



Basingstoke  
and Deane

## **Neighbourhood Planning Screening Report – Burghclere**

**Final version following consideration  
by consultation bodies**

Strategic Environmental Impact  
Assessment

and

Habitats Regulations Assessment

**Basingstoke and Deane Borough Council**

**November 2018**

## Contents

1.	Non-technical Summary .....	3
2.	Introduction .....	5
3.	Generic Screening Assessment of Neighbourhood Plans.....	8
4.	Description of the Neighbourhood Plan.....	12
5.	SEA Screening Assessment .....	14
6.	HRA Screening Assessment.....	18
7.	Conclusions.....	30
	Appendix 1: Maps of Neighbourhood Plan Area showing environmental and heritage constraints.....	31
	Appendix 2: Details of European sites within 10km of Basingstoke and Deane Borough Council .....	33
	Appendix 3: Maps of European sites within 10km of Basingstoke and Deane Borough .....	43
	Appendix 4: Responses from consultation bodies .....	48

## 1. Non-technical Summary

- 1.1 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which may have a significant effect on the environment.
- 1.2 The purpose of a SEA is to provide a high level of protection for the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.3 The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. For example, if a plan proposes a housing development it may have an impact on the wildlife of the area or have an impact on landscape. If a significant effect is possible, the assessment requires the consideration of alternative options and for the evaluation of the potential effects on the environment.
- 1.4 To ascertain if a SEA is required, a “screening” exercise is undertaken which looks at the proposals and policies in a Neighbourhood Plan to see if a significant effect on the environment is likely. The criteria for making the screening assessment are set out in the relevant legislation.
- 1.5 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on what are termed ‘European sites’. In relation to the Basingstoke and Deane area the relevant European sites are a number of Special Protection Areas (SPA) and Special Areas of Conservation (SAC) outside of, but within 10km of the borough.
- 1.6 The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each European site within a reasonable distance of the Neighbourhood Plan Area. The next stage is to consider the potential impact of the proposals within the plan on any European sites which could be affected.

- 1.7 This report details the assessment of the emerging Burghclere Neighbourhood Plan against the need for a SEA and/or HRA to be produced to accompany the Neighbourhood Plan. It concludes that:
- a SEA is considered to be required to accompany the Burghclere Neighbourhood Plan; but that
  - the Plan would not need to be subject to a HRA.
- 1.8 The responses from the three statutory consultation bodies (the Environment Agency, Historic England and Natural England) can be found in Appendix 4 of this report.

## 2. Introduction

2.1 The Burghclere Neighbourhood Plan must comply with EU obligations. An important element of this requirement is that the borough council needs to determine whether the Neighbourhood Plan should be subject to a Strategic Environmental Impact Assessment (SEA) and/or Habitat Regulations Assessment (HRA). This is an important legal requirement and a screening process in relation to this legislation should form an integral part of the neighbourhood planning process as early as possible. The main consideration will be whether the Plan is likely to have significant environmental effects (in relation to SEA) or a significant effect on a European site (i.e. a site protected by the Habitats Directive).

### Strategic Environmental Assessment

2.2 The need for environmental assessment of Neighbourhood Plans stems from EU Directive 2001/42/EC – known as the SEA Directive. The SEA Directive applies to a wide range of public plans and programmes (e.g. on land use, transport, energy, waste, agriculture, etc. and includes those at the ‘local level’). The SEA Directive 2001 has been transposed into English law via The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPP).

2.3 As per the information set out in National Planning Practice Guidance, it will be necessary for the borough council to screen the proposed Neighbourhood Plan in order to determine whether the plans / programmes are likely to have significant environmental effects<sup>1</sup>. The

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<sup>1</sup> The National Planning Practice Guidance states the following:

#### **Does a neighbourhood plan require a strategic environmental assessment?**

In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of those regulations.

One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).

#### **What do you do if a neighbourhood plan is likely to have a significant environmental effect?**

Where a neighbourhood plan is likely to have a significant effect on the environment a strategic environmental assessment must be carried out and an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.

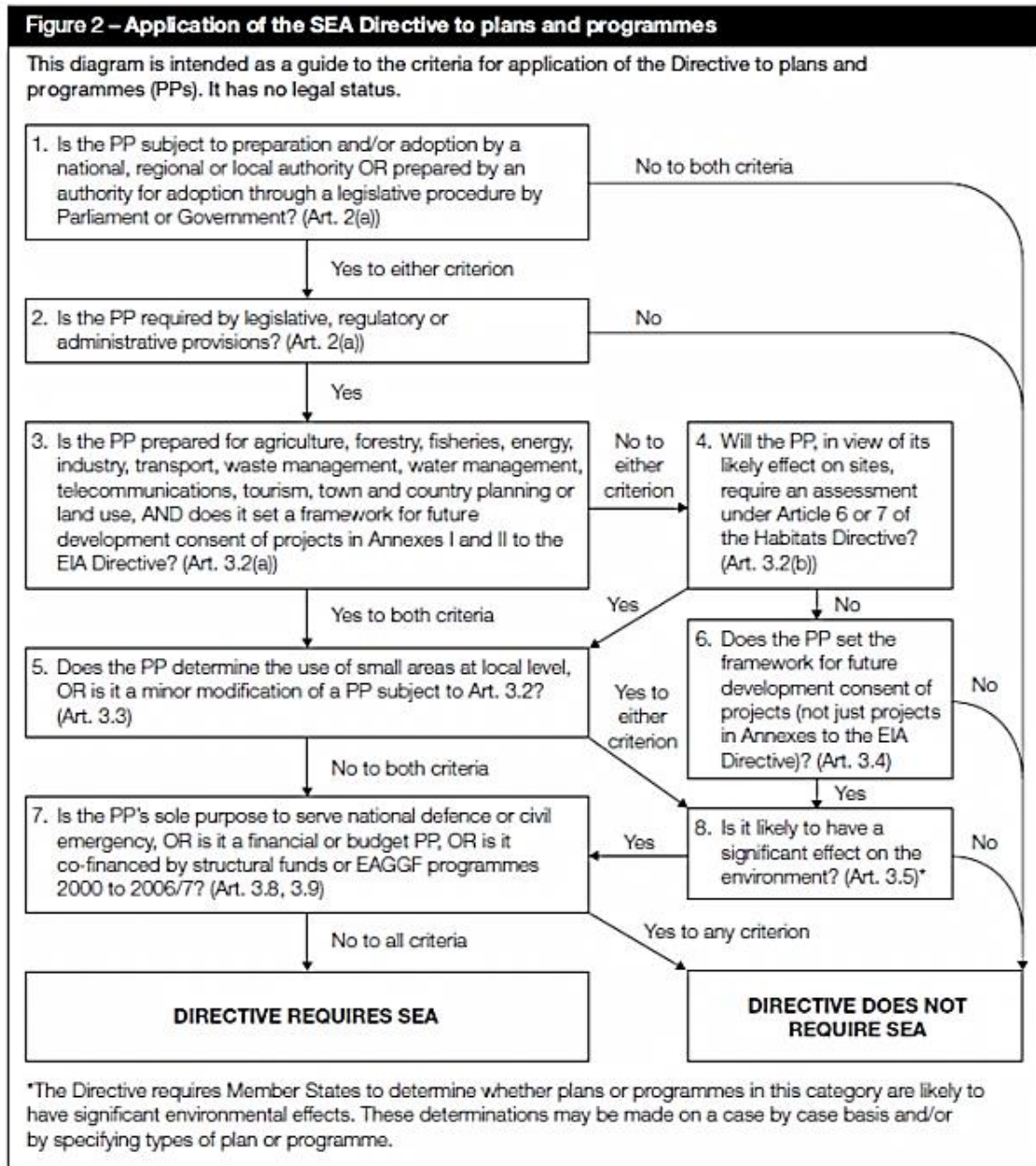
Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:

- 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](#).

<https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

screening procedure is based on criteria set out in Schedule 1 of the EAPP Regulations 2004. This report assesses the Neighbourhood Plan against those criteria, and on that basis sets out whether a SEA (in the form of an Environmental Report) is required. Figure 2.1 below sets out the basic framework for establishing whether a SEA will be required.

Figure 2.1 – Diagram indicating whether a SEA is required for a plan or project



## Habitats Regulations

2.4 In addition to the screening of Neighbourhood Plans in relation to SEA, there is a need to assess the likelihood of proposals or policies within a

Neighbourhood Plan having an adverse impact on European sites<sup>2</sup>. This Habitats Regulations Assessment (HRA) is required by the Habitats Directive as transposed into English law via The Conservation of Habitats and Species Regulations 2010.

- 2.5 A Habitats Regulations Assessment may be required depending on the contents of the Neighbourhood Plan and the potential impact of the plan on European sites. A case by case assessment of Neighbourhood Plans will need to be undertaken to see if a full HRA is required.
- 2.6 The approach to assessing the potential impact of a Neighbourhood Plan on a European site, and the need for a HRA, include consideration of the reasons for designation and conservation objectives for each site within a reasonable distance from the Neighbourhood Plan Area (which was set at 10km in the borough council's Habitats Regulations Screening Assessment and Addendum supporting the Adopted Local Plan 2011 - 2029). Where relevant the key environmental conditions that support the site are assessed below against the proposals within the Neighbourhood Plan.

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<sup>2</sup> In relation to the Basingstoke and Deane area, relevant European sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

### 3. Generic Screening Assessment of Neighbourhood Plans

- 3.1 In the first instance, in order to establish if a Neighbourhood Plan potentially needs to be accompanied by a full SEA, a generic assessment of Neighbourhood Plans has been undertaken with the results of this assessment being set out below in Figure 3.1. The Assessment criteria set out in Figure 3.1 is derived from the government guidance produced to accompany the EAPP Regulations 2004: A Practical Guide to the Strategic Environmental Assessment Directive<sup>3</sup>.
- 3.2 The assessment below illustrates that Neighbourhood Plans can be subject to the SEA Directive, and concludes that the need for a SEA in respect of any particular Neighbourhood Plan will ultimately come down to whether the Neighbourhood Plan is likely to have a significant effect on the environment. Therefore, Neighbourhood Plans will need to be screened on a case by case basis.

*Figure 3.1 - Generic screening assessment of Neighbourhood Plans*

Assessment criteria	y/n	Assessment
1. Is the Neighbourhood Plan 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	Neighbourhood Plans are prepared by parish or town councils (as the “qualifying body”) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the Plan has been prepared, and subject to examination and referendum, it will be “made” by Basingstoke and Deane Borough Council as the Local Planning Authority
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	It is not a requirement for a parish to produce a Neighbourhood Plan. However, a Neighbourhood Plan, once “made” does form part of the statutory Development Plan and will be used when making decisions on planning applications.

<sup>3</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)



<p>3. Is the Neighbourhood Plan 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 Environmental Impact Assessment Directive? (Art 3.2(a))</p>	<p>yes</p>	<p>Neighbourhood plans will cover town and country planning/land use, and may also cover other issues in the list set out. In addition, it will also set part of the framework for possible future consents covered by Annex II of the EIA Directive. Development under Annex I however, would be excluded development.</p>
<p>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))</p>	<p>?</p>	<p>Given that there are no sites designated under the Habitats Directive in the borough, the only impact on such sites could be on those outside the borough, and any effect on those sites is unlikely given the separation distances involved. However, a case by case assessment should still be carried out and included within the screening report.</p>
<p>5. Does the Neighbourhood Plan 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)</p>	<p>yes</p>	<p>A Neighbourhood Plan can determine the use of small areas at the local level.</p>
<p>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)</p>	<p>yes</p>	<p>A Neighbourhood Plan forms part of the development plan and therefore will be used in the decision making process in relation to planning applications. The policies in a Neighbourhood Plan therefore set the framework for future development proposals.</p>
<p>7. Is the Neighbourhood Plan 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(European Agricultural Guarantee Fund) programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>No</p>	<p>A Neighbourhood Plan does not deal with any of these categories of plan.</p>

8. Is it likely to have a significant effect on the environment? (Art. 3.5)	?	The impact of a Neighbourhood Plan on the environment will depend on the proposals and policies included. For this reason <b>a case by case assessment of each Neighbourhood Plan will be required.</b>
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3.3 Given that Neighbourhood Plans may be subject to the requirement for a SEA where they are likely to have a significant effect on the environment, the next step is to establish how to determine whether such effects are likely when assessing each plan on a case by case basis. The criteria for making that assessment are set out in Schedule 1 of the EAPP Regulations 2004. Please see figure 3.2 below for a full list of the relevant criteria.

3.4 The list set out below forms the basis for the full assessment of the Neighbourhood Plan in question, which is set out in section 5.

*Figure 3.2 - Criteria for determining likely significance of effects on the environment (as per section 9 of the EAPP Regulations 2004, this list is taken from Schedule 1 of the EAPP Regulations 2004).*

**Schedule 1 - criteria for determining the likely significance of effects on the environment**

1. The characteristics of plans and programmes, 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 programmes 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 (e.g. plans and programmes 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 trans-boundary nature of the effects;
- (d) the risks to human health or the environment (e.g. 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.

## 4. Description of the Neighbourhood Plan

### Overview

- 4.1 The designated Neighbourhood Plan Area covers the entire Parish of Burghclere, and is being prepared by the Parish Council. Maps showing the extent of the Parish, the location of the settlements, and its main environmental and heritage constraints are attached as Appendix 1.
- 4.2 The area includes the village of Burghclere in addition to a number of farms and hamlets. The village has a defined settlement policy boundary, within which the principle of development is generally acceptable as per Policy SS1 in the Local Plan. The remainder of the Parish is considered to be countryside for the purposes of planning policy. The Parish includes 435 households (2011 Census) and is predominantly rural.

### Environmental Constraints

- 4.3 The southern part of the Neighbourhood Plan Area lies within the North Wessex Downs Area of Outstanding Natural Beauty (boundary shown on environmental constraints map in Appendix 1). There are a number of Sites of Importance for Nature Conservation (SINCs) and Ancient Woodlands scattered throughout the Parish in addition to four Sites of Special Scientific Interest (SSSI), namely, Burghclere Beacon SSSI, the Old Burghclere Lime Quarry SSSI, the Ladle Hill SSSI and the Duncroft Farm Pit SSSI.
- 4.4 The village has a historic core and there are a number of heritage assets within the area. There are also 57 Listed Buildings, including the Grade I Listed Buildings Sandham Memorial Chapel; the Church of All Saints; and the Barn 40m south west of Manor Farmhouse, and Grade II\* Listed Buildings Earlstone Manor and Manor House, in addition to 36 Locally Listed Buildings.
- 4.5 There are also a number of Scheduled Monuments: a large univallate hillfort at Beacon Hill; a cross dyke and bowl barrow on the northern spur of Beacon Hill; a number of bowl barrows and a ring ditch proximal to Thorn Down (part of the group known as Seven Barrows); and an unfinished hillfort, saucer barrow, disc barrow and sections of two linear earthwork on Ladle Hill (overlapping the south eastern edge of the Neighbourhood Plan Area). Highclere Park, Registered Park and

Garden, also falls within the Neighbourhood Plan Area covering a small portion of the western edge of the Parish.

- 4.6 There are only a few small areas of the Parish in Flood Zones 2 and 3. As shown on the environmental constraints map in Appendix 1, these lie outside the principal settlement.

### Neighbourhood Plan objectives and policies

- 4.7 Neighbourhood Plan objectives and policies are yet to be formulated by the Neighbourhood Planning Group.

- 4.8 The Neighbourhood Planning Group have confirmed that the draft Neighbourhood Plan is likely to:

- allocate sites for development;
- contain policies that may affect sensitive natural or heritage assets, such as the North Wessex Downs AONB or the listed buildings located in the Neighbourhood Area; and/or
- have other significant environmental effects that have not already been considered and dealt with through an up-to-date Sustainability Appraisal of the Basingstoke and Deane Borough Council Adopted Local Plan.

- 4.9 More specifically, although not yet firmly defined, according to the parish council, the Plan is likely to contain a number of policies to support:

- the development of one site to deliver 10-15 new 2-3 bedroom houses including a proportion of affordable homes. This would include screening and if within the AONB, tailored recreational and biodiversity features. Access would be onto existing main roads within the village of Burghclere;
- a potential Community Right to Build Order within the SPB for up to 5 houses;
- the provision of affordable homes;
- the improvement of local facilities through the Community Right to Build Order, specifically moving allotments and refurbishing the Sports Club.
- the enhancement of local employment facilities through the creation of a 'business hub' (the exact nature of which is currently unknown);
- the congruity of new building design with the existing character of Burghclere;

- the importance of Listed Buildings that must not be overshadowed by development;
- additional parking provision to help relieve the problem of congestion within the village centre; and
- green infrastructure and biodiversity through a number of (as of yet undefined) objectives including the designation of Local Green Spaces.

## 5. SEA Screening Assessment

- 5.1 At this stage in the Neighbourhood Planning process it is not possible to know exactly what will be proposed in the draft or final version of the Neighbourhood Plan. However, the parameters of the development and policies proposed for inclusion in the Plan, as set out in Section 4 of this report, have been used to undertake this screening assessment.
- 5.2 If it is found that a SEA is required in relation to the Neighbourhood Plan, any changes to the quantum of development can be assessed for environmental impact through the SEA process. If the conclusion of a screening exercise is that a SEA is not required, any changes to the quantum of development and/or policies being proposed should be subject to a further screening assessment to ensure that significant effects are not likely.
- 5.3 Under Criteria 8 of the assessment in Figure 3.1, it was concluded that Neighbourhood Plans may have a significant effect on the environment depending on the specific policies and proposals within it and that a case by case assessment is required. The criteria for undertaking such an assessment are set out in Annex II of the SEA Directive. Figure 5.1 below outlines the results of this assessment against the Annex II parameters.

### SEA Assessment of neighbourhood plan

*Figure 5.1 - Assessment of likelihood of significant effects on the environment*

Significant effect criteria	Assessment
The characteristics of the plan having regard 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;	The Neighbourhood Plan will set a framework for various types of projects and activities, and in so doing will influence the size, location and operating conditions of the development in question. The policies in the Plan will also set criteria which will be applied to planning applications.

(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Though unlikely, the Plan could inform supplementary planning documents (such as design guidance), development briefs or site specific guidance.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Plan will have regard to the objective of achieving sustainable development in the local area. It will be in general conformity with the strategic policies in the Adopted Local Plan 2011 – 2029.
(d) environmental problems relevant to the plan or programme; and	The Plan will seek to address environmental, economic and social issues in the neighbourhood area.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The Plan will be relevant to various aspects of Community legislation, such as environmental protection.
Characteristics of the effects likely having regard, in particular, to:	
(a) the probability, duration, frequency and reversibility of the effects;	The Plan will set the local vision, objectives and policies to guide new development in the neighbourhood area. It is likely to result in long-term effects associated with changes to land use and physical development of land.
(b) the cumulative nature of the effects;	There are likely to be some fairly limited local cumulative effects arising from and between the different proposals and policies in the Plan.
(c) the transboundary nature of the effects;	There will be no transboundary effects (in relation to other EU member states).
(d) the risks to human health or the environment (e.g. due to accidents);	There are unlikely to be any significant risks to human health, though there is a limited risk of harm to the environment during construction works.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude of the effects will be regulated by the relatively small number of units likely to be supported by the Plan, meaning the effects are likely to be largely localised (i.e. within the neighbourhood area). However, it is possible that there could be limited effects over a moderately larger area in relation to issues such as landscape impact, heritage assets and highways.

<p>(f) the value and vulnerability of the area likely to be affected due to – .</p> <p>(i) special natural characteristics or cultural heritage; .</p> <p>(ii) exceeded environmental quality standards or limit values; or .</p> <p>(iii) intensive land-use; and</p>	<p>There are various parts of the Neighbourhood Area which are both highly valued and vulnerable, namely the various Ancient Woodlands, SINCs, Scheduled Monuments, SSSIs, Archaeological Sites and Listed Buildings.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>A large proportion of the Neighbourhood Plan Area is within the AONB. The Plan will be allocating sites for development which could affect the importance of the landscape or its setting.</p>

5.4 As a result of the analysis undertaken to assess the effects on the environment resulting from the Burghclere Neighbourhood Plan, it is considered that significant effects on the environment are likely. The explanation for this assessment is set out in more detail below.

5.5 The National Planning Practice Guide (NPPG) states that:

*‘In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment.’*

5.6 The NPPG sets out the following matters for consideration when assessing whether a SEA is required in connection with any particular neighbourhood plan:

*‘Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:*

- *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.’<sup>4</sup>*

5.7 In relation to the considerations set out above in the national level planning guidance, the following factors are considered to be particularly pertinent.

<sup>4</sup> Paragraph: 047 Reference ID: 11-047-20150209



- 5.8 Firstly, the Neighbourhood Plan is likely to allocate sites for development. Therefore, this suggests that a SEA is likely to be required.
- 5.9 Although the Neighbourhood Plan is only required to allocate 5 units, as set out in Section 4, it is likely that the Plan could allocate up to 20 housing units in addition to physical development for employment use and potential parking provision.
- 5.10 It is also recognised that there are significant sensitive natural and heritage assets in the Parish that need to be given consideration. Much of the Parish, including the western part of Burghclere village, is within the North Wessex Downs AONB. As set out in Section 4, there are also a significant number of heritage assets and environmental designations of which some, as shown on the constraints maps (Appendix 1), are in close proximity to the village.
- 5.11 Given that the majority of development would be most likely to occur outside the village, albeit adjacent to the Settlement Policy Boundary, it is considered that impacts upon biodiversity, landscape and heritage could be considerable and widespread. The potential significant environmental effects resulting from the Neighbourhood Plan have not already been considered and dealt with through a Sustainability Appraisal of the LPA's Adopted Local Plan.
- 5.12 Therefore, in light of the above, it is considered that significant effects on the environment are likely and hence a SEA is required.

## 6. HRA Screening Assessment

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for what are termed 'European sites'. Such sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA). There is also an international designation known as RAMSAR sites, which whilst being covered by different legislation should be subject to the same consideration as European sites.
- 6.2 There are no European sites in the borough. However, there are a number of SPAs and SACs located outside of the borough which could be affected by development taking place within the Basingstoke and Deane borough. Therefore, it is still necessary to consider whether there could be any potential impact on European sites stemming from neighbourhood planning.
- 6.3 European sites are offered the highest level of protection under European law and the consequent national legislation transposing it into English law (The Conservation of Habitats and Species Regulations 2010, known as the Habitats Regulations). The Habitats Regulations sets out the process to assess the potential implications of a Neighbourhood Plan on European sites.
- 6.4 The first stage is to screen the Neighbourhood Plan in order to establish whether it may have a significant effect on a European site. Only if there may be such an effect will it be necessary to undertake a process called 'appropriate assessment'<sup>5</sup> in relation to a European site.
- 6.5 In undertaking the screening to establish whether there will be a significant effect, the 'precautionary principle' will need to be followed. The requirement to adhere to the precautionary approach is established by case law and clarified by European Union and domestic government guidance<sup>6</sup>. The use of the precautionary principle requires that when considering the likelihood of a possible effect on a European site it will

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<sup>5</sup> The Conservation of Habitats and Species Regulations 2010  
61.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—  
(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and  
(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

<sup>6</sup> Landelijke Vereniging tot Behoud van de Waddenzee v. Secretary of State for Agriculture, Nature Conservation and Fisheries (Case C127/02), ECJ 7/9/04

be assumed that such impacts will occur if there is insufficient evidence to the contrary.

- 6.6 Additionally, in recent Judgement Case C-323/17 *People Over Wind v Coillte Teoranta* (April 2018), the Court of Justice of the European Union (CJEU) gave an important judgement on the screening of development proposals for the purposes of the Habitats Directive. The question referred to the CJEU was: “Whether, or in what circumstances, mitigation measures can be considered when carrying out screening for appropriate assessment under Article 6(3) of the Habitats Directive?”. The CJEU answered that the Habitats Directive “must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site”. The Court found: “...the fact that...measures intended to avoid or reduce the harmful effects of a plan or project on the site concerned are taken into consideration when determining whether it is necessary to carry out an appropriate assessment presupposes that it is likely that the site is affected significantly and that, consequently, such an assessment should be carried out.”.
- 6.7 In light of the judgement case (C-323/17), the LPA has not considered mitigation measures in the following screening for whether appropriate assessment is required.
- 6.8 In carrying out the screening assessment, the borough council has addressed the various requirements set out in the European Commission guidance<sup>7</sup>. The guidance sets out various steps which need to be followed:
- i) description of project or plan
  - ii) characteristics of the European site
  - iii) assessment of significance
- 6.9 The description of the Neighbourhood Plan has been set out in section 4 above. Therefore, this section focuses on the characteristics of any relevant European sites, their significance, and ultimately whether there are likely to be any significant effects.

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<sup>7</sup> [http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)  
Pages 18 - 23

- 6.10 The Basingstoke and Deane Borough Council Adopted Local Plan 2011 - 2029 has been subject to a Habitats Regulations Screening Assessment. This contains a detailed assessment of each of the 8 European sites within 10km of the borough boundary. These are set out in Appendix 2 below, and inform the assessment process documented in this report. Appendix 3 includes maps of these sites, also taken from the Habitats Regulations Screening Assessment.
- 6.11 The implications of the parameters of the development and policies to be proposed in the Neighbourhood Plan have been assessed against each of the European sites within 10km of the neighbourhood area boundary in order to establish the likelihood of a significant effect on the reason for designation of the European site in question. This assessment has been undertaken having regard to the results and information in the HRA screening assessment prepared for the Adopted Local Plan for Basingstoke and Deane Borough Council, and in the light of the relevant European Commission guidance (as referred to above), which forms the basis for the assessment criteria set out below.

## Assessments of European sites within 10km of the Neighbourhood Plan Area

6.12 The Neighbourhood Plan Area is within the 10km buffer zone of three European sites:

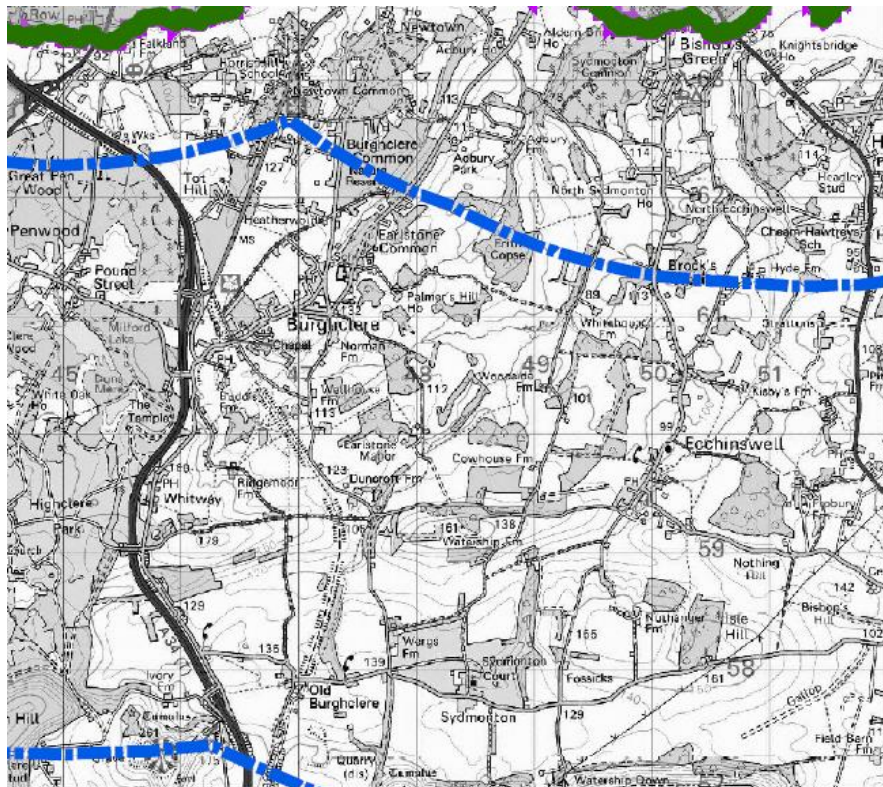
- Kennet and Lambourn Floodplain SAC
- Kennet Valley Alderwoods SAC
- River Lambourne SAC

Accordingly, a screening matrix has been completed in relation to each area. These assessments demonstrate that there will be no significant effects on the relevant European sites.

### Kennet and Lambourn Floodplain SAC

6.13 Turning firstly to the Kennet and Lambourn Floodplain SAC. This site represents a cluster of sites covering 114.47 hectares in the Kennet and Lambourn valleys. Only a very small part of the Neighbourhood Area is within 5km of the SAC and the majority of the rest of the Neighbourhood Area is located within the 10km buffer zone.

6.14 However, Burghclere is downstream from the SAC and given that the main vulnerabilities of the SAC are to changes in the water flow and quality, the Neighbourhood Plan is unlikely to significantly impact upon the SAC.



## Screening Matrix

Name of European site<sup>8</sup>: Kennet and Lambourne Floodplain SAC

Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.

Physical development within the Neighbourhood Area (in the form of housing sites and small scale employment development around the village of Burghclere) will have an impact on the localised environment. However, given the distance between such development and the SAC, which is over 5km, combined with the geographical relationship referred to in paragraph 6.12 above, there will be no direct or significant impact on the European site.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of: size and scale; land-take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.

The development covered by the Neighbourhood Plan is likely to result in some environmental impacts in the form of limited atmospheric pollution, as well as landscape and highways impacts. There would also be some limited, localised, environmental impacts flowing from construction processes. However, none of these would likely be of a scale which could reasonably be considered to impact significantly on the SAC, given the significant separation distance of over 5km (between the likely development areas around the village and the SAC).

Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density; changes in key indicators of conservation value (e.g. water quality); climate change.

Given the scale of development required by Policy SS5 in the Adopted Local Plan (approximately 10 units – 6 already provided so need to allocate 5 in order to comply with the supporting text of Policy SS5), and including the fact that the Plan could allocate a further 15 units in addition to small scale employment development, considering the separation distance in relation to the SAC, no development in the Neighbourhood

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<sup>8</sup> Please see Appendix 2 for details of the European site itself

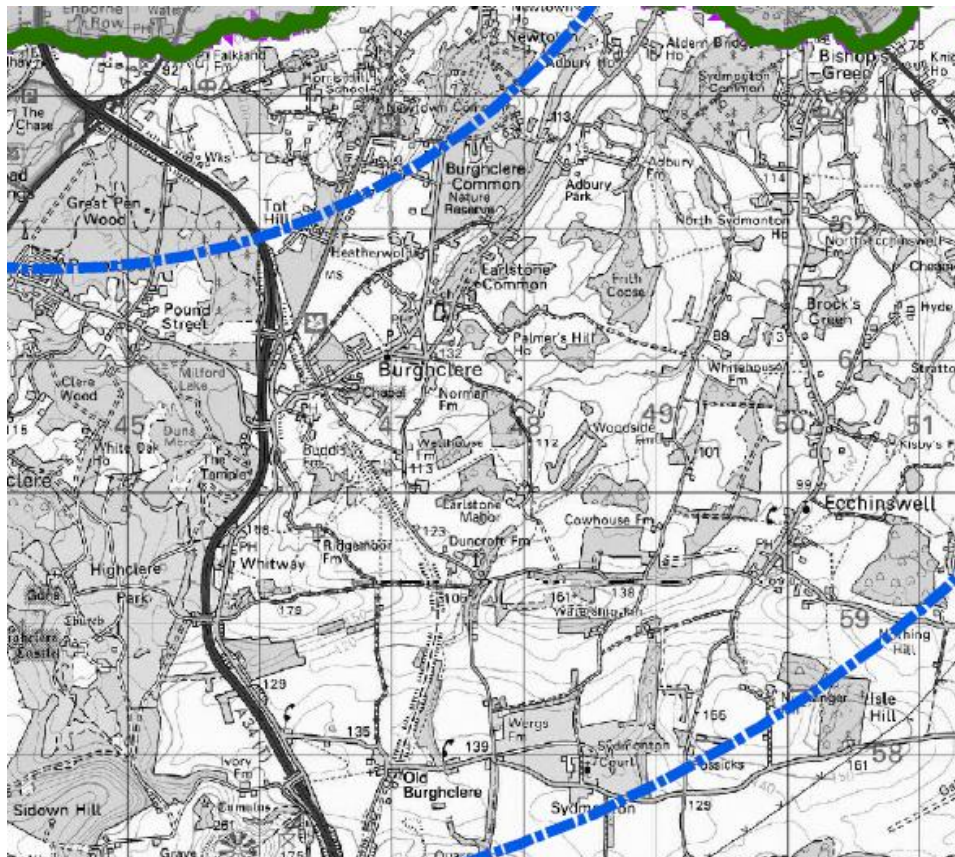
	Area is likely to result in the impacts listed opposite.
Describe any likely impacts on the European site as a whole in terms of: interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	Given the location of the Neighbourhood Area and likely development sites in relation to the SAC, there will be no likely impacts on the European site as a whole.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	The Plan is likely to facilitate housing development (potentially approximately 20 units) and small scale employment development, the effects of which will be largely restricted to within the neighbourhood area (with the likely exception of highways implications and some visual impacts). Therefore, having regard to the European Commission report concerning the assessment of the effects on Natura 2000 sites <sup>9</sup> , it is considered that there is likely to be a negligible impact on the significance of the European site, as there will be no loss, fragmentation or disturbance of habitat areas which form part of the European site (which is located over 5km from the likely development sites).
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	Given the likely location of the development to be allocated in the Plan relative to the SAC, combined with the scale and nature of the proposed development (potentially approximately 20 residential units and small scale employment development), it is considered there will be no significant impact on the SAC.
<b>Conclusion</b>	<b>No significant effects on the SAC are considered to be likely.</b>

<sup>9</sup> Page 20, paragraph 3.1.5

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_asses\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_asses_en.pdf)

## Kennet Valley Alderwoods SAC

- 6.15 Regarding the Kennet Valley Alderwoods SAC, the conservation interest of the site is critically dependent upon maintenance of constantly high groundwater levels. There are, however, no known threats to groundwater levels. The site is subject to low levels of intervention and natural processes are allowed to prevail to a large extent. A WGS scheme is in place which favours the maintenance of the characteristic Alder woodland composition.
- 6.16 Although a large part of the Parish lies within the 10km buffer and a very small part of the Neighbourhood Area is within the 5km buffer, the only tributary of the Kennet within the borough is the River Enborne which joins the Kennet well downstream of the SAC. Therefore, it is considered that any development covered by the Neighbourhood Plan is not likely to significantly impact on this SAC.





## Screening Matrix

Name of European site<sup>10</sup>: Kennet Valley Alderwoods SAC

<p>Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.</p>	<p>Physical development within the Neighbourhood Area (in the form of the development of housing sites and small scale employment development) will have an impact on the localised environment. However, given the likely distance between such development and the SAC, which is over 5km, combined with the geographical relationship referred to in 6.14 above, there will be no direct or significant impact on the European site.</p>
<p>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of: size and scale; land-take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.</p>	<p>The development covered by the Plan is likely to result in some environmental impacts in the form of limited atmospheric pollution, as well as landscape and highways impacts. There would also be some limited, localised, environmental impacts flowing from construction processes. However, none of these would be of a scale which could reasonably be considered to impact significantly on the SAC, given the significant separation distance of over 5km between the likely development areas and the SAC.</p>
<p>Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density; changes in key indicators of conservation value (e.g. water quality); climate change.</p>	<p>Given the scale of development required by Policy SS5 in the Adopted Local Plan (approximately 10 units – 6 already provided so need to allocate 5 in order to comply with the supporting text of Policy SS5), and given that the Plan could allocate a further 15 units in addition to small scale employment development, considering the separation distance and relationship in respect of the SAC, no development in the neighbourhood area is likely to result in the impacts listed opposite.</p>

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<sup>10</sup> Please see Appendix 2 for details of the European site itself

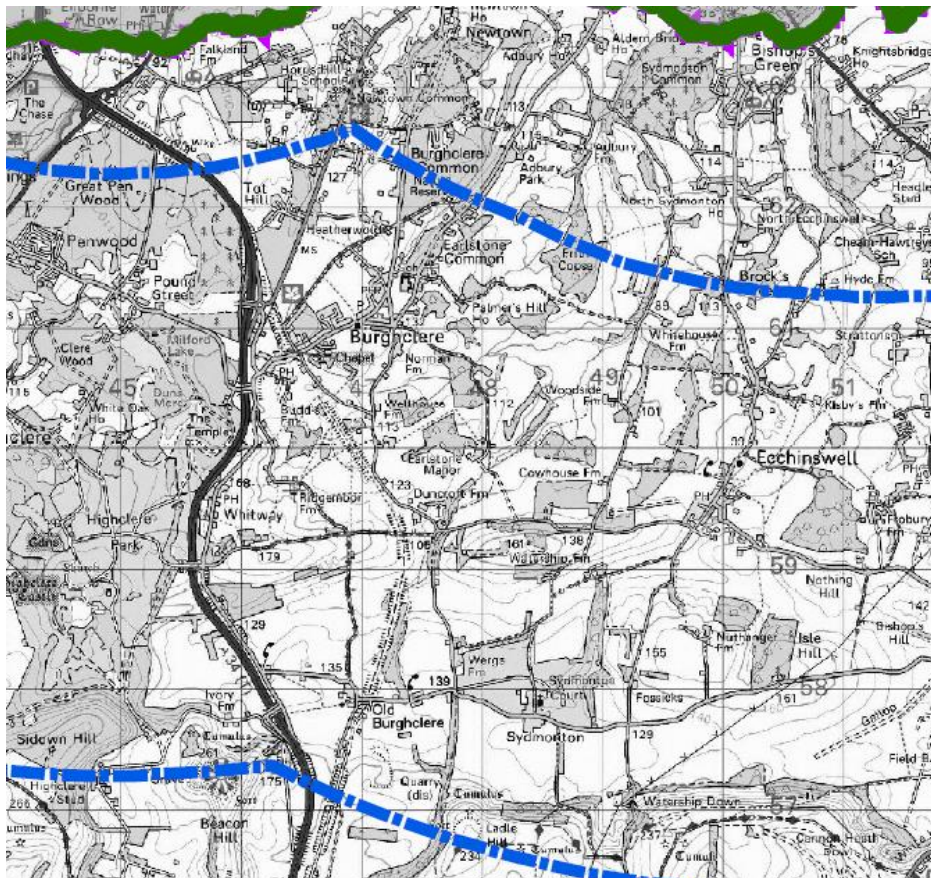
<p>Describe any likely impacts on the European site as a whole in terms of: interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.</p>	<p>Given the location of the neighbourhood area and likely development sites (which it is assumed will be in or adjacent to the village of Burghclere) in relation to the SAC, there will be no likely impacts on the European site as a whole.</p>
<p>Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.</p>	<p>The Plan is likely to predominantly facilitate housing development (for potentially approximately 20 units) and small scale employment development, the effects of which will be largely restricted to within the neighbourhood area (with the likely exception of highways implications and some visual impacts). Therefore, having regard to the European Commission report concerning the assessment of the effects on Natura 2000 sites<sup>11</sup>, it is considered that there is likely to be a negligible impact on the significance of the European site, as there will be no loss, fragmentation or disturbance of habitat areas which form part of the European site (which is located over 5km from the likely development sites).</p>
<p>Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</p>	<p>Given the likely location of the development to be allocated in the Plan relative to the SAC, combined with the scale and nature of the likely development (potentially approximately 20 residential units and small scale employment development), it is considered there will be no significant impact on the SAC.</p>
<p><b>Conclusion</b></p>	<p><b>No significant effects on the SAC are considered to be likely.</b></p>

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<sup>11</sup> Page 20, paragraph 3.1.5  
[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)

## River Lambourne SAC

- 6.17 The River Lambourne SAC consists of the River Lambourne water body over an area of 27 hectares. The River Lambourne rises in the chalk of the Berkshire Downs, is 26km long, and flows through the Kennet Valley to Newbury where it joins the River Kennet. The River Lambourne has one of the least modified catchments in southern England and has one of the lowest levels of abstraction. Water quality, water quantity and habitat quality are all considered to be high. However, localised higher water nutrient levels and siltation problems have been associated with sewage treatment works. Natural England and the Environment Agency have produced an agreed protocol for dealing with issues affecting the river.
- 6.18 Only a very small part of the Neighbourhood Area is within 5km of the SAC and the majority of the rest of the Neighbourhood Area, including the village of Burghclere, is located within the 10km buffer zone. The River Lambourne is a tributary of the River Kennet and drains south-eastwards from the Berkshire Downs. Its catchment area lies to the north-west of Newbury and therefore shouldn't be affected by the approximate parameters of the likely development and policies proposed within the Burghclere Neighbourhood Area. Accordingly, no significant impact on the SAC is considered likely.



## Screening Matrix

Name of European site<sup>12</sup>: The River Lambourn SAC

<p>Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.</p>	<p>Physical development within the neighbourhood area (in the form of the development of housing sites and small scale employment development) will have an impact on the localised environment. However, given the distance between such development and the SAC, which is over 5km, combined with the geographical relationship referred to in 6.16 above, there will be no direct or significant impact on the European site.</p>
<p>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of: size and scale; land-take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.</p>	<p>The neighbourhood plan is likely to result in some environmental impacts in the form of limited atmospheric pollution, as well as landscape and highways impacts. There would also be some limited, localised, environmental impacts flowing from construction processes. However, none of these would be of a scale which could reasonably be considered to impact significantly on the SAC, given the significant separation distance of over 5km (between the likely development areas and the SAC).</p>
<p>Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density; changes in key indicators of conservation value (e.g. water quality); climate change.</p>	<p>Given the scale of development required by Policy SS5 in the Adopted Local Plan (approximately 10 units – 6 already provided so need to allocate 5 in order to comply with the supporting text of Policy SS5), and given that the Plan is likely to allocate a further 15 units in addition to small scale employment development, considering the separation distance in relation to the SAC, no development in the neighbourhood area is likely to result in the impacts listed opposite.</p>

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<sup>12</sup> Please see Appendix 2 for details of the European site itself

<p>Describe any likely impacts on the European site as a whole in terms of: interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.</p>	<p>Given the location of the neighbourhood area and potential development sites in relation to the SAC, there will be no likely impacts on the European site as a whole.</p>
<p>Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.</p>	<p>The plan is likely to predominantly facilitate housing development (for potentially approximately 20 units) and small scale employment development, the effects of which will be largely restricted to within the neighbourhood area (with the likely exception of highways implications and some visual impacts). Therefore, having regard to the European Commission report concerning the assessment of the effects on Natura 2000 sites<sup>13</sup>, it is considered that there is likely to be a negligible impact on the significance of the European site, as there will be no loss, fragmentation or disturbance of habitat areas which form part of the European site (which is located over 5km from the likely development sites).</p>
<p>Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</p>	<p>Given the likely location of the development to be allocated in the Plan relative to the SAC, combined with the scale and nature of the proposed development (potentially approximately 20 residential units and small scale employment development), it is considered there will be no significant impact on the SAC.</p>
<p><b>Conclusion</b></p>	<p><b>No significant effects on the SAC are considered to be likely.</b></p>

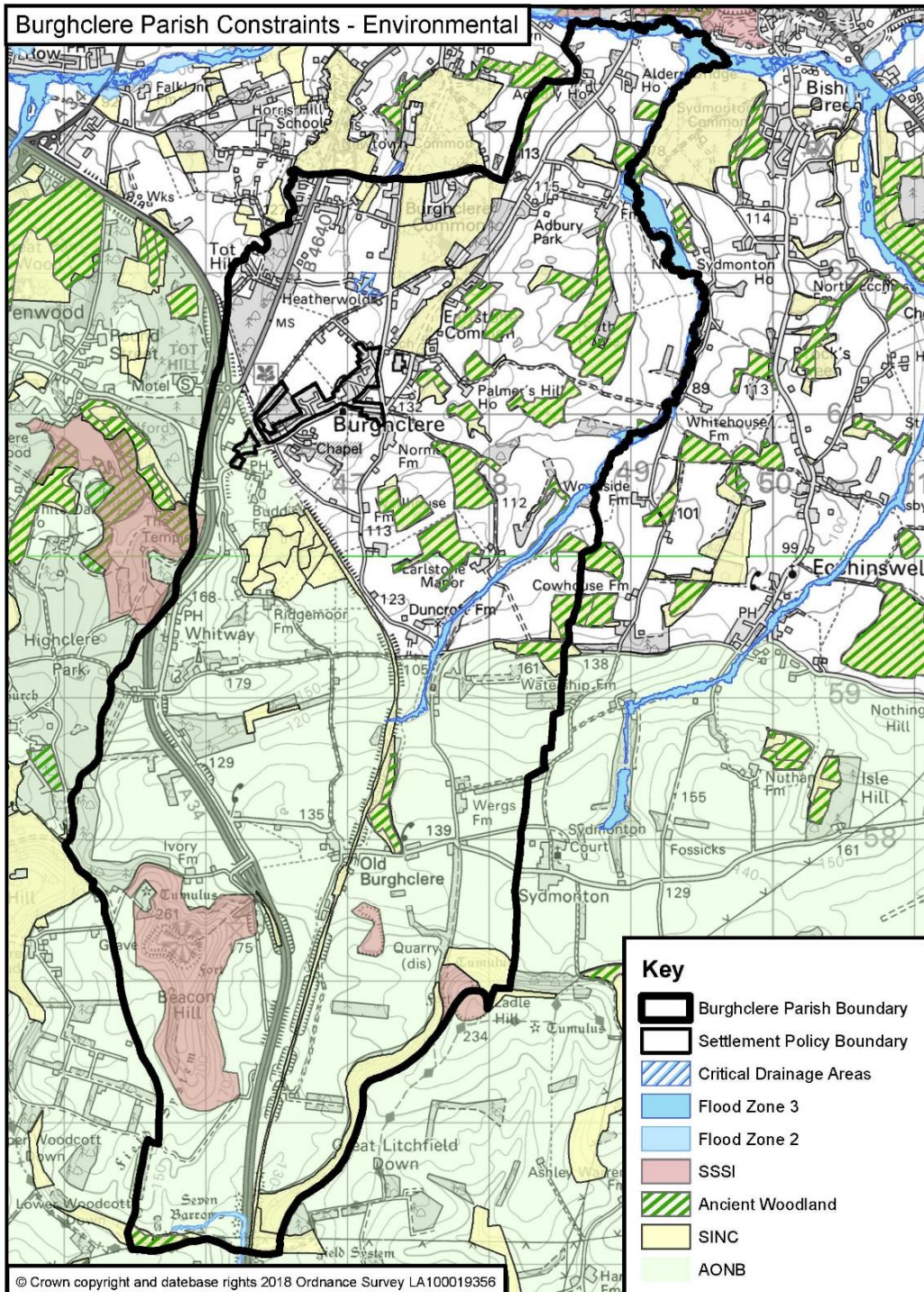
<sup>13</sup> Page 20, paragraph 3.1.5

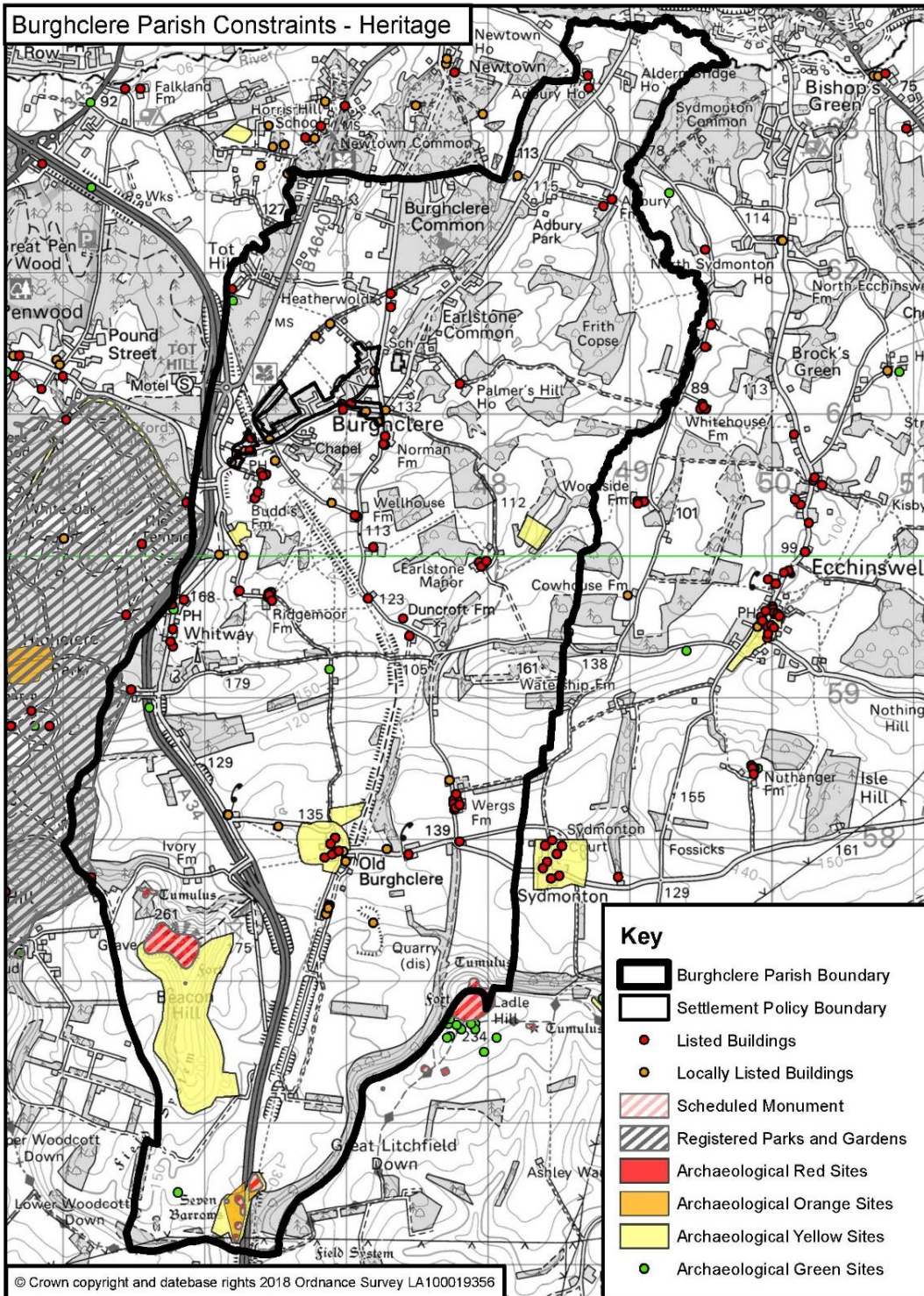
[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_asses\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_asses_en.pdf)

## 7. Conclusions

- 7.1 This report contains the assessment as to whether the Burghclere Neighbourhood Plan should be subject to the requirement for the submission of an Environmental Report as required by the EAPP Regulations 2004 and/or Appropriate Assessment as required by the Habitats Regulations 2010.
- 7.2 The assessment for both of these requirements has been undertaken on the basis of the parameters of the likely development and policies to be proposed in the Neighbourhood Plan outlined in Section 4 of this report and within the strategic framework of the Basingstoke and Deane Adopted Local Plan 2011 - 2029.
- 7.3 The Local Authority's conclusion, in light of the comments from the statutory consultees, is that based on the above assessment, a Strategic Environmental Assessment is required but the Plan should not be subject to a Habitat Regulations Assessment.
- 7.4 Accordingly, Regulation 2(4) of The Neighbourhood Planning (General) (Amendment) Regulations 2015 requires that environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 is submitted with the Neighbourhood Plan when it is submitted to the Local Planning Authority at Regulation 15 stage.

## Appendix 1: Maps of Neighbourhood Plan Area showing environmental and heritage constraints







## **Appendix 2: Details of European sites within 10km of Basingstoke and Deane Borough Council**

### **Thames Basin Heaths SPA**

#### **Introduction**

The Thames Basin Heaths cover an area of 8,400 hectares and comprise a rare example of lowland heathland across Surrey, Hampshire and Berkshire. The heaths support significant populations of 3 important bird species and consist of 13 Sites of Special Scientific Interest (SSSI). Hazeley Heath SSSI is the nearest part of the SPA to the borough (located within 5km of the borough boundary).

Due to the size, location and nature of this site and the surrounding development pressure, English Nature published a draft Delivery Plan for the Thames Basin Heaths SPA in May 2006. This was updated by the “Thames Basin Heaths Special Protection Area Delivery Framework” published in January 2009 (Thames Basin Heaths Joint Strategic Partnership Board). The document sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

#### **Features of European Interest**

Annex I birds and regularly occurring migratory birds not listed on Annex I:

- *Caprimulgus europaeus* (nightjar)
- *Lullula arborea* (woodlark)
- *Sylvia undata* (Dartford warbler)

#### **Key environmental conditions / vulnerability of the site**

The mosaic of habitats which form the internationally important lowland heathland are dependent on active heathland management. Lack of grazing and other traditional management practices therefore pose a threat.

Development pressure on neighbouring land, urbanisation issues and the cumulative and indirect effects of neighbouring developments also pose a potential long-term problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Thames Basin Heaths Area Based Delivery Project. This seeks to address the detrimental impacts of recreational pressure, particularly dog walking, on ground nesting bird populations.

## Wealden Heaths phase II SPA

### Introduction

The Wealden Heaths Phase II SPA is located across the counties of Surrey, Hampshire and West Sussex and comprises 4 Sites of Special Scientific Interest, namely Woolmer Forest SSSI and SAC, Broxhead and Kingsley Commons SSSI, Bramshott and Ludshott Commons SSSI and Devil's Punchbowl SSSI. A small area to the south east of the borough is located within 10km of the SPA.

### Features of European Interest

Annex I birds and regularly occurring migratory birds not listed on Annex I:

- *Caprimulgus europaeus* (nightjar)
- *Lullula arborea* (woodlark)
- *Sylvia undata* (Dartford warbler)

### Key environmental conditions/ vulnerability of the site

The heathland habitats of the Special Protection Area are very dependent upon grazing and other traditional management practices. The SPA is vulnerable to urbanisation issues, fly tipping and heathland fires and there is increasing pressure for development associated with military training activities. Formal and informal recreation activities are a potential threat to the breeding success of Annex 1 birds. The heaths are also dependent on high water tables to maintain their features of interest, and are therefore sensitive to any potential lowering of water levels due to water abstraction. In the most recent condition assessment process, parts of the heathland were not in favourable condition, with concerns about inappropriate vegetation species, vehicle damage and invasive species.

## East Hampshire Hangers SAC

### Introduction

The East Hampshire Hangers SAC is a large complex of predominantly broadleaved deciduous woodland comprising seven Sites of Special Scientific Interest:

- Upper Greensand Hangers: Wyck to Wheatley
- Wick Wood and Worldham Hangers
- Coombe Wood and The Lythe
- Selborne Common
- Noar Hill
- Wealden Edge Hangers
- Upper Greensand Hangers: Empshott to Hawkley

### Features of European Interest

The East Hampshire Hangers qualify as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Dry grasslands and scrublands on chalk or limestone, including important orchid sites: Noar Hill in particular, has an outstanding assemblage of orchids, including one of the largest UK populations of the nationally scarce musk orchid *Herminium monorchis*;
- Beech forests on neutral to rich soils: the site is extremely rich in terms of vascular plants;
- Mixed woodland on base-rich soils associated with rocky slopes: along with Rook Cliff SAC, in the south-east of England, this habitat is only represented here;
- Dry grasslands or scrublands on chalk or limestone (though not a primary reason for site selection);
- Yew-dominated woodland (though not a primary reason for site selection).

Secondly, the site contains the Habitats Directive Annex II species early gentian *Gentianella anglica* and *Triturus cristatus* (great crested newt).

The key environmental conditions that have been defined for this site are:

- Maintenance of grazing;

- Absence of direct fertilisation; and
- Low nutrient runoff from surrounding land although the Hanger woodlands are vulnerable to nutrient run-off leading to eutrophication;
- Minimal air pollution – nitrogen deposition may cause reduction in diversity, sulphur deposition can cause acidification;
- Well-drained soils.

### **Key environmental conditions / vulnerability of the site**

Being steep and narrow, the Hanger woodlands are vulnerable to nutrient runoff from adjacent agricultural land, leading to eutrophication and growth of ruderal vegetation when, for example neglected coppice is cut. Within the Hangers over-maturity and outbreaks of beech disease have been observed. Management is hampered by sparse mast years, few seed trees, the presence of deep litter layers and difficulties in extracting felled timber due to the steep slopes present.

Natural England will be exploring mechanisms that can be put in place to curtail damaging agricultural activities in the vicinity of the site. Natural England is liaising closely with the Forestry Commission regarding positive management of these woodlands through Woodland Grant Schemes and, for example, the Challenge Fund.

## **Kennet & Lambourne Floodplain SAC**

### **Introduction**

The Kennet and Lambourn Floodplain SAC is a composite site of approximately 114 hectares located within West Berkshire and Wiltshire. The site has the general character of 59% bogs, marshes and water fringed vegetation, 40% humid and Mesophile grassland, and 1% standing or running water.

The cluster of sites selected in the Kennet and Lambourn valleys support one of the most extensive known populations of Desmoulin's whorl snail (*Vertigo moulinsiana*) in the UK. The conservation objective related to the sites' designation is to maintain in favourable condition, the habitat for the population of Desmoulin's whorl snail (*Vertigo moulinsiana*).

### **Features of European Interest**

The Kennet and Lambourne Floodplain SAC qualifies as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitrichio-Batrachion* vegetation

Secondly, the site contains the Habitats Directive Annex II species:

- *Lampetra planeri* (Brook Lamprey)
- *Cottus gobio* (bullhead)

### **Key environmental conditions / vulnerability of the site**

The River Lambourn has one of the least modified catchments in southern England and has one of the lowest levels of abstraction. Water quality, water quantity and habitat quality are all considered to be high. However, localised higher water nutrient levels and siltation problems are at present associated with sewage treatment works. Natural England and the Environment Agency have produced an agreed protocol for dealing with issues affecting the river.

## **Kennet Valley Alderwoods SAC**

### **Introduction**

The Kennet Valley Alderwoods SAC consists of two sites of approximately 56 hectares in total located within West Berkshire in the Kennet floodplain. Its general site characteristic is of broad leaved deciduous woodland. The woodlands are the largest remaining fragments of damp, ash-alder woodland in the Kennet floodplain area. The conservation of the site is dependent upon maintaining a constantly high groundwater level.

### **Features of European Interest**

The Kennet Valley Alderwoods SAC qualifies as a SAC for containing the following Habitats Directive Annex I habitats:

- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno- Padion, Alnion incanae, Salicion albae)

### **Key environmental conditions/ vulnerability of the site**

The conservation interest of the site is critically dependent upon maintenance of constantly high groundwater levels. However, there are no known threats to groundwater levels. The site is subject to low levels of intervention and natural processes are allowed to prevail to a large extent. A Woodland Grant Scheme is in place which favours the maintenance of the characteristic alder woodland composition.

## River Itchen SAC

### Introduction

The River Itchen is a chalk river that rises from the chalk aquifer of the Hampshire Downs (near Alresford) and flows through Winchester to join the Solent at Southampton. It hosts a number of habitats which support nationally and internationally important plants and animals. These require certain water levels with little variation over the course of a year, and fast flow rates. The whole river, including its three headwater tributaries, are designated as a SSSI.

### Features of European Interest

The River Itchen SAC qualifies as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation

Secondly, the site contains the following Habitats Directive Annex II species:

- *Vertigo moulinsiana* (Desmoulin's whorl snail)
- *Coenagrion mercuriale* (Southern damselfly)
- *Austropotamobius pallipes* (white-clawed crayfish)
- *Petromyzon marinus*
- *Lampetra planeri* (Brook Lamprey)
- *Lampetra fluviatilis*
- *Salmo salar* (atlantic salmon)
- *Cottus gobio* (bullhead)
- *Lutra lutra* (otter)

### Key environmental conditions/ vulnerability of the site

The river's ecology depends on maintaining a uniform, fast flow of water. A principal threat to the habitats within this SAC is considered to be the decrease in flow velocities and increase in siltation, in turn affecting macrophyte cover. Recent surveys have shown declines in *Ranunculus* cover since 1990, attributable to increased abstractions in the upper catchment, coupled with a series of years with below-average rainfall. Low flows interact with nutrient inputs from point sources to produce localised increases in

filamentous algae and nutrient-tolerant macrophytes at the expense of *Ranunculus*.

The Environment Agency is initiating a major study of the river's macrophytes, from which a predictive model will be developed which will aid decisions on whether to reduce water abstraction at critical times. Efforts are currently being made to increase the viability of the southern damselfly population through population studies and a Species Action Plan.



## River Lambourn SAC

### Introduction

The River Lambourn SAC consists of the River Lambourn water body over an area of 27 hectares. The River Lambourn rises in the chalk of the Berkshire Downs, is 26 km long, and flows through the Kennet Valley to Newbury where it joins the River Kennet. It has one important tributary, the Winterbourne stream, which flows into the Lambourn from the north-east, just upstream of Newbury. It is also a designated SSSI.

### Features of European Interest

The River Lambourn SAC qualifies as a SAC for both habitats and species. Firstly, the site contains the following Habitats Directive Annex I habitats:

- Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche-Batrachium* vegetation

Secondly, the site contains the following Habitats Directive Annex II species:

- *Lampetra planeri* (Brook Lamprey)
- *Cottus gobio* (bullhead)

### Key environmental conditions/ vulnerability of the site

The River Lambourn has one of the least modified catchments in southern England and has one of the lowest levels of abstraction. Water quality, water quantity and habitat quality are all considered to be high. However, localised higher water nutrient levels and siltation problems are at present associated with sewage treatment works. Natural England and the Environment Agency have produced an agreed protocol for dealing with issues affecting the river.

## **Shortheath Common SAC**

### **Introduction**

Shortheath Common is a heathland site located on the western Weald. It comprises a single SSSI which covers approximately 58 hectares. The site was historically grazed but now is recovering from the encroachment of scrub.

### **Features of European Interest**

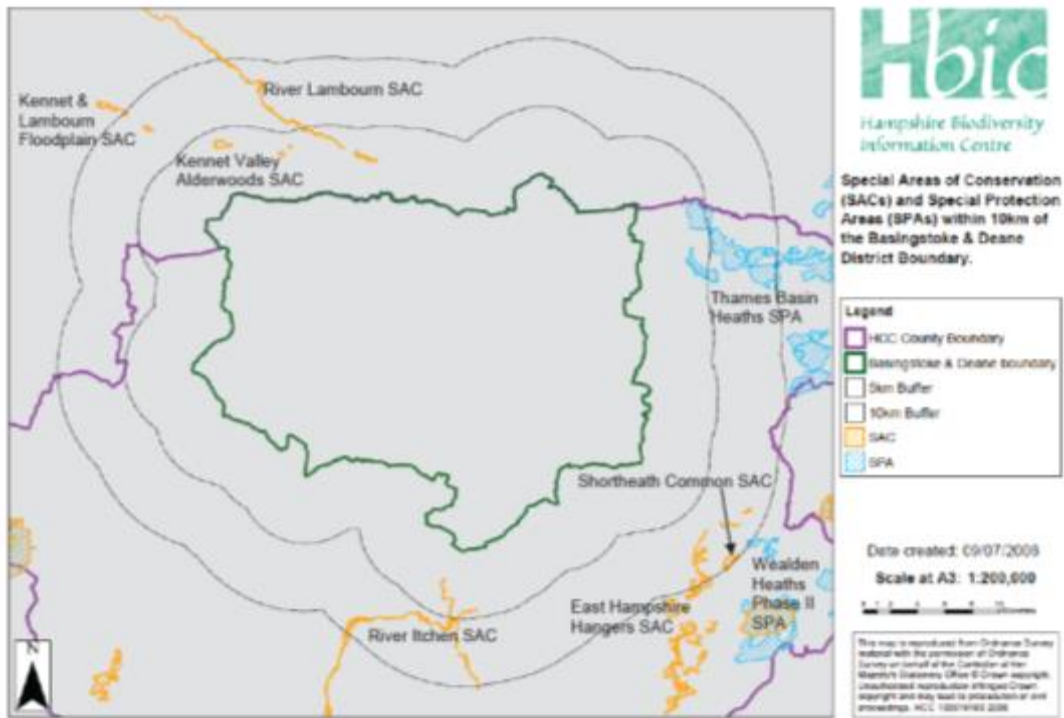
The Shortheath Common SAC qualifies as a SAC for containing the following Habitats Directive Annex I habitats:

- Natural dystrophic lakes and ponds
- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths
- Transition mires and quaking bogs
- Bog woodland

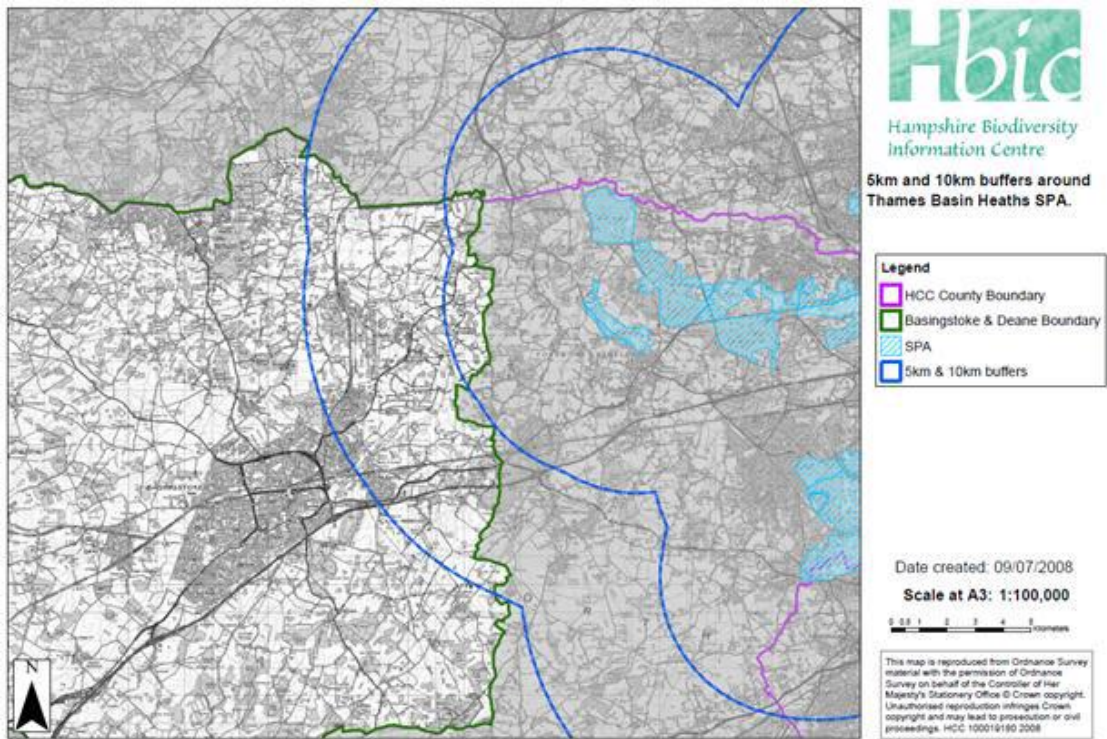
### **Key environmental conditions/ vulnerability of the site**

The site is vulnerable to encroachment of invasive scrub and trees due to cessation of traditional grazing management. Erosional risk and fire are also threats. A Natural England Wildlife Enhancement Scheme agreement has been entered into in an attempt to address the ecological deterioration. The heaths are also dependent on high water tables to maintain their features of interest, and are therefore sensitive to any potential lowering of water levels due to water abstraction. Protection of the site therefore relies on careful management of water levels and recreational activities and good air quality.

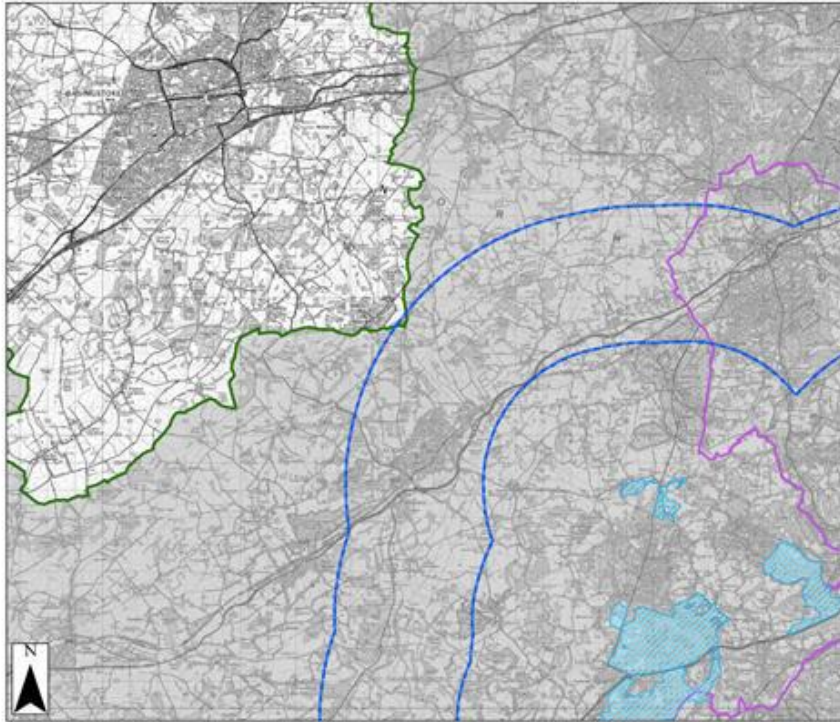
## Appendix 3: Maps of European sites within 10km of Basingstoke and Deane Borough



Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.



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**Hbic**  
Hampshire Biodiversity  
Information Centre

**5km and 10km buffers around Wealden Heaths Phase II SPA.**

**Legend**

- HCC County Boundary
- Basingstoke & Deane Boundary
- SPA
- 5km & 10km buffers

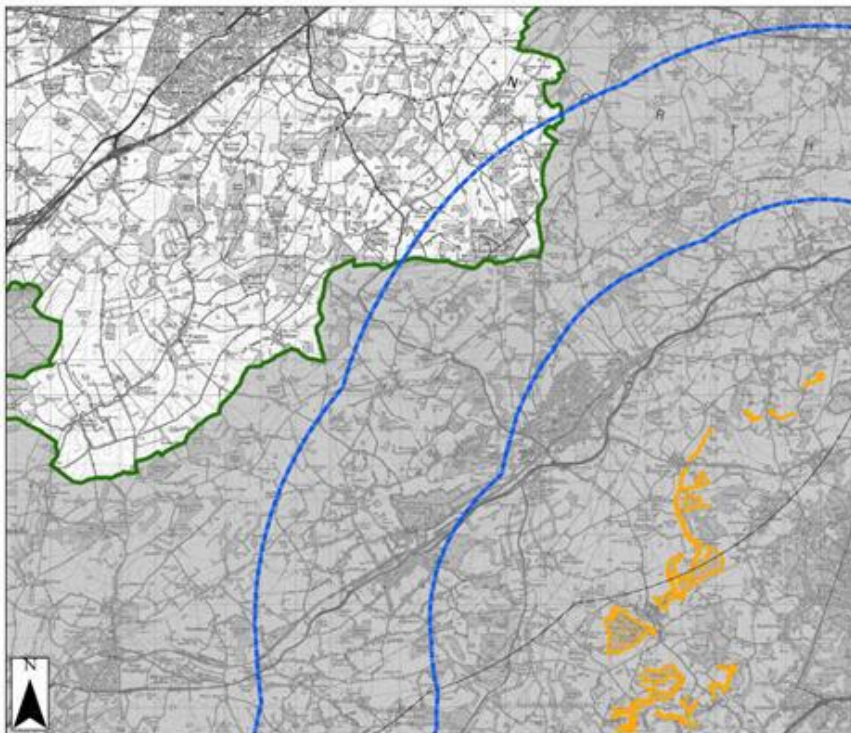
Date created: 09/07/2008

Scale at A3: 1:100,000



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Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.



**Hbic**  
Hampshire Biodiversity  
Information Centre

**5km and 10 km buffers around East Hampshire Hangers SAC.**

**Legend**

- Basingstoke & Deane boundary
- SACs
- 5km & 10km Buffers

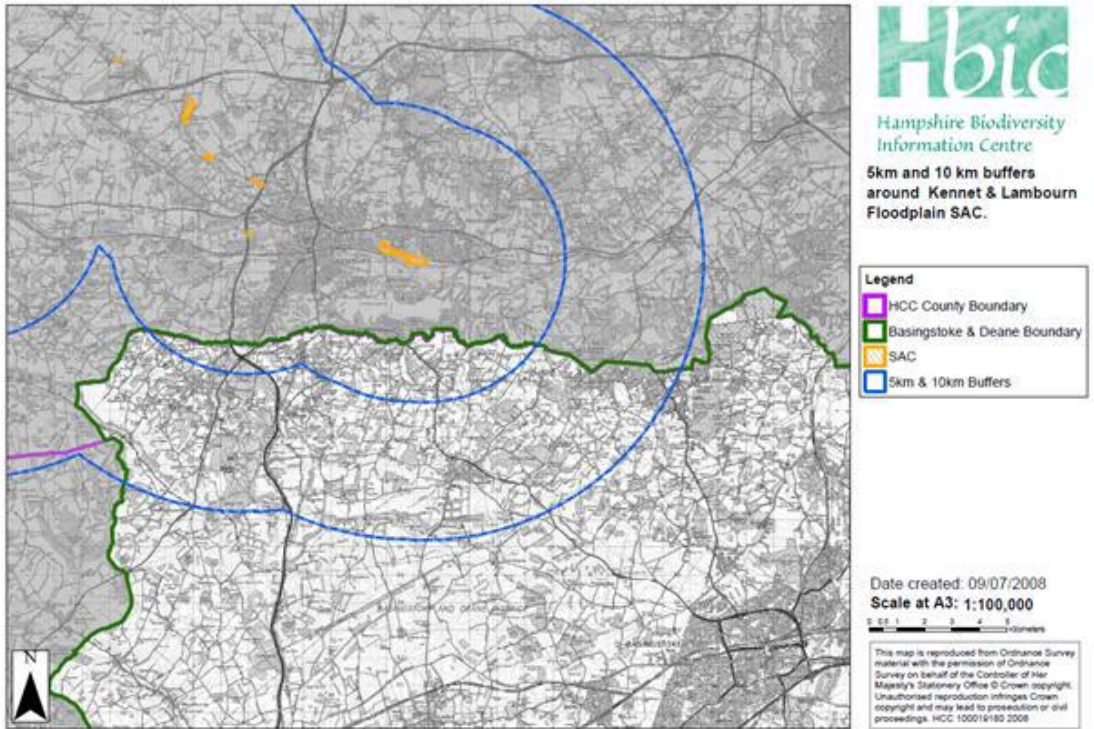
Date created: 08/07/2008

Scale at A3: 1:80,000

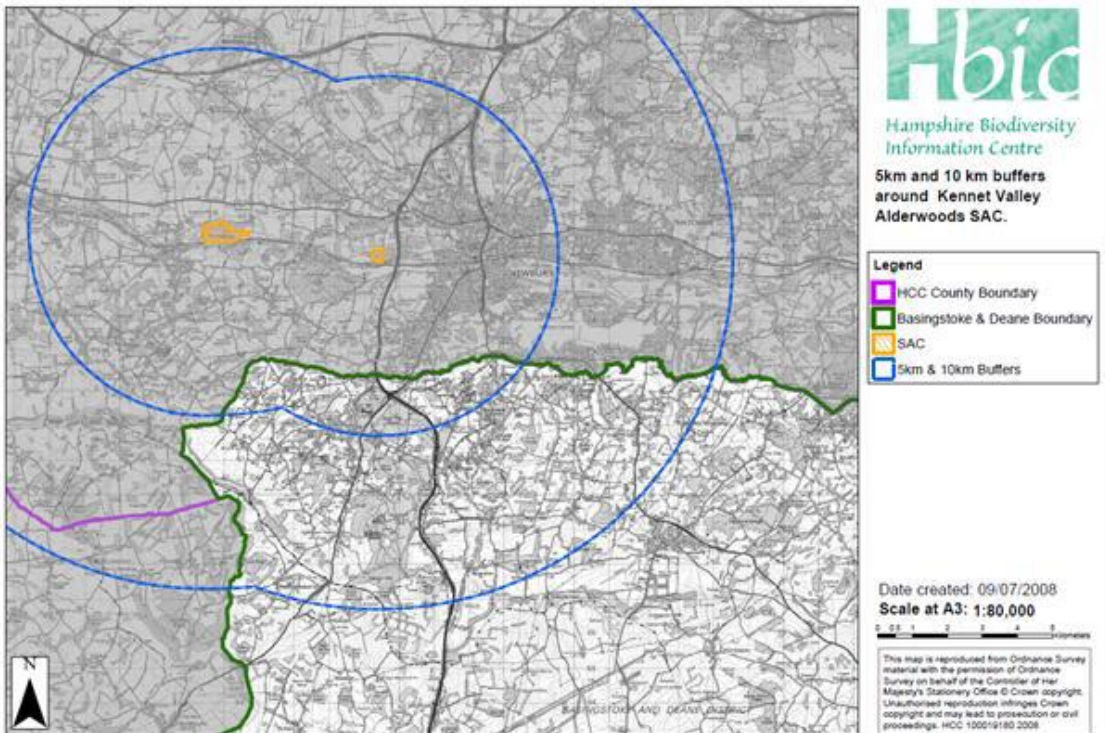


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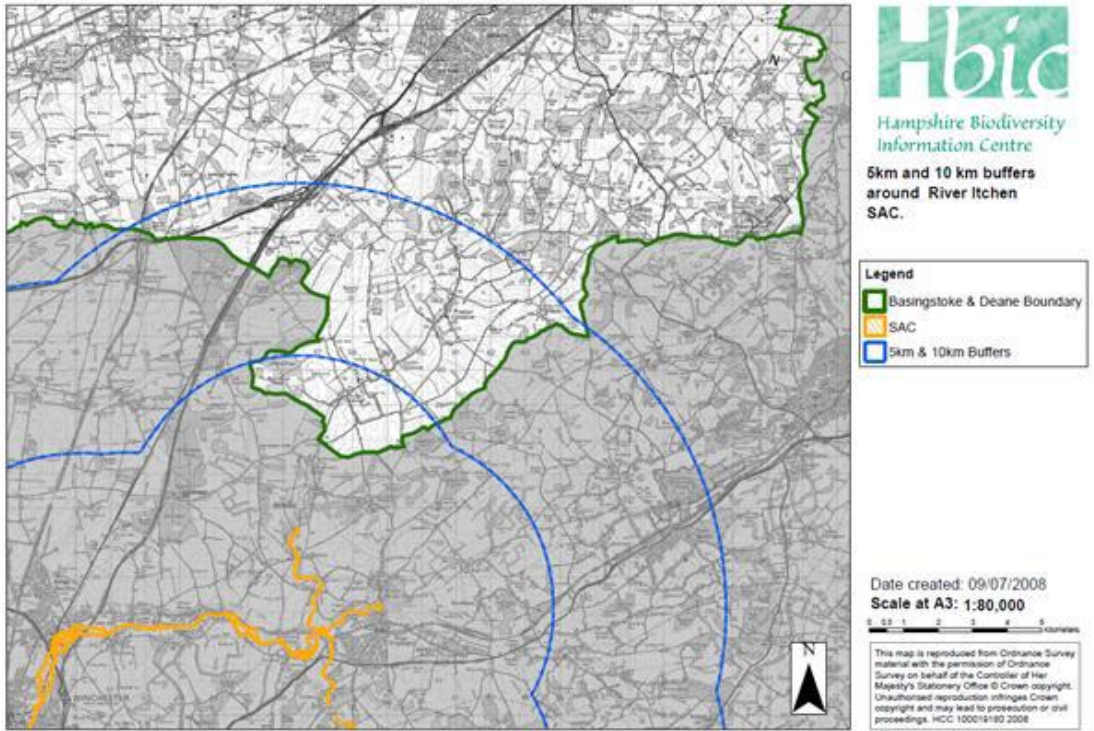
Please note: The boundaries for statutory sites have been provided as digital data from Natural England (NE); this digital data is indicative not definitive. Paper maps produced by NE at the time the sites were designated show the official site boundaries.



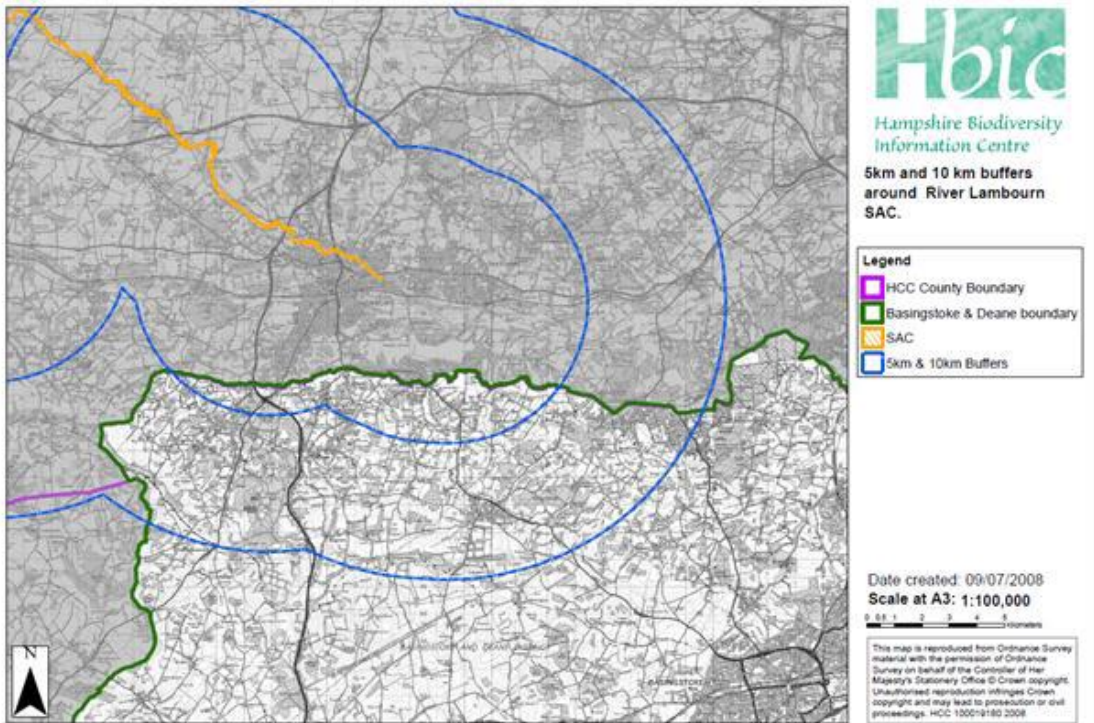
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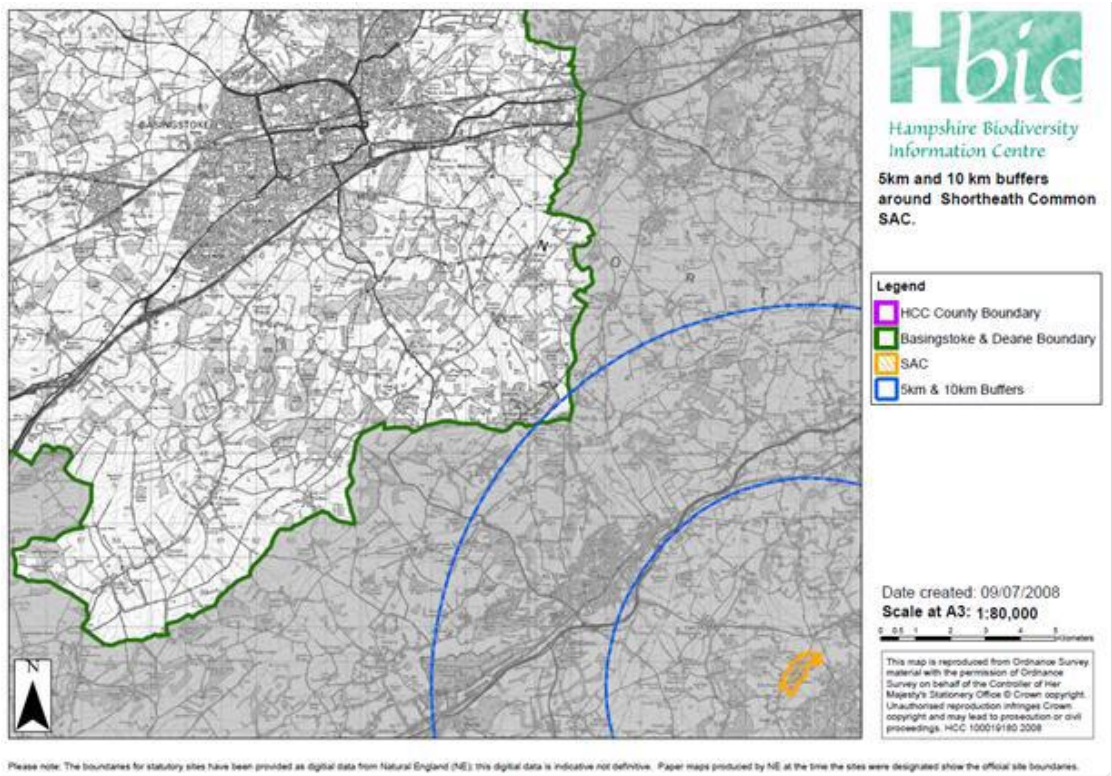
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(Source for all: Basingstoke and Deane Pre-Submission Local Plan Habitats Regulations Screening Assessment)

## Appendix 4: Responses from consultation bodies

### Natural England

Thank you for your consultation on the above dated 13 August 18.

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.

Natural England's opinion is that we concur with the screening assessments and conclusions in the Neighbourhood Planning Screening Report – Burghclere report dated August 2018. Natural England does not have any further specific comments on this screening report.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

<http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans>

Kind regards  
Rachael Clemson  
Solent Planning Adviser  
Dorset, Hampshire and Isle of Wight Area Team

Mobile : 07500 954264  
Tel: 02080261472

Please note my non-working day is Friday

[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

Please send planning consultations to Natural England by email to: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

[www.gov.uk/government/organisations/natural-england](http://www.gov.uk/government/organisations/natural-england)

**Natural England offers two chargeable services – The Discretionary Advice Service (DAS) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (PSS) provides advice for protected species mitigation licence applications.**

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## Historic England

Dear Emily

I am happy to confirm that, within the areas of interest to Historic England, we agree that the plan presently has potential for likely significant environmental effects and would need to be subject to Strategic Environmental Assessment.

This is based on the following factors:

The plan is expected to allocate sites for development of up to 20 houses and associated infrastructure;

This is likely to include sites that have not previously been assessed through SEA of a higher or equivalent level plan;

The area contains numerous heritage assets (both designated and non-designated) the significance of which could be affected by development either directly or indirectly;

Impacts to heritage assets are likely to be permanent or long term, whilst heritage assets are considered a finite or irreplaceable resource;

There are sites to be considered for allocation, including reasonable alternatives are not presently known.

We hope these comments are of assistance to the Council. We would be pleased to review our opinion at such time as the plan has evolved and more information is available.

Yours sincerely

Robert Lloyd-Sweet

Rob Lloyd-Sweet | Historic Places Adviser | South East England | Historic England  
Mobile: 07825 907288

Eastgate Court | 195 – 205 High Street | Guildford | Surrey | GU1 3EH

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## Environment Agency

Thank you for consulting the Environment Agency on the SEA screening for the Burghclere neighbourhood plan. We apologise for the delay in responding to you.

We regret that at present, the Thames Area Sustainable Places team is unable to review this consultation. This is due to resourcing issues within the team, a high development management workload and an increasing volume of neighbourhood planning consultations. We have had to prioritise our limited resource, and must focus on influencing plans where the environmental risks and opportunities are highest. For the purposes of neighbourhood planning, we have assessed those authorities who have "up to date" local plans (plans adopted since 2012, or which have been confirmed as being compliant with the National Planning Policy Framework) as being of lower risk. We understand that the Basingstoke and Deane local plan (2011 to 2029) was adopted in May 2016. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local authority area.

However, together with Natural England, English Heritage and Forestry Commission, we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

kind regards,

Thames Area Sustainable Places team

[Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)