

Tunbridge Wells Borough Council

Paddock Wood Neighbourhood Development Plan

Strategic Environmental Assessment Screening Report

Draft for Consultation

December 2021



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1 Introduction

1.1 SEA Background

This screening report is designed to determine whether or not the contents of the draft Paddock Wood Neighbourhood Development Plan (NDP) require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

In general terms, the NDP seeks to guide the principles for the use of land for housing and business whilst safeguarding and improving valued features of the local environment. The vision statement of the Paddock Wood NDP is as follows:

Paddock Wood will retain its character as a modern, 21st Century, rural market town, preserving its built and natural heritage whilst sympathetically accommodating new growth.

New residential and commercial development that embeds high environmental standards will be delivered alongside the appropriate infrastructure to support community life and activity for all ages, including younger people.

New growth and development will integrate seamlessly with the existing settlement to create a balanced place with a cohesive, socially inclusive community, with a thriving centre at its heart, and accessible open spaces that support wildlife as well as people. A wide range of social, community and recreational facilities will help make Paddock Wood a better place to live, learn, work and visit for everyone, including the elderly, vulnerable and disabled.

Through sustainable design and the promotion of active travel, Paddock Wood will be future-proofed, responding proactively to the challenges posed by climate change.

The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 3 provides a screening assessment of the likely significant environmental effects of the draft plan and the need for a full SEA.

1.2 Legislative Background

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.

This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

2 Assessment

2.1 Overview

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

The ODPM publication “A Practical Guide to the Strategic Environmental Assessment Directive” (2005) sets out the approach to be taken in order to determine whether SEA is required.

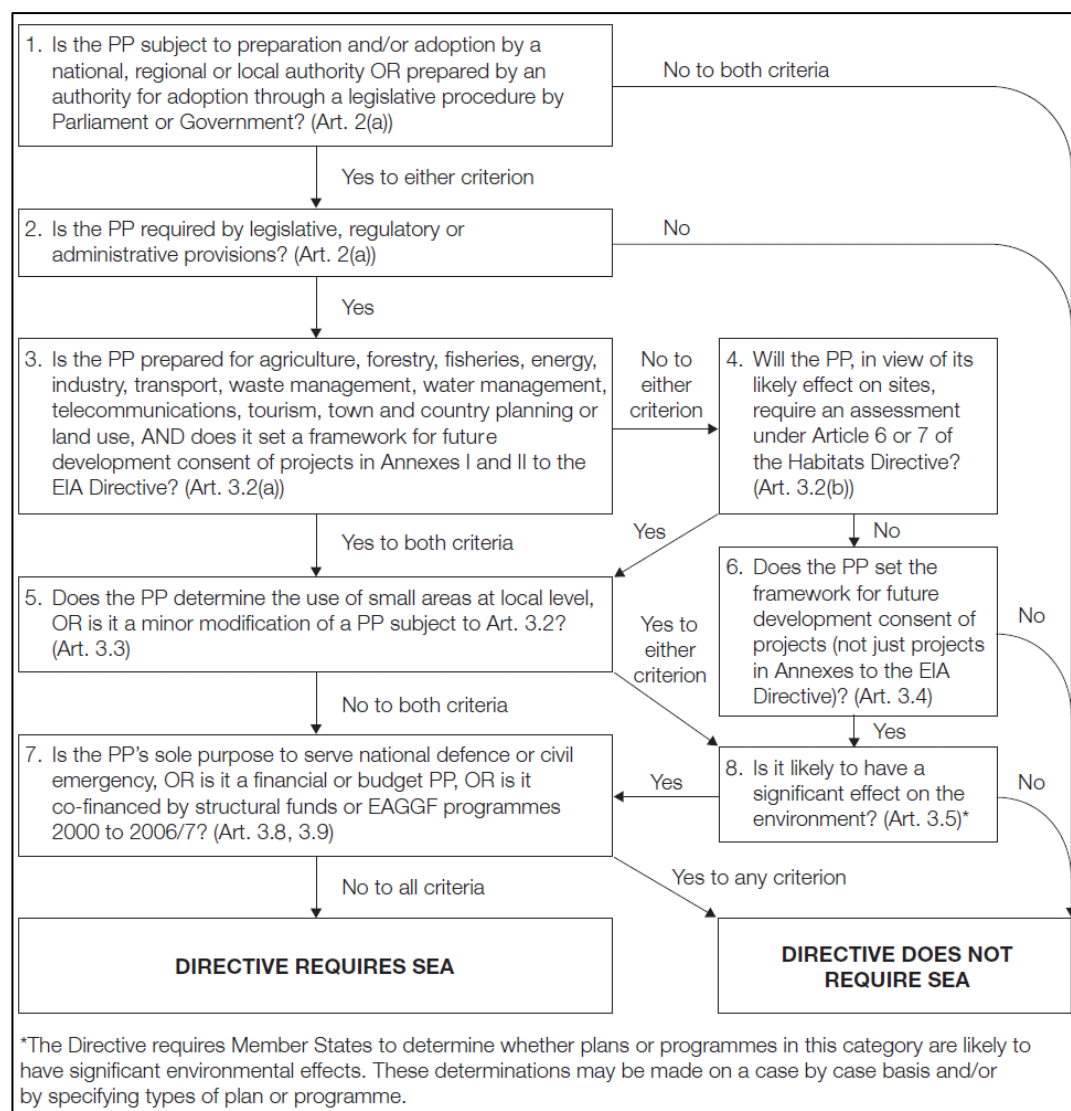


Figure 1. Application of the SEA Directive to plans and programmes (from “A Practical Guide to the Strategic Environmental Assessment Directive”)

This assessment is therefore split into two parts. Part 1 runs the draft plan through the questions outlined in the diagram above and includes commentary on whether the need for SEA is triggered. Part 2 further assesses stage 8, on whether there is a likely significant impact. The screening opinion takes a 'precautionary approach' and when it is unclear as to how the Directive may be applied it is assumed that there are possible likely significant effects.

2.2 Part 1 - Application of the Directive to the draft NDP

Table 1. Establishing the need for SEA by following the flowchart in Figure 1.

Stage	Y/N	Justification
1) Is the PP (plan or programme) 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))	Y	NDPs are prepared by parish councils under the provision of the Town and Country Planning Act 1990 as amended by the Localism act 2011. GO TO STAGE 2
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	It is not a requirement for a parish to produce a NDP. However, once "made" the plan forms part of the statutory Development Plan and will be used when making decision on planning applications. GO TO STAGE 3
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))	Y	The NDP is being prepared for town and country planning and land use. The NDP supports allocations in the emerging Tunbridge Wells Local Plan and planning applications for small-scale housing development. It contains a general framework for all future development consent and thus projects which could be listed in Annex II of the EIA Directive. GO TO STAGE 5

Stage	Y/N	Justification
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))		NOT APPLICABLE
5) Does the PP 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)	Y	The NDP does not allocate land for a specific purpose but does show preference for the type and form of development at local level. GO TO STAGE 8
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)		NOT APPLICABLE
7) Is the PP's 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 programmes 2000 to 2006/7? (Art 3.8, 3.9)		NOT APPLICABLE
8) Is it likely to have a significant effect on the environment? (Art. 3.5)	N	SEE TABLE 2

2.3 Part 2 – Likely significant effects on the environment

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the draft NDP would trigger the need for a full assessment.

Table 2. Assessing Likely Significant Effects (LSE) for the characteristics of plans and programmes, with particular regard to the following criteria.

SEA Directive Criteria	LSE	SEA Directive Criteria
The degree to which the plan or programme sets a framework for projects and other activities, either with	N	The NDP does not allocate specific land for development but it does provide guidance on how development should be

SEA Directive Criteria	LSE	SEA Directive Criteria
regard to the location, nature, size and operating conditions or by allocating resources		designed within the growth areas proposed by the Submission Local Plan .
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	N	If the NDP is not delivered, the Borough's submission and existing Local Plan is not affected. The Submission Local Plan is subject to SEA.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	N	As the NDP was prepared, thought was given to sustainable design and a report was commissioned by AECOM which included provision for numerous codes that cover a range of economic, social and environmental topics. This report has informed the draft NDP.
Environmental problems relevant to the plan or programme	N	There are no specific environmental problems relevant to this NDP. Impacts upon environmental aspects such as flood risk, ecology and landscape, are considered and negative outcomes are not predicted.
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)	N	The NDP will not affect implementation of European Community environmental legislation (or those now transcribed in UK law). The general principles of the Water Framework Directive will need to be taken into account.

Table 3. Assessing Likely Significant Effects (LSE) for the characteristics of the effects and the area likely to be affected, with particular regard to the following criteria.

SEA Directive Criteria	LSE	SEA Directive Criteria
The probability, duration, frequency and reversibility of the effects	N	The NDP does not allocate specific land for development but does provide guidance for development in the growth areas in the Submission Local Plan (which has already undergone a SEA). Any effects are expected to be managed effectively by the development management process both within this plan and at Tunbridge Wells Borough Council, and are thus considered unlikely to be significant.
The cumulative nature of the effects	N	Significant effects are considered unlikely and negative cumulative effects from the NDP are not predicted.

SEA Directive Criteria	LSE	SEA Directive Criteria
The transboundary nature of the effects	N	Paddock Wood lies adjacent to the boundary with Maidstone and other districts. However, no significant trans boundary effects from the NDP are expected.
The risks to human health or the environment (e.g. due to accidents).	N	The NDP does not create any significant risks to human health or the environment.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	N	The NDP covers the Parish of Paddock Wood which contains just one settlement (Paddock Wood town). Significant effects are not predicted across or outside of this geographical area.
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> i. special natural characteristics or cultural heritage, ii. exceeded environmental quality standards or limit values, iii. intensive land-use 	N	<ul style="list-style-type: none"> i. The area covered by the NDP is situated in the Low Weald, which is a relatively flat area underlain by impermeable Weald Clay. This means the parish contains large areas of flood zone 2 and 3 especially to the north of Paddock Wood town. Biodiversity and landscape sites of interest include a Site of Local Nature Conservation Value, numerous TPOs especially to the east and south of the town, Brenchley Wood Local Wildlife Site (on southern boundary of the parish), a Local Nature Reserve in south west of the parish (also ancient woodland), and 9 pockets of ancient woodland largely in the south of the parish. Finally, the High Weald AONB lies to the south west of the parish boundary. There are also listed buildings to the south of Maidstone Road and locally designated heritage assets. The NDP and associated Design Code Report seek to prevent these impacts and uphold policy at Borough and National level to ensure no significant environmental issues are created. Environmental protection is a key theme running through the NDP. ii. The NDP is not predicted to exceed standards or environmental limits. iii. The NDP seeks to make efficient use of land by including policy on housing density (HI4).
The effects on areas or landscapes which have a recognised national, Community or international protection status.	N	Whilst there are no areas within Tunbridge Wells borough that are EC or internationally protected, the Ashdown Forest SPA/SAC European designation is sited in an adjacent authority area (Wealden) which affects the south-west of the Borough. Proposals in this NDP are unlikely to impact upon this designated site as the parish is outside of the 7km zone of

SEA Directive Criteria	LSE	SEA Directive Criteria
		<p>influence (as determined by the Habitats Regulations Assessment for the Borough-Level DPD).</p> <p>At national level, the High Weald AONB lies to the south western corner outside of the parish. Protection of this important landscape has been considered by the Submission Local Plan and associated master planning. The NDP will support this protection.</p> <p>There are no nationally designated sites for biodiversity within the parish, or impacts expected to sites outside of the parish.</p> <p>The Paddock Wood Stream, Tudely Brook and Gravely Ways Stream flow into the large regional rivers to the north of Paddock Wood: the Rivers Medway and Teise. Flood risk is carefully considered by the submission Local Plan and a betterment for Paddock Wood is planned. Again, the NDP will support this approach.</p>
Part 2 Overall Conclusion		The Paddock Wood NDP is unlikely to have a significant effect on the environment.

2.4 Screening Outcome

As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects arising from the draft NDP. As such, it does not require a full SEA to be undertaken. This conclusion has been sent to the Environment Agency, Natural England and Historic England for consideration. When responses are obtained, they will be included in Appendix A.

Appendix A

Responses from Statutory Environmental Bodies.

To be inserted upon receipt.