

Ford Neighbourhood Development Plan Modifications (January 2023)

Arun District Council (ADC) screening Of the need for an environmental assessment of the Ford Neighbourhood Plan Modifications

The Council encourage the community's decision to produce a Neighbourhood Development Plan review. The government is clear that the intention of Neighbourhood Development Plans should be to set out policies on the development and use of land in a neighbourhood area and that the local planning authority has a duty to support production of the plan.

Our duty in respect to this aspect is to screen the expected contents of the Plan and environmental information outlined, to determine whether a Strategic Environmental Assessment (SEA) and/or Habitat Regulations Assessment (HRA) process is required. As such we will also be determining at the same time, or later if one is required, if it satisfies the basic condition of being compatible with retained EU law or as it had effect immediately before exit day. This will allow the Examiner at a forthcoming examination to see that this condition has been met and recommend that the proposed Plan goes ahead to referendum.

These comments only relate to the need for either a Strategic Environmental Assessment (2001/42/EC) or an assessment under the Birds Directive (92/43/EEC). They are based solely on the information submitted and/or provided to this authority with respect to satisfying this basic condition specifically.

ADC Comments

As part of good planning practice, ADC have highlighted and provided guidance in terms of addressing this aspect and these comments follow in that vein. The statutory bodies have also provided guidance related to these aspects.

The information provided within the submitted Opinion Request Form, Ford Modification Proposals Statement and Ford Neighbourhood Plan Strategic Environmental Assessment (May 2017) is sufficient to determine that:

- The environmental characteristics of the Parish/Town have been recognised;
- There will be no significant environmental effects to result from the modifications outlined in the Modifications Proposal Statement that have not been appraised through other development plan processes; and

- That it does not breach, and is otherwise compatible with, retained EU law and Human Rights obligations or as it had effect on the day immediately before exit day.

Conclusion

On the basis of the information provided within the submitted Opinion Request Form, the Modifications Proposal Statement and Ford Neighbourhood Plan 2017-2031 Strategic Environmental Assessment (May 2017) provided to this Council on 22 November 2022, it is determined that an environmental assessment is **not** required on the basis that:

- There are no sites that are officially being allocated for development in the modifications outlined and as such will not be affecting either the natural or historic environments.

It can also be confirmed that since no official allocations and as such no effects on any internationally designated nature sites, it also meets the basic requirement of not breaching the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, is met.

In our opinion this plan meets the 2 basic conditions of:

- **not breaching, and otherwise being compatible with retained EU law and Human Rights obligations or as it had effect immediately before exit day; and**
- **not breaching the requirement of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.**

Ultimately any decision over the eventual contents of the Modified Plan rests with the Ford Neighbourhood Plan Group. However, if the contents of the Plan is revised and/or there is a material change in the environmental characteristics in the locality (e.g. any new or changes to nature conservation designations), then the comments contained in this letter would need to be reconsidered again to take account of the changes.

Yours Sincerely

Charlotte Hardy
Senior Environmental Assessment Officer

Date Issued: 10 January 2023