



## **Strategic Environmental Assessment Screening Report**

### **Preston Neighbourhood Plan 2018**

#### **Introduction**

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#### **Introduction**

- 1.1 This screening report is designed to determine whether or not the content of the Preston Neighbourhood Plan (Draft Version 3, July 2018) requires a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC.
- 1.2 Establishing whether a neighbourhood plan requires an environmental assessment is an important legal requirement and forms part of the neighbourhood planning process. Under EU regulations the legal requirement for SEA depends on the content of the plan.
- 1.3 The Preston Neighbourhood Plan is being prepared, to set out the vision for the area and the planning policies for use and development of land within the Neighbourhood area. The area covered by the NDP is the Parish of Preston. The village of Preston lies approximately 2 miles to the east of Cirencester within Cotswold District. Once adopted or 'made' it will become part of the statutory local development plan for the area and used to help determine planning applications and appeals.
- 1.4 The Neighbourhood Plan is being prepared in the context of the emerging Cotswold District Local Plan. The Local Plan is anticipated to be adopted by the Council in August 2018 having been through Independent Examination. The Development Plan for the area will then comprise both the new Cotswold District Local Plan and (when 'made') the Preston Neighbourhood Plan.
- 1.5 The Vision for Preston is based on key issues raised by local people and includes; retention of its Cotswold Character and rural setting, retaining rural businesses, provision of public and sustainable transport, continuation of a strong sense of community and range of recreational facilities for all, and minimal impact on the environment.  
<http://www.prestonpc.org.uk/index.php?id=neighbourhood-development-plan>
- 1.6 The Preston draft Neighbourhood Plan (Draft Version 3, July 2018) considers the following;
  - prevent the encroachment of Cirencester into the Parish
  - preserve the rural character of Preston both as a historically separate settlement and in terms of local design;
  - retain existing employment and local businesses and in particular seek to protect the Village Farm Units;

- improve community infrastructure; and footpaths and cycleways
- 1.7 The Plan does not directly allocate land for any development type, although it does suggest in the supporting text where some development may be appropriate. It provides local guidance on how applications for development in the plan area should be determined.
- 1.8 The legislation set out below outlines the regulations that require the need for a screening exercise.

### **Legislative Background**

- 2.1 The examined Local Plan requires at least 8,400 dwellings to be delivered in the District over the Local Plan period (2011-2031). The 8,400 dwelling housing requirement is a minimum, not a maximum.
- 2.2 Neighbourhood Development Plans (NDPs) are not required to undertake the type of sustainability appraisal required for a Local Plan. The Local Plan was subject to a full, comprehensive Sustainability Appraisal (SA) including SEA, which has considered the significant environmental, economic and social effects of the Local Plan for the District. The SA Report that accompanied the Local Plan to Examination can be found here: [https://www.cotswold.gov.uk/media/1500110/Cotswold-LP-Focussed-Changes\\_SA-Report\\_v10\\_120117.pdf](https://www.cotswold.gov.uk/media/1500110/Cotswold-LP-Focussed-Changes_SA-Report_v10_120117.pdf)
- 2.3 However NDPs may require a strategic environmental assessment (SEA) of the Plan in accordance with European Directive 2001/42/EC or 'SEA Directive'. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 or the 'SEA Regulations'. Regulation 9 sets out the requirements to assess (screen) the plan, and includes a requirement to consult the environmental assessment consultation bodies. Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.4 The criteria to decide whether a neighbourhood plan, might have significant environmental effects is set out in Schedule 1 of the regulations (Annex II of ODPM Guidance). These criteria are split into two – those relating to the characteristics of the plan, and those to the characteristics of the effects and area likely to be affected (APPENDIX 1).
- 2.5 In order to be 'made' neighbourhood Plans are required to be tested against and meet a number of 'basic conditions' set out in the Localism Act 2011. One of the basic conditions is whether the Neighbourhood Plan is compatible with European Union obligations, including those under the SEA Directive (Appendix 2).
- 2.6 Neighbourhood Plans in England require SEA if their effects are likely to be significant, or if the plan requires appropriate assessment under Habitats Regulations Assessment (HRA). The Habitats Directive 92/43/EEC requires that any plan or project likely to have a significant effect on a European Site must be subject to an 'appropriate assessment,' rather than just screening. The effectiveness of measures to mitigate the impact of the plan, on sites protected by the Habitats Directive, should also be tested through full appropriate assessment (EU Court of Justice ruling in People Over Wind and Sweetman v Coillte Teoranta, April 2018).

## Screening Process

- 2.7 Screening is 'Stage A' of the SEA process outlined in the Governments' National Planning Practice Guidance ( NPPG), see diagram below 1, and should be undertaken as early as possible in the neighbourhood plan process.

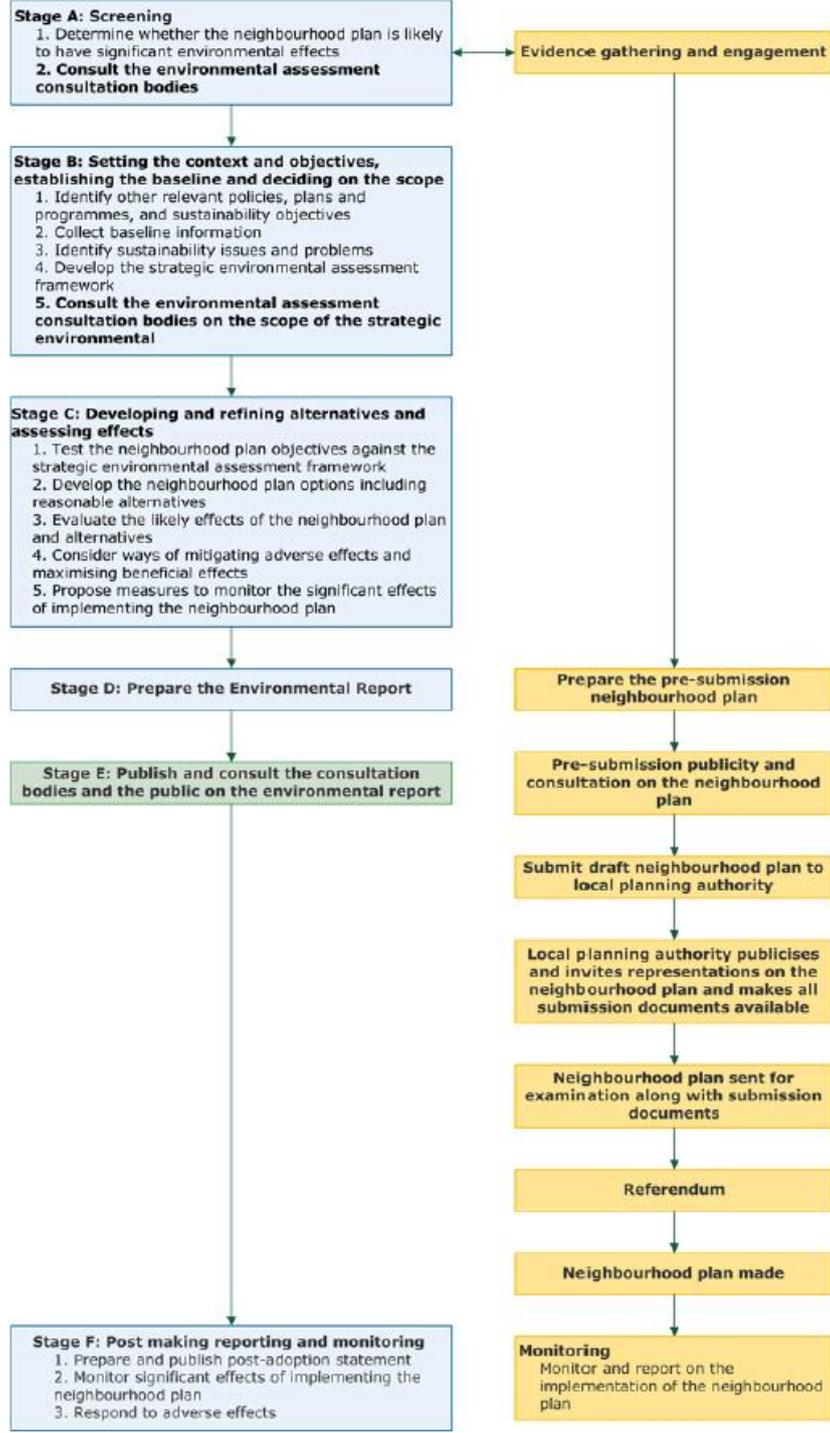
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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/580028/sea2\\_033\\_20150209\\_fixed.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/580028/sea2_033_20150209_fixed.pdf)

**Strategic environmental assessment process**

**Neighbourhood plan preparation**



- 2.8 Once data on the environmental constraints and assets in the area have been gathered, it is then possible to determine any likely significant effects (positive and /or negative) on the environment.

Information that can help screen a plan include

- Plan vision and objectives – as these set out the overall aims and specific goals the plan will work towards may provide sufficient basis to determine whether or not the plan would give rise to significant effects.
- The list of sites to be considered for inclusion in the plan – the potential impact of new development on these sites for sensitive areas could help determine whether or not the plan would give rise to significant effects.

### Assessment – Gathering Data

- 2.9 The following section on ‘assessment’ provides a screening assessment of the likely need for a full SEA.
- 2.10 The text in the box below is taken from the Government’s Planning Practice Guidance (NPPG)<sup>2</sup>:

Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, 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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan

Paragraph: 046 Reference ID: 11-046-20150209

#### *Will the neighbourhood plan allocate sites for development?*

- 2.11 The draft version of the plan does not directly allocate housing or employment sites, although it does suggest in the supporting text where some development may be

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<sup>2</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#baseline-environmental-characteristics>

appropriate. It does seek to protect the existing employment units at Village Farm for B1 use. Should the scope of the plan change this will need to be re-assessed.

*Does the neighbourhood area contain sensitive natural or heritage assets that may be affected by the proposals in the plan?*

2.12 The more environmentally sensitive a location, the more likely it is that potential environmental effects from a plan will be significant.

2.13 The NPPG provides guidance on this topic through providing a list of sites and area which should be deemed as 'sensitive areas' for the purposes of environmental assessment (i.e. screening projects for Environmental Impact Assessment):

- ◆ Natura 2000 Sites <sup>3</sup>
- ◆ Sites of special scientific interest (SSSIs)
- ◆ National parks
- ◆ Areas of Outstanding Natural Beauty (AONB)
- ◆ World Heritage Sites
- ◆ Scheduled Monuments

2.14 In the context of the most 'sensitive areas,' within and in the vicinity<sup>4</sup> of the Neighbourhood Area, the following sites and areas exist:

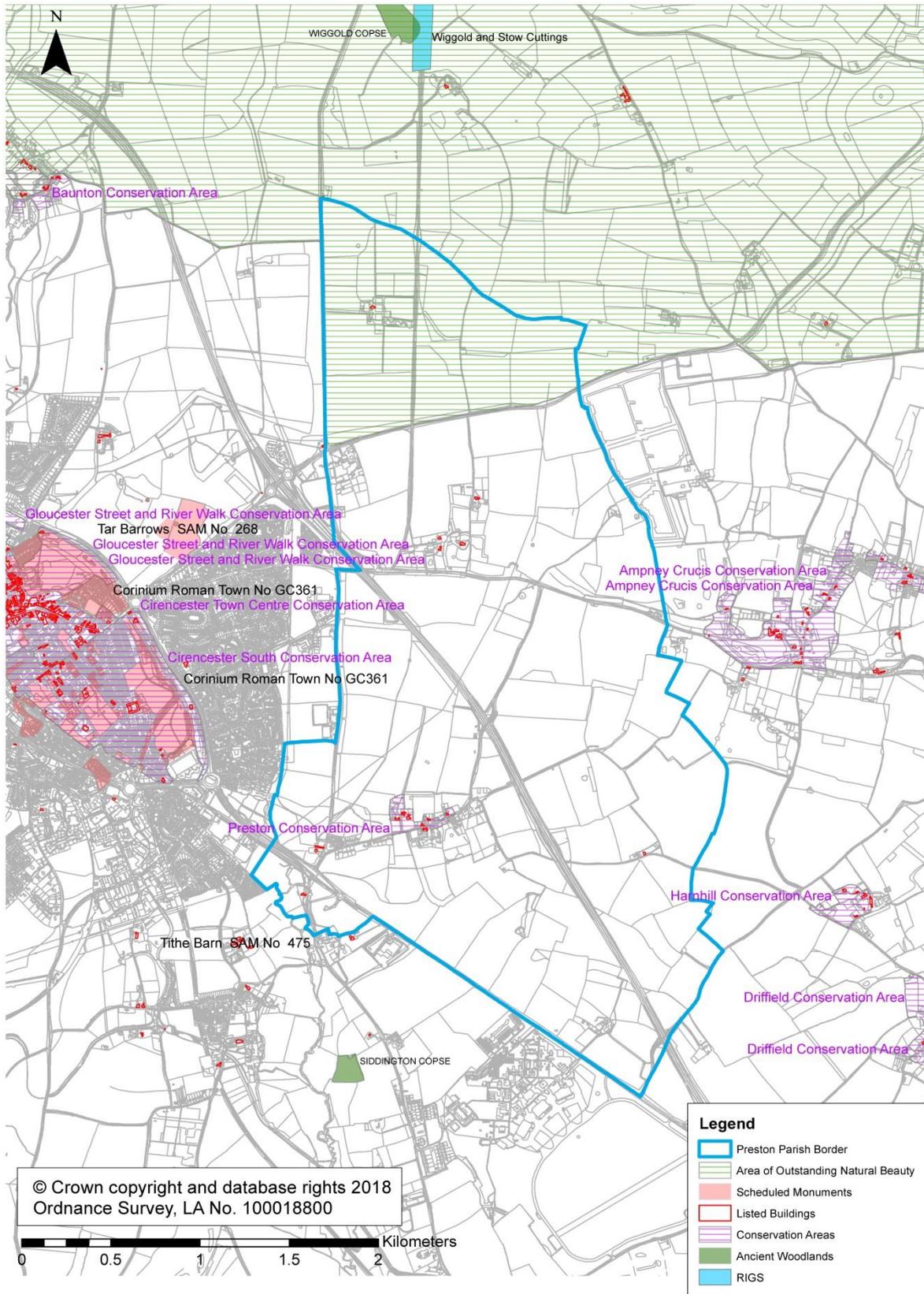
- The northern part of the Parish lies within the Cotswold AONB.
- Within the vicinity (1km) of the Neighbourhood Area there are 5 scheduled monument designations:
  - Tar Barrows to west
  - Corinium Roman Town to west
  - Tithe Barn to south west
  - Churchyard Cross to west
  - Wayside Cross to east

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<sup>3</sup>Natura 2000 is a network of nature protection areas in the territory of the European Union. It is made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive

<sup>4</sup> To determine whether the effects of the plan are likely to affect areas outside the plan area, i.e. define 'within the vicinity' an indicative threshold of 1km has been used as there are no allocations [Screening Neighbourhood Plans for SEA, Locality, p.12). Designations beyond this area however are also considered.

See Figure 1



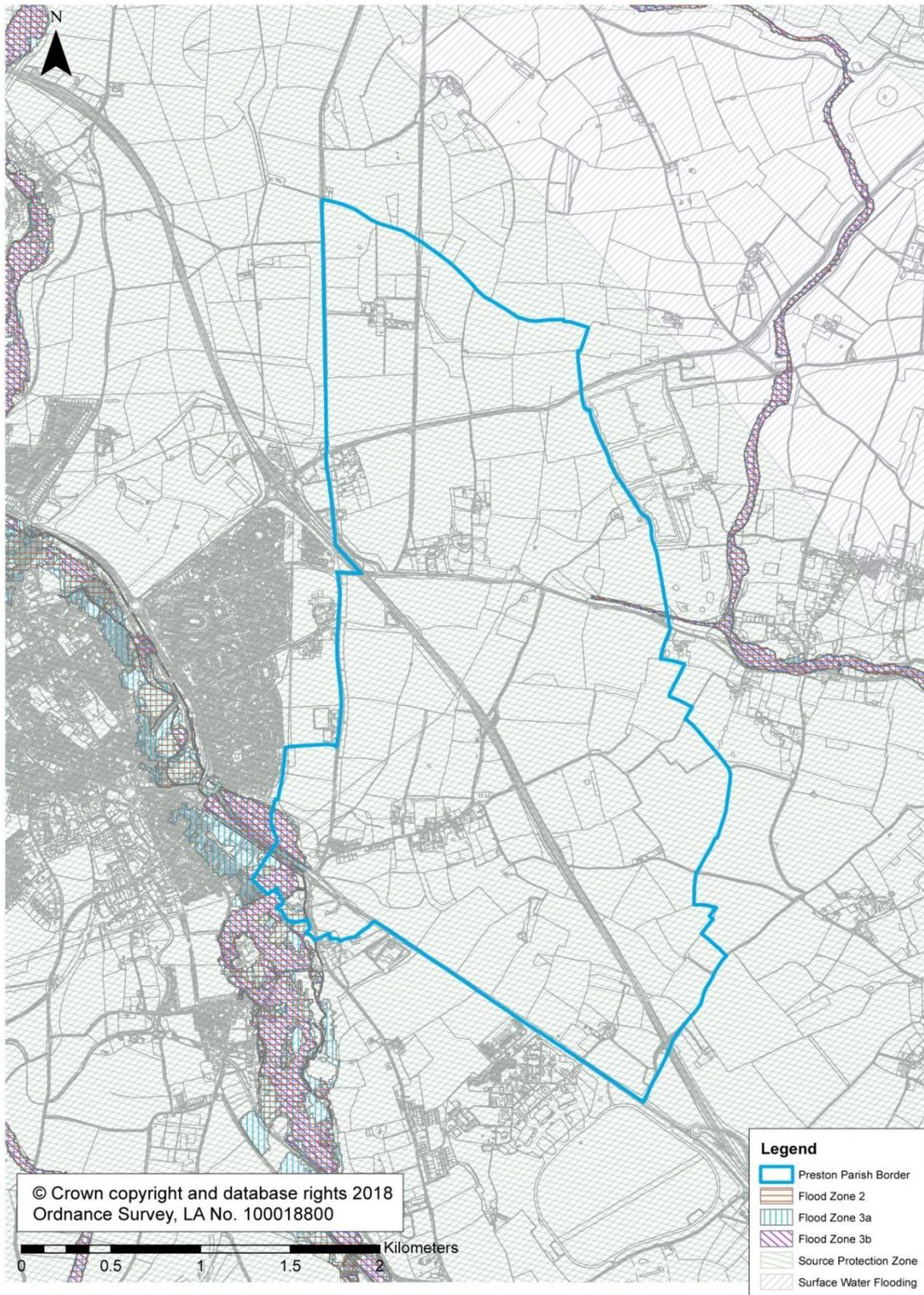
- 2.15 It should be noted that Cirencester, the District's largest town, lies to the west of Preston and its eastern edge in part abuts the Preston Parish boundary. It contains Cirencester conservation area (four parts), listed buildings, Scheduled Monuments, BAP Priority Habitats and a registered Park and Garden to west.
- 2.16 Further key environmental assets (see Locality guidance on Screening Neighbourhood Plans for SEA) are located within, and in the vicinity of, the area include;
- Roman roads (Ermin Street, Fosse Way and Akeman Street) – potential archaeological sites
  - Preston Conservation Area lies within Preston village, with Ampney Crucis and Harnhill Conservation Areas situated within the 1km 'area of search' to the east; and part of Cirencester Conservation Area to the west.
  - Listed Buildings
  - Priority habitats, mainly areas of deciduous woodland
  - Ampney Brook Key wildlife site to east
  - Beyond the 1km indicative area of search, is a 'strategic nature area (SNA)' to north east.

See figure 2



- Flood Zones – a small proportion of the Parish is covered by flood zones, including the highest risk of flooding, flood zone 3b 'functional floodplain', to the west. The whole Parish is at risk of surface water flooding.
- Source Protection Zones – Reflecting the vulnerability of groundwater in the area to pollution, a SPZ covers the area. The District SA identifies the portion to the east as Zone 2.

See Figure 3



## Assessment-Commentary

*Does 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?*

- 2.17 While the Neighbourhood Plan is likely to focus on more local detail than the Local Plan, The Planning Inspector stated in his report that he was ‘...satisfied that the sustainability appraisal that has been carried out throughout the process of preparing the Plan, as required by section 19(5) of the Act, has complied with the requirements of the European Directive on strategic environmental assessment and relevant national policy and guidance’. 5 (Para.24, Cotswold District Local Plan 2011-2031: Inspector’s Report June 2018).
- 2.18 The potential environmental effects which may arise as a result of the NDP and if they are likely to be significant, are grouped by the SEA ‘topics’ as suggested by Annex I(f) of the SEA Directive.

Annex I (f) of the SEA Directive – environmental receptors (physical and cultural attributes of an area) which could be affected by proposals in the plan. Grouped into themes:

(f) the likely significant effects (1) on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;

### **Biodiversity, flora and fauna, soil, water, air**

- 2.19 The NDP does not directly allocate sites for housing or employment. There are no Natura 2000 sites or designated SSSI’s within the vicinity, although Ampney Brook key wildlife site lies to east within the 1km ‘area of search.’ There are no draft policies to protect and enhance habitats and species for example, although there are a number of Priority Habitats 6in the Neighbourhood Area. Two ancient woodlands (Wiggold and Siddington Copses) lie within 1km of the Parish and a Regionally Important Geological Site (RIG)<sup>7</sup> Wiggold and Stow Cuttings lies just to the northern edge of the search area. Draft policy on retention of ‘green gaps’ to retain the separation between settlements would not change the use of the land, but may increase potential development pressure elsewhere in the Neighbourhood area and beyond.
- 2.20 No significant air quality issues currently exist (Air Quality Management Areas’s - AQMAS) in the area. The NDP proposals for cycleway and footpath enhancements have the potential to support a reduction in emissions.

<sup>5</sup> <https://www.cotswold.gov.uk/media/1605407/Cotswold-Local-Plan-Report-Final.pdf>

<sup>6</sup> UK BAP priority species and habitats were those that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). Despite new requirements the UK BAP lists of priority species and habitats remain, however, important and valuable reference sources.

<sup>7</sup> Regionally Important Geological and Geomorphological Sites (RIGS) are locally designated sites of local, national and regional importance for geodiversity (geology and geomorphology) are considered important places for Earth Science which are worthy of conservation.

- 2.21 There are no areas of 'Best and Most Versatile' agricultural Land<sup>8</sup> within the Parish and there would in any case unlikely to be a direct loss of higher quality agricultural land as no land has been allocated in the plan. Similarly there is unlikely to be significant increases in water demand in the area, or for development activities to have an effect on groundwater quality which may contaminate it. The area is covered by a Source Protection Zone<sup>9</sup> which suggests the area is highly sensitive to pollution.
- 2.22 The NDP is unlikely to lead to additional pressures on such issues and there are no major development proposals, and therefore positive or negative the effects are unlikely to be significant.

### **Landscape; cultural heritage**

- 2.23 The plan seeks to support local design and historic character as a key element of its proposals. There is a conservation area and 17 listed buildings in the Parish, including potential archaeology within the area. There are several Scheduled Monuments in the vicinity and Roman roads cross the Parish itself. The latest Heritage at Risk Register <https://www.historicengland.org.uk/advice/heritage-at-risk/search-register/> did not highlight any features deemed to be at risk in the Neighbourhood Area. The draft policies on design and conversion seek to protect the historic environment and villagescape, and so are likely to have positive effects protecting local distinctiveness and character in the Neighbourhood area. Similarly this would apply to the landscape, including the Cotswold AONB, situated in the north of the Neighbourhood area. There is unlikely to be a significantly negative effect on the AONB as no land has been allocated in the plan, and potential suggested areas for development lie outside the AONB. There are no areas of locally designated Special Landscape Areas (SLA's). A draft policy to promote openness and tranquillity between Cirencester and Preston village to the west, seeks to retain views and essentially the separation between settlements 'green gaps' with any potential development going elsewhere, as an indirect and/or cumulative effect. This would not change the use of the 'green gap' land.
- 2.24 The NDP itself does not directly allocate sites for housing or employment, and any facilitation of development is considered to be minimal, and unlikely to be significant in terms of the SEA Directive.

### **Climatic change; human health; population**

- 2.25 The plan seeks to encourage sustainable modes of transport, walking and cycling, which help limit potential increases in greenhouse gases from transport; and potential benefits for resident's health and well-being, as well as accessibility to services. Draft policy approaches

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<sup>8</sup> Agricultural land is classified in five categories according to versatility and suitability for growing crops. The top three grades, Grade 1, 2 and 3a, are referred to as 'Best and Most Versatile' land.

<sup>9</sup> Groundwater source protection zones (SPZs) are defined by the Environment Agency to protect groundwater sources such as wells, boreholes and springs that are used for public drinking water. These are designated zones around public water supply.

may also provide opportunities for, and benefit, community facilities/ infrastructure and village amenity; no allocations are proposed to increase population pressure from such development, although there may be some small scale development, these are considered unlikely to be significant effects in terms of SEA. There is some flood risk to the west, and risk of surface water flooding, but statutory requirements exist (NPPF) to ensure flood risk is addressed in new development. With no new development proposals or provisions relating to flood risk directly within the plan, the effects positive or negative are unlikely to be significant.

#### **Material assets**

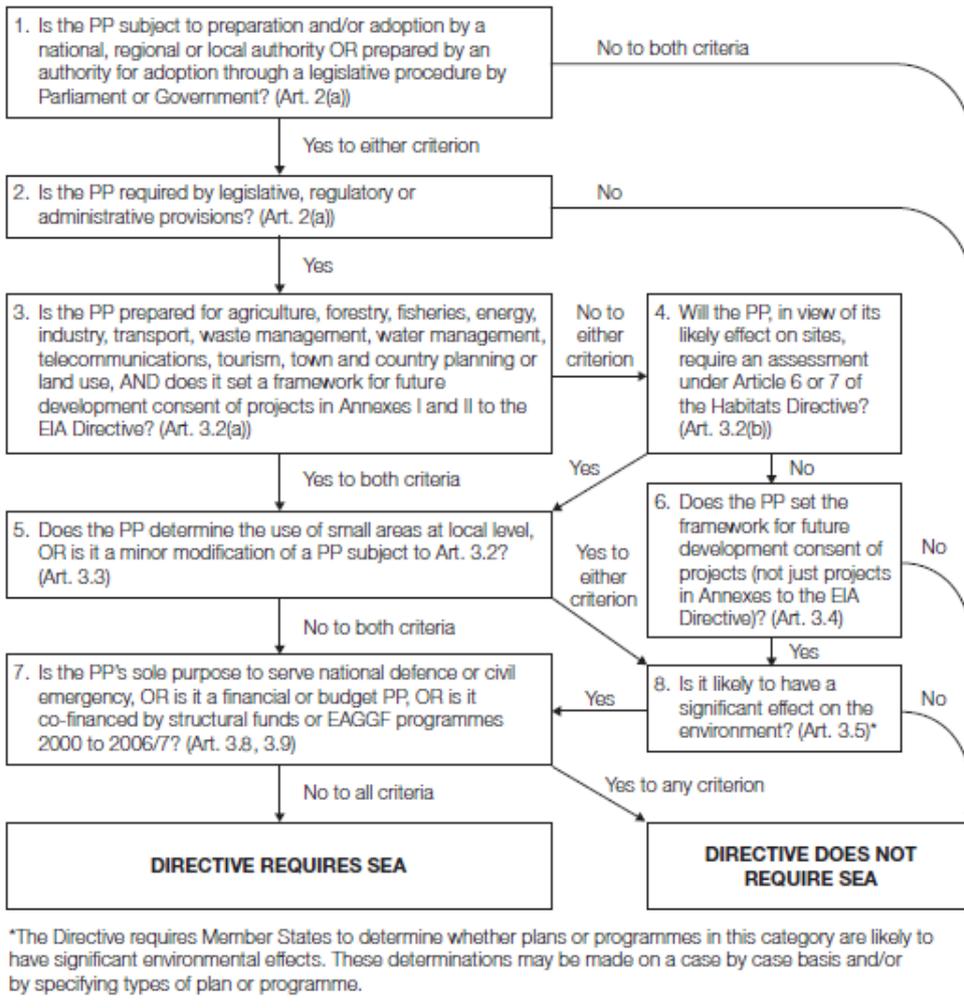
- 2.26 Potential increases in waste are likely to be limited due to the lack of proposed allocations through the draft plan and no existing mineral sites were found in the area, and so none are likely to be affected as a result of the NDP.

#### **Assessment – Is an SEA required?**

- 2.27 The process for screening a planning document to ascertain whether a SEA is required is illustrated below:

**Figure 2 – Application of the SEA Directive to plans and programmes**

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



2.28 The table below is drawn from the ‘decision making’ flow diagram (‘figure 2’) above, and shows the assessment (in terms of the SEA Directive) of whether the NDP will require an SEA, based on the information gathered above<sup>10</sup>.

| Stage   | Y/N | 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)) | Y   | The Neighbourhood Development Plan will be ‘made’ by Cotswold District Council as the Local Authority. The Plan is prepared by the relevant Qualifying Body - Preston Parish Council |

<sup>10</sup> RTPI SEA/SA Guidance, January 2018

|  |          |  |
|--|----------|--|
| <p>2 Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>   | <p>N</p> | <p>The Neighbourhood Plan is an optional plan and not a requirement.<br/>The requirement for a NDP to have an SEA depends on its content and therefore it is necessary to screen the likely significant environmental effects of the NDP in line with the SEA Regulations.</p>   |
| <p>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 consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))</p> | <p>N</p> | <p>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)).<br/><a href="http://ec.europa.eu/environment/eia/eia-legalcontext.htm">http://ec.europa.eu/environment/eia/eia-legalcontext.htm</a></p>   |
| <p>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))</p>   | <p>N</p> | <p>A District wide HRA Report for Cotswold District was prepared for the Local Plan process. The HRA Screening conclusions for the Local Plan were that a number of policies may result in significant effects on European Sites. These were considered further in Appropriate Assessment in 2017. This concluded that adverse effects on the integrity of any of the sites could be ruled out in relation to physical loss, damage to habitat, air pollution, increased recreation pressure, or in-combination effects with other development plans.</p> <p>Of the 8 Natura Sites looked at in the HRA Report, North Meadow and Clattinger Farm SAC are the closest to Preston lying adjacent to and very slightly within Cotswold District, to the south of the Parish some 7.5 km away.</p> <p>In light of a recent ECJ<sup>11</sup> ruling proximity or presence to a European site may trigger SEA if there is a potential impact, where mitigation measures <i>cannot</i> be used to conclude there is ‘no significant effect’. As the NDP does not in any case allocate sites for development and no mitigation policies are included in the Plan proximity (within 15km buffer<sup>12</sup>) of the SAC it is unlikely to have a significant effect and require Appropriate Assessment.</p> <p>It is considered that the NDP will not affect the specified</p> |

<sup>11</sup> The People Over Wind and Sweetman vs. Coillte Teoranta

<sup>12</sup> Para 3.4, HRA Report, January 2017

|  |   |  |
|--|---|--|
|  |   | <p>Natura 2000 sites over and above the impacts identified in the HRA Report carried out for the Local Plan. Therefore a full Appropriate Assessment is not required for the NDP.</p> <p>The HRA submitted alongside the Local Plan to Examination can be found here:<br/> <a href="https://www.cotswold.gov.uk/media/1500069/Updated-HRA-Report-for-Local-Plan-Focussed-Changes.pdf">https://www.cotswold.gov.uk/media/1500069/Updated-HRA-Report-for-Local-Plan-Focussed-Changes.pdf</a></p>   |
| 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)   | N | The Neighbourhood Development Plan does not make allocations to determine the new use of land. Areas for employment land and potential 'green gaps' may be identified however this does not change the current use of the land.  |
| 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)   | N | While an NDP is to be used in determining future planning applications, Preston NDP does not make allocations and so does not set a 'framework for future development consent of projects' or beyond those projects listed in the EIA Directive.   |
| 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) | N | The purpose of the NDP is not for any of that listed in Art 3.8,3.9.   |
| 8 <sup>13</sup> Is it likely to have a significant effect on the environment?  | N | <p>Preston NDP does not make any housing or employment allocations, although it does suggest areas for development, there is no major level of proposed development in the Plan to impact upon environmentally sensitive areas. It is considered there would be little or no impact on nationally recognised landscape designation (AONB) or to the risk of flooding. The Neighbourhood Area does not have any Natura 2000 Sites or SSSI's within it. The policies in the draft NDP do not change the use of the land.</p> <p>The impact of any potential development (in general conformity with the Local Plan) is expected to be localised and minimal and therefore not significant.</p> <p>More locally there are identified Priority Habitats, listed buildings, roman roads, and a Conservation Area within</p> |

<sup>13</sup> Annex II of the SEA Directive– Criteria for determining the likely significance of effects on the environment. See section on 'assessment' for further commentary.

Preston village. Scheduled Ancient Monuments and other conservation areas can be found in the vicinity. Given the draft plan policies on design and development in Preston, it is considered the Plan is unlikely to significantly affect the natural or cultural heritage of the area.

**Conclusion:**

- 2.29 As a result of the assessment above, it is considered unlikely that there will be any significant environmental effects arising from Preston Neighbourhood Plan draft as submitted at the date of this assessment, that were not covered in the Sustainability Appraisal or Appropriate Assessment of the Local Plan.
- 2.30 Significant environmental effects have already been considered and dealt with through sustainability appraisal of the Local Plan for the District, to which the NDP must be in general conformity to meet its 'basic conditions'. In addition there are no allocations proposed in the NDP; and the impact of any potential development (in general conformity with the Local Plan) is expected to be localised and minimal and therefore not significant, overall it is not considered necessary to require a standalone Strategic Environmental Assessment (or Appropriate Assessment) for the NDP.
- 2.31 It is considered the Preston Neighbourhood Plan does not require a full SEA to be undertaken.
- 2.32 The Screening Report was provided to the statutory consultation bodies for SEA (Historic England, the Environment Agency and Natural England) for their opinion. The 5 week consultation period ended on the 5th September 2018, with no objections being raised (See their responses, Appendix 3).
- 2.33 Based on the Screening Report and responses from the statutory environmental bodies, it is **determined** that the Preston Neighbourhood Plan is unlikely to have significant environmental effects and is therefore 'screened out' i.e. that no Strategic Environmental Assessment is required.
- 2.34 If the issues in the Neighbourhood Plan should change then a new screening may need to be undertaken. New development proposals in Preston will be determined in line with the Local and Neighbourhood Plans, and may individually require screening for Environmental Impact Assessment (EIA) based on their type, scale and location.
- 2.35 Even if an SEA is not legally required preparation of an SA (not SEA) report could be useful because it documents how the neighbourhood plan contributes to sustainable development, which is one of the 'basic conditions,' a legal requirement, that the plan must meet to proceed to referendum (Appendix 2).

## Appendix 1

Annex II of the SEA Directive– Criteria for determining the likely significance of effects on the environment

### ANNEX II

#### Criteria for determining the likely significance of effects referred to in Article 3(5)

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.

## Appendix 2

NPPG on Neighbourhood Planning - Paragraph: 065 Reference ID: 41-065-20140306

### **What are the basic conditions that a draft neighbourhood plan or Order must meet if it is to proceed to referendum?**

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. [Read more details.](#)
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. [Read more details.](#)
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. [Read more details.](#)
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan). [Read more details.](#)

Appendix 3

**Natural England - 5<sup>th</sup> September 2018**

**Planning consultation: Preston Neighbourhood Plan – SEA/HRA Screening Report**

Thank you for your consultation on the above dated 01/08/2018.

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.

**Strategic Environmental Assessment Screening**

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [National Planning Practice Guidance](#).

**Habitats Regulations Assessment Screening**

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the conclusion of no likely significant effect upon European designated sites.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Tom Amos on 02080 260961. 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).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service

Yours sincerely

Tom Amos  
Planning for a Better Environment  
West Midlands Team

**Historic England – 6<sup>th</sup> September 2018**

Thank you for your consultation on the SEA Screening for the Preston Neighbourhood Plan.

I can confirm that we have no objection to the view that an SEA is not required.

To verify this advice we took the opportunity to look for a copy of the Plan online and found a Regulation 14 version that appears to have been sent out for consultation at the beginning of the year. I can confirm that despite previously trailing a possible interest in the Plan with the community (see attached) we did not receive a consultation from them at that time.

But this may be because the community concluded that our interests wouldn't be affected and I can confirm from the version of the Plan we have now seen that this is in fact the case.

*SEA Screening Report: Preston Neighbourhood Plan 2018  
Cotswold District Council September 2018*

Assuming that the version submitted to your authority does not differ significantly from the Regulation 14 version I can confirm that there are no issues associated with the Plan upon which we would wish to comment.

Kind regards

David

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<https://historicengland.org.uk/southwest>

#### **Environment Agency - 2<sup>nd</sup> August 2018**

Thank you for consulting the Environment Agency on the SEA screening opinion for the draft Preston Neighbourhood Plan.

We regret that at present, the Thames Area Sustainable Places team is unable to review this consultation. This is due to resourcing issues within the team, a high development management workload and an increasing volume of neighbourhood planning consultations. We have had to prioritise our limited resource, and must focus on influencing plans where the environmental risks and opportunities are highest. For the purposes of neighbourhood planning, we have assessed those authorities who have “up to date” local plans (plans adopted since 2012, or which have been confirmed as being compliant with the National Planning Policy Framework) as being of lower risk. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local authority area.

However, together with Natural England, English Heritage and Forestry Commission, we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

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