



**Aylesbury Vale District Council**

**Strategic Environmental Assessment Screening  
Outcome Report**

**For the Cuddington Neighbourhood Plan**

**December 2018**

## Contents

|   |   |
|---|---|
| 1. Introduction   | 3 |
| 2. Legislative Background   | 3 |
| 3. Criteria for Assessing the Effects of Supplementary Planning Documents | 4 |
| 4. Assessment   | 5 |
| 5. Screening Outcome  | 7 |

## **1. Introduction**

- 1.1 This screening statement considers whether the contents of the Cuddington 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 AVDC’s 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 Cuddington Neighbourhood Plan and the need 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’<sup>1</sup>.
- 2.2 The Planning and Compulsory Purchase Act 2004 required Sustainability Appraisals (SA) to be produced 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 Development 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.

---

<sup>1</sup>‘A 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 below<sup>2</sup>:

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:

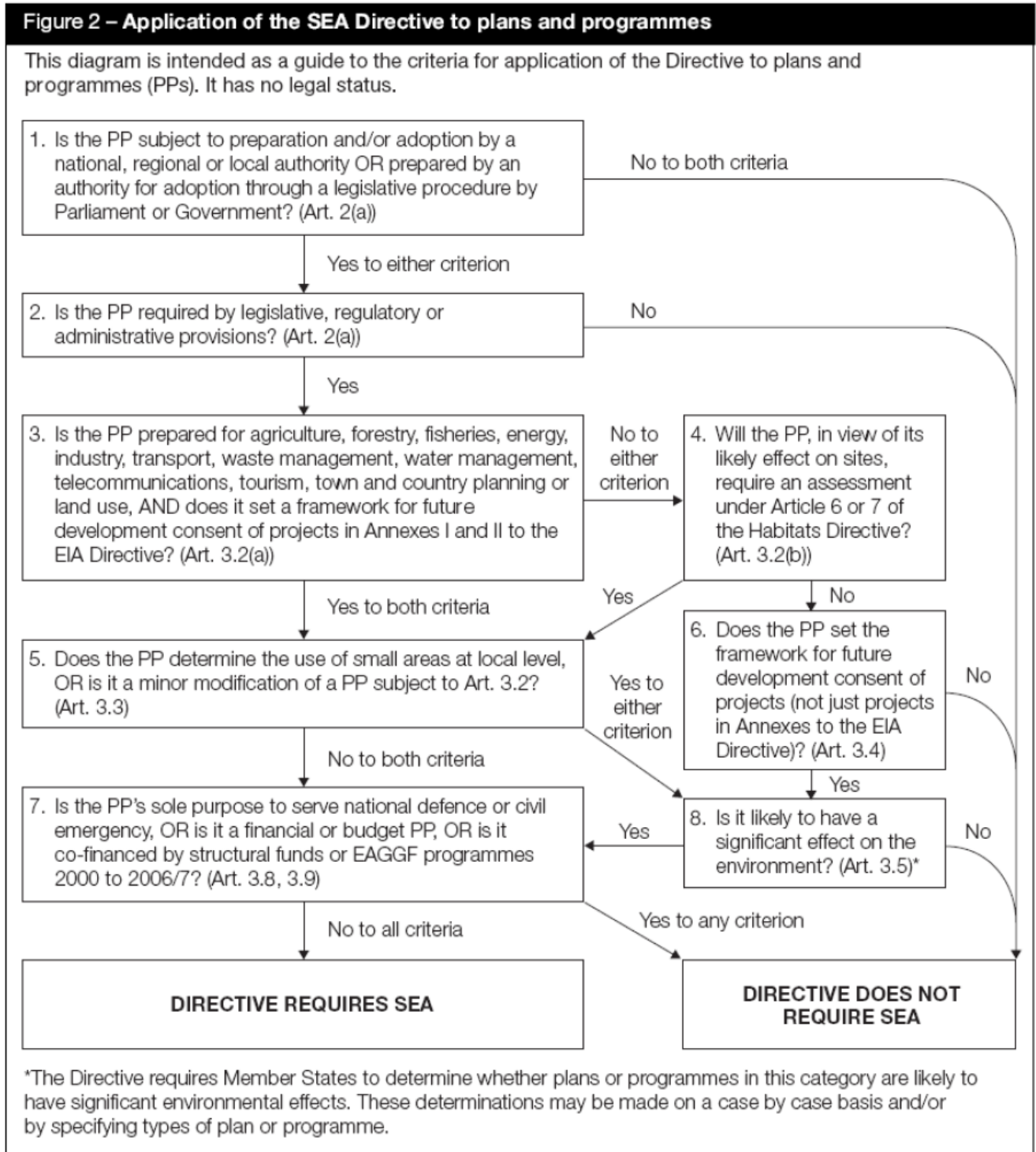
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and 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.

---

<sup>2</sup> 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 the Cuddington Neighbourhood 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.

| Stage  | Y/<br>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 Plan will be adopted by a Local Planning Authority, Aylesbury Vale District Council.  |
| 2. Is the plan required by legislative, regulatory or administrative provisions? (Art. 2(a))   | N       | The Neighbourhood Plan is an optional plan produced by Cuddington 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 Plan is prepared for town and country planning purposes, but it does not 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>A district wide HRA Screening was prepared to assess the Vale of Aylesbury Local plan (approximately 25 in total development at Cuddington, with 21 allocated and 4 completions). As the levels of development in the Cuddington Neighbourhood Development Plan are broadly similar (likely to be around 20-30 new homes)</p> <p>The neighbourhood plan area does not include and is not close to any Natura 2000 sites (Special Areas of Conservation or Special Protection Areas). There are five notable species protected under the EU habitats directives within the existing built up area of the village. The presence of the species will need to be confirmed as part of the plans preparation.</p> <p>The Neighbourhood area is not in the vicinity of sites of Special Areas of Conservation it is unlikely a further HRA Screening Assessment is needed. The nearest Special Areas of Conservation being the Chiltern Beechwoods SAC which is roughly 10.6km in Ellesborough in the neighbouring District of High Wycombe . on</p> |

|   |   |   |
|---|---|---|
|   |   | <p>this basis as the parish have indicated the plan is likely only to allocate up to 20-30 dwellings. It is considered that the plan would be unlikely to have any effect on the Chiltern Beechwoods SAC which is roughly 10.6km from Ellesborough in the neighbouring district of Wycombe.</p>   |
| 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 | <p>Currently it is the intention for the neighbourhood plan to make allocations to accommodate potentially around 20-30 dwellings. Local Green Space designations could be identified. Local Green Space designation would not change the current use of the land.</p>  |
| 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 | <p>It is intended that the Neighbourhood Plan will set a framework for future development consents of projects, including land allocated for housing and employment.</p> <p>Therefore it is considered the plan does go towards affecting development projects (specifically new homes) that are likely to come forward.</p>  |
| 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 | <p>The purpose of the Neighbourhood Plan is not for any of the projects listed in Art 3.8, 3.9.</p>   |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5)   | Y | <p>The Neighbourhood Plan has the potential to have a significant effect on the environment as the policies will determine the future use of land and will guide development in the area.</p> <p>The Proposed Submission Vale of Aylesbury Local Plan has assessed through Sustainability Appraisal the impact of housing growth at Cuddington. Cuddington is identified as a 'Medium Village' in the settlement hierarchy and it was proposed that it would receive 25 dwellings in total over the plan period (21 VALP allocations). The assessment concluded that this level of growth (or range with that level within) would be sustainable.</p> |
| 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      | Y | <p>It is intended that the Cuddington Neighbourhood Plan will set out a spatial vision for the designated Neighbourhood Area. To provide a framework for proposals for development such as housing, community facilities employment and the protection of valued open space.</p>  |

|  |          |  |
|--|----------|--|
| <p>1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>  | <p>N</p> | <p>The CNP, 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 CNP to be in general conformity with.</p> <p>None of the policies in the Neighbourhood Plan are likely to have a direct impact on other plans in neighbouring areas.</p>  |
| <p>1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p> | <p>N</p> | <p>Proposals set out in the CNP are planned to balance environmental, social and economic considerations of sustainable development. However the CNP recognises that for rural communities such as Cuddington, the importance of the surrounding environment is particularly acute.</p> <p>It is considered that the CNP will have a positive impact on local environmental assets and places valued by local people in the Neighbourhood Area.</p>  |
| <p>1(d) environmental problems relevant to the plan</p>  | <p>N</p> | <p>Cuddington Neighbourhood Planning team have indicated in their outline neighbourhood plan proposals for screening (October 2018), that the Neighbourhood Plan will allocate housing. The housing allocations could be for potentially around 20-30 dwellings spread over the plan period and on more than one site. It is likely these will have to be built on greenfield land. The impact on traffic flow from the proposed developments is not expected to be a concern given that the overall levels of residential growth proposed are unlikely to give rise to significant additional car movements. Employment provision could potentially create more of an impact on highways and air quality but if employment provision is allocated in Cuddington it is likely to be too smaller scale to be of particular concern, as The village is not somewhere AVDC considers to be beset by significant existing environmental problems (air quality, pollution, traffic, flood risk, contamination).</p> <p>The Cuddington Neighbourhood Plan could potentially look to address transport problems through policies in the plan which would have a positive impact on the environment.</p> |



|  |   |   |
|--|---|---|
|  |   | There are no Air Quality Management Areas within or near to the Neighbourhood Area.   |
| 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 CNP is being produced to be in general conformity with the AVDLP 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 | It is highly unlikely there will be any irreversible damaging environmental impacts associated with the CNP, it is intended to have a positive effect on sustainability.  |
| 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 is likely it will 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 524.49 ha and contains a population is of 569 residents (2011 census).   |
| 2 (f) the value and vulnerability of the area likely to be affected due to:<br>(i) special natural characteristics or cultural heritage<br>(ii) exceeded environmental quality standards<br>(iii) intensive land-use | N | <p>The CNP is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. If anything is will provide greater support to enhance the setting of heritage, heritage assets and green spaces.</p> <p>The Cuddington Neighbourhood Plan potentially could include policies to improve the design of development within the village if it is deemed to be needed. Therefore the plan if anything will have a positive impact on the conservation and enhancement of the historic environment and the areas heritage assets.</p> <p>There could also be specific policies to look to enhance recreation areas, green corridors and protect trees and hedgerows which will have a positive effect environmentally and help protect the rural character of Cuddington.</p> |
| 2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status  | N | There are no such designations within the Neighbourhood area or close enough to be impacted.  |

## **5.0 Screening Outcome for Neighbourhood Plans with Allocations**

- 5.1 Having reviewed the criteria Aylesbury Vale District Council concludes that the Cuddington Neighbourhood Plan has some potential to have significant environmental effects beyond those expected by 'strategic' district-wide policies of the Local Plan, although the magnitude and location of these effects is difficult to ascertain at this stage of the plan making process. Therefore the best course of action is to produce a Strategic Environmental Assessment, particularly as this is a process that needs to be started in the early stages of the plan making process and cannot be retrofitted at a later stage. Although not a requirement, we would recommend this incorporates a Sustainability Appraisal to consider more widely the balance of sustainability and to help ensure the plan meets the basic conditions.
  
- 5.2 This report has been put to consultation with the relevant statutory consultees for 28 days; Natural England, Historic England and the Environment Agency. The only response received was from Natural England and can be found attached. The consultation deadline was extended for a further week, however responses from Historic England and the Environment Agency were not received.

Date: 19 November 2018  
Our ref: 262337  
Your ref: Cuddington NP – SEA screening & HRA screening



Ms S Buller  
Neighbourhood Planning Officer Aylesbury Vale District Council  
Planning Policy  
Community Fulfilment  
The Gateway  
Gatehouse Road  
Aylesbury HP19 8FF

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

[sbuller@aylesburyvaledc.gov.uk](mailto:sbuller@aylesburyvaledc.gov.uk)

Dear Ms Buller

**Cuddington Neighbourhood Plan - SEA Screening Opinion**

Thank you for your consultation request on the above dated and received by Natural England on 23<sup>rd</sup> October 2018.

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 are concerned (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.

**Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

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

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sharon Jenkins  
Consultations Team