Thank you for consulting historic England on this updated Screening Opinion for SEA of the Hellesley Neighbourhood Plan. We found the screening statement to be particularly well reasoned and agree that whilst the plan does not allocate land for development the ‘support’ given, or acceptance of the principle of development on particular sites means there is some potential for significant environmental effects resulting from the plan. We are not clear whether these sites have already been assessed under the SEA undertaken for the local plan. This suggests it is considered there are potential effects for the historic environment arising from the plan.

The NDP introduces additional policy requirements for development in a number of areas based on the potential impacts of development on heritage assets, including the Hellesley Conservation Area and the former hospital. This additional policy requirement are considered necessary to prevent harmful effects of development that is otherwise supported on the significance of these heritage assets. This suggests it is considered there are potential effects for the historic environment arising from the plan that have either required mitigation through the plan policy or that there is potential have beneficial effects for the historic environment by imposing these specific requirements. We feel that the same principle of not taking mitigation measures into account in screening impacts on cultural heritage should be afforded in SEA screening and that where mitigation measures have been included in the plan it is appropriate that the SEA should test whether the plan policies with regard to the historic environment and specific designated and non-designated heritage assets in order to assess their suitability, success in achieving the plan objects and any potential conflict with other plan policies. We feel this should ensure these policies are robust and can be implemented by the District Council. It may be necessary to prepare a short evidence statement setting out an agreed statement on the significance of the conservation area and (in overview) the listed buildings it contains as well as the significance of the hospital buildings and their settings to inform consideration of the policy elements. We would not expect this to be a short document (ideally) setting out the key points of significance.

We hope these points are helpful to the District Council but would be pleased to discuss them further as necessary.

Yours sincerely,

[Signature]

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

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From: Nplans <historic@wealden.gov.uk>
Sent: 12 September 2018 13:23
To: nplans@wealden.gov.uk
Subject: Further Consultation on the Draft Regulation 16 Version of the Hellingly NDP

Dear [Name],

This email introduces additional policy requirements for development in a number of areas based on the potential impacts of development on heritage assets, including the Helingly Conservation Area and the former hospital. This additional policy requirement are considered necessary to prevent harmful effects of development that is otherwise supported on the significance of these heritage assets. This suggests it is considered there are potential effects for the historic environment arising from the plan that have either required mitigation through the plan policy or that there is potential have beneficial effects for the historic environment by imposing these specific requirements. We feel that the same principle of not taking mitigation measures into account in screening impacts on cultural heritage should be afforded in SEA screening and that where mitigation measures have been included in the plan it is appropriate that the SEA should test whether the plan policies with regard to the historic environment and specific designated and non-designated heritage assets in order to assess their suitability, success in achieving the plan objects and any potential conflict with other plan policies. We feel this should ensure these policies are robust and can be implemented by the District Council. It may be necessary to prepare a short evidence statement setting out an agreed statement on the significance of the conservation area and (in overview) the listed buildings it contains as well as the significance of the hospital buildings and their settings to inform consideration of the policy elements. We would not expect this to be a short document (ideally) setting out the key points of significance.

We hope these points are helpful to the District Council but would be pleased to discuss them further as necessary.

Yours sincerely,

[Signature]

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

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From: Nplans <historic@wealden.gov.uk>
Sent: 14 September 2018 11:23
To: nplans@wealden.gov.uk
Subject: Consultation on the Draft Regulation 16 Version of the Hellingly NDP

CONSULTATION ON THE DRAFT REGULATION 16 VERSION OF HELLINGLY NEIGHBOURHOOD DEVELOPMENT PLAN STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS REGULATIONS ASSESSMENT SCREENING OPINION – SEPTEMBER 2018

Hellingly Parish Council, has produced a Neighbourhood Development Plan (NDP) for the Parish of Hellingly. When adopted the Hellingly NDP will form part of the statutory development plan for the Parish. The Hellingly NDP and supporting documents can be found at:


Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 states that the ‘responsible authority’ shall determine whether or not a plan and/or programme is likely to have significant environmental effects, taking into account the requirements of Schedule 1 of the Regulations and consultation with the statutory bodies. The responsible authority in this case is Hellingly Parish Council who is preparing the NDP.

As part of Wealden District Council’s duty to assist and advise on Neighbourhood Development Plans, an SEA Screening Opinion for the Hellingly NDP has been prepared and is attached for your consideration. This consultation on the Screening Opinion for the Hellingly NDP is being undertaken to meet the requirements under the Environmental Assessment of Plans and Programmes Regulations 2004, specifically Regulation 4(1); Regulation 9(2) and Regulation 11(1) and 11(2).

This screening opinion identifies the criteria to determine if an SEA is required, as set out in the Directive and associated Regulations and provides a response in respect of the Hellingly NDP. The screening opinion assessment is undertaken in two parts: the first part assesses whether the NDP requires SEA and the second part considers whether the NDP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004.

The report also undertakes a screening assessment to determine whether the Hellingly Neighbourhood Development Plan requires a Habitats Regulations Assessment (HLRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Please note that the Hellingly Neighbourhood Plan has been reviewed to account for the People over Wind and Sweetman v Coillte Teoranta [2018] EWHC 2051 (QB). The SEA and HRA screening assessment has therefore been updated to take account of the findings of the European Court of Justice as relevant to the Habitats Regulations Assessment process.

Consultation

The consultation will run for a period of 5 weeks from Friday 14th September to Friday 19th October 2018.

Comments can be returned via email to nplans@wealden.gov.uk or by post to Planning Policy, Wealden District Council, Vicarage Lane, Hailsham, BN27 2AX.

If you have any questions regarding this consultation please contact the Planning Policy team on 01892 602068 or by email at nplans@wealden.gov.uk

Kind regards,

[Signature]
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