

Whitburn Neighbourhood Plan

Submission version

(Regulation 15)

Strategic Environmental Assessment Screening Report



Whitburn Neighbourhood Forum

Prepared by the Whitburn Neighbourhood Forum Committee

Date: July 2021

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1. Introduction

- 1.1 The Whitburn Neighbourhood Plan (WNP or 'the Plan') has been developed by the Whitburn Neighbourhood Forum Committee. A regulation 14 pre-submission was submitted and a consultation was held between December 2020 and February 2021.
- 1.2 The pre-submission plan was screened for the requirement of a Strategic Environmental Assessment (SEA). The report concluded that it is considered unlikely that any significant environmental effects will occur from the implementation of the WNP and that an SEA was therefore not required.
- 1.3 The screening report was also sent separately to the consultation bodies (Environment Agency, Historic England, Natural England), which provided their screening opinions. All consultees stated that in their opinion, the WNP was unlikely to have significant environmental effects.
- 1.4 Following the consultation of the pre-submission plan, the Plan was amended to take into account comments from residents, statutory consultees and other bodies with an interest. The changes made to the Plan comprise rewording of some policies and supporting text.
- 1.5 After the changes were made, which resulted in the submission version (regulation 15) of the Whitburn Neighbourhood Plan, the Plan was rescreened. The screening report concluded that an SEA is not necessary. The report was sent to the consultation bodies on 23 June. All consultees stated that in their opinion, the WNP was unlikely to have significant environmental effects.
- 1.6 On 26 July, South Tyneside Council also shared their Habitats Regulations Assessment screening report, which concluded that the submission version of the Plan does not need an Appropriate Assessment.
- 1.7 In conclusion, the submission version (regulation 15) of the Whitburn Neighbourhood Plan does not require an SEA.

2. Strategic Environmental Assessment

- 2.1 European Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) of plans and programmes likely to have significant environmental effects. The objective of the 'SEA Directive' is: 'to provide for a high level of protection to the environment and to contribute to the integration of environmental considerations into the preparation and adoption of the plans (...) with a view to promoting sustainable development'.
- 2.2 The EU Directive was transposed into UK law through the 'Environmental Assessment of Plans and Programmes Regulations 2004'. Regulation 9 states that 'the responsible authority shall determine whether or not a plan (...) is likely to have significant environmental effects'. The "responsible authority", in relation to a plan or programme, means the authority by which or on whose behalf it is prepared. This can be the Neighbourhood Forum or the Local Planning Authority.
- 2.3 There is planning guidance for SEAs for neighbourhood plans¹, which explains the process in further detail: 'draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This initial assessment process is commonly referred to as a 'screening assessment'. This includes a requirement to consult the environmental assessment consultation bodies (Historic England, Natural England and the Environment Agency).
- 2.4 Guidance by government and by Locality² state that: 'As a general rule of thumb, SEA is more likely to be necessary if:
- a) a neighbourhood plan allocates sites for development (for housing, employment etc.) that haven't already been appraised through the sustainability appraisal (SA) of the relevant Local Plan
 - b) the neighbourhood plan area contains sensitive environmental assets that may be affected by the policies and proposals in the neighbourhood plan
 - c) the neighbourhood plan is likely to have significant environmental effects not already addressed through the sustainability appraisal of the relevant Local Plan'.
- 2.5 This report forms the screening assessment. This assessment is based on the submission version of the Plan. Section 3 contains more information on the Plan.

¹ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

² <https://neighbourhoodplanning.org/toolkits-and-guidance/understand-plan-requires-strategic-environmental-assessment-sea/16-locality-screening-neighbourhood-plans-sea-hmaa-text-updated-230120-0925-2/>

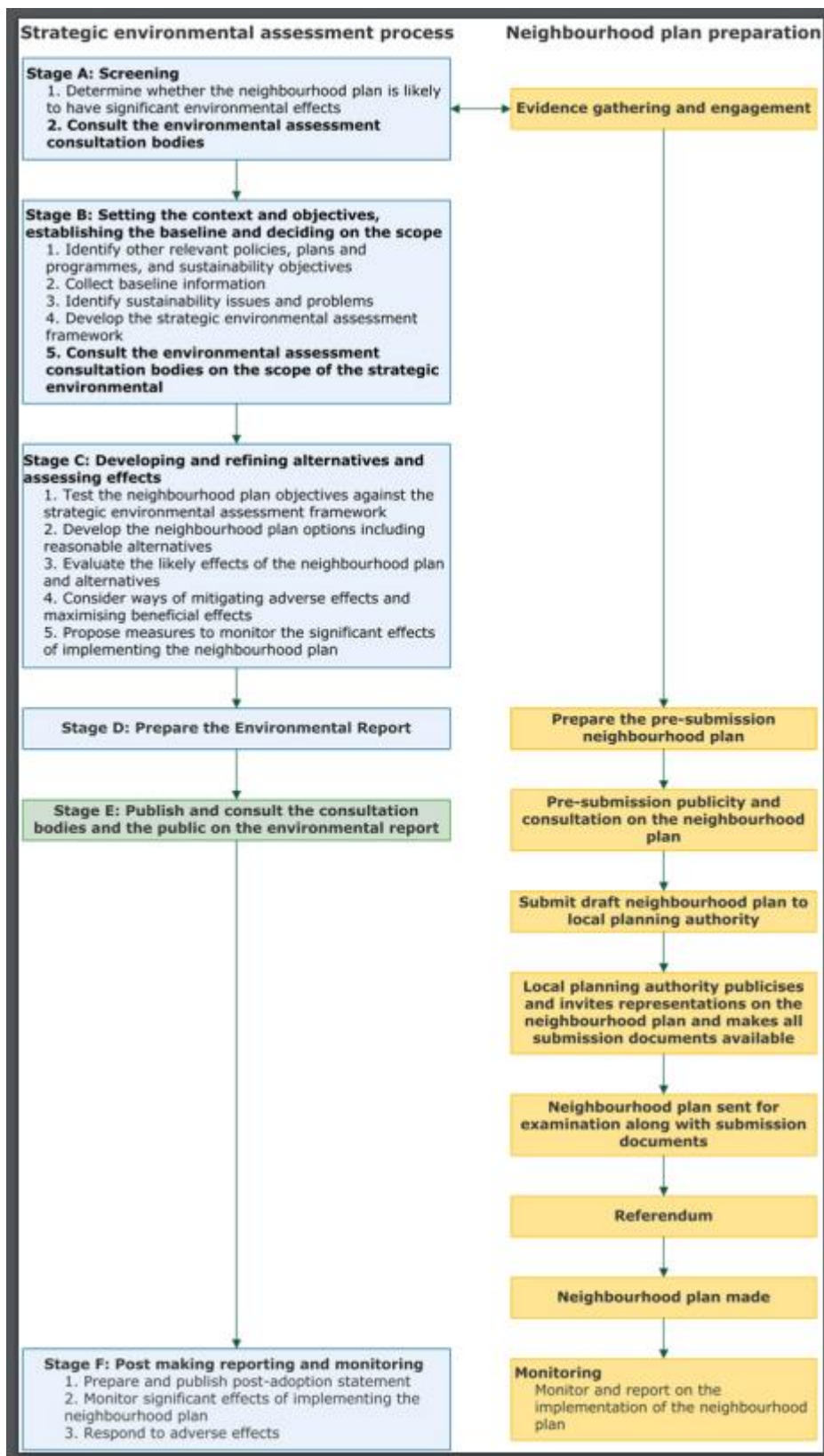


Figure 1 SEA flowchart. Source: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

3. Whitburn Neighbourhood Plan and area

- 3.1 Whitburn Neighbourhood Area was designated as a Neighbourhood Area in 2017. The area is based on the Whitburn & Marsden ward, but excludes the Marsden built up area and the Sunderland AFC Academy. The boundary conforms to the three Census Lower Super Output Areas for Whitburn. It encompasses the village of Whitburn and the surrounding green belt.
- 3.2 The Whitburn Neighbourhood Plan (WNP or ‘the Plan’) is currently in development by the Whitburn Neighbourhood Forum Committee. A regulation 14 pre-submission was submitted and a consultation was held between December 2020 and February 2021.
- 3.3 The pre-submission plan was screened for the requirement of a Strategic Environmental Assessment (SEA). The report concluded that it is considered unlikely that any significant environmental effects will occur from the implementation of the WNP and that an SEA was therefore not required.
- 3.4 The screening report was also sent separately to the consultation bodies (Environment Agency, Historic England, Natural England), which provided their screening opinions. All consultees stated that in their opinion, the WNP was unlikely to have significant environmental effects.
- 3.5 Following the consultation of the pre-submission plan, the Plan was amended to take into account comments from residents, statutory consultees and other bodies with an interest. The changes made to the Plan comprise rewording of policies and supporting text. The rewording does not substantially alter the Plan. For instance, the Plan still does not allocate any sites for development. However, as changes were made to the Plan, this report now rescreens the Plan for the need for an SEA.
- 3.6 The vision of the Plan is: ‘Whitburn village will continue as a sustainable and well-supported, thriving community. It will conserve and enhance its unique character as a coastal village set within a rural environment with a rich heritage and natural environment. It will be forward looking and resilient to reduce the effects of climate change.’
- 3.7 The objectives for Whitburn are grouped into five topics, namely housing; built environment; natural environment and green infrastructure; Whitburn community; and infrastructure.

HOUSING

- Ensure that new housing built in the Neighbourhood Area is to meet identified needs as set out in the Whitburn Housing Needs Assessment. In particular, housing to meet the needs of older residents and young families who need an affordable home.

BUILT ENVIRONMENT

- Encourage the sensitive re-use of redundant or disused buildings and previously developed land.

- Achieve well designed places by ensuring that new development incorporates sustainable and high-quality design which brings up standards of design in the area.
- Ensure that the historic environment is preserved, and that new development respects the significance of designated and non-designated heritage assets and their settings.

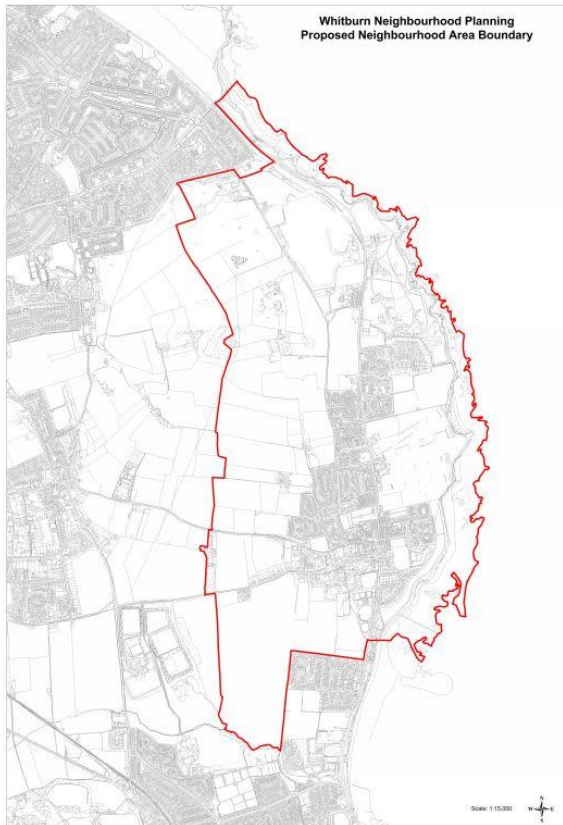


Figure 2 Neighbourhood Area

NATURAL ENVIRONMENT AND GREEN INFRASTRUCTURE

- Ensure new development delivers demonstrable net gains for biodiversity and conserves our most valued landscapes and green spaces.
- Identify and map our green infrastructure and link spaces together for people and wildlife
- Protect our Green Belt from inappropriate development.
- Identify and protect those green spaces that are demonstrably special to our local community and designate them as Local Green Spaces.
- Identify and protect community and recreational facilities and encourage new and expanded social, community, leisure, recreational and educational facilities.
- Embed aspiring climate change mitigation and adaptation policies.

WHITBURN COMMUNITY

- Encourage the regeneration of Whitburn village centre and improve the public realm.
- Protect our community facilities from loss.

INFRASTRUCTURE

- Ensure that there is the necessary infrastructure for drainage, surface water disposal and sewage in place before allowing new development, in order to protect the local environment.

- Promote sustainable transport in the Plan area and ensure new development makes provision for cycle and pedestrian access and improve safety for pedestrian and cycle access across the Plan area.

3.8 The policies can be found in the Plan and are:

POLICY WNP1	HOUSING
POLICY WNP2	WHITBURN DESIGN GUIDELINES
POLICY WNP3	SUSTAINABLE DESIGN AND CONSTRUCTION
POLICY WNP4	WHITBURN CONSERVATION AREA
POLICY WNP5	NON-DESIGNATED HERITAGE ASSETS IN WHITBURN NEIGHBOURHOOD AREA
POLICY WNP6	BIODIVERSITY AND GEODIVERSITY
POLICY WNP7	GREEN INFRASTRUCTURE ENHANCEMENT AND CONNECTIVITY
POLICY WNP8	LOCAL LANDSCAPES AND SEASCAPES
POLICY WNP9	LOCAL GREEN SPACES
POLICY WNP10	RECREATIONAL FACILITIES AND ALLOTMENTS
POLICY WNP11	COMMUNITY FACILITIES
POLICY WNP12	WHITBURN SHOPPING CENTRE
POLICY WNP13	SEWAGE AND DRAINAGE INFRASTRUCTURE
POLICY WNP14	TRANSPORT INFRASTRUCTURE
POLICY WNP15	AIR QUALITY

3.9 The Neighbourhood Area contains some important environmental assets, listed below.

Biodiversity

3.10 Whitburn has a rich natural environment with various habitats and species of national, international and local importance. The area includes three international sites designated for their biodiversity value: Northumbria Coast Special Protection Area (SPA), Northumbria Coast Ramsar Site and Durham Coast Special Area of Conservation (SAC). The Northumbria Coast SPA and Ramsar site are designated for wintering turnstone and purple sandpiper, as well as breeding arctic tern and little tern, although these breeding birds are not present in the neighbourhood area. The Durham Coast SAC is designated for the presence of vegetated sea cliffs of the Atlantic and Baltic coasts, which is an Annex I habitat of the EU Habitats Directive.

3.11 These sites are also designated at a national level as the Durham Coast Site of Special Scientific Interest (SSSI). This site also has additional features, including breeding cormorant, fulmar and kittiwake. These species can be found nesting on the cliffs and rocks within the neighbourhood area.

3.12 In addition, there are two local nature reserves, namely Whitburn Point LNR and Marsden Old Quarry LNR. Local wildlife sites in the area are Beacon Hill Quarry, Whitburn Firing Range, Marsden Limekilns, Kitchener Road, Lizard Lane Cutting, Black Plantation and Marsden Quarry. Local geological sites are Marsden Limekilns and Marsden Old Quarry.

3.13 There are various priority habitats present within the area, such as coastal habitats, maritime cliff and slope habitats and intertidal substrate foreshore rock platform. At Marsden, lowland calcareous grassland and Intertidal substrate foreshore sand can be found. Furthermore, within the Whitburn coastal park and other areas, deciduous woodland is present. Lastly, at the old quarry, woodland and lowland calcareous grassland can be found.

MAGiC Biodiversity designations

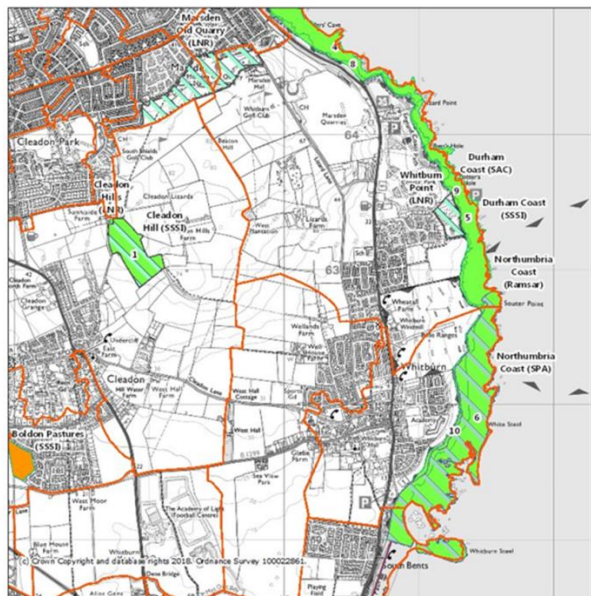
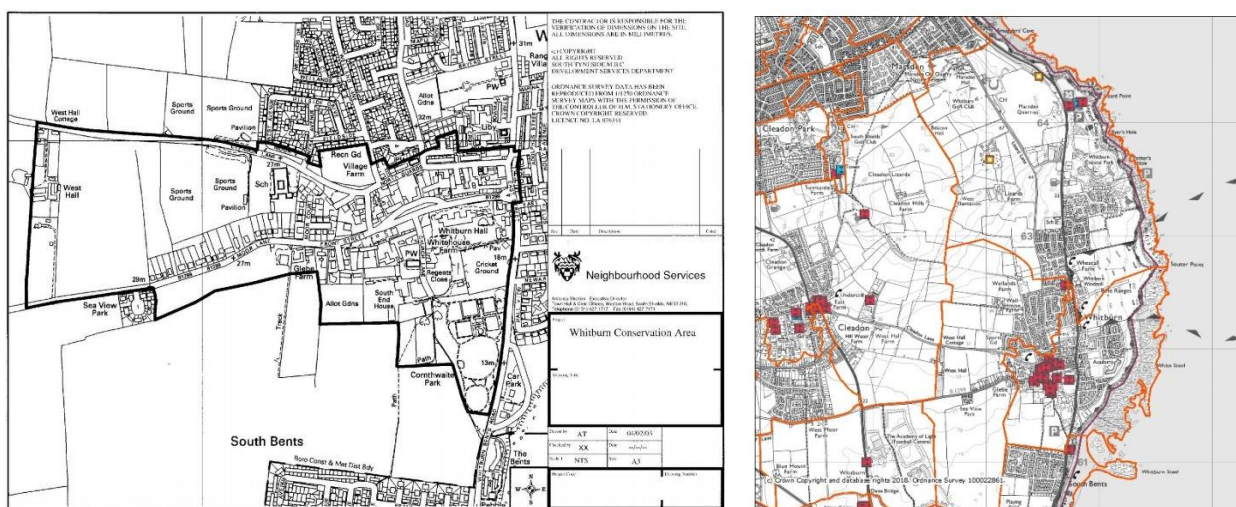


Figure 3 Biodiversity designations (Source: magic.gov.uk)

Cultural heritage

3.14 Whitburn has a Conservation Area and there are a number of listed buildings³ and other places of historic interest within the Neighbourhood Area. Almost all the listed buildings are concentrated in centre of the village of Whitburn. Further north, Souter Lighthouse is Grade II* listed and the cottages and buildings associated with it are also listed. These are effectively protected through National Trust ownership. There are two scheduled monuments (Marsden Lime Kilns and Lizard Lane Heavy Anti-Aircraft Battery (located to the south of Hillhead Farm)).

Figure 4 Conservation Area and heritage assets. Sources: South Tyneside Council and Magic.gov.uk



4. Screening

4.1 An SEA may be necessary if:

- a) A neighbourhood plan allocates sites for development (for housing, employment etc.) that haven't already been appraised through the sustainability appraisal (SA) of the relevant Local Plan
- b) The neighbourhood plan area contains sensitive environmental assets that may be affected by the policies and proposals in the neighbourhood plan
- c) The neighbourhood plan is likely to have significant environmental effects not already addressed through the sustainability appraisal of the relevant Local Plan³.

4.2 Applying these conditions to the WNP results in the following conclusion:

- a) The WNP does not allocate sites for development.
- b) It does contain sensitive assets, however, policies in the WNP will not affect these. That is because the WNP does not contain any specific proposals, such as site allocations. It contains policies that support sustainable development and that protect these assets.
- c) The WNP has to comply with local policies, which have already been assessed through a sustainability appraisal.

4.3 In summary, the Plan itself will not have any negative or significant effects on the environment. The Plan will not instigate any projects or programmes. If any proposals are made by third parties, these proposals will have to comply with national policies and plans, local policies and plans, and at the lowest tier, the neighbourhood plan. The neighbourhood plan when 'made' will comply with higher tiers, and will therefore not change the effects of any proposed developments on the environment had it not been 'made', because these policies are already in place at higher levels. It simply applies these higher-tier strategic policies to a neighbourhood level and aims to ensure that development is sustainable at the neighbourhood level also.

4.4 If a Plan needs an appropriate assessment (as part of a Habitats Regulations Assessment), then the need for an SEA is automatically triggered. South Tyneside Local Planning Authority conducted a screening assessment for the submission version of the Plan, which concluded that the Plan is unlikely to have significant effects on European designated Sites. This conclusion was supported by Natural England.

4.5 Government guidance shows the application of the SEA directive to plans and programmes:

³ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

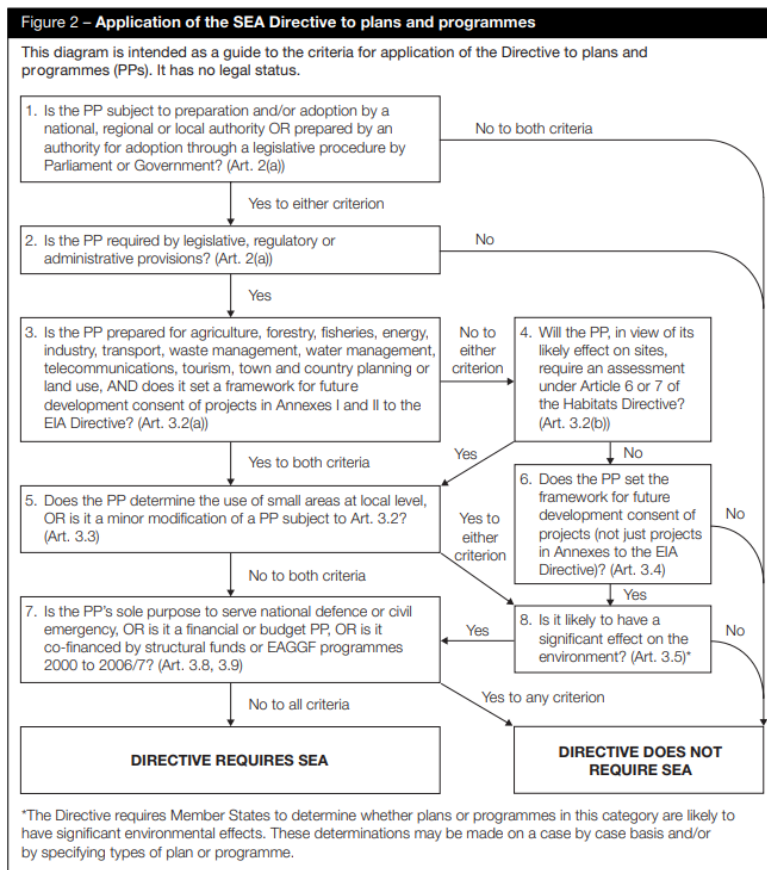


Figure 5 SEA application⁴

The application of this results in the following assessment:

Box number	Yes or No	Explanation
1	Yes	The WNP is prepared by a Neighbourhood Forum and if adopted, will be 'made' by South Tyneside Council.
2	No	A Neighbourhood Plan is not required, however when 'made' it becomes part of the statutory development plan for that area. It then forms part of a plan that is required.
3	Yes	The neighbourhood plan is prepared for town and country planning and land use.
4	No	The submission version of the WNP has been screened for likely significant effects on European designated sites. The screening was carried out by the local planning authority who concluded that the WNP is unlikely to have significant effects alone and in combination, meaning an appropriate assessment is not necessary.
5	Yes	No allocations for development are made. Local Green Spaces are included, which might be interpreted as determining the use of land at a small level.
6	Yes	The Neighbourhood Plan if 'made' will be used for the determination

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

		of planning applications.
7	No	A Neighbourhood Plan does not deal with any of these categories of plan.
8	No	Please see assessments below.

4.5 Determination of the likely significance of effects referred to in Article 3(5) of European Directive 2001/42/EC, applying criteria set out in Annex II of that Directive, is as follows:

Criteria (Schedule 1)	Significant environmental effect likely?	Reasoning
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	No	<p>The Whitburn Neighbourhood Plan (WNP) will comply with Basic Conditions, as set out by planning legislation. There will be a Basic Conditions Statement included with the submission WNP, which will explain this. This will be checked by local government, as well as an Examiner.</p> <p>The WNP is at neighbourhood level and will have to have regards to national policies and guidance. It will also have to be in conformity with the strategic policies in the development plan for the local area. South Tyneside currently has a Local Development Framework (LDF), with an accompanying Sustainability Appraisal. It is developing a Local Plan, which is accompanied by a Sustainability Appraisal as well, thereby checking the compliance of Local Plan policies with SA and SEA legislation. As the Local Plan has not been completed yet, the WNP needs to comply with the LDF, but it is also developed with the emerging Local Plan in mind.</p> <p>The WNP is therefore not the main framework, but rather it applies national and local strategic policies to a neighbourhood level.</p> <p>The WNP does not seek to allocate land for development. It only sets out positive planning policies seeking to encourage sustainable development that would be sympathetic to the area, in line with specific protective policies elsewhere in the Neighbourhood Plan.</p>
(b) the degree to which the plan or programme influences other plans and programmes including those in a	No	As stated above, the WNP has to comply with higher-tier policies and plans. It will build upon local plans through the inclusion of neighbourhood-specific policies, which seek to protect and enhance the local built and natural environments. Due to the neighbourhood-specific nature

hierarchy.		of the policies, the effects of the WNP on other plans and programmes within the wider development plan will be very slight. Rather, the WNP is heavily influenced by higher-tiered plans. There is no lower tier below the neighbourhood plan.
(c) the relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	No	The WNP seeks to promote sustainable development overall. It will comply with the Basic Conditions as prescribed by national legislation, which requires Neighbourhood Plans to promote sustainable development. The Plan will be extensively consulted on to ensure this, whilst it will be subject to Examination as well. It does not seek any relaxations to sustainable development principles set out in higher-level plans.
(d) environmental problems relevant to the plan or programme	No	The WNP is not anticipated to result in significant environmental problems. This is because its policies will comply with higher-tier plans, and will promote sustainable development. It does not allocate any land for development.
(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)	No	The WNP has to be in conformity with the strategic policies contained within other relevant planning documents, currently the Local Development Plan for South Tyneside. The WNP supports the implementation of higher-level policies at the neighbourhood-area level. It is therefore not considered to have significant influence on other plans and programmes or their effects on the environment.

Criteria (Schedule 1)	Significant environmental effect likely?	Reasoning
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.	No	No allocations are included within the WNP and no significant effects are predicted as a result. The WNP is supportive of sustainable development within the overall protective policy context of the development plan in terms of the built environment.
(b) the cumulative nature of the effects	No	It is unlikely that any significant environmental effects would be observed as a result of the policies contained within the WNP. No allocations or policies that include development are part of the WNP. The WNP supports sustainable development, which protects and enhances

		the built and natural environment. It is not anticipated that the Neighbourhood Plan will result in significant effects, whether in isolation or cumulatively.
(c) the transboundary nature of the effects	No	It is not anticipated that the WNP will result in significant effects, nor result in significant effects beyond the administrative area of South Tyneside.
(d) the risks to human health or the environment (for example, due to accidents)	No	It is considered unlikely that there would be risks to human health or the environment arising from the WNP.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	No	The WNP does not seek to allocate land for development. While the Plan is supportive of sustainable development, this is in the wider context of the local development plan. Therefore, the WNP is not anticipated to have significant environmental effects.
(f)(i) the value and vulnerability of the area likely to be affected due to special natural characteristics or cultural heritage.	No	<p>The WNP contains several designations, such as N2K sites, SSSIs, listed buildings and a conservation area. While it is clear that the Neighbourhood Area contains a number of sensitive/potentially vulnerable receptors, it is unlikely that these would be affected by the Neighbourhood Plan policies. This is because these policies are developed in compliance with higher-tier frameworks that protect these assets, such as local and national policy. The WNP only applies these strategic policies to the neighbourhood level.</p> <p>There are no allocations for development made. No specific proposals form part of the WNP. This means that there are no policies or projects to be assessed that could potentially have significant effects on the environment.</p>
(f)(ii) the value and vulnerability of the area likely to be affected due to exceeded environmental quality standards or limit values.	No	This would be unlikely to result from the proposals.
(f)(iii) the value and vulnerability of the	No	This would be unlikely to result from the proposals.

area likely to be affected due to intensive land use.		
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	As said above, the WNP is developed in compliance with higher-tier policies that protect these areas. The WNP only applies these to a neighbourhood level. Given the content of the WNP and its focus on sustainable development, which is sympathetic to the qualities of the area, significant effects resulting from the WNP are unlikely.

5. Conclusion

- 5.1 As a result of the assessment above, it is considered unlikely that any significant environmental effects will occur from the implementation of the WNP.
- 5.2 National legislation and the National Planning Practice Guidance advise that the responsible authority should consult with the relevant statutory consultation bodies. These are the Environment Agency, Natural England and Historic England, whose responsibilities cover the environmental considerations of the Regulations to ensure all key environmental issues have been considered sufficiently.
- 5.3 These bodies were consulted on the Plan on 23 June 2021 allowing for a five-week consultation period. All consultation bodies responded to say that in their opinion the Whitburn Neighbourhood Plan is unlikely to have significant environmental effects (see Appendix A).
- 5.4 On 26 July, South Tyneside Council also completed their Habitats Regulations Assessment screening report, which concluded that the submission version of the Plan does not need an Appropriate Assessment.
- 5.5 In conclusion, the Whitburn Neighbourhood Plan does not need an SEA.

Appendix A Consultation responses

Environment Agency





Mr Philip Leaf
Whitburn Neighbourhood Forum

Direct Dial: 07880 717925

Our ref: PL00719342
28 June 2021

Dear Mr Leaf

**Environmental Assessment Regulations 2004: Regulation 9
Whitburn Neighbourhood Plan: SEA Screening Opinion v2, June 2021**

Thank you for consulting Historic England on the above revised Strategic Environment Assessment (SEA) Screening Opinion. As the public body that advises on England's historic environment, we are pleased to offer our comments.

Based on the analysis set out in the revised Screening Opinion, and within the areas of interest to Historic England, we agree that the emerging plan is unlikely to result in significant environmental effects and, therefore, it does not need SEA. In coming to this view we have taken the following factors into consideration:

- The plan area contains a number of heritage assets including a conservation area, several listed buildings, scheduled monuments and the potential for non-designated assets.
- Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.
- The plan is not expected to allocate sites for development.

As such, from the perspective of our area of interest, the need for SEA of the draft plan can be screened out as it is unlikely to result in significant environmental effects. However, the views of the other two statutory consultees should be taken into account before you conclude on whether SEA is needed. According to Regulation 11 of the above Regulations, I look forward to receiving a copy of your determination in this case.

We reserve the right to review our opinion should the plan change materially in its content and direction. Please do not hesitate to contact us if you have any queries relating to our comments or would like any further information.

Yours sincerely,

Jules Brown

Jules Brown
Historic Places Adviser



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Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



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Date: 16 July 2021
Our ref: 357842
Your ref: SEA Screening - Whitburn Neighbourhood Plan



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T 0300 060 3900

Mr Phil Leaf
Whitburn Neighbourhood Forum
whitburnforum@gmail.com

BY EMAIL ONLY

Dear Mr. Leaf,

Whitburn Neighbourhood Plan (Regulation 15) – Strategic Environmental Assessment Screening

Thank you for your consultation on the above dated 23 June 2021 which was received by Natural England on 23 June 2021.

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

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

We therefore **agree** with the conclusion of the Strategic Environmental Assessment Screening Report that a Strategic Environmental Assessment for the Draft Whitburn Neighbourhood Plan (June 2021) would not be required.

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](#).

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Nick Lightfoot
Northumbria Area Team