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Strategic Environmental Assessment & Habitats Regulations Assessment

Screening Report

Draft Noak Bridge Neighbourhood Plan

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1 Introduction

1.1 Purpose of this report

1.1.1 The purpose of this report is to determine whether the emerging Noak Bridge Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) and / or Habitats Regulation Assessment (HRA) to be undertaken.

1.1.2 This review has been undertaken by Pell Frischmann on behalf of Basildon Borough Council.

1.2 Legislative background

1.2.1 As a Neighbourhood Plan can be a material consideration when assessing future planning applications, draft neighbourhood plans must be assessed to determine if the plan could have likely significant environmental effects.

1.2.2 Part of this requirement includes the Council determining whether a Strategic Environmental Assessment or Habitats Regulations Assessment (HRA) should be undertaken to accompany the draft Neighbourhood Plan.

1.2.3 The SEA screening process is based upon consideration of the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 (hereafter referred to as 'SEA Regulations') to ascertain whether the Neighbourhood Plan is likely to result in significant environmental effects. If likely significant environmental effects are identified, Basildon Borough Council will advise there is a need for a SEA to accompany the Neighbourhood Plan.

1.2.4 The HRA screening process is based upon the Conservation of Habitats and Species Regulations 2017 (as amended), hereafter referred to as the 'Habitats Regulations'. Basildon Borough Council is the 'competent authority' within the Habitats Regulations. If the Neighbourhood Plan is found to result in likely significant effects on a designated European Site, Basildon Borough Council will advise there is a need for a HRA to be completed.

1.2.5 This report provides evidence and a decision of whether a SEA or HRA is required.

2 Neighbourhood Plan Location

2.1.1 Noak Bridge Parish is located in the borough of Basildon in Essex.

2.1.2 The boundary of the Draft Noak Bridge Neighbourhood Plan is shown in Figure 2-1 below.

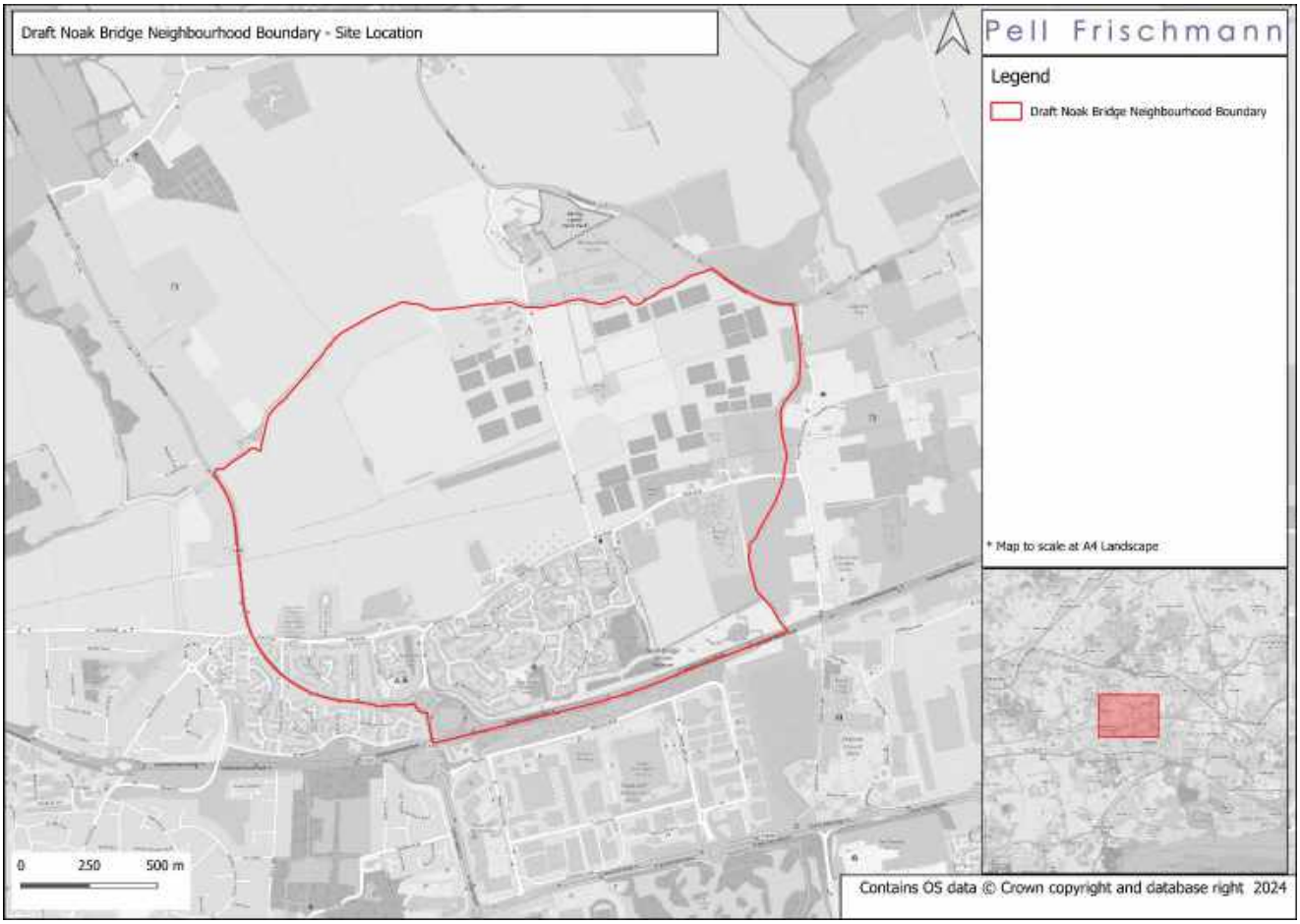

Figure 2-1 Site location

3 Strategic Environmental Assessment (SEA)

3.1 SEA requirements for neighbourhood plans

3.1.1 Draft neighbourhood plan proposals are required to be assessed to determine whether the plan is likely to have significant environmental effects, which is commonly referred to as a "screening" exercise. If likely significant environmental effects are identified, a Strategic Environmental Assessment (SEA) will be required in accordance with the SEA regulations.

3.1.2 The National Planning Practice Guidance provides examples of when a SEA may be required:

- 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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

3.1.3 If the requirement for a Habitat Regulations Assessment (HRA) is identified, then a plan will normally also require a SEA.

3.2 Summary of SEA Screening Opinion

3.2.1 The Noak Bridge Neighbourhood Plan Steering Group has requested a SEA screening opinion for the Draft Noak Bridge Neighbourhood Plan.

3.2.2 The Draft Noak Bridge Neighbourhood Plan does not propose sites for residential, for employment or for retail development. It does, however, set out to protect community assets, local green spaces, infrastructure, etc. It does not allocate land in addition to that set for the area in the Basildon Borough Local Plan Saved Policies 2007. Accordingly, it is not considered likely to have a significant effect on the environment.

3.2.3 Therefore, it is determined that a SEA for the Draft Noak Bridge Neighbourhood Plan is not required.

3.3 Summary of the Neighbourhood Plan

Table 3-1 Summary of the neighbourhood plan

Name of the Neighbourhood Plan	Noak Bridge Neighbourhood Plan
Geographic coverage of the plan	The village of Noak Bridge is located just to the north of Basildon and only 2km away from Billericay. Today the Parish consists principally of the Noak Bridge settlement together with large open fields to the north and east of the village. The River Crouch runs along the northern and eastern boundary of the Parish and forms a natural boundary that separates the Neighbourhood Plan Area from the rest of the Borough.
Vision for the plan	The vision of the plan is as follows: 1. To preserve and enhance the special character and appearance of Noak Bridge, maintaining the openness of the Green Belt that surrounds the settlement whilst protecting important views, the natural environment and green spaces throughout the Plan Area. 2. To ensure that new development will meet the needs of the local community in delivering sustainable low energy and low carbon, good quality appropriate housing and employment as well as improving existing community, health, education and retail facilities. 3. To increase highway safety and deliver improved public transport services and improved parking provision.
Key objectives	The Noak Bridge Neighbourhood Plan vision is supported by the following 5 core groups of objectives: **1. Housing** H1) To ensure that future developments are of good quality design and appropriate to the needs of the Plan Area H2) To identify the housing needs of the local community H3) To promote specialist housing in order to support all members of the community H4) To encourage developments that incorporate affordable housing which meets the needs of the local community **2. Environment and Green Space** EGS1) To conserve and enhance the rural landscape and character of the Plan Area and support appropriate planting that is representative of the local area EGS2) To identify, designate and protect important views and local green spaces in the Plan Area EGS3) To conserve and enhance the natural environment by reducing noise, water, air and traffic pollution EGS4) To protect and enhance the Noak Bridge Nature Reserve EGS5) To maintain the openness of the Green Belt that surrounds the settlement of Noak Bridge EGS6) To conserve and enhance the natural environment/biodiversity of the Plan Area, e.g. wildlife habitats, ecological corridors, etc and ensure that all development results in a biodiversity net gain for the Plan Area EGS7) To conserve and enhance the natural environment by managing flood risk and by assessing the environmental impact of any new development

	3. Design and Conservation DC1) To conserve the distinctive look and style of the village of Noak Bridge DC2) To preserve and enhance the Noak Bridge conservation area and other designated and non-designated heritage assets in the Plan Area DC3) To protect the unique design aspects of Noak Bridge Village DC4) To enhance and preserve the peaceful and pleasant nature of the Plan Area as a place to live DC5) To support the use of sustainable construction techniques and materials as well as promoting energy conservation and supply from renewable sources **4. Education, Health and Other Local Services** EHS1) To improve existing health facilities to meet the local community's needs EHS2) To protect and improve the condition of the Plan Area's existing parks and open spaces EHS3) To seek improvements to the local retail offer in the Plan Area EHS4) To ensure that Primary schooling is kept local to meet the needs of the local community over the Plan period EHS5) To ensure developments avoid any expansion pressure on the existing school and ensure that development provides any necessary additional educational facilities independent of the existing primary school EHS6) To protect existing community facilities EHS7) To identify and support new alternative community activities within the Plan Area EHS8) To promote healthy and safe communities by policies measures that reduce crime and poverty rates **5. Transport and Roads** TR1) To improve highway safety, including ensuring that traffic volumes and speeds are managed on all existing and new roads in the Plan Area TR2) To improve the safety of the local community on the roads in the Plan Area TR3) To mitigate the impact of new development on local transport networks TR4) To seek improvements to the provision of public transport TR5) To seek improvements in the availability of vehicle parking spaces in the Plan Area
Summary of policies	Following is an overview of the policies that support this Neighbourhood Plan. These were devised in response to the vision, objectives and Parish consultations and surveys that took place during the preparation of the Neighbourhood Plan. The plan includes 26 Policies (NB1 - NB26), set out in 5 Themes, which are summarised below: **Theme 1: Housing** NB1: Infill and Redevelopment to Provide New Housing NB2: Extensions to Existing Dwellings NB3: Replacement Dwellings NB4: Housing Mix **Theme 2: Environment and Green Space** NB5: Green Belt NB6: Landscape Character NB7: Biodiversity NB8: Noak Bridge Nature Reserve NB9: Green and Blue Infrastructure, Landscaping and Planting NB10: Local Green Spaces NB11: Important Views NB12: Flooding and Drainage

	Theme 3: Design and Conservation NB13: Sustainable Development NB14: Air Quality NB15: Design Principles NB16: Character Areas NB17: Designated and Non-Designated Heritage Assets (including the Conservation Area) NB18: Re-use of Rural Buildings NB19: Dark Night Skies **Theme 4: Local Economy, Education, Health and Other Local Services** NB20: Rural Economy NB21: Noak Bridge Primary School NB22: Health Facilities NB23: Community Facilities NB24: Funding New Facilities / Infrastructure **Theme 5: Transport and Roads** NB25: Highways, Safety and Sustainable Travel NB26: Parking

3.4 Establishing the need for SEA Screening

3.4.1 Practical guidance on the application of the SEA Directive published in 2005 by the predecessor of the Ministry of Housing, Communities & Local Government sets out a flow chart to establish the need for SEA. This flow chart is duplicated below, after which the need for SEA for the Noak Bridge Neighbourhood Plan is established.

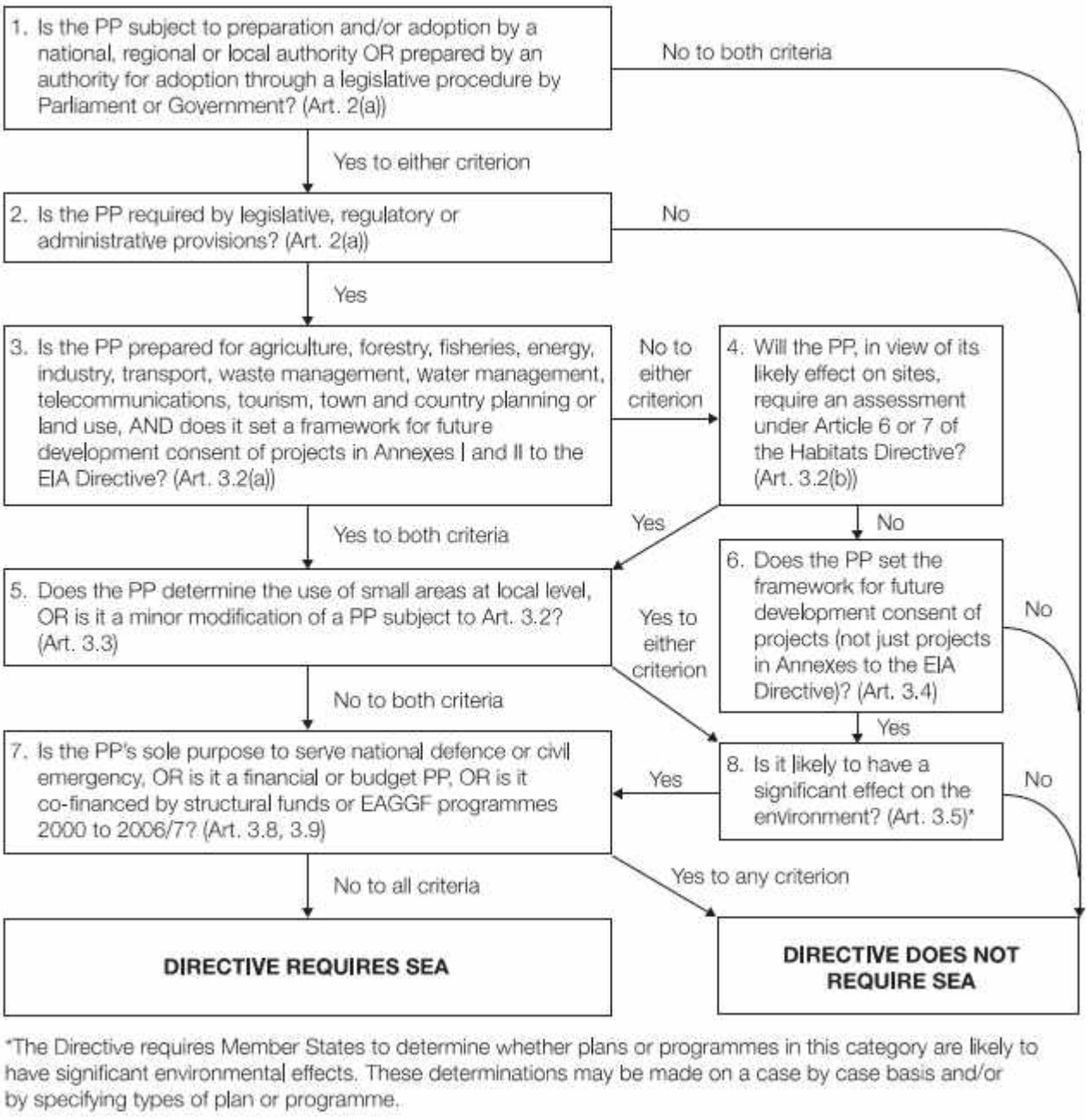

Figure 3-1 SEA Flowchart

(Source: A Practical Guide to the Strategic Environmental Assessment Directive, Figure 2. Available at: A Practical Guide to the Strategic Environmental Assessment Directive (publishing.service.gov.uk))

Table 3-2 Establishing the need for SEA

Assessment criteria	Assessment	
1. Is the Plan 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))	The Plan is being prepared by the Noak Bridge Neighbourhood Plan Steering Group in collaboration with Bluestone Planning Partnership LLP, under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 and will be "made" by Basildon Council under the Planning and Compulsory Purchase Act 2004.	Yes
2. Is the Plan required by legislative, regulatory or administrative provisions? (Art 2(a))	There is no requirement to produce a Neighbourhood Plan, however, they are subject to formal procedures and regulations laid down by Government.	Yes
3. Is the Plan 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 consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	The Noak Bridge Neighbourhood Plan is prepared for town and country planning purposes, but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.	No
4. Will the Plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	The Noak Bridge Neighbourhood Plan will not have an impact on European protected sites protected by the Habitats Directive.	No
6. Does the Plan set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art 3.4)	The Noak Bridge Neighbourhood Plan does set a framework for future development consent of projects.	Yes
8. Is it likely to have a significant effect on the environment? (Art 3.5)	The Noak Bridge Neighbourhood Plan will not have an impact on European protected sites protected by the Habitats Directive. See the results of Table 2 Determining the likely significant effects.	No
	The Noak Bridge Neighbourhood Plan does not require SEA	

3.5 Determining the likely significant effects

3.5.1 The likely significant environmental effects of a Neighbourhood Plan depend on the contents of the plan. The criteria for assessing any likely significant effects on the environment are specified in Schedule 1 of the SEA Regulations.

3.5.2 The table below sets out these criteria, along with a consideration of the likely impact of the Neighbourhood Plan against each of the criteria.

Table 3-3 Determining likely significant effects

SEA Regulations Criteria	Comments	Likely Significant Effects?
1. The characteristics of the neighbourhood plan, having regard, in particular, to:		
1a) The degree to which the neighbourhood plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The Noak Bridge Neighbourhood Plan would, if adopted, form part of the Statutory Development Plan and as such does contribute to the framework for future development consent of projects. However, the Plan sits within the wider framework set by the National Planning Policy Framework and the development plan (The Basildon District Local Plan Saved Policies 2007). The Basildon Borough Council Emerging Local Plan is at a very early stage of development and therefore carries no weight in this assessment process. The projects that this NP establishes a framework for will be local to the settlement of Noak Bridge, limited in scale and will have a limited impact on resources. The NP does not allocate land in addition to that set for the area in the Basildon Borough Local Plan Saved Policies 2007	No
1b) The degree to which the neighbourhood plan influences other plans and programmes including those in a hierarchy.	As required by the basic conditions for Neighbourhood Plans, the Noak Bridge NP is in general conformity with the strategic policies and objectives in the Development Plan. The Noak Bridge NP will not influence other plans or programmes within the Development Plan.	No
1c) The relevance of the neighbourhood plan for the integration of environmental considerations in particular with a view to promoting sustainable development.	The aims of sustainable development will be achieved through the development of policies which seek to protect valuable cultural, environmental, economic and community resources whilst facilitating sustainable growth and commensurate provision of infrastructure to serve any new development.	No
1d) Environmental problems relevant to the neighbourhood plan.	There are several environmental constraints within the NP Area. However, the NP contains policies designed to protect and where possible enhance those designated areas and assets. These constraints include: Flooding Much of the Neighbourhood Plan Area is located within Flood Zone 1. The areas that are particularly vulnerable to flooding are located around the River Crouch and its tributaries. It is also significant to note that part of the Plan Area is also at risk of surface water flooding. In addition, the majority of the Plan Area is at low risk of groundwater flooding and at risk from reservoir flooding in locations along the course of the River Crouch. Historic Environment	No

	Two listed buildings and a Conservation Area have been identified within the Neighbourhood Plan Area. Several non-designated heritage assets have also been identified within Noak Bridge village. Natural Environment Environmental designations and Priority Habitats that have been identified within the Neighbourhood Plan area are the Noak Bridge Nature Reserve to the south and deciduous woodland to the north, south and east of the Plan Area. Tree Preservation Order trees have also been identified within the Noak Bridge settlement. Green Belt. A large proportion of the Plan Area lies in the Metropolitan Green Belt.	
1e) The relevance of the neighbourhood plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The NP includes a policy supporting small scale renewable energy schemes, sustainable construction and development, use of grey water recycling and rainwater harvesting, and application of SuDS. Other policies seek to protect green and blue infrastructure. The Local Plan Saved Policies Document has a water wildlife management policy that highlights the significance of protecting important water features. This is fully supported by the Steering Committee. The Water Cycle Study that was carried out for South Essex region in 2011 showed that 82% of water bodies in the Anglian River Basin District were identified to achieve 'Poor' status due to high phosphate levels. There are concerns that future housing development that could come forward in this Neighbourhood Plan Area could result in additional harmful nutrients/phosphates entering the water bodies of the Plan Area, which could in turn have a negative effect on the conditions and surroundings of important habitats, such as the Noak Bridge Nature Reserve and those in the Green Belt. However, currently nutrient neutrality is not deemed an issue within Basildon Borough. The NP contains other policies concerning Noak Bridge Nature Reserve and Air Quality, which will address other local environmental concerns in addition to those highlighted above. The NP also contains measures to promote biodiversity, wildlife corridors and protected environmental sites, within the Plan area.	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
2a) The probability, duration, frequency and reversibility of the effects.	Any development is likely to be at a local scale and whilst new development will not be reversible, the NP will help to inform where development will occur, and the form it will take. This will be a positive effect of the process.	No
2b) The cumulative nature of the effects.	The positive effects of the NP policies will bring cumulative wider economic, social and environmental benefits to the NP area.	No
2c) The transboundary nature of the effects.	The NP is not proposing to allocate housing development sites, and therefore it is considered unlikely to result in any transboundary effects.	No

	Other policies which seek to protect areas or facilities / infrastructure within the Plan Area are likely to be local in scale and very unlikely to have effects that impact significantly beyond the Plan Area.	
2d) The risks to human health or the environment (for example, due to accidents).	The NP will not lead to significant risks to human health or the environment nor will the NP area be significantly affected.	No
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The NP Area is the same as the boundary of Noak Bridge Parish. The policies will seek to protect existing resources and, in conjunction with the Development Plan, to help inform the nature and form of development at a local scale within the Plan Area. The magnitude and spatial extent of the effects will therefore be limited.	No
2f) 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.	<u>i) Special Natural Characteristics or Cultural Heritage</u> The NP area contains nationally important heritage assets and nationally protected landscape areas in the form of the Conservation Area, listed buildings across the Plan Area, and the Metropolitan Green Belt. The Plan Area also contains the following designations: • Noak Bridge Nature Reserve (LNR and SINC) The Plan Area is also within 10km of several other Local Nature Reserves, including: • St Nicholas Church Hills (LNR) • Cranes Farm Nature Zone (LNR) • Nevendon Bushes (LNR) • Vange Hill (LNR) • Beauchamps Meadow (LNR) • Gidding Copse (LNR) • Mill Meadow (SSSI and LNR) • Norsey Meadow (LNR) • Hutton Country Park (LNR) • Grove House Wood (LNR) In addition to those designations mentioned above, the following national and/or European designations are also located within 10km of the Plan Area: • Norsey Wood (SSSI and LNR) • Thorndon Park (SSSI) • Langdon Ridge (SSSI) • Vange & Fobbing Marshes (SSSI) • Pitsea Marsh (SSSI) • Thundersley Great Common (SSSI) • Holehaven Creek (SSSI) • Hanningfield Reservoir (SSSI) • Thames Estuary and Marshes SPA and Ramsar; • Benfleet and Southend Marshes SPA and Ramsar; • Crouch and Roach Estuaries SPA and Ramsar; and • Essex Estuaries SAC The following designated heritage assets are also located within the Plan Area: • Daniels Farm – Grade II • Laindon Ponds – Grade II	No

	The NP does not propose the allocation of sites for residential or employment development, and therefore no likely significant impacts on these areas are envisaged. Similarly, no impacts on natural characteristics, including the Metropolitan Green Belt, and on cultural heritage assets, are foreseen. <u>ii) Exceeded Environmental Quality Standards or Limit Values</u> The NP includes policies which seek to protect and where possible enhance the characteristics of the NP area. This will ensure that the NP does not lead to environmental quality standards or limit values being exceeded. For instance, this Neighbourhood Plan includes an Air Quality policy that will, together with the saved Local Plan policies. have a positive environmental / biodiversity impact on the Plan Area. <u>iii) Intensive Land-use</u> The Plan Area is vulnerable to intensive land uses which could cause harm to the Plan Area, and in particular the Metropolitan Green Belt, heritage assets and Noak Bridge Nature Reserve. As a consequence, several of its policies seek to address this concern. Accordingly, the NP does not contain policies or proposals that are likely to lead to an intensity of land use that reaches the level at which it would give rise to significant effects.	
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	The Plan Area contains nationally important heritage assets (a Conservation Area and two listed buildings), and a large proportion of it also lies within the Metropolitan Green Belt. The degree to which these assets will be affected by the policies and proposals in the NP is likely to be limited and not significant. Furthermore, any effects are likely to be positive.	No

3.6 Screening outcome

3.6.1 Having reviewed the Noak Bridge Neighbourhood Plan against the requirements in the SEA Directive, it is concluded that the Plan is unlikely to have significant environmental effects and accordingly should not be subject to Strategic Environmental Assessment.

3.7 Next steps

3.7.1 The screening determination is subject to consultation with the statutory consultation bodies. The consultation bodies are specified in the Environmental Assessment of Plans and Programmes Regulations 2004 and are as follows:

- Historic England;
- Natural England; and
- Environment Agency.

3.8 Conclusion

3.8.1 The SEA screening assessment concludes that the Noak Bridge Neighbourhood Plan is unlikely to have significant environmental effects.

3.8.2 In summary, the Neighbourhood Plan does not propose sites for residential, for employment or for retail development, while it does set out to protect community assets, local green spaces, infrastructure, etc., and it does not allocate land in addition to that set for the area in the Basildon Borough Local Plan Saved Policies 2007.

3.8.3 The Noak Bridge Neighbourhood Plan therefore does not need to be subject to a Strategic Environmental Assessment.

3.8.4 The outcomes of these screening exercises are subject to the views of Historic England, Natural England, and the Environment Agency.

4 Habitats Regulation Assessment

4.1 Introduction

The requirement for Habitats Regulation Assessment (HRA) is set out under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This states that:

"(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which

(a)is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b)is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives."

A European site is a site which forms part of the National Site Network (also referred to as Habitats Sites under the National Planning Policy Framework) which comprises:

- Special Areas of Conservation (SAC);
- Special Protection Areas (SPA);
- Ramsar Sites;
- Proposed or candidate SACs or SPAs; and
- Compensation sites for any of the above.

The purpose of Screening (which comprises Stage 1 of the HRA process) is to identify whether likely significant effects could occur (alone or in-combination) and therefore whether Appropriate Assessment (Stage 2) is required. It is important to note that measures designed to avoid, reduce or mitigate effects may not be taken into account during Screening.

4.2 The Plan

The Plan which is subject to Screening is the Noak Bridge Neighbourhood Development Plan 2023 – 2042 (Submission Draft June 2024). This is supported by a Design Code, Character Appraisal, Screening Opinion Letter and Screening Opinion Questionnaire (all dated June 2024).

The Screening Opinion Letter addresses HRA under Annex 6 where it sets out the requirements for HRA and states that:

"There are no European sites either within, or within 10 km of, the Plan Area that would be affected by the policies in the Neighbourhood Plan, having regard to the above requirements."

However, no information is provided to explain how this conclusion has been reached. It should be noted that under Regulation 63(2) of the Habitats Regulations:

"A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required."

4.3 Scope

It is typically inappropriate to assign an arbitrary distance as a zone of influence when determining the sites which are scoped into HRA. Different sites have different sensitivities and different effect pathways can result in likely significant effects over different distances. Figure 4-1, below shows the sites within 10km of the Plan Area (per the Screening Opinion Letter), these include:

- Thames Estuary and Marshes SPA and Ramsar;
- Benfleet and Southend Marshes SPA and Ramsar;
- Crouch and Roach Estuaries SPA and Ramsar; and
- Essex Estuaries SAC.

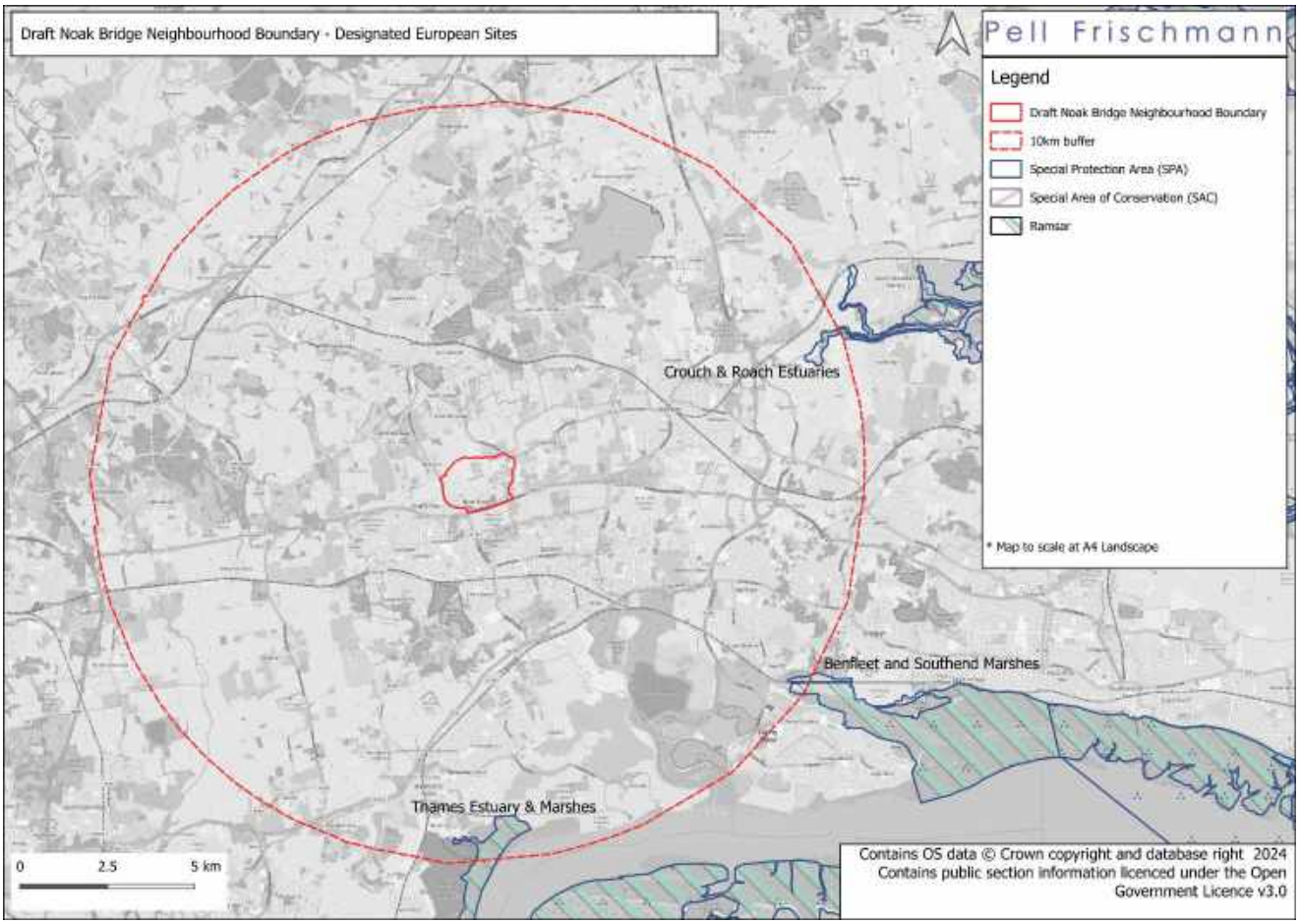

Figure 4-1 Designated European sites

In addition to the above, an assessment of further sites was undertaken with regard to the policies set out in the Plan and the potential effect pathways which could result.

Although per the Screening Opinion Questionnaire, the Plan does not propose new housing allocations, Policy NB1 does enable new development. Part of the Plan Area lies within the Zone of Influence for the Blackwater Estuary SPA and Ramsar which lies c.21.5km northeast. The Plan Area is outside the Zones of Influence for the sites listed above. These are set out in the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy. Any development resulting in an increase in residential dwellings must provide measures in accordance with the Strategy to mitigate the in-combination effect of recreational disturbance. However, Policy NB1 restricts any new development to the existing built area of Noak Bridge (see NDP Figure 19). This area sits outside the Zone of Influence for the Blackwater Estuary SPA and Ramsar and therefore there is no pathway to effect from recreational disturbance. No other pathways to likely significant effects were identified.

None of the remaining policies within the Plan were identified as having pathways which could give rise to likely significant effects on sites within the National Site Network.

4.4 Screening

As no potential effect pathways were identified, taking into account the Plan policies and location of sites within the National Site network, no sites were scoped into the Screening stage. As such, there is no potential for likely significant effects to occur and no requirement for assessment of in-combination effects.

4.5 Conclusion

Following Screening, it is concluded that there is no potential for likely significant effects to occur upon sites in the National Site Network as a result of the Noak Bridge Neighbourhood Plan either alone or in-combination.

Therefore, there is no requirement for Appropriate Assessment of the Plan.

Note that this conclusion is dependent on Policy NB1 remaining as written in the June 2024 Submission Draft. If the Plan were to allow development outside the existing built area of Noak Bridge (in particular to the east), there could be potential for recreational disturbance and the need for a policy covering mitigation. This would in turn trigger the requirement for Appropriate Assessment.