



**Daws Hill Neighbourhood Plan
Strategic Environmental Assessment
Screening Opinion
Prepared by Wycombe District Council**

November 2016

1. Introduction

Strategic Environmental Assessment (SEA) is a way of ensuring the environmental implications of decisions are taken into account before any such decisions are made. The need for environmental assessment of plans and programmes is set out in the [European Directive 2001/42/EC](#), known as the SEA Directive. Under this Directive, Neighbourhood Plans may require SEA but this will depend on the content of each Neighbourhood Plan.

The purpose of the Daws Hill Neighbourhood Plan (DHNP) is to establish planning policies for the development and use of land within the Daws Hill Neighbourhood Area. The DHNP will cover the area as per appendix 1. In the case of Daws Hill the Neighbourhood Plan (NP) is not proposing to allocate sites for new development.

Wycombe District Council (WDC) is legally required to determine whether the DHNP will require SEA. However, if it is concluded that an SEA is required, Daws Hill Neighbourhood Forum, supported by its Committee, are responsible for its production and it must form part of the material that is consulted on once the formal consultation stage is reached. The SEA Directive makes SEA a mandatory requirement for:

- a) Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
- b) Plans which have been determined to require an assessment under the Habitats Directive.

However, the main determining factor as to whether SEA is required on a Neighbourhood Plan is if it is likely to have a significant effect on the environment. Neighbourhood Plans containing land allocations for development that are not included in the local authority's plan, are likely to require SEA. Neighbourhood Plans which do not contain such allocations (or simply reflect allocations already identified as part of a local authority plan) are less likely to require SEA.

If SEA is required, the Parish Council may wish to consider voluntarily expanding the scope so that it covers wider economic and social issues. This is the approach taken by Wycombe District Council, whereby SEA is included within the broader Sustainability Appraisal of plans. The advantage of undertaking a Sustainability Appraisal is that it can demonstrate the impact of the Neighbourhood Plan on social, economic and environmental factors and therefore demonstrate to an examiner that the Plan that has been prepared is the most sustainable compared with any reasonable alternatives.

2. Legislative background

The legislation pertaining to Strategic Environmental Assessments and Sustainability Appraisal is [European Directive 2001/42/EC](#). This was transposed into English law by the [Environmental Assessment of Plans and Programmes Regulations 2004](#), commonly referred to as the SEA Regulations. The Government published '[A Practical Guide to the Strategic Environmental Assessment Directive](#)' (ODPM 2005), which provides more detailed guidance on how an SEA should be carried out.

The [Planning and Compulsory Purchase Act 2004](#) also requires that a Sustainability Appraisal (SA) is prepared for all spatial plans. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

The Government has stated that Sustainability Appraisal is not needed for Neighbourhood Development Plans (NDPs), but has said that it must be demonstrated how the NDP contributes to the achievement of sustainable development in the area.

Schedule 2 of the [Neighbourhood Planning \(General\) Regulations 2012](#) refers to the [Habitats Directive](#). The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an appropriate assessment. Paragraphs 2 – 5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to Neighbourhood Development Orders (NDOs) and NDPs. The regulations do state that the making of an NDP is not likely to have a significant effect on a site designated at European level for its biodiversity, however, this needs to be ascertained and this can be done at the time the screening opinion is being sought.

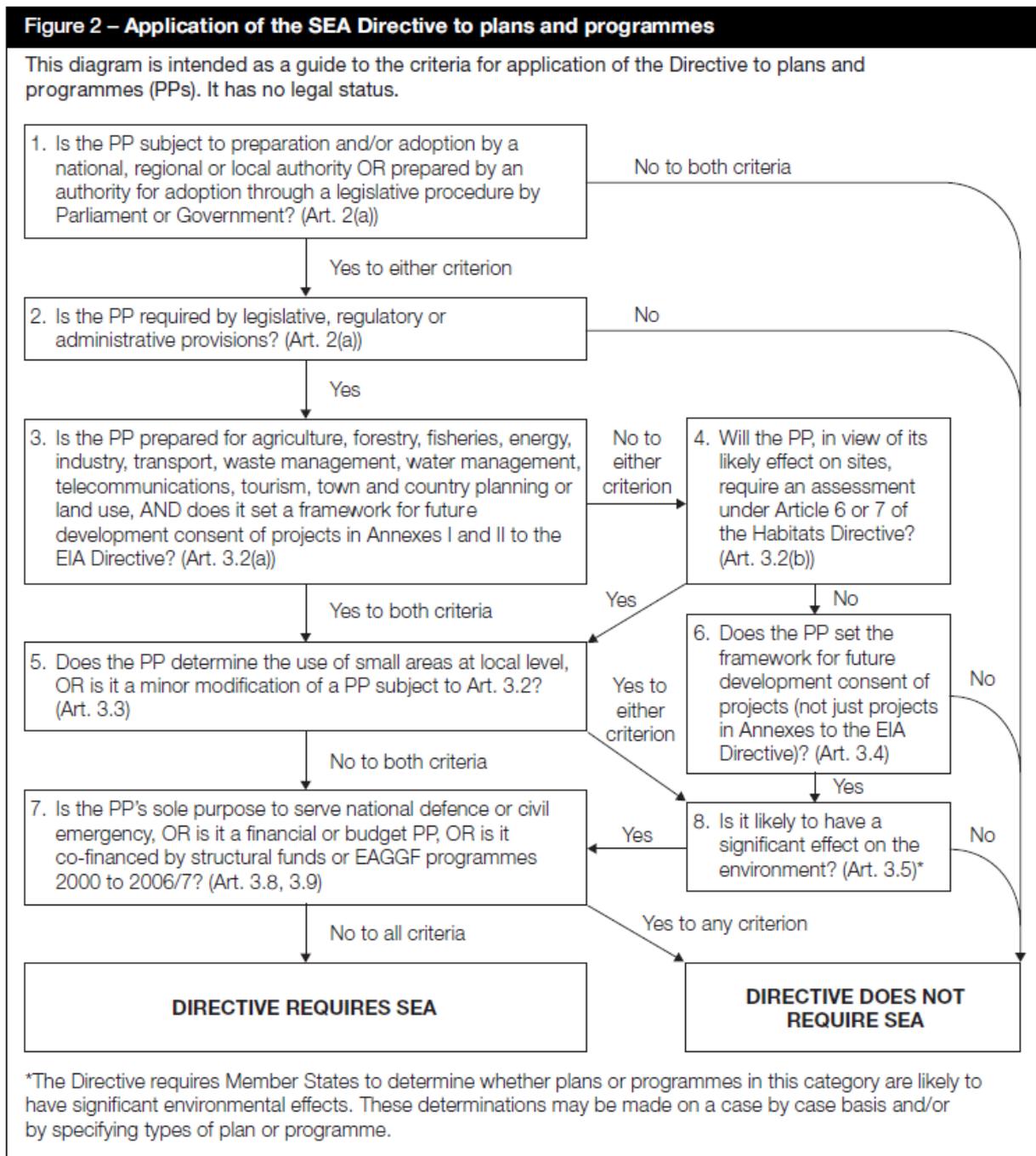
This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

3. Screening process

The screening opinion assessment is undertaken in two parts: the first part will assess whether the plan requires SEA (as per the flow chart which follows); and the second part of the assessment will consider whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria drawn from [Schedule 1 of the EU SEA Directive](#) and the UK Environmental Assessment of Plans and Programmes Regulations 2004 (see section 5).

The three statutory consultation bodies (English Heritage, Environment Agency and Natural England) will be consulted to determine whether they agree with the conclusion of this screening opinion, in establishing whether the LcINP requires SEA and whether it may have a 'significant environmental effect'. An SEA/SA Scoping Report exercise will accompany the opinion so as to streamline the process.

The government guidance [‘A practical guide to the Strategic Environmental Assessment Directive’](#) sets out the following approach to be taken in determining whether SEA is required:



The table in Section 5 below sets out the reasoning for whether the LcINP will require a full SEA. The questions in that table are drawn from the diagram above which sets out how the SEA Directive should be applied.

4. Screening Summary

Summary of the Neighbourhood Plan

Details of the Neighbourhood Plan	
Name of plan	Daws Hill Neighbourhood Plan
Geographic coverage of plan	Daws Hill Neighbourhood Forum
Key topics/ scope of plan	Seeking to designate local green spaces, to set policies to limit visual impacts of the site from the AONB, and to set policies on Trees and Hedgerows, Woodland, recreation and open spaces, flooding and drainage, quality design, backland development, shop front design, scale of local non-residential design
Key issues	Character of the area Protection of green /open spaces Views from the AONB Transport infrastructure Lack of parking

Summary of screening opinion

Local Authority details	
Officer preparing screening opinion	Aude Pantel, Planning Policy Officer
Date of assessment	September 2016
Reason for conclusion	The Neighbourhood Plan is not proposing to allocate sites for development, thus not having a significant effect on the environment. Therefore SEA is not required.

5. Screening Assessment

Assessment 1: Establishing the need for SEA

Stage	Y/N	Reason
1. Is the Neighbourhood Plan (NP) 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 preparation and adoption of the NP is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP will be prepared by the Daws Hill Neighbourhood Forum (as the 'qualifying body') and will be 'made' by Wycombe District Council as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.

		GO TO STAGE 2
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Although the NP is not a requirement and is optional under the provisions of the Town and Country Planning Act as amended by the Localism Act 2011, it will, if 'made', form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive. GO TO STAGE 3
3. Is the NP 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))	Y	The NP is being prepared for town and country planning and land use as it proposes to designate sites for environmental protection and set policy to regulate future land uses. As such, the NP contains a framework for future development consent of urban development projects (listed as 10(b) in Annex II of the EIA Directive). GO TO STAGE 5
4. Will the NP, 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))		NOT APPLICABLE
5. Does the NP Determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Art. 3.2? (Art. 3.3)	Y	The NP is expected to determine the use of small sites at a local level. GO TO STAGE 8
6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		NOT APPLICABLE
7. Is the NP's sole purpose to serve the		NOT APPLICABLE

national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)		
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See Assessment 2: Likely significant effects on the environment.

Assessment 2: Likely significant effects on the environment (Stage 8)

SEA Directive criteria and Schedule 1 of the Environmental Assessment of plans and Programmes Regulations 2004	Wycombe District Council assessment	Likely significant environmental effect?
Characteristics of the Neighbourhood Plan, having regard to:		
(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	The NP will, if 'made' by Wycombe District Council, form part of the statutory Development Plan. As such, it will contribute to the framework for the development consent of projects. The DHNP does not allocate sites for development in the Neighbourhood Area, it sets out policies to protect against backland development and to promote quality design, as well as protect against the loss of open spaces / green spaces. Policies to protect against loss of green space and the green wooded character of Daws Hill will protect against landscape impacts in the context of the AONB (views from the AONB will not change)	N
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NP will be in conformity with the National Planning Policy Framework. The policies within the NP should also be in general conformity with the Council's existing strategic policies. WDC will share evidence and work collaboratively with the Neighbourhood Forum to align the Neighbourhood Plan with work on the emerging new Local	N

	Plan. The NP should not significantly influence other plans and programmes, but may have a limited degree of influence over the formation of future strategic policies.	
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The NP is expected to work to protect and enhance the natural environment of the area, and seek to integrate environmental considerations. Due to the scale and nature of the policies in the plan, it is considered that a full Sustainability Appraisal is not required. It is expected that the plan itself however will set out how environmental considerations have informed the policies proposed	N
(d) environmental problems relevant to the plan or programme	The preparation of the NP will need to consider the impact of proposals on designated sites, wider biodiversity, flood risk, heritage assets and visual landscape issues of the AONB. As no site allocation is proposed this is not considered to lead to likely significant effects.	N
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The NP is not directly relevant to the implementation of European legislation, though it will need to take the impact of the Water Framework Directive into account.	N
SEA Directive criteria and Schedule 2 of Environmental Assessment of plans and programmes Regulations 2004	Wycombe District Council assessment	Likely significant environmental effect?
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects	This is not applicable	N
(b) the cumulative nature of the effects of the plan	This is not applicable.	N
(c) the transboundary nature of the effects	There are no transboundary effects of the NP with other European states.	N

	However, there may be some interaction with the emerging Plan for Princes Risborough and this will be managed by liaison between the Parish, Town and District Councils.	
(d) the risks to human health or the environment (for example, due to accidents)	There are unlikely to be risks to human health or the environment as a result of the NP.	N
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The NP covers the Daws Hill neighbourhood area, which has a population of 1190 people ¹ and an area of 51.16 hectares.	N
(f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage	The policies in the plan are unlikely to significantly affect the area's natural characteristics or cultural heritage. The area is urban in character, including some green spaces and heritage assets such as listed buildings which are protected by the District's development plan. The policies support the natural character of the mature wooded suburb which will protect the views from the AONB.	N
(f) the value and vulnerability of the area likely to be affected due to: (ii) exceeded environmental quality standards or limit values	The NP is not expected to exceed environmental limits.	N
(f) the value and vulnerability of the area likely to be affected due to: (iii) intensive land use	Policies in the plan on design and backland development are expected to prevent intensive land use.	N
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status	The area adjoins the AONB. As no site allocation is proposed in the plan the plan will not have an impact on the AONB. The policies supporting the maintenance of the mature wooded character of the neighbourhood will limit any impacts to the landscape in the	N

¹ Source: Census data 2011 lower tiers super output areas. As the neighbourhood area partly overlaps several Super Outputs Areas, some assumptions have been made: where dwellings have been discounted as they fall out of the neighbourhood area an estimate of 2.3 people per household has been considered to reflect the density found in the wider area.

	context of the AONB	
Assessment under Stage 8	The DHNP is not likely to have a significant effect on the environment.	

6. Consultation

In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, the consultations bodies (Environment Agency, Historic England and Natural England) have been consulted on this opinion, and their responses are summarised below:

- all consultation bodies consider that, at this point in time and according to the scope of the plan described above, the plan will not result in significant environmental effects and therefore **an SEA is not required**.
- Historic England points out that although a formal SEA is not currently believed to be necessary, they would nevertheless suggest that the Plan is subject to a form of sustainability appraisal to assess and monitor the Plan's policies and proposals against a set of agreed objectives.

7. Screening conclusion

As a result of the Screening Assessment, it is concluded that there is no potential for significant environmental effects to arise as a result of the proposed LcINP. As such, the DHNP does not require a full SEA to be undertaken. It is important to remember that this screening opinion is a 'snapshot in time' and that if the issues addressed in the Neighbourhood Plan should change then a new screening process will need to be undertaken to determine whether an SEA will be required.