmental Assessment

As Clerk to Lazonby Parish Council I am writing to you to formally request Eden District Council to provide a Screening Opinion on the need for the Lazonby Neighbourhood Plan to include a Strategic Environmental Assessment.

The Lazonby Neighbourhood Plan Steering Group have commissioned a professional Health Check and are currently working on the recommendations made by the Consultants in anticipation of formally submitting the draft Neighbourhood Plan to Eden District Council in the near future.

In respect of environmental matters, UK government guidelines on neighbourhood planning draw our attention to the following:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (referred to as the Strategic Environmental Assessment (SEA) Directive), incorporated into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the SEA Regulations). This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes, where they are likely to have a significant environmental impact. We do not believe that our plan will have such an impact, as its policies are essentially conservationist and aimed at gradual and sustainable development. Furthermore, a consultation response obtained from Natural England as part of a Consultation Exercise undertaken in January 2016 states that:

## **Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA)**

*The Map on Page 3 of the Lazonby Neighbourhood Plan Update: December 2015 identifies potential housing sites in close proximity to the River Eden Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).*

*SEA*

*If environmental effects are predicted a SEA screening exercise should be undertaken. A SEA may be required where:*

*- a neighbourhood plan allocates sites for development*

*- a neighbourhood plan contain sensitive natural assets that may be affected by the plan*

*- a neighbourhood plan may have significant effects that have not already been considered and dealt with in the Sustainability Appraisal for the Local Plan*

- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (referred to as the Environmental Impact Assessment (EIA) Directive). The guidelines note that it may be of relevance to Neighbourhood Development Orders however we believe it does not to relate to our draft Neighbourhood Plan.
- Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna, and Directive 2009/147/EC on the conservation of wild birds (referred to as the Habitats Regulations Assessment (HRA) Directive) which aim to protect and improve Europe's most important habitats and species. They may be of relevance to neighbourhood plans, but we are not aware of any related issues in the draft Lazonby Neighbourhood Plan.

The guidelines note that other European Directives such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft Neighbourhood Plan, but we are not aware of any such issues potentially arising from our proposed policies.

As a result of the Health Check carried out in December 2016, a number of amendments are currently being made to the plan. These do not affect the location, or extent of the site allocations, and are thus, immaterial to the screening opinion.

I attach to this letter the current draft Lazonby Neighbourhood Plan and I very much hope that it will be clear to Eden District Council, and to the statutory bodies whom you will consult on the matter, that these policies and intentions, as applied to the Lazonby Neighbourhood Plan Development Area, enable Eden District Council to give an unequivocal Opinion that a Strategic Environmental Assessment is not required.

If you have any concerns or questions about our request, then please do raise them as soon as possible. The Chair of the Lazonby Neighbourhood Plan Steering Group is Gordon Malcolm and his email address is:- [gordon@howemalcolm.co.uk](mailto:gordon@howemalcolm.co.uk)

I understand that it is normal for Screening Opinions to be given within five weeks of their being requested. I should be grateful for your confirmation that this timing can be met, so that we will have an opinion by the end of February.

Yours sincerely

Rebecca Wyatt  
Clerk to Lazonby Parish Council

Enc: draft Lazonby Neighbourhood Plan as at 14 January 2017