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**Wye Valley**

**Area of Outstanding Natural Beauty (AONB)**

**Management Plan**

**2020-2025**

**Strategic Environmental Assessment**

**Screening Report**

**July 2020**

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# 1. Introduction

* 1. Strategic Environmental Assessment (SEA) is a process which looks at the effects that a plan or programme is likely to have on the environment before it is adopted. Where an SEA is required, a plan-maker must complete an assessment and present the findings of the assessment in an environmental report that is then consulted upon. Any issues raised during the consultation must be taken into account by the plan-maker before the plan can be adopted. SEA is designed to be integrated into the development stages of a plan or programme and to influence decision-making throughout.
  2. This report has been produced to determine whether it is necessary to undertake a Strategic Environmental Assessment (SEA) of the Wye Valley Area of Outstanding Natural Beauty (AONB) Management Plan 2020-2025. This is to ensure compliance with European Directive 2001/42/EC on ‘the assessment of the effects of certain plans and programmes on the environment’ (‘The SEA Directive’) and ‘The Environmental Assessment of Plans and Programmes Regulations, 2004 (Statutory Instrument 2004 No. 1633), which implements the Directive in England and Wales and for relevant non devolved plans and programmes in the UK as a whole.

# 2. AONB Management Plans and Guidance on SEA

2.1 Part IV, Section 89 of the Countryside and Rights of Way Act 2000 sets out the requirement for Conservation Boards or relevant Local Authorities to publish and review a management plan for their AONB that: *“formulates their policy for the management of the area of outstanding natural beauty and for the carrying out of their functions in relation to it”.* These management plans must be reviewed ‘*at intervals of not more than 5 years’*.

2.2 The previous AONB Management Plan (2015-2020) had been subject to Strategic Environmental Assessment. However, as the Plan has been subject to review rather than a more fundamental rewrite, there is some uncertainty over whether SEA would be required for this plan.

2.3 In 2012, Natural England, the National Association of AONBs and the Department for Environment, Food and Rural Affairs (Defra) published an ‘Advice Note to AONB Partnerships, the Conservation Boards and Relevant Authorities on Management Plan Reviews’, which gave some early guidance on considering the need for SEA:

*“The requirements of the SEA and Habitats Directives, and the need for compliance with them, apply to new management plans, and to revisions or re-issues of existing management plans.*

*AONBs and National Park Authorities (protected landscape managing bodies) should screen their revised or amended Management Plan to evaluate whether the individual or cumulative effect of the changes which they are proposing is likely to have a significant effect, as defined under the Strategic Environmental Assessment or Habitats Regulations. They may wish to seek informal guidance from Natural England (and Environment Agency, English Heritage for SEA) at this screening stage”.*

That same guidance goes on to state that:

*“Given that all the extant AONB Management Plans have been assessed under the regulations, the AONB Partnership / Conservation Board (protected landscape managing body) may decide that the proposed changes to the extant plan are not likely to have a significant effect, and may conclude that there is no requirement to carry out further assessment. The AONB Partnership / Conservation Board should record the screening decision and supporting reasons for it”.*

2.4 This Screening Report has been written to enable a judgement to be made on whether an SEA should be undertaken. In line with the ‘tripartate’ guidance outlined above, it discusses whether the Wye Valley AONB Management Plan 2020 to 2025 is likely to exhibit significant environmental effects, and documents supporting reasons for the report’s conclusions. A further screening report, to establish whether appropriate assessment under the Habitats Regulations is necessary, is also published alongside this report.

# 3. The Wye Valley AONB Management Plan 2020 - 2025

3.1 The draft Wye Valley AONB Management Plan 2020-2025 is the fourth statutory 5 year Management Plan (following earlier non-statutory Plans of 1992 and 1981). The preparation of this Management Plan was commenced in mid-July 2018. Biodiversity, Landscape and Planning officers from the Local Authorities met to discuss the format of the review of the Management Plan 2015-2020 including undertaking a SWOT analysis. The Wye Valley AONB Joint Advisory Committee (JAC), in November 2018, endorsed the conclusion that the 2015-2020 Management Plan remained a sound foundation on which to base the revised Plan. The core of the last Plan was still robust and the timetable difference with other strategies & legislation would seem to make a ‘full review’ more applicable to the preparation of the subsequent Plan (2025-2030). Therefore a proportionate and balanced ‘light touch’ review was proposed which modifies and updates the Plan, but retains tried and tested policies and content as appropriate.

3.2 The Plan sets out a Vision for a living landscape as well as a series of Strategic Objectives that relate to topics of relevance to the AONB. The vision is the same vision as was presented in the 2015-2020 Management Plan, and states:

*The Wye Valley Area of Outstanding Natural Beauty (AONB) will be a landscape*

* *that continues to evoke inspiration in a wide range of people*
* *where some degree of change is accepted and its impacts accommodated through positive management including effective adaptation to and mitigation of climate change*
* *where the distinctive mix of steep valley sides and rolling hills, covered with ancient and semi-natural woodland, mixed farmland, and scattered settlement dominate the landscape along with the meandering river*
* *where the natural and historic assets are in good order, well-understood and accessible where appropriate, in fully compatible uses* *and adapted and changed in ways which respect and enhance their significance*
* *with a robust mosaic of inter-connected semi natural habitats for native wildlife, particularly around grassland, wetland and woodland*
* *providing functioning services and resources for society, including flood storage, food, timber, tourism and minerals*
* *which provides work for local people, who make good use of the varied resources the area has to offer*
* *where both visitors and residents are able to enjoy the area, particularly for sustainable tourism, recreation and informed appreciation of the historic and natural environment, with minimal conflict or disturbance from other users*
* *where association with the Wye Valley continues to benefit the surrounding villages, market towns and counties*
* *supported by the good will, pride and endeavour of local people, visitors, and the public, private and voluntary sectors*
* *worthy of its designation as an internationally important protected landscape.*

3.3 The Management Plan also defines a series of ‘Special Qualities’ for the AONB. These remain the 27 identified previously:-

1. Overall Landscape - of 16 Landscape Management Zones with key features and links to the other Special Qualities

*Biodiversity*

2. Woodlands

3. The river & tributaries

4. Species-rich grassland, including small field pattern of un/semi-improved grassland, often bounded by drystone walls or old hedges

5. Boundary habitat diversity & connectivity, e.g. between grassland & woodland, farmland & heathland, tidal river & ASNW, hedges &/or drystone walls, lanes, banks, verges and fields & woods

*Geological*

6. Silurian Rocks

7. Devonian - Lower Old Red Sandstone

8. Quartz Conglomerate in Upper Old Red Sandstone including

9. Carboniferous Limestone

10. Riverine geomorphology

*Visual and Sensory*

11. Picturesque, extensive & dramatic views.

12. Overall sense of tranquillity, sense of remoteness and naturalness / wildness

*Historic Environment*

13. Prehistoric sites from Palaeolithic to Iron Age

14. Roman and early Medieval sites including Offa’s Dyke

15. Mediaeval Defensive and Ecclesiastical sites and associated landscapes

16. Post-medieval industrial sites and associated landscapes

17. Railway heritage

18. Ancient trees

19. Historic parks and gardens

20. Vernacular architecture: Farmsteads, Commoners cottages, Estate houses

*Language*

21. Welsh language & accent; Forest of Dean & South Herefordshire dialects & accents

*Access and Recreation*

22. Old tracks: often in sunken ways &/or bounded by drystone walls

23. Offa’s Dyke Path

24. Wye Valley Walk

25. Access land

26. Small commons; largest are Coppet Hill, Broadmoor, Staunton Meend, Whitelye, The Hudnalls

*Other*

27. Orchards

The Special Qualities are laid out in Table 8 of the Management Plan and there are minor updates to the ‘Recognition’ and ‘Condition’ columns, most notably:-

[SQ3] The river & tributaries: Recognition column including *‘Drinking water extracted at 2 locations from Wye (Lydbrook & Monmouth)*’.

[SQ14] Roman and early Medieval sites including Offa’s Dyke: Condition column referencing ‘*Offa’s Dyke Conservation Management Plan’*.

3.4 The Management Plan maintains the format of the previous Plan and outlines Strategic Objectives that relate to the following topic areas:

Our Unique Landscape – conserved & enhanced

Landscape

Biodiversity

Geodiversity

Historic Environment

Farming

Woodland, Trees and Forestry

Development & Transport – planning and protection

Development

Minerals

Utilities, Public Services and Renewable Energy

Transportation

Vital Communities - living & working in the AONB

Community Development

Economy and Rural Regeneration

Enjoying the AONB - sustainable tourism, recreation and appreciation

Sustainable Tourism

Recreation & Access

Understanding and Appreciation

Achieving together – effective management of the AONB

Partnership, Management and Governance

A Charter for Residents and Visitors

3.5 Similarly the topic areas are a continuation of topic areas in the 2015-2020 Management Plan. Only minor modifications have been made to the text, updating the context and emphasising the environmental and climate emergency. There are 71 Strategic Objectives, that underlie the topics, and Appendix 1 shows where 10 Strategic Objectives have changed between the current draft of the AONB Management Plan and the 2015-2020 Management Plan. The divergence between old and new Strategic Objectives is considered to be negligible or positive.

# 4. Screening

4.1 The SEA Directive and accompanying national regulations describe the types of plans for which the undertaking of SEA is mandatory. There are also a number of other plans where a decision must be taken on whether SEA should be undertaken.

4.2 The Government has set out in a series of steps a means to determine which plans and programmes require SEA[[1]](#footnote-1), as required by the SEA Directive. Figure 1 below describes the steps that should be taken to determine the need for SEA. The path taken by the AONB Management Plan is indicated by a series of red arrows.

4.3 Figure 1 shows a considered view of the status of the AONB Management Plan 2020 - 2025 in relation to the requirements of the SEA Directive. Further explanation of the reasons for selecting the Management Plan’s pathway through the flow chart is shown in Table 1 below.

## Figure 1: Deciding whether the SEA Directive is applicable to the AONB Management Plan

2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))

5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art 3.2? (Art 3.3)

7. Is the PP’s sole purpose to serve national defence or civil emergency, or is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7 (Art 3.8, 3.9)?

**DIRECTIVE REQUIRES SEA**

4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art 3.2 (b))

6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive) (Art 3.4)

8. Is it likely to have a significant effect on the environment? (Art 3.5)

**DIRECTIVE DOES NOT REQUIRE SEA**

Yes to either criterion

Yes

No to both criteria

No

Yes to both criteria

No to both criteria

No

No to either

Yes

No

Yes

Yes to either

Yes

Yes to any criterion

No to both criteria

No

3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consents of projects in Annexes I and II to the EIA Directive? (Art. 3.2 (a))

1. Is the PP subject to preparation and / or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2 (a))

Anticipated status of the AONB Management Plan 2020 - 2025

(Adapted from ODPM, 2006)

## Table 1: Establishing the need for SEA

|  |  |  |
| --- | --- | --- |
| **Stage** | **Answer** | **Reason** |
| 1. Is the PP subject to preparation and / or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2 (a)) | Yes | The AONB Management Plan will be prepared and adopted by Forest of Dean District Council, Gloucestershire County Council, Herefordshire Council and Monmouthshire County Council |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Yes | The AONB Management Plan is being prepared under section 89 of the Countryside and Rights of Way Act, 2000 |
| 3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consents of projects in Annexes I and II to the EIA Directive? (Art. 3.2 (a)) | No | Although the AONB Management Plan covers several of these topics, it is unlikely that any work proposed, framed or required by the Management Plan would fall into Annexes I and II of the EIA Directive. |
| 4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art 3.2 (b)) | ?No | A Habitats Regulations Assessment Screening Report has been completed. This report concluded that there are unlikely to be significant negative effects on the network of European Sites in and around the AONB. [[2]](#footnote-2) |
| 5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art 3.2? (Art 3.3) | Not applicable | This question need only be answered if questions 3 or 4 are answered in the affirmative. |
| 6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive) (Art 3.4)[[3]](#footnote-3) | ? | A narrower interpretation of ‘framework for development consents’ would exclude the AONB Management Plan as it does not direct projects that would generally fall within the planning system.  However, public bodies have a duty to consider the natural beauty of AONBs in their decisions, including in planning decisions[[4]](#footnote-4). Taking a broader interpretation of ‘framework’ (see footnote 3), the Management Plan may affect the outcome of future development consents, though only in as much as they affect the Special Qualities of the AONB. |
| 7. Is the PP’s sole purpose to serve national defence or civil emergency, or is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7 (Art 3.8, 3.9)? | Not applicable | This question need only be answered if the answer to question 6 is ‘no’. Or the answer to question 8 is ‘yes’. |
| 8. Is it likely to have a significant effect on the environment? (Art 3.5) (See appendix for criteria and characteristics determining significance) | No | The relatively small scale improvements to the AONB resulting from the strategic direction given by the AONB Management Plan are unlikely to have significant negative effects on the environment. In addition, the Strategic Objectives and actions in general seek to conserve and enhance the Special Qualities of the AONB, which will have a moderating impact on development and other actions that may seek to modify the environmental character of the AONB.  Criteria for significance are presented in Annex II of the SEA Directive, in which a range of characteristics of plans are listed as influencing judgements on significance, as well as a range of characteristics of the area likely to be effected by the plan. Appendix 2 at the end of this report shows the SEA Directive’s significance criteria alongside the likely effects of the plan. |

# 5. Conclusion

5.1 The conclusion of this screening report is that a Strategic Environmental Assessment will not be required for the Wye Valley AONB Management Plan. This is because the plan is unlikely to display significant environmental effects.

5.3 Further work has been undertaken via a Habitats Regulations Assessment screening report to clarify uncertainty over whether the AONB Management Plan would require assessment under Article 6 or 7 of the Habitats Directive. This HRA, while concluding that significant effects on European Sites are unlikely, is subject to consultation[[5]](#footnote-5) and so its conclusions may change in light of consultation responses. Should Appropriate Assessment[[6]](#footnote-6) under the Habitats Regulations be considered necessary, the Management Plan would be required to be subject to SEA, and the conclusion of this report would need to be revised.

# 6. Consultation

6.1 The Wye Valley AONB Management Plan operates in both England and Wales. Therefore the Statutory Consultation Bodies for the purposes of SEA screening are, in England: Natural England, the Environment Agency and Historic England and in Wales: Cadw and Natural Resources Wales and the Welsh Government. These bodies will be consulted for their views on the conclusions of this screening assessment. In addition, this report will be placed on the AONB website alongside the Consultation Draft Management Plan, which will be circulated to a list of stakeholders. The consultation on the Screening Report will take place from Friday 30th July to Monday 14th September 2020.

6.2 Following consultation an SEA screening statement will be published to show the conclusions of the screening exercise.

# Further Information

Further information on this screening statement can be obtained from:

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# Appendix 1: Comparison of AONB Management Plan Objectives

| **2020-2025 Management Plan Draft Strategic Objective - changes: additions / ~~deletions~~ compared to 2015-2020** | **Divergence** | **Notes on likely significance of divergence to the environment** |
| --- | --- | --- |
| WV-B3  Promote the adoption of schemes and initiatives that sustain, enhance and~~/or~~ recover ~~store~~ the characteristic biodiversity of the AONB, and that enable ecological systems and natural processes to accommodate and adapt to climate and other environmental change, including through landscape scale habitat connectivity | None | **Not significant.** |
| WV-F2  Influence policy on, and encourage the maximum uptake of, agri-environment and other appropriate schemes, including support for small-holders, where they progress the conservation or enhancement of the natural beauty, biodiversity, historic environment and Special Qualities of the AONB, particularly through Catchment Sensitive Farming and mixed farming of resilient, sustainable and low-GHG emission systems | Low | **Not significant** / positive |
| WV-W2  Develop and support tree, woodland and forestry initiatives and policy that conserve, restore and/or enhance the Special Qualities, biodiversity and natural beauty of the area, ensuring no net loss of semi-natural woodland cover and better, bigger and more joined up woodland habitats unless there are overriding nature or heritage conservation benefits | Low | **Not significant** / positive |
| WV-D2  Encourage and support high standards of design, materials, energy efficiency, drainage and landscaping in all developments, including Permitted Development, to ensure greater sustainability and decarbonisation, and that they complement, conserve and enhance the local landscape character and distinctiveness including scale and setting and ~~minimise the impact on~~ benefit or enhance the natural environment | Low | **Not significant** / positive |
| WV-D5  Encourage and support public involvement in the future planning of settlements and the countryside throughout the AONB for example through Neighbourhood Development Plans | None | **Not significant** |
| WV-C1  Encourage community led initiatives that maintain the diversity, sustainability and quality of rural community life and/or that stimulate investment, local employment, decarbonisation and retain or improve facilities and services for local people, subject to WV-D2 and WV-D3 | Low | **Not significant** |
| WV-C4  Encourage and promote local community plans and strategies to contain coherent objectives relating to the protection, conservation, enhancement and management of the AONB and monitor their effectiveness | None | **Not significant** / positive |
| WV-S4  Encourage the mitigation and/or reduction of the adverse impacts of existing tourism activity and attractions, particularly where they are concentrated around certain locations or sites, and/or those that fall outside the aim of conservation, enhancement and enjoyment of the Special Qualities and features of the AONB and decarbonisation. Highest priority will be given to addressing the issues in the Symonds Yat and Tintern areas | Low | **Not significant** |
| WV-R3  Support appropriate levels of sustainable design, repair, signage and maintenance on public rights of way, recreational trails and sites, using materials in keeping, in order to conserve ~~or~~ and enhance the character and natural beauty of the AONB | None | **Not significant** |
| WV-P4  Encourage Section 85 organisations, under the CRoW Act, to have co-ordinated policies to progress the purposes of the AONB designation and to make commitments in their annual business plans to specific delivery contributions that enable the AONB ~~3-year~~ work programme | None | **Not significant** |

# Appendix 2: Judging Significance in Relation to the SEA Directive

Annex II of the SEA Directive lists criteria for determining the significance of environmental effects of a plan or programme. Taken together these criteria should inform judgements about whether environmental effects can be considered to be significant.

## Table 2: Table showing criteria of significance listed in Annex II of the SEA Directive alongside an assessment of their applicability to the AONB Management Plan 2020 to 2025

| **Characteristic of significance** | **Is it significant?** | **Likely effect of Plan** |
| --- | --- | --- |
| **1. The characteristics of plans and programmes, having regard, in particular, to:** | | |
| 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 | Yes | The AONB Management Plan will set a framework for a number of smaller scale projects. |
| The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | Yes | The AONB Management Plan does not influence a hierarchy of subsidiary plans; however, actions include the contributing to other plans and programmes of varying significance. |
| The relevance of the plan or programme for the integration of environmental considerations with a view to promoting sustainable development | Yes | The Management Plan sets sustainable development at the heart of its vision, and objectives and actions contribute to the maintenance of Special Qualities in the AONB. This ensures that environmental considerations are fully integrated.  The Plan is considered highly beneficial to the achievement of sustainable development and natural resource management. |
| Environmental problems relevant to the plan or programme | No | The Management Plan is unlikely to cause environmental problems. It is not substantively different from the previous 2015 to 2020 Management Plan (see appendix 1) which had been subject to SEA and shown not to exhibit significant environmental effects. It is highly likely to lessen problems such as atmospheric, soil and water pollution, loss of biodiversity, loss of landscape character, and deterioration of cultural heritage. |
| 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). | Yes | The Management Plan is carried out as a result of national legislation (the Countryside and Rights of Way Act) which is not transposed from higher Community legislation.  However, AONB Management Plans should be key drivers for achieving action on the ground in relation to a number of European Directives, including the Water Framework Directive and the Habitats Directive. For example, in relation to the Water Framework Directive the plans should recognise the importance of the water environment and articulate the steps that will be taken within the AONB to meet Water Framework Directive objectives, for example encouraging appropriate partnerships and action in priority catchments. |
| **2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:** | | |
| The probability, duration, frequency and reversibility of the effects, | No | The AONB Management Plan is unlikely to exhibit significant long term / frequent / irreversible effects as:  - Strategic Objectives and actions generally link to and support national or local initiatives that are designed to enhance the quality of the rural environment;  - Strategic Objectives are linked to conserving Special Qualities so actions which are contrary to this are not promoted as part of the plan.  -The condition of the AONB will be monitored as part of the Management Plan |
| The cumulative nature of the effects | No | The generally positive environmental improvements are likely to negate / offset cumulative environmental effects arising from outside sources. |
| The transboundary nature of the effects | Yes | The AONB is transboundary and the Management Plan is likely to have a beneficial effect on positive transboundary effects occurring. |
| The risks to human health or the environment (e.g. due to accidents), | No | Strategic Objectives and actions which aim to manage access and reduce traffic levels will reduce the risk of accidents occurring. |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), | No | While the Management Plan applies to the entirety of the AONB, negative environmental effects are not likely to be significant in or around the AONB. |
| The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage | No | The AONB is a highly valued place that contains areas of high biodiversity and cultural heritage value, making the area sensitive to environmental impacts. However, no such impacts are predicted and, due to the protections given to the Special Qualities emphasised in the Management Plan, would in any case be unlikely to be significant. |
| The value and vulnerability of the area likely to be affected due to exceeded environmental quality standards or limit values | No | The AONB Management Plan is highly unlikely to provoke the exceedence of any environmental thresholds and is likely to increase environmental capacity in many instances (e.g. by restoring biodiversity). |
| The value and vulnerability of the area likely to be affected due to intensive land-use | No | The AONB Management Plan is unlikely to promote intensive land use, rather it helps promotes conservation and enhancement of the landscape which includes less intensive farming. |
| The value and vulnerability of the area likely to be affected due to the effects on areas or landscapes which have a recognised national, Community or international protection status | No | The AONB is a highly valued nationally designated protected landscape. However, the Management Plan is integral to the maintenance of that status and aims to achieve this through positive interventions that are likely to enhance landscape value. Such interventions are shown to be similar to those in the previous 2015 -20 Management Plan for which a previous SEA did not identify significant environmental effects. |
| **Overall level of significance: Unlikely to exhibit significant effects on the environment.** | | |

1. ODPM, 2006. A Practical Guide to the Strategic Environmental Assessment Directive, ODPM, London [↑](#footnote-ref-1)
2. The Habitats Regulations Assessment Screening report is being consulted on in parallel with this SEA screening report. Should the consultation result in changes to the conclusions presented, this SEA screening report will be updated in line with those changes. [↑](#footnote-ref-2)
3. The Directive is not clear on what constitutes a framework for development consents, but a broad interpretation has been taken in this assessment, informed partly by wider experience of SEA as described in the Resource Manual to Support Application of the UNECE Protocol on Strategic Environmental Assessment (United Nations draft document, 2006). This describes such frameworks as documents that place limits on types of activity from an area, contain conditions to be met by applicants if permission is to be granted, or that are designed to preserve certain characteristics of an area. (See: <http://www.unece.org/fileadmin/DAM/env/eia/sea_manual/documents/SEA%20Manual%20-%20Chapter%20A3%20-%20slides.pdf> ) [↑](#footnote-ref-3)
4. Part IV, Section 85 (1) of the Countryside and Rights of Way Act 2000 establishes a general duty on public bodies: “In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty”. Public bodies are listed as relevant authorities. [↑](#footnote-ref-4)
5. Section 61(3 and 4) of the Conservation of Habitats and Species Regulations, 2010 state that “(3) *The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify*”, and “(4) *They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate*” [↑](#footnote-ref-5)
6. Appropriate Assessment is the detailed stage of Habitats Regulations Assessment that is required when significant effects on Natura 2000 sites are likely. [↑](#footnote-ref-6)