

Strategic Environmental Assessment Screening Report

For the BIERTON Neighbourhood Plan

FINAL version

BIERTON NEIGHBOURHOOD PLAN

SEA Screening

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1. Introduction

- 1.1 This screening statement considers whether the contents of the Berton Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The screening process is based upon consideration of standard criteria to determine whether the plan is likely to have “significant environmental effects”. The result of the screening process is detailed in this Screening Statement.
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the policies in the Berton Neighbourhood Plan and the need, or not, for a full Strategic Environmental Assessment.

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’¹.
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 Although a Sustainability Appraisal is not a requirement for a Neighbourhood Plan, part of meeting the ‘Basic Conditions’ which the plan is examined on, is to show how the plan achieves sustainable development. The Sustainability Appraisal process is an established method and a well recognised ‘best practice’ method for doing this. It is therefore advised, where an SEA is identified as a requirement, an SA should be incorporated with SEA, at a level of detail that is appropriate to the content of the Neighbourhood Plan.

¹A Practical Guide to the Strategic Environmental Assessment Directive’ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance> (ODPM 2005)

3. Criteria for Assessing the Effects of Neighbourhood Development Plans

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below²:

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,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- 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).

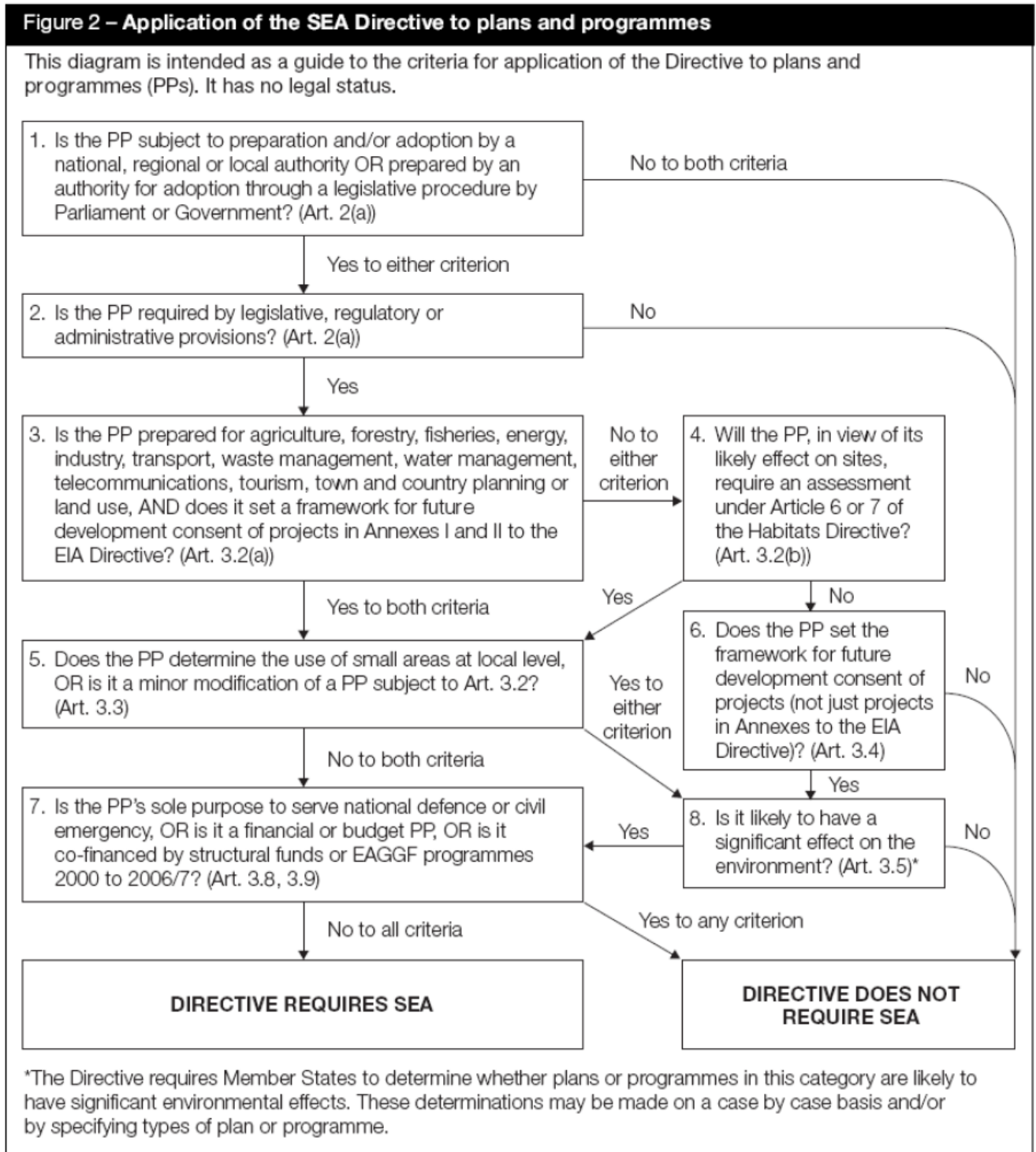
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

² Source: Annex II of SEA Directive 2001/42/EC

4. Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



4.2 The table below shows the assessment of whether or not the Bierton Neighbourhood Development Plan will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied. The Parish Council has given the District Council an early indication of the scope of the plan and the policy areas they intend to cover. This is what the screening is based on.

Stage	Y/ N	Reason
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))	Y	The Neighbourhood Development Plan will be 'Made' (adopted) by a Local Planning Authority, Buckinghamshire Council
2. Is the plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The Neighbourhood Development Plan is an optional plan produced by Bierton Parish Council.
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))	N	The Neighbourhood Development Plan is prepared for town and country planning purposes, but it does not intend to set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Art 3.2(a)).
4. Will the plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	<p>There are no areas of Natura 2000 sites (Special Areas of Conservation or Special Protection Areas) in the parish. The nearest such site is part of the Chiltern Beechwoods SAC, 7.29km away at West Leith and Hastoe in Chiltern district – Deacon's Hill Wood/Grove Wood/Stubbings Wood/Dog Wood. There are sightings of the following. These are all protected species under Schedule IV or V of the EU Habitats Directive 1992</p> <ul style="list-style-type: none"> • 6 Common Frogs • 24 Great Crested Newts • 31 Brown Long Eared Bat • 5 Pipistrelle Species • 109 Soprano Pipistrelle • 313 Common Pipistrelle • 35 Nocturle Bat • 21 Myotis Bat • 3 Natterer's Bat • 13 Daubenton's Bat • 3 Serotine • 6 Chiroptera Species <p>In terms of Natura 2000 sites however there would not be any impact on the Natura 2000</p>

		sites given the distance to the nearest SAC. This impact can be subject to re-screening at the Pre Submission, Submission and Referendum stages of the plan.
5. Does the plan determine the use of small areas at local level, OR is it a minor modification of a plan subject to Art. 3.2? (Art. 3.3)	Y	The scope of a Neighbourhood Plan indicated by the parish council does not intend to allocate specific sites for new housing and does not intend to set a housing target to be met by provision within the neighbourhood plan. But the plan does allow for small scale housing within the development boundaries up to 4 houses, and the plan does encourage the growth of small businesses and enhance community facilities.
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)	Y	The Neighbourhood Plan scope does intend to set a framework for future development consent of projects.
7. Is the plans sole purpose to serve the 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)	N	The purpose of the Neighbourhood Plan is not for any of the projects listed in Art 3.8, 3.9.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The scope of a Neighbourhood Plan indicated by the parish council does not intend to allocate specific sites for new housing and does not intend to set a housing target to be met by provision within the neighbourhood plan. There are expected to be policies in the plan to mitigate the impacts of small scale development on the environment.
1 (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	N	The Bierton Neighbourhood Plan intends to set out a spatial vision for the designated Neighbourhood Area and provide objectives and policies to guide sustainable development coming forward. However the plan is not intending allocating any sites for development.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	N	The Bierton Neighbourhood Plan, where possible, will respond to rather than influence other plans or programmes. A Neighbourhood Plan can only provide policies for the area it covers while the policies at the District and National level provide a strategic context for the Bierton Neighbourhood Plan to be in general conformity with. None of the policies in the Neighbourhood Plan have a direct impact on other plans in neighbouring areas.
1 (c) the relevance of the plan or programme for the integration of	N	Proposals will need to be set out in the Bierton Neighbourhood Plan to balance environmental,

environmental considerations in particular with a view to promoting sustainable development		social and economic considerations of sustainable development. It is considered that the Bierton neighbourhood plan, intending to incorporate sensitive and mitigating policies to address constraints may have a positive impact on local environmental assets and places valued by local people in the Neighbourhood Area.
1(d) environmental problems relevant to the plan	N	Bierton Neighbourhood Plan is not allocating any land for development and is unlikely to give rise to significant additional car movements. There are no Air Quality Management Areas within or particularly near to the Neighbourhood Area. The nearest areas are in Aylesbury close to the town centre https://www.aylesburyvaldc.gov.uk/air-quality-management-areas
1 (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)	N	The Bierton Neighbourhood Plan is to be developed in general conformity with the Vale of Aylesbury Local Plan, the Buckinghamshire Minerals and Waste Local Plan 2019 and national policy. The plan has no relevance to the implementation of community legislation.
2 (a) the probability, duration, frequency and reversibility of the effects	N	As the Bierton Neighbourhood Plan is not proposing to allocate land for development there is unlikely to be any significant environmental change involved in meeting the needs of people living and working in the parish. Any future housing development in the parish will be restricted to land in development boundaries, for no more than 4 houses on a site and is in keeping with existing buildings in the vicinity. New employment areas will be small and micro businesses. Enhanced community facilities will be existing facilities and will not harm the amenities of adjoining residential properties. It is highly unlikely these will be significant and have any irreversible damaging environmental impacts associated with the Bierton Neighbourhood Plan.
2 (b) the cumulative nature of the effects	N	It is highly unlikely there will be any negative cumulative effects of the policies, rather it could potentially have moderate positive effects. Any impact will be local in nature.
2 (c) the trans boundary nature of the effects	N	Effects will be local with no expected impacts on neighbouring areas.

2 (d) the risks to human health or the environment (e.g. due to accidents)	N	No risks have been identified.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	N	The Neighbourhood Area covers an area which is 983.5ha and contains a population is of 2,178 residents (2011 census). The neighbourhood plan is not allocating any land for development and any future housing development in the parish will be restricted to land in development boundaries, for no more than 4 houses on a site and is in keeping with existing buildings in the vicinity. New employment areas will be small and micro businesses. Enhanced community facilities will be existing facilities and will not harm the amenities of adjoining residential properties.
2 (f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards (iii) intensive land-use	N	The Bierton neighbourhood plan does not intend to allocate any housing sites. Any future housing development in the parish will be restricted to land in development boundaries, for no more than 4 houses on a site and is in keeping with existing buildings in the vicinity. New employment areas will be small and micro businesses. Enhanced community facilities will be existing facilities and will not harm the amenities of adjoining residential properties. The plan does expect to include policies to protect the environment too. Therefore there is no impacts on special natural/cultural heritage, environmental standards or from intensive land use.
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	N	The Bierton Neighbourhood Development Plan Area is not within an area or landscape of a nationally, internationally or community status.

5.0 Final Screening Outcome - SEA Not Needed

Reason:

- 5.1 The Bierton Neighbourhood Development Plan is not intending allocating any sites for development, is not intended to include a housing or development target to be met and is also likely to contain a number of policies to control environmental effects including restricting development to within development boundaries. Enhanced Employment growth and community facilities would be small scale. When taken together (as is required by law) with relevant policies from the Local Plan policy and national planning policy, it is not considered that the plan would be likely to give rise to significant environmental effects. On

this basis a Sustainability Appraisal to meet the requirements for Strategic Environmental Assessment is not considered to be needed.

Appendix – Statutory Consultation Responses



Historic England

By email only to: David.Broadley@buckinghamshire.gov.uk

Our ref: PL00794237

Your ref: Bierton Neighbourhood Plan SEA

Main: 020 7973 3700

e-seast@historicengland.org.uk

louise.dandy@historicengland.org.uk

Date: 09/08/2024

Dear David

Bierton Neighbourhood Plan SEA Screening Opinion

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

There are a number of designated heritage assets within the area; the information supplied however indicates that the plan will not have any significant effects on the historic environment. We also note that the plan does not propose to allocate any sites for development.

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

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

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

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this



Historic England

consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

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

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

Yours sincerely

Louise Dandy
Historic Places Adviser

Dear David,

Planning consultation: Bierton Neighborhood Plan - SEA and HRA Screening

Our ref: 452930

Thank you for your consultation on the above dated 10th October 2023 which was received by Natural England on the same day.

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.

Based on the plan submitted, Natural England agree with the assessment that the Neighbourhood Plan does not require an SEA or HRA.

Should the proposal change, please consult us again.

Yours sincerely,
Ellen

Ellen Satchwell
Sustainable Development Lead Adviser
Thames Solent Team | Natural England

<https://www.gov.uk/natural-england>