

BASIC CONDITIONS STATEMENT

WEST SALTDEAN NEIGHBOURHOOD FORUM

OCTOBER 2024

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1. Introduction

This Statement has been prepared by West Saltdean Neighbourhood Forum (WSNF) to accompany its submission to the lead local planning authority, Brighton & Hove City Council of the West Saltdean Neighbourhood Plan (WSNP) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

In order to satisfy Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the WSNF must include a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B of the Town & Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004). This paragraph sets out, among other things, that the examiner must consider that the Neighbourhood Plan complies with legal requirements, has regards to strategic policies & is compatible with EU obligations.

2. Legal Requirements

The plan complies with the provisions of paragraph 8, sub-paragraph 1b as described below.

i. [The Plan is being submitted by a qualifying body.](#)

The WSNP has been developed during the period 2022-2024 by a forum of volunteers who are residents of the plan area & came together to form a qualifying body that was designated by Brighton & Hove City Council on 23rd August 2022

ii. [What is being proposed is a neighbourhood plan.](#)

The Neighbourhood Plan contains policies relating to the development & use of land within the Neighbourhood Plan area & has been prepared in accordance with the statutory requirements & processes set out in the Town & Country Planning Act 1990 (as amended by the Localism Act 2011) & the Neighbourhood Planning Regulations 2012.

- iii. [The proposed Neighbourhood Plan states the period for which it is to have effect.](#)

The Neighbourhood Plan states that the period which it relates to is from 2023-2030. The end date has been chosen to align with that of the Brighton & Hove City Plan Part 2.

- iv. [The proposed Neighbourhood Plan does not relate to more than one area & there are no other plans in place within the designated area.](#)

The designated Plan area was approved by Brighton & Hove City Council on 23rd August 2022 & by the South Downs National Park Authority on 30th August 2022.

No other Neighbourhood Development Plan exists nor is in development for any part of the Neighbourhood Area.

- v. [The policies do not relate to excluded development](#)

The Neighbourhood Plan does not deal with county matters (mineral extraction & waste development), nationally significant infrastructure or any other matters set out in Section 61k of the Town & Country Planning Act 1990.

3. The Basic Conditions

This Statement addresses each of the four ‘basic conditions’ required in the Regulations & explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4b to the 1990 Town & Country Planning Act.

- a. [Basic Condition 1 – Having Regard to National Policy](#)

The WSNF believe that this Neighbourhood Plan, as submitted, properly demonstrates due regard to National Policy, specifically that set out in the National Planning Policy Framework (NPPF) 2023. Paragraphs 29-30 of the NPPF describe how Neighbourhood Planning can be used to give communities direct power to deliver a shared vision for their neighbourhood & deliver the sustainable development that they need.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development that is at the heart of national policy. For planning to deliver sustainable development, the NPPF gives policy guidance in key areas, the following of which, where relevant to the Neighbourhood, the Neighbourhood Plan has had close regard:

- Building a strong, competitive economy;
- Delivering a sufficient supply of homes;
- Promoting sustainable transport;
- Achieving well designed & beautiful places;
- Supporting high quality communications;
- Promoting healthy & safe communities;

- Meeting the challenge of climate change;
- Conserving & enhancing the natural environment;
- Conserving & enhancing the historic environment;

The conformity between the policies of the WSNP & the guidance given in the National Planning Policy Framework is demonstrated in further detail in Table 1 below.

Table 1: How the WSNP policies have regard to the NPPF

Policy	Key links to NPPF	Commentary
POLICY WS1 – Achieving High Quality Design.	Section 2, Para 13 Section 8 Para 96 Section 11 Para 128, 129 Section 12 Para 131 to 141	Neighbourhood planning groups can play an important role in identifying the special qualities of each area & explaining how this should be reflected in development. This policy supports the creation of well-designed places & reflects the ambitions of the NPPF to promote good design practices & to deliver environmental sustainability.
Policy WS2 - South Downs National Park	Section 15, para 180-183	Plans are required to distinguish the hierarchy of national & local designated sites setting out that great weight should be given to protecting landscapes & scenic beauty in National Parks. This policy supports the protection of valued landscapes set out within the NPPF & delivers environmental sustainability.
Policy WS3 – Affordable Housing	Section 5, para 60, 64,	The NPPF sets out the contributions expected from development towards providing a range of affordable homes. It highlights the need for the type of affordable housing to be specified. The policy & Housing Needs Assessment supports this aim & helps to deliver social sustainability.

Policy	Key links to NPPF	Commentary
Policy WS4 – Other types of low cost & specialist housing.	Section 5, para 63	The NPPF sets out that within the context of establishing housing need, the size, type & tenure of housing for different groups in the community should be assessed & reflected in planning policies. WS4 supports this aim & helps to deliver social sustainability through promoting the need for a healthy & safe community.
Policy WS5 – Adaptable Housing	Section 5, para 66	This policy supports the creation of flexible & adaptable housing that can support a diverse community & help deliver a robust housing stock for an aging population. This reflects the aims of Section 8 of the NPPF & assists in delivery social sustainability.
Policy WS6 Conserving Local Heritage	Section 16, para 196	The policy sets out the heritage context to be considered for local development proposals. This reflects the requirements of the NPPF & supports environmental sustainability.
WS7– Incorporating Sustainable Drainage & Water Efficiency Measures	Section 14, para 157 & 167 (c)	The policy sets out the context for new development to improve the local community’s resilience to flooding & water stress. This reflects the aims of Section 14 & helps deliver environmental sustainability.
POLICY WS8 – Small scale renewable energy projects including community energy schemes.	Section 14, para 157 & 161	The NPPF sets out the need at Section 14 to shape places in a way that contributes to a radical reduction in greenhouse gas emissions as well as reuse existing resources to support the transition to a low carbon future. The policy supports this aim & helps deliver

Policy	Key links to NPPF	Commentary
		environmental sustainability & economic sustainability.
POLICY WS9 – Encouraging & enabling better travel planning.	Section 2 para 11 Section 9 para 110	The policy reflects the requirements of the NPPF Section 9 to promote sustainable transport & encourage development proposals to consider infrastructure improvements to enhance connectivity & promote more sustainable modes of travel. This contributes to both social & environmental sustainability.
Policy WS10 – Parking	Section 12 para 131,132 & para 135	The NPPF sets out the need at Section 12 for plans to be set at the most appropriate level & to set out clear design expectations which reflect local characteristics. This policy reflects the local characteristic of parking off road while protecting the wide green verges that are a characteristic of many of the roads in the NP area. The policy contributes to environmental sustainability.
POLICY WS11 – Protecting Local Green Spaces	Section 8 para 102 & paras 105 - 107	The NPPF set out in Section 8, the importance of the local community having access to a network of high-quality open spaces for health & well-being. Para 105 enables local communities to identify & designate local green space areas to protect & enhance that network. This policy reflects that requirement & contributes to social & environmental sustainability.
POLICY WS12 – Enhancing local green spaces, biodiversity & wildlife.	Section 8 para 96 Section 12 para 136	This policy reflects the requirement for policies to ensure that new developments do not adversely impact on the natural environment & living

Policy	Key links to NPPF	Commentary
	Section 15 para 191	conditions. Emphasising the special contribution trees make to the urban environment. The policy contributes to social & environmental sustainability.
POLICY WS13 – Saltdean Lido	Section 8 para 96 & 97 Section 16 para 196	This policy supports the conservation & enhancement of a community building that enable healthy lifestyle & well-being needs & supports the creation of a mix of community facilities. This policy reflects the core aims of Section 8 of the NPPF & contributes to social sustainability.
POLICY WS14– Supporting local businesses & providing a mix of employment opportunities	Section 6 para 85 to 87	This policy supports economic growth & the creation of a mix of community facilities in the local area. This reflects the ambitions set out in the NPPF in particular Section 6 to build a strong, competitive economy. This contributes to economic sustainability.
POLICY WS15–Improving facilities on the beach & undercliff. Safeguarding the beach/cliff-top flora & fauna.	Section 8 Para 97 Section 14 para 177 Section 15 Para 180 (c) para 185	This policy supports the creation of a mix of community facilities in the local area which reflects the ambitions of the NPPF section 8 & contributes to social & environmental sustainability.
POLICY WS16 - Retaining Whitecliffs Café/Bar as a café/bar/restaurant & an employment site.	Section 8 para 96 & 97	This policy supports the creation of a mix of community facilities in the local area which reflects the ambitions of the NPPF section 8 & contributes to social sustainability.

b. Basic Condition 2 – Contribution to Sustainable Development

The NPPF highlights that there are three dimensions to sustainable development: economic, social, & environmental. These dimensions give rise to the need for the planning system to perform a number of roles. These objectives should not be undertaken in isolation as they are mutually dependent.

1. *An economic objective – to help build a strong, responsive, & competitive economy, by ensuring that sufficient land of the right types is available in the right places & at the right time to support growth, innovation, & improved productivity; & by identifying & coordinating the provision of infrastructure.*
2. *A social objective– to support strong, vibrant, & healthy communities, by ensuring that a sufficient number & range of homes can be provided to meet the needs of present & future generations; & by fostering well-designed, beautiful & safe places, with accessible services & open spaces that reflect current & future needs & support communities’ health, social & cultural well-being.*
3. *An environmental objective – to protect & enhance our natural, built & historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste & pollution, & mitigating & adapting to climate change, including moving towards a low carbon economy.*

Table 2 – Sustainability

✓ positive impact

- Neutral impact

X negative impact

Policy #	Subject	Economic Impact	Social Impact	Environmental Impact
WS1	Achieving High Quality Design	-	✓	✓
WS2	South Downs National Park	-	✓	✓
WS3	Affordable Housing	✓	✓	-
WS4	Other types of low cost & specialist housing	✓	✓	-
WS5	Adaptable Housing	✓	✓	-
WS6	Conserving Local Heritage	-	✓	✓
WS7	Incorporating Sustainable	✓	✓	✓

Policy #	Subject	Economic Impact	Social Impact	Environmental Impact
	Drainage & Water Efficiency Measures			
WS8	Small scale renewable energy projects including community energy schemes	✓	✓	✓
WS9	Encouraging & enabling better travel planning	✓	✓	✓
WS10	Parking	-	-	✓
WS11	Protecting Local Green Spaces	-	✓	✓
WS12	Enhancing local green spaces, biodiversity & wildlife	-	✓	✓
WS13	Saltdean Lido	✓	✓	✓
WS14	Supporting local businesses & providing a mix of employment opportunities	✓	✓	
POLICY WS15	Improving facilities on the beach & undercliff. Safeguarding the beach/clifftop flora & fauna	✓	✓	✓
POLICY WS16	Retaining Whitecliffs Café/Bar as a café/bar/restaurant & an employment site	✓	✓	-

c. Basic Condition 3 – Be in Conformity with Strategic Local Policies

The Brighton & Hove City Plan Part One was adopted in March 2016 & Part 2 was adopted in October 2022. The South Downs National Park Local Plan was adopted in July 2019.

The WSNP has, therefore, been produced taking full consideration of the strategic direction & policies set out within these plans. Brighton & Hove City Council & the South Downs National Park Authority have been extremely helpful & supportive of the Neighbourhood Plan. This has ensured general conformity & minimised any potential conflict between policies at different levels.

This Basic Conditions Statement sets out to demonstrate that the Neighbourhood Plan does not conflict with the strategic policies set out in the City Plan Part 1 & Part 2 & the South Downs Local Plan. The Neighbourhood Plan seeks to add detail to the overall strategic policy framework & to be flexible enough to work alongside it.

The general conformity of each WSNP policy to the strategic policies of Brighton & Hove City Council Local Plan Parts One & Two & South Downs Local Plan are highlighted in Table 3.

Table 3: How each WSNP policy has regard to strategic policies in CPP1, CPP2 and the SDLP

CPP1 = Brighton & Hove City Plan Part 1 (2016):

CPP2 = Brighton & Hove City Plan Part 2 (2022):

SDLP = SDNPA Local Plan (2019)

Policy #	Subject	City Plan / South Downs Policies	Commentary
WS1	Achieving High Quality Design	<p><u>CPP1:</u> SA6 – Sustainable Neighbourhoods CP12 – Urban design</p> <p><u>CPP2:</u> DM18 – High Quality Design & Places DM19 – Maximising development Potential DM20 - Protection of Amenity DM22 – Landscape Design & Trees SPD 17 Urban Design Framework</p> <p><u>SDLP:</u> SD1 - Sustainable Development</p>	This policy aims to create a framework by setting out in a design guide the design expectations for the local area.

Policy #	Subject	City Plan / South Downs Policies	Commentary
		SD4 - Landscape SD5 - Design The South Downs Design Guide July 2022	
WS2	South Downs National Park	<u>CPP1:</u> SA5 – The setting of the South Downs National Park CP12 – Urban Design <u>CPP2:</u> DM22- Landscape Design & Trees <u>SDLP:</u> SD5 - Design The South Downs Design Guide July 2022	This policy seeks to protect the National Park from adverse effects of new developments that are within or close to the designated area.
WS3	Affordable Housing	<u>CPP1:</u> CP1 Housing Delivery SA6 – Sustainable Neighbourhoods CP20 – Affordable Housing <u>CPP2:</u> DM1 - Housing Quality, Choice & Mix DM4 – Housing & Accommodation for Older Persons <u>SDLP:</u> SD28: Affordable Homes	The Housing Needs Assessment for the West Saltdean area has highlighted specific area issues with regards to affordability. This policy would be in conformity to those at the City Level.
WS4	Other types of low cost & specialist housing	<u>CPP1:</u> SA6 – Sustainable Neighbourhoods CP19 – Housing Mix <u>CPP2:</u> DM1 – Housing quality, Choice & Mix.	The Housing Needs Assessment has highlighted issues of affordability, providing a range of affordable housing products helps meet this need. The policy is in general conformity with the City Plan Part 1 &

Policy #	Subject	City Plan / South Downs Policies	Commentary
		<p><u>SDLP:</u> SD27 – Mix of Homes</p>	Part 2 & aligns with requirements set out in City Plan Part 2.
WS5	Adaptable Housing	<p><u>CPP1:</u> CP18 - Healthy City CP21 - Student housing & Housing in Multiple Occupation CP22 - Traveller accommodation</p> <p><u>CPP2:</u> DM4 – Housing & Accommodation for Older Persons, DM5 – Supported Accommodation DM8-Purpose Built Student Accommodation</p> <p><u>SDLP:</u> SD27-Mix of Homes SD33 – Gypsies, travellers & travelling show people</p>	The policy is in general conformity with the City Plan Part 1 & Part 2 & aligns with requirements set out in City Plan Part 2.
WS6	Conserving Local Heritage	<p><u>CPP1:</u> CP5- Culture & Tourism CP15 -Heritage</p> <p><u>CPP2:</u> DM18- High Quality Design & Places DM28 – Locally Listed Heritage Assets</p> <p><u>SDLP:</u> SD12 – Historic Environment SD13 – Listed buildings SD14 – Climate Change mitigation & adaption of historic buildings SD16 – Archaeology</p>	West Saltdean’s urban form & layout arise in part from the original estate management of the area in the 1930s. The design code has set out the main style of buildings which were erected on site & are still prevalent in the NP area today. The policy aligns itself to the City Plan policies but specifically details the need for local considerations to be taken into account.

Policy #	Subject	City Plan / South Downs Policies	Commentary
WS7	Incorporating Sustainable Drainage & Water Efficiency Measures	<p><u>CPP1:</u> SA6 Sustainable Neighbourhoods</p> <p><u>CPP2:</u> DM42 Protecting the Water Environment.</p> <p><u>SDLP:</u> SD2 Ecosystems Services</p>	West Saltdean is part of the South Downs & has steep slopes & valley system where water run off adds to the effect of flooding lower areas. Ensuring development considers the management & mitigation of surface water flooding is an essential element of design in the area.
WS8	Small scale renewable energy projects including community energy schemes	<p><u>CPP1:</u> SA6 Sustainable Neighbourhoods. CP8 Sustainable Buildings</p> <p><u>CPP2:</u> DM44 Energy Efficiency & Renewables DM45 Community Energy</p> <p><u>SDLP:</u> SD48 Climate Change & Sustainable Use of resources SD51 Renewable Energy</p>	Ensuring that all development within the plan area considers how to mitigate the effects of climate change & contributes to achieving a reduction in the carbon footprint is an important part of environmental sustainability & contributes significantly to the overall sustainability of the area. This policy aligns itself to the aims & policies of the City Plan Part 1 & Part 2.
WS9	Encouraging & enabling better travel planning	<p><u>CPP1:</u> CP9 Sustainable Transport</p> <p><u>CPP2:</u> DM33 Safe, Sustainable & Active Travel DM35 Travel Plans & Transport Assessments</p> <p><u>SDLP:</u> SD19 Transport & Accessibility SD20 Walking Cycling & Equestrian Routes</p>	The aim of the policy is to create better travel choices by improving connectivity locally. This aligns itself to the City Plan's aim of creating healthier lifestyle choices & promoting active travel.

Policy #	Subject	City Plan / South Downs Policies	Commentary
		SD21 Public Realm, Highway Designation and Public Art	
WS10	Parking	<p><u>CPP1:</u> CP9 Sustainable Transport CP13 Public Streets & Spaces</p> <p><u>CPP2:</u> DM18 High Quality Design & Places</p> <p>DM36 Parking and Servicing</p> <p><u>SDLP:</u> SD21 Public Realm, Highway Design & Public Art SD22 Parking Provision</p>	Inappropriate on-street parking can adversely affect the safety of the environment & negatively affect sustainable travel choices. The policy seeks to enhance street safety & protect the existing area character.
WS11	Protecting Local Green Spaces	<p><u>CPP1:</u> CP16 Open Space</p> <p><u>CPP2:</u> DM38 Local Green Spaces</p> <p><u>SDLP:</u> SD45 Green Infrastructure SD46 Provision & Protection of Open Space criterion 3</p>	Open spaces play a critical role in the health & well-being of communities. The City plan policies emphasise the social role public realm has to offer in creating sustainable communities as well as contributing to the environmental improvements that are needed to help manage climate change. Work has been undertaken by the NP Forum to support the designation of the proposed sites to ensure they have the attributes as set out in the NPPF.
WS12	Enhancing local green spaces, biodiversity & wildlife	<p><u>CPP1:</u> CP10 Biodiversity CP18 Healthy City</p> <p><u>CPP2:</u></p>	The NP area is located between the sea & the South Downs. The outdoors plays a large part in all local residents'

Policy #	Subject	City Plan / South Downs Policies	Commentary
		DM22 Landscape Design & Trees DM37 Green Infrastructure and Nature Conservation <u>SDLP:</u> SD9 Biodiversity & Geodiversity SD11 Trees, Woodland & Hedgerows	lifestyles on a daily basis & protecting & enhancing access to those spaces has featured highly through the consultation process. This would align itself with the aims of the City Plan Part 1 & part 2 by encouraging a healthy city & promoting biodiversity.
WS13	Saltdean Lido	<u>CPP1:</u> SA1 The Seafront CP5 Culture & Tourism CP15 Heritage CP17 Sports provision <u>CPP2:</u> No direct policies relating to Saltdean Lido DM9 – Community Facilities DM27 - Listed Buildings DM29 – The setting of Heritage Assets <u>SDLP:</u> No direct policies relating to the Saltdean Lido, SD12 - Historic Environment SD23 -Sustainable Tourism SD43 – New & existing community facilities	The Saltdean Lido is a significant heritage asset that provides a gateway to the neighbourhood plan area & the National Park beyond. It provides recreation & social facilities to the local community as well as being a local visitor attraction. The building & uses contribute to the health & well-being & economic prosperity of the local community.
WS14	Supporting local businesses & providing a mix of employment opportunities	<u>CPP1:</u> CP4 – Retail Provision SA6 - Sustainable Neighbourhoods	The NP area has two local centres & a parade. There are also a range of flexible shared office space provided within the Lido

Policy #	Subject	City Plan / South Downs Policies	Commentary
		<p><u>CPP2:</u> DM11 – New Business Floorspace DM12 – Regional, Town, District & local Shopping Centres</p> <p><u>SDLP:</u> No direct policies SD34 - Sustaining the Local Economy</p>	<p>as well as care homes, schools & nurseries that all provide employment. The economy is generally localised but does also have a tourism element related to the seafront location & the close proximity to the National Park. It is important for local economic sustainability that all these elements are safeguarded & new business growth encouraged if the diverse community of the area is to be maintained sustainably.</p>
WS15	Improving facilities on the beach & undercliff. Safeguarding the beach/cliff-top flora & fauna	<p><u>CPP1:</u> SA1 – The Seafront Policy CP2 -Sustainable Economic Development CP5- Culture & Tourism CP10 - Biodiversity criterion 2</p> <p><u>CPP2:</u> No direct policies. DM15 – Commercial & Leisure uses on the Seafront DM16 – Markets DM37 – Green infrastructure & Nature Conservation</p> <p><u>SDLP:</u> SD45 – Green Infrastructure</p>	<p>The NP area includes The Living Coast, which is a protected UNESCO biosphere reserve with a significant natural & cultural value. The Cliff-tops are designated SSSI & are Regionally Important Geological Site (RIGS) & a Geological Conservation review site (GCR) The Coastal Flora & Fauna host a range of unique wildlife & the chalk grasslands are one of the rarest habitats in the world. Much of the local community health & well-being is linked to the coast & its habitats.</p>
WS16	Retaining Whitecliffs Café/Bar as a café/bar/restaurant & an employment site	<p><u>CPP1:</u> SA1 – The Seafront CP5- Culture & Tourism</p> <p><u>CPP2:</u> No direct policy</p>	<p>The Whitecliffs Café/bar is a local community facility as well as a support for tourism in the local area. It plays an important role promoting social</p>

Policy #	Subject	City Plan / South Downs Policies	Commentary
		<u>SDLP:</u> No Direct Policy SD23 - Sustainable Tourism	interaction & social sustainability of the local NP area. It is an active tourist facility supporting visitors to the seafront & is part of the local business economy which provides links to the Saltdean Lido

d. Basic Condition 4: Compatible with EU Obligations

A Neighbourhood Plan must be compatible with EU obligations, as incorporated into UK law, be legally compliant. This includes specific obligations relating to environmental impacts, habitat protection and human rights. The WSNP has addressed these regulations as set out below.

Strategic Environmental Assessment and Habitats Directive

Brighton & Hove City Council undertook a “Strategic Environmental Assessment Screening Report and Consideration of Habitats Regulations Assessment”.

In its subsequent report of March 2024 (Appendix A), it was concluded in section 7 that:

“The updated HRA screening and detailed assessments, undertaken on the City Plan Part Two, considered the impacts of a greater amount of housing than set in the City Plan Part One on local European sites.

As the West Saltdean Neighbourhood Plan does not allocate any sites and is supportive of residential development within the housing sites identified in City Plan Part Two, it is therefore concluded that the existing HRA assessments are considered to cover the impacts of the Neighbourhood Plan and that it does not require its own individual Habitats Regulations screening assessment or further detailed assessment”.

4. Conclusion

The Basic Conditions as set out in Schedule 4B to the Town & Country Planning Act of 1990, & the Localism Act of 2011 are considered to have been met by the West Saltdean Neighbourhood Plan & all the policies therein.

It is therefore respectfully suggested to the Examiner that the West Saltdean Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Town & Country Planning Act.

West Saltdean Neighbourhood Plan

Strategic Environmental Assessment Screening Report and Consideration of Habitats Regulations Assessments

Brighton & Hove City Council

March 2024

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Summary

Strategic Environmental Assessment

Neighbourhood Plans are the type of plan to which the Environmental Assessment of Plans and Programmes Regulations 2004 applies if the Neighbourhood Plan is likely to result in significant effects. A screening assessment is therefore required to determine whether the plan is considered likely to result in significant adverse effects. If significant effects are considered likely, the Neighbourhood Plan will require a Strategic Environmental Assessment (SEA).

The West Saltdean draft policies for the pre-submission Plan (January 2024) was used as a basis for this screening assessment. Following the assessment, it is concluded that the West Saltdean Neighbourhood Plan **will not result in significant adverse effects** and therefore does not require an SEA. The reasons for this are as follows:

- The West Saltdean NP sits within an existing adopted planning framework that has already been subject to its own SEA during preparation of City Plan Part One and Part Two for the area within the Neighbourhood boundary that sits within the built-up area, and the South Downs National Park Local Plan for the area that sits within the South Downs National Park. and the Plan does not create a new framework.
- The West Saltdean NP is considered to be in general conformity with other Development Plans, is supportive of these plans and does not influence other plans within the planning hierarchy.
- The West Saltdean NP is considered to support sustainable development.
- There are no allocations for new development; the scale and effects of the West Saltdean NP are therefore limited.
- Although the West Saltdean NP supports residential development associated with the urban fringe sites allocated by City Plan Part Two, the principle and impacts of these allocations have already been tested through the SA/SEA of City Plan Part Two.
- Local sensitive and valued receptors and environmental issues are reflected and addressed through policy requirements.
- The geographic extent of any effects arising from the West Saltdean NP is limited and the magnitude of effects is low.
- The policies are primarily focused on the acceptability of future development proposals.
- The West Saltdean NP is unlikely to result in any significant cumulative or transboundary effects.

Habitats Regulations Screening Assessment

Annex 1 of this report considers HRA screenings and assessments of relevance to the West Saltdean Neighbourhood Plan. It concludes the existing HRA assessments undertaken for City Plan Part One and Part Two are considered to cover the impacts of any development arising from the West Saltdean Neighbourhood Plan and that the Neighbourhood Plan does not require its own individual Habitats Regulations Assessment.

1. Introduction

- 1.1 This screening report aims to determine whether the draft West Saltdean Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).
- 1.2 This is the first screening assessment that has been carried out for the West Saltdean Neighbourhood Plan. This assessment is based on the West Saltdean draft policies (sent January 2024) that will form the West Saltdean Neighbourhood Plan. More details on this are provided in Section 3.
- 1.3 The legislative background set out in Section 2 outlines the regulations that require the need for this screening exercise. Section 3 provides further details on the contents and area included within the West Saltdean Neighbourhood Plan. Section 4 provides a screening assessment of the likelihood of significant environmental effects of the Neighbourhood Plan and forms the conclusion as to whether an SEA is required. This assessment also takes into consideration whether the Neighbourhood Plan will result in significant effects beyond those already identified within other local Development Plan Documents (DPDs), including the adopted City Plan Part One and Part Two which forms the 'parent' DPD to the West Saltdean Neighbourhood Plan.

2. Legislative Background and Neighbourhood Planning

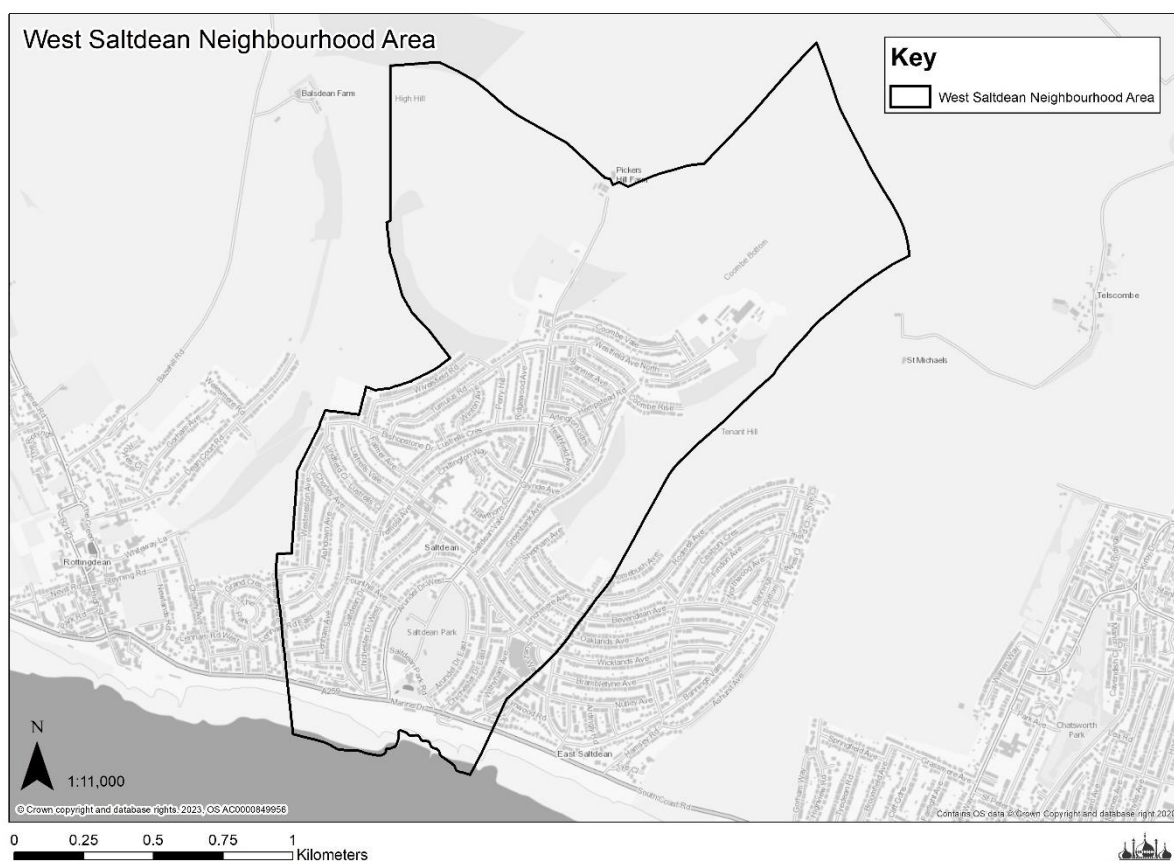
- 2.1 The Government has confirmed in its 'National Planning Practice Guidance' that Sustainability Appraisals are only required for development plan documents and do not apply in the case of Neighbourhood Plans. However, Neighbourhood Plans must not breach and must be otherwise compatible with EU and Human Rights obligations and other relevant regulations. Neighbourhood Plans therefore need to be considered against, for example, the Habitats and Strategic Environmental Assessment Directives and associated regulations.
- 2.2 Strategic Environmental Assessment (SEA) is required by EU Directive 2001/42/EC, to assess the effects of certain plans and programmes on the environment. This Directive was implemented in the United Kingdom in July 2004 with the adoption of the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
- 2.3 Neighbourhood Plans are not the type of plan that automatically require a Strategic Environmental Assessment. Whether or not a Neighbourhood Plan will need an environmental assessment will be subject to their scope and the issues they are seeking to address and will depend on whether the plan is determined as likely to have significant effects. Under Article 3(4) of the Directive, and Regulation 9 of the Regulations, the responsible authority (the city council) must determine which

plans, other than those for which an SEA is automatically required, are likely to have significant effects.

- 2.4 Both the Directive (in Annex II), and the Regulations (in Schedule 1), set out specific criteria for determining the likely significance of the effects of a plan. These criteria include the consideration of the characteristics of the plan and the effects of the plan.

3. West Saltdean Neighbourhood Plan

- 3.1 West Saltdean Neighbourhood Forum submitted its application to Brighton & Hove City Council for designation of its Neighbourhood Area and Neighbourhood Forum in March 2022. After a formal six-week consultation, Brighton & Hove City Council Economic Development & Culture Committee resolved to support the Neighbourhood Area and Forum application on 23 August 2022. The area shown in the map below was designated as the Neighbourhood Area.



- 3.2 In January 2024, the Neighbourhood Forum presented its draft Plan for the pre-submission 'Regulation 14' consultation to the council and requested this be used for the basis of an SEA screening.
- 3.3 The Neighbourhood Plan contains 34 policies; these are listed below. The Plan itself does not contain any site allocations:

- Policy WS1 – Placemaking
- Policy WS2 – Masterplanning
- Policy WS3 – Achieving high quality design
- Policy WS4 – Conserving local heritage
- Policy WS5 – Incorporating Sustainable drainage systems
- Policy WS6 – Small scale renewable energy projects
- Policy WS7 – Reusing the existing
- Policy WS8 – Retrofitting buildings
- Policy WS9 – Affordable housing
- Policy WS10 – Other types of low-cost housing
- Policy WS11 – Housing mix
- Policy WS12 – Adaptable housing
- Policy WS13 – Encouraging better travel planning
- Policy WS14 – Parking
- Policy WS15 – Enhancing public transport and active movement in the Neighbourhood Plan area
- Policy WS16 – Encouraging use of the South Downs National Park and Coastal Pathway
- Policy WS17 – Protecting Local Green Spaces
- Policy WS18 – Enhancing Local Green Spaces
- Policy WS19 – Enhancing local biodiversity
- Policy WS20 – Enhancing local outdoor recreational facilities
- Policy WS21 – Saltdean Lido
- Policy WS22 – Accessible WC provision
- Policy WS23 – Loss of community spaces
- Policy WS24 – Supporting new and enhanced community facilities
- Policy WS25 – Supporting local businesses
- Policy WS26 – Providing a mix of employment opportunities
- Policy WS27 – Creating a Local Labour Agreement
- Policy WS28 – Supporting better digital connectivity
- Policy WS29 – Safeguarding the design of the local commercial centres
- Policy WS30 – Encouraging day visitors
- Policy WS31 – Encouraging facilities for beach goers
- Policy WS32 – Retaining Whitecliffs Café/Bar as a café/bar/restaurant and an employment site
- Policy WS33 – Safeguarding the beach/clifftop flora and fauna
- Policy WS34 – Statement of Community Engagement

3.4 Once adopted, the West Saltdean Neighbourhood Plan, in conjunction with other City-wide adopted planning policies, will be applicable to all planning applications for development consent and will guide planning decisions within the defined West Saltdean Neighbourhood Area.

4. Screening Assessment of the Neighbourhood Plan

- 4.1 Brighton & Hove City Council, as the “Responsible Body”, consider that the West Saltdean Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:
- a) is subject to preparation or adoption by an authority at national, regional, or local level (Regulation 2(1)(a)); and
 - b) is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5(2)(a)&(b))
- 4.2 Regulation 5(6)(a) and NPPG Paragraph 027 confirms that an assessment should be carried out for a plan which determines the use of a small area at local level where it has been determined that significant environmental effects are likely.
- 4.3 A determination under Regulation 9 is therefore required as to whether the Neighbourhood Plan is likely to have significant effects on the environment.
- 4.4 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment: the characteristics of the plan and the characteristics of the effects. In making a determination, Brighton & Hove City Council will take into account these criteria as follows:
- 1) The characteristics of the plans and programs, 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 programs 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 (for example, plans and programs 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 transboundary nature of the effects;
 - (d) the risks to human health or the environment (for example, 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.

Assessment of the Characteristics of the Neighbourhood Plan

This stage of the screening considers the various characteristics of the Neighbourhood Plan, having regard for criteria (1a-1e) as set out in the SEA Regulations. This assessment also takes into consideration whether any significant effects are beyond those anticipated by the overarching adopted framework.

Table 1 Characteristics of the Neighbourhood Plan

Criteria	Response	Significant effect likely? Yes/No	If significant effect identified, is this beyond those anticipated by the overarching adopted policy framework? Yes/No
(1a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The West Saltdean Neighbourhood Plan (NP) will form part of the statutory development plan once adopted and will therefore exert a direct influence over development proposals coming forward in the Neighbourhood Area. The West Saltdean NP will have no influence on proposals outside the Neighbourhood Area.</p> <p>The West Saltdean NP is considered to be consistent and in conformity with strategic policies in the adopted statutory DPD for the City, including the Brighton & Hove City Plan Part One and Part Two. In addition, the West Saltdean NP is also considered to be in conformity with the strategic policies within the South Downs National Park Local Plan. The NP is not considered to set a framework. The NP itself does not allocate any sites for development and is therefore unlikely to generate physical changes which would lead to significant effects.</p>	No	No
(1b) the degree to which the plan or programme influences	The West Saltdean NP will not influence any higher-level plans and there will not be any plans that sit below it. The NP is therefore not considered to	No	No

other plans including those in a hierarchy;	influence other plans within a hierarchy. It is considered to be supportive of and in conformity with other adopted plans.		
(1c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	The NP must be in general conformity with strategic policies in locally adopted plans and national planning policy, the NPPF. All plans have an obligation to deliver sustainable development. The West Saltdean NP includes policies which support high-quality housing design, encourages the use of existing buildings to minimise waste, the protection and enhancement of local green spaces, the enhancement of local biodiversity, support for local businesses and protecting community facilities. It is considered to promote sustainable development.	No	No
(1d) environmental problems relevant to the plan;	<p>Listed below are the environmental features of relevance to the Neighbourhood Area (NA):</p> <p><u>Biodiversity, Geodiversity and Landscape</u></p> <ul style="list-style-type: none"> • The South Downs National Park (SDNP) is located within the NA, but outside the main settlement boundary. • The Brighton Marina to Newhaven Cliffs Site of Special Scientific Interest (SSSI) is within the NA boundary. • Coastal section Friars Bay to Brighton Marina Local Geological Site (LGS¹) is within the NA boundary. • There are 5 Local Wildlife Sites (LWS) within the NA boundary, and 1 LWS adjacent the NA boundary to the north. • The Beachy Head West Inshore Marine Conservation Zone (MCZ) is located within the NA boundary. <p><u>Flood Risk</u></p>	No	No

¹ LGS formerly known as RIGS – Regionally Important Geological Sites

	<ul style="list-style-type: none"> • The majority of the West Saltdean NA is within Flood Zone 1, however the southern area on the seafront is within Flood Zones 2, 3a and 3b in relation to coastal flooding. • The Strategic Flood Risk Assessment (SFRA) (2018) identifies Saltdean Vale as a road within the NA boundary particularly at high risk of surface water flooding. <p><u>Built Heritage</u></p> <ul style="list-style-type: none"> • There are no Conservation Areas within the NA boundary. • The Saltdean Lido is a Grade II* listed building. There are four other listed buildings (Grade II) within the NA boundary. <p>Most policies within the West Saltdean NP are focused on the acceptability of future development proposals or seek to maintain uses that will support a sustainable community. These policies are unlikely to have any potential for significant adverse effects on any of the above features or issues. Several policies within the NP seek to address such issues including protecting and enhancing biodiversity, safeguarding the beach flora and fauna, incorporating sustainable drainage systems, conserving local heritage and promoting well-designed development within the settlement boundary.</p> <p>The NP itself does not allocate any specific sites for development and is therefore unlikely to generate physical changes which would lead to significant effects. Whilst the Plan supports residential development where it delivers the two urban fringe sites allocated by City Plan Part Two, the principle of development has already been established in City Plan Part Two. This has been subject to its own Strategic Environmental Assessment/Sustainability Appraisal and the suitability of development is therefore not a consideration for this SEA screening.</p> <p>Overarching and strategic policies within the City Plan Part One and Part Two, particularly those relating to biodiversity, geodiversity, flood risk, transport and</p>		
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	travel, design, and landscape, townscape and heritage would also be a determining factor for development coming forward in the Neighbourhood Area, as would relevant similar policies in the South Downs National Park Local Plan.		
(1e) the relevance of the plan for the implementation of community legislation on the environment	<p>The EU has adopted a range of legislation aimed at protecting the environment which has been transposed into UK law.</p> <p>The West Saltdean NP will be in compliance and conformity with the Brighton & Hove City Plan which has already taken account of the existing European and National legislative framework for environmental protection. It should therefore have either a neutral or positive effect on compliance.</p>	No	No

Assessment of the Effects of the Plan

This stage of the screening assesses the possible effects of the Neighbourhood Plan against the criteria (2a-2g) as set out in the SEA Regulations. These criteria are used to determine the significance of the effects. This assessment also takes into consideration whether any significant effects are beyond that anticipated by the overarching adopted framework.

Table 2: Effects of the Neighbourhood Plan

Criteria	Response	Is this likely to result in a significant effect? Yes/No	Is there a significant effect beyond that anticipated by the overarching adopted policy framework? Yes/No
(2a) What are the probability, duration, frequency and reversibility of the effects of the plan?	<p>The majority of the policies are focused on the acceptability of future development proposals. The Neighbourhood Plan is likely to have a modest but enduring positive environmental effect, particularly through policies on design, sustainable drainage systems, renewable energy, enhancing public transport and active travel, proposed Local Green Space designations, and enhancing biodiversity.</p> <p>The likelihood of significant adverse effects arising from the NP is therefore considered to be low.</p>	No	No
(2b) What is the cumulative nature of the effects of the plan?	Cumulative impacts are those that may arise from development coming forward within the plan or wider area that isn't identified or allocated within the West Saldean NP, in combination with the impacts arising from the NP.	No	No

	<p>City Plan Part Two allocates two urban fringe sites for residential development which are located within the NA boundary: Land at former nursery, and Coombe Farm and Saltdean Boarding Kennels, Westfield Avenue North. One other urban fringe site is located adjacent the NA boundary: Land west of Falmer Avenue. City Plan Part One and Part Two have been subject to their own Strategic Environmental Assessment/Sustainability Appraisal and the policy framework is considered to address any risk of significant cumulative impacts. Any cumulative effects of the plans are considered to be limited in nature and not significant due to the nature of the policies being put forward in the NP, particularly the fact that the West Saltdean NP does not allocate any additional sites for development.</p> <p>The area of Saltdean is divided by the local authority boundary between Brighton & Hove and Lewes District along Longridge Avenue, effectively splitting Saltdean into two parts (East and West). The area of East Saltdean is therefore subject to the Lewes District Local Plan Part 1 and Part 2, and the area also falls within the Peacehaven and Telscombe Neighbourhood Area which is at Submission Regulation 16 Consultation stage. The Lewes District Local Plan and Peacehaven and Telscombe Neighbourhood Plan does not include any site allocations for this area of East Saltdean and therefore any cumulative effects arising from these plans are considered to be limited in nature and not significant on West Saltdean NA.</p> <p>Cumulative impacts can also arise from the in-combination effects from the various policies within the West Saltdean NP. The cumulative nature of the policies in the NP are considered positive overall. Significant adverse cumulative effects are considered unlikely.</p>		
(2c) What is the trans-boundary nature of the effects of the plan?	<p>The majority of the policies in the NP are focused on acceptability of future development proposals and the probability of any transboundary impacts arising from these policies is considered to be low and not significant in nature. The West Saltdean NP will only have a direct influence on development within the NA, and although some of the effects could be wider, for example, visual effects on South Downs National Park or movement into neighbouring Lewes District, these are not considered to be significant in nature due to the nature of the policies within the NP.</p>	No	No

(2d) Are there any risks to human health or the environment (e.g., due to accidents)?	There are not considered to be any risks to human health arising from the policies put forward in the West Saltdean NP.	No	No
(2e) What is the magnitude and spatial extent of the effects (i.e., geographical area and size of population likely to be affected) of the plan?	The West Saltdean NA covers an area of approximately 300 hectares, with a population of 5,870 according to the 2021 Census. The spatial extent of the NP is therefore considered to be relatively small. The magnitude of any effects is considered to be relatively low, due to the nature of the policies in the NP which are concerned more with the acceptability of future development proposals.	No	No
(2f) Is the value and vulnerability of the area to which the plan or programme relates likely to be affected by the plan or programmes due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage, • Exceeded environmental quality standards or limit values, or • Intensive Land use? 	<p>There are a number of valued/vulnerable environmental receptors/issues are situated within the Neighbourhood Area:</p> <p><u>Special characteristic and cultural heritage:</u></p> <ul style="list-style-type: none"> • The South Downs National Park (SDNP) is a highly valued landscape. • Brighton Marina to Newhaven Cliffs SSSI has high geological and biodiversity value. • Coastal section Friars Bay to Brighton Marina LGS has high geological value. • Beachy Head West Inshore MCZ has high biodiversity value. • Saltdean Lido is a Grade II* listed building and other listed buildings have high cultural heritage value. <p><u>Exceeded environmental limits:</u></p> <p>There are no known exceeded environmental limits, however parts of the NA are at high risk of coastal and surface water flooding.</p> <p>These vulnerable or valued assets and issues are unlikely to be significantly affected by the policies in the NP, due to the matters they are seeking to address and the nature and content of the policies.</p>	No	No

<p>(2g) Will the plan have an effect on areas or landscapes, which have a recognised national, community or international protection status?</p>	<p>As described under 2f, the Neighbourhood Area includes land that is within the South Downs National Park. West Saltdean is likely to be visible in views from various points within the SDNP. The National Park designation offers a high level of protection.</p> <p>Any proposals coming forward in the built-up area within the NA must have regard to the impact on the National Park, in particular the purposes of the National Park and the ability of the SDNPA to deliver its duty; this is required through Policy SA5 South Downs National Park in City Plan Part One. Any proposals coming forward outside the built-up area and wholly within the South Down National Park would have to meet the policy requirements of the South Downs National Park Local Plan which sets out strong protection for the landscape.</p> <p>The focus of the policies within the West Saltdean NP are on the acceptability of future development proposals which means the potential for significant adverse impacts on the SDNP is considered unlikely. Some of the policies also support landscape-led design which should result in positive effects.</p>	<p>No</p>	<p>No</p>
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5. Summary of initial findings from Screening Assessment

5.1 The consideration of the draft West Saltdean NP and the criteria set out in the Regulations helps to determine whether the characteristics and effects of the West Saltdean NP are likely to be significant. The assessment considers it unlikely that the West Saltdean NP will result in significant adverse effects as:

- The West Saltdean NP sits within an existing adopted planning framework that has already been subject to its own SEA during preparation of City Plan Part One and Part Two for the area within the Neighbourhood boundary that sits within the built-up area, and the South Downs National Park Local Plan for the area that sits within the South Downs National Park. The Plan does not create a new framework.
- The West Saltdean NP is considered to be in general conformity with other Development Plans, is supportive of these plans and does not influence other plans within the planning hierarchy.
- The West Saltdean NP is considered to support sustainable development.
- There are no allocations for new development; the scale and effects of the West Saltdean NP are therefore limited.
- Although the West Saltdean NP supports residential development associated with the urban fringe site sites allocated by City Plan Part Two, the principle and impacts of this allocation have already been tested through the SA/SEA of City Plan Part Two.
- Local sensitive and valued receptors and environmental issues are reflected and addressed through policy requirements.
- The geographic extent of any effects arising from the West Saltdean NP is limited and the magnitude of effects is low.
- The policies are primarily focused on the acceptability of future development proposals.
- The West Saltdean NP is unlikely to result in any significant cumulative or transboundary effects.

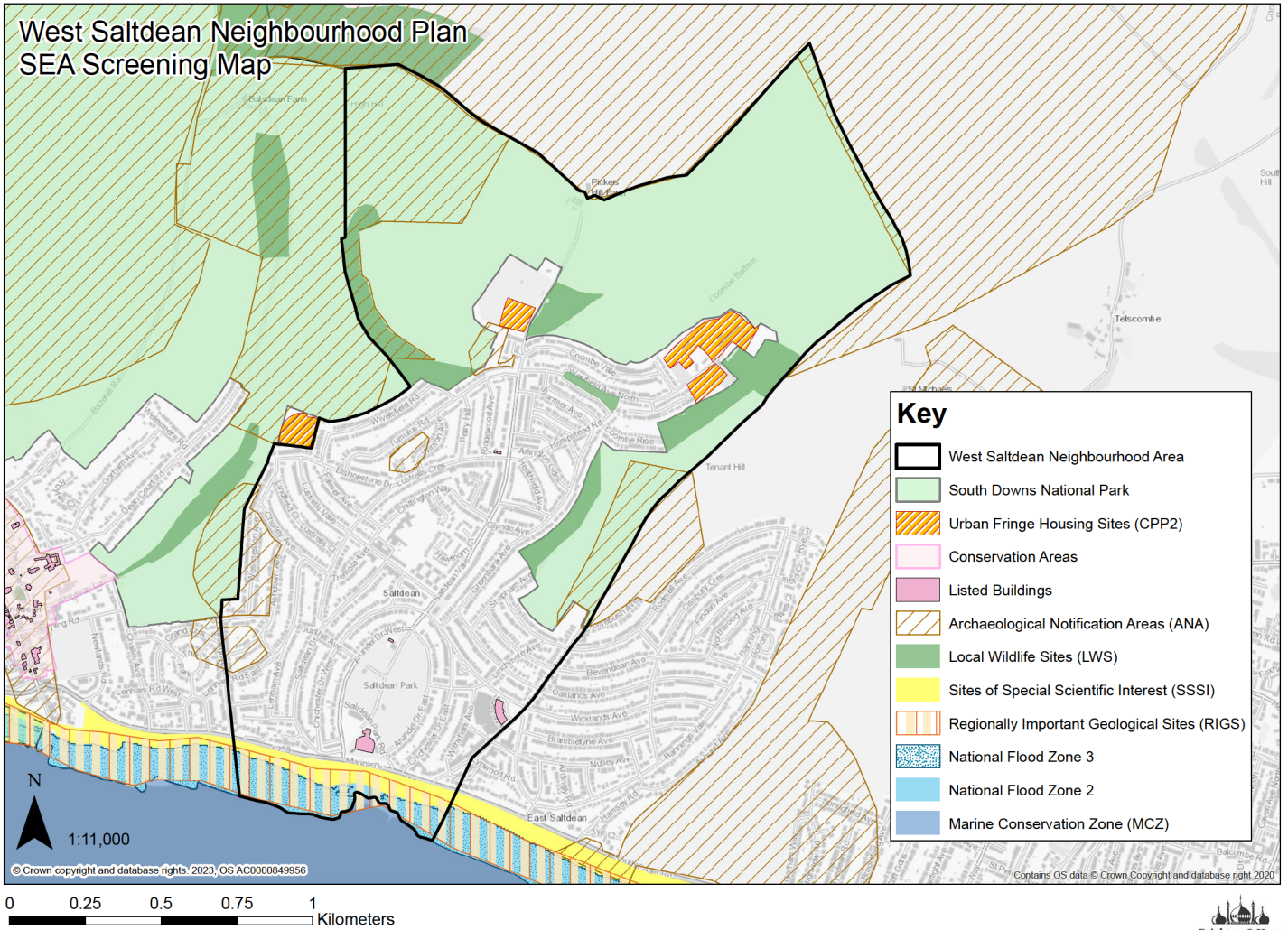
6. Consultation and final determination

6.1 On the basis of this screening assessment, significant adverse effects arising from the draft West Saltdean Neighbourhood Plan are considered unlikely. As such, it is the Council's opinion that an SEA **is not** required.

6.2 The results of the screening assessment were made available to the three statutory bodies, Historic England, Natural England, and the Environment Agency, for a period of 5 weeks from 5th February to 18th March 2024, as required by the Regulations.

- 6.3 Responses were received from the three statutory bodies who concurred with the conclusion that the Neighbourhood Plan was unlikely to give rise to significant adverse effects and that an SEA **is not** required.
- 6.4 As part of the Neighbourhood Area falls within the South Downs National Park, the Park Authority were also consulted, however no consultation response was provided.
- 6.5 **Full consultation responses can be found in the Appendix.**

Appendix A: Map for SEA Screening



Annex 1: Consideration of HRA screenings of relevance to the West Saltdean Neighbourhood Plan

January 2024

1. Introduction

- 1.1 All planning documents are required to consider whether they will have a significant adverse effect on the integrity of internationally designated sites of nature conservation importance including “European sites” which are designated within the local and wider area. This consideration is undertaken through a process known as Habitats Regulations Assessment (HRA) which is a requirement of the Conservation of Habitats and Species Regulations (2010) (the Habitats Regulations).
- 1.2 European sites provide important habitats for rare, endangered, or vulnerable natural habitats and species of exceptional importance. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)) and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)).
- 1.3 Government policy, National Planning Policy Framework (NPPF, 2023) and Circular 06/05 (ODPM, 2005) requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
- 1.4 There are two stages of HRA; the screening which determines the likelihood of significant effects; and a full HRA which is only undertaken if the screening indicates that significant effects are likely or cannot be discounted at screening stage. Where a full HRA is carried out, a plan may only be adopted after having ascertained that it will not have significant adverse effects on the integrity of the site concerned.

2. Purpose of this report

- 2.1 This assessment has been undertaken to identify whether any European sites exist within or in proximity to the Neighbourhood Area which could potentially be affected by any policies within the Neighbourhood Plan.
- 2.2 This assessment draws on the conclusions of relevant HRA screening and detailed assessment reports that have already been undertaken for the Brighton & Hove City Plan area, which includes the West Saltdean Neighbourhood Area. Its purpose is

therefore to summarise these reports and consider whether the existing HRAs are sufficient to assess the effects of the West Saltdean Neighbourhood Plan, or whether the Neighbourhood Plan should carry out its own HRA screening and assessment.

3. Local European Sites

- 3.1 The Castle Hill SAC lies partly within the city's boundary and partly within Lewes District Council's boundary, although is located entirely within the South Downs National Park Authority Area. There are no Special Protection Areas or Ramsar sites within the city's boundary. There are also some European sites within 20km of the city including Lewes Downs SAC, Ashdown Forest SAC/SPA and Arun Valley SPA.
- 3.2 The Castle Hill SAC designation relates to the presence of chalk grassland and some rare and scarce species; the Lewes Down designation also relates to the presence of chalk grassland and some rare and scarce species; the Ashdown Forest designation is due to the largest single continuous blocks of lowland heath in the southeast; and the Arun Valley designation is due to the wintering population of tundra swans.
- 3.3 There are no SACs or SPAs located within the West Saltdean Neighbourhood Plan area. The Castle Hill SAC is in closest proximity to the Neighbourhood Area, located approximately 3km from the boundary. The South Downs National Park covers land outside the main settlement boundary, but within the Neighbourhood Area.

4. West Saltdean Neighbourhood Plan

- 4.1 The West Saltdean NP does not allocate any sites for housing or any other uses. The policies are focused on supporting high-quality housing design, encouraging the use of existing buildings to minimise waste, protection, and enhancement of local green spaces, enhancing local biodiversity, supporting local businesses, and protecting community facilities.

5. Brighton & Hove City Plan Part 1 – HRA screening

- 5.1 An [HRA screening](#)² was undertaken on the City Plan Part One at various stages of its development, with the most recent at Proposed Modification stage 2014, relating to the adopted City Plan Part One (2016). This assessed the potential for impacts of all City Plan Part One policies on the Castle Hill SAC and on European sites outside the city including Lewes Downs SAC, Ashdown Forest SAC & SPA and Arun Valley SPA.

² Brighton & Hove Submission City Plan Part 1 – Proposed Modifications July 2014 Updated Appropriate Assessment Report

- 5.2 The screening included an initial assessment of the potential for environmental impacts resulting from each policy that needed to be considered by the HRA screening.
- 5.3 The adopted City Plan sets out a minimum housing target of 13,200 dwellings to be delivered over the plan period, as well as other quantum of development. The HRA screening assessed the likely impacts of the proposed amounts of development set out in the City Plan and concluded that the possible impacts amount to water abstraction, air pollution and recreational pressure. Of these:
- *Water abstraction would not have a significant effect on any European site because there are no such sites which are vulnerable to water abstraction within the water catchment area of Brighton and Hove.*
 - *Despite policies which promote travel choice and minimise air pollution, it is still possible that air pollution may worsen as a result of the City Plan Part One. However localised air pollution of this nature would not have a significant effect on any European site, according to Natural England advice.*
 - *Recreational pressure on downland in the vicinity of Brighton and Hove may increase as a consequence of the City Plan Part One. However only one of the European sites assessed is vulnerable to recreational pressure (Ashdown Forest) and studies elsewhere have shown that this site is far enough away from Brighton and Hove to safely conclude that there would be no significant recreational impact on it as a result of the City Plan Part One.*
- 5.4 Therefore, the HRA screening on the City Plan Part One discounted all possible significant impacts that would affect the designations of the SACs or SPA and therefore did not progress to a full Habitats Regulations Assessment (Appropriate Assessment).

6. Brighton & Hove City Plan Part 2 – HRA screening and assessment

- 6.1 During the preparation of City Plan Part Two, an updated [Habitats Regulations screening](#)³ was undertaken to reconsider the effects of the growth associated with the entire City Plan Part One, in combination with growth anticipated from other areas, as well as effects arising from City Plan Part Two. This screening assessment discounted the likelihood of significant effects on Castle Hill, Lewes Downs, Arun Valley and Pevensy Levels European sites.
- 6.2 However the screening could not discount the likelihood of significant adverse effects of the Plan on the Ashdown Forest SAC/SPA, therefore a [detailed](#)

³ Brighton & Hove City Plan Part 2 HRA: Test of Likely Significant Effects (June 2018)

assessment⁴ of air quality impacts (Appropriate Assessment) on Ashdown Forest was undertaken. This involved modelling the potential impact of traffic flows and vehicle exhaust emissions associated with planned development in Brighton & Hove in combination with neighbouring local authorities on the Ashdown Forest SAC. The model covered the period to 2033 and therefore allowed for a higher amount of housing than the City Plan target⁵. The analysis concluded that the expected growth in Brighton and Hove to 2033 (as identified in the adopted City Plan Part One and City Plan Part Two) makes virtually no contribution to changes in ammonia concentrations, NOx concentrations or nitrogen deposition within Ashdown Forest SAC.

- 6.3 The detailed assessment confirmed that growth resulting from City Plan Part One and City Plan Part Two, with an increased trajectory to 2033, would not result in adverse effects that would affect the integrity of the Ashdown Forest SAC/SPA, either alone or in combination with growth from other areas.

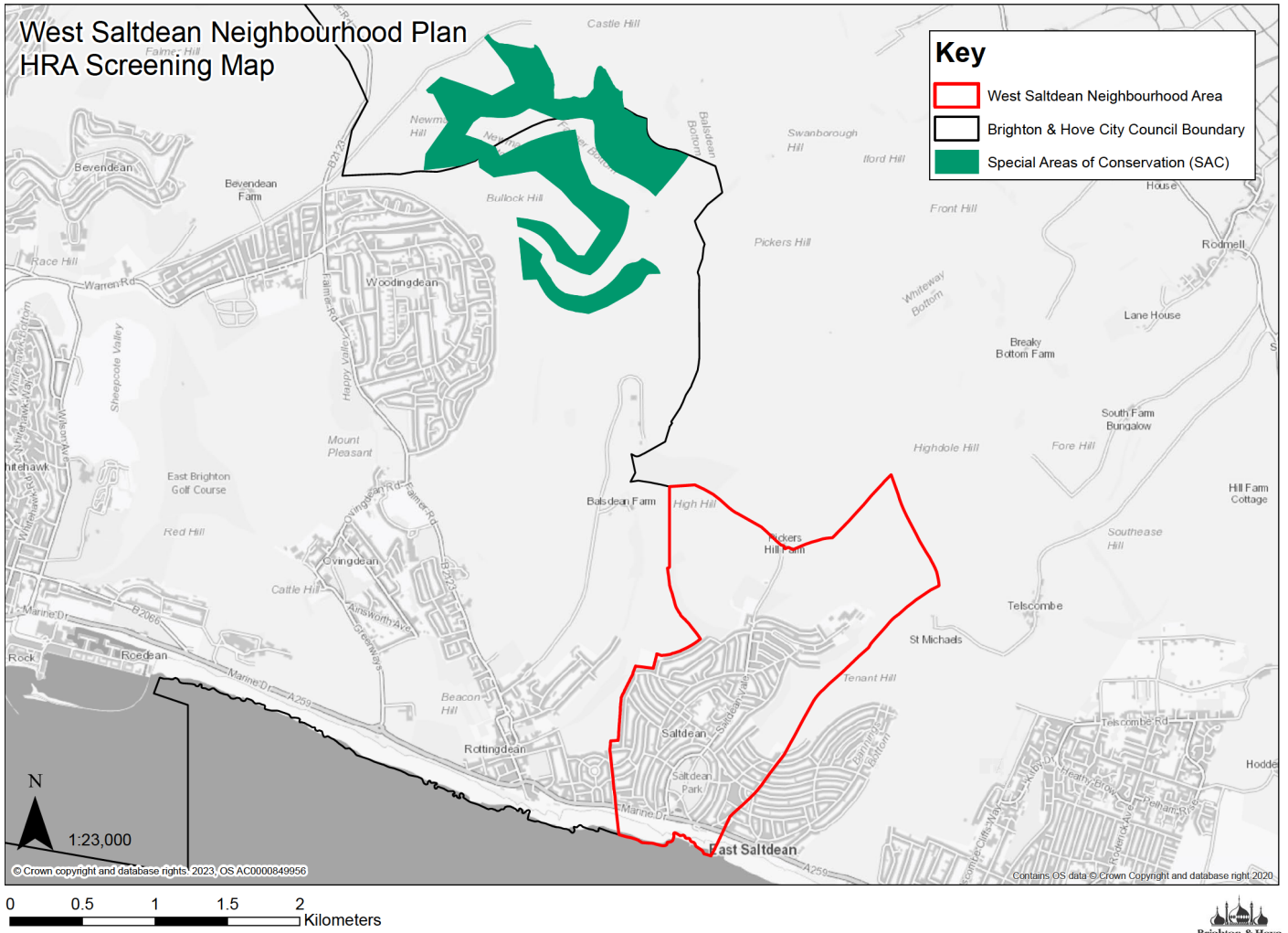
7. Conclusion

- 7.1 The updated HRA screening and detailed assessments, undertaken on the City Plan Part Two, considered the impacts of a greater amount of housing than set in the City Plan Part One on local European sites. As the West Saltdean Neighbourhood Plan does not allocate any sites and is supportive of residential development within the housing sites identified in City Plan Part Two, it is therefore concluded that the existing HRA assessments are considered to cover the impacts of the Neighbourhood Plan and that it does not require its own individual Habitats Regulations screening assessment or further detailed assessment.
- 7.2 This HRA statement was circulated to Natural England for information.

⁴ Brighton & Hove City Plan Part 2 Ashdown Forest Air Quality Impact Assessment (2018)

⁵ The City Plan housing target set out in Policy CP1 is to deliver at least 13,200 new homes over the period 2010-2030. The model assessed traffic growth to 2033 from a base date of 2017, assuming delivery of 11,845 dwellings and 111,500 sqm employment floorspace in Brighton & Hove over the period 2017-2033. In addition, 3,000 net dwellings were already built in Brighton & Hove between 2010-2017 which will already be included within the traffic data for the baseline year (2017).

Appendix B: Map for Habitats Regulations Assessment



Appendix C: Consultation responses



Historic England

By email only to: Tim.Emery@brighton-hove.gov.uk

Our ref: PL00795165
Your ref: West Saltdean Neighbourhood Plan SEA

Main: 020 7973 3700
e-seast@historicengland.org.uk
louise.dandy@historicengland.org.uk

Date: 07/03/2024

Dear Mr Emery

West Saltdean Neighbourhood Plan SEA Screening Opinion

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the West Saltdean Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied.

The information supplied indicates that the plan will not have any significant effects on the historic environment. We also note that the plan does not propose to allocate any new sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, via email if you have any queries.

Yours sincerely

[Redacted signature]

Historic Places Adviser

Tim Emery

From: [REDACTED]
[REDACTED] 14 March 2024 15:57
To: Tim Emery; PlanningPolicy
Subject: RE: West Saltdean Neighbourhood Plan - SEA/HRA screening

Follow Up Flag: Follow up
Flag Status: Flagged

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear Tim

Thank you for consulting the Environment Agency on the Strategic Environmental Assessment Screening for West Saltdean Neighbourhood Plan. Taking account of issues within our remit and the fact that no allocations are proposed as part of this plan, I can confirm that we agree with your conclusion that the NP is unlikely to result in significant adverse effects and therefore does not require SEA. However, should you determine that this Neighbourhood Plan does require SEA, we must be consulted on the scope to ensure our key environmental issues are addressed.

Kind regards
Laura

[REDACTED]
Sustainable Places
Solent and South Downs

From: Tim Emery <Tim.Emery@brighton-hove.gov.uk>
Sent: Monday, February 5, 2024 10:40 AM
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>; PlanningSSD <PlanningSSD@environment-agency.gov.uk>; South East ePlanning <e-seast@historicengland.org.uk>
Subject: West Saltdean Neighbourhood Plan - SEA/HRA screening
Importance: High

You don't often get email from tim.emery@brighton-hove.gov.uk. [Learn why this is important](#)

Dear statutory consultees,

Strategic Environmental Assessment screening

West Saltdean Neighbourhood Forum has commenced preparation of a Neighbourhood Plan. The Plan seeks to ensure that future development in West Saltdean fulfils the objectives of being well-designed, encourages active travel, conserves and enhances local green spaces, protects biodiversity and supports community facilities and local businesses.

Date: 14 March 2024
Our ref: 465696
Your ref: West Saltdean Neighbourhood Plan



Mr Tim Emery
Brighton & Hove City Council

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Tim.Emery@brighton-hove.gov.uk

T 0300 060 3900

Dear Mr Emery

West Saltdean Neighbourhood Plan - SEA / HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 05 February 2024.

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.

Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

¹ Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely


Consultations Team