



**Strategic Environmental Assessment Screening Report**

**Kemble and Ewen Neighbourhood Plan 2019**

**July 2019**

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**Introduction**

- 1.1 This screening report is designed to determine whether or not the content of the Kemble and Ewen Neighbourhood Plan (Informal Consultation Draft, March 2019) (attached) requires a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC. It also includes an assessment of whether a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) and (4) of the Habitats Directive 92/43/EEC would be required. Under EU regulations the legal requirement for SEA/HRA depends on the content of the plan.
- 1.2 The Kemble and Ewen 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.
- 1.3 The designated area covered by the NDP is the Parish of Kemble and Ewen, and includes the settlements of Kemble and the smaller Ewen. Kemble is identified in the Local Plan as a 'Principal Settlement' and is allocated three sites for residential development within its development boundary. Kemble is located approximately 1.2km to the south west of Cirencester, the Parish lies adjacent to Cirencester Parish, of which the town itself is the largest Principal settlement within the District.
- 1.4 The NDP area lies adjacent but outside the Cotswold AONB in the west; and contains a locally designated Special Landscape Area, an SSSI (two parts), part of a Special Nature Area (SNA) to the south east and a Key Wildlife Site in the west, three conservation areas and listed buildings, as well as a railway station with regular services to London. The north west boundary of the Parish runs along the edge of the Fosse Way Roman Road, now the main A433, and the area is considered to have high archaeological potential.

- 1.5 The Neighbourhood Plan is being prepared in the context of the Cotswold District Local Plan 2011-2031. The Local Plan was adopted by the Council in August 2018 having been through Independent Examination. The Development Plan for the area will comprise both the Cotswold District Local Plan and (when 'made') the Kemble and Ewen Neighbourhood Plan, and will be used to help determine planning applications and appeals.
- 1.1 The Vision for Kemble and Ewen is based on key issues which include; the need to protect community facilities, protect the area's open spaces, management of the future growth of the village to retain an appropriate size and scale for a village identity, protection of local landscape and enhance access to, new development that retains the areas character, and future growth appropriate in relation to the neighbourhood's infrastructure.
- 1.2 The Kemble and Ewen draft Neighbourhood Plan considers the following;
- Protecting existing community facilities and public houses, and lists them to maintain sustainability of the area
  - Designates Local Green Spaces, and 'Other Open Spaces' with a lesser degree of protection
  - Identifies Non designated heritage assets
  - Provides more detailed local criteria for; development within Kemble's development boundary, Kemble and Kemble's station conservation area, and the Kemble and Ewen design code.
  - Promotes green infrastructure, and detailed criteria for the enhancement and protection of, Kemble and Ewen Special Landscape Area and potentially significant archaeology
- 1.3 The Plan does not directly allocate land for development, but it provides local guidance on how applications for development in the plan area should be determined.
- 1.4 The legislation set out below outlines the regulations that require the need for a screening exercise.

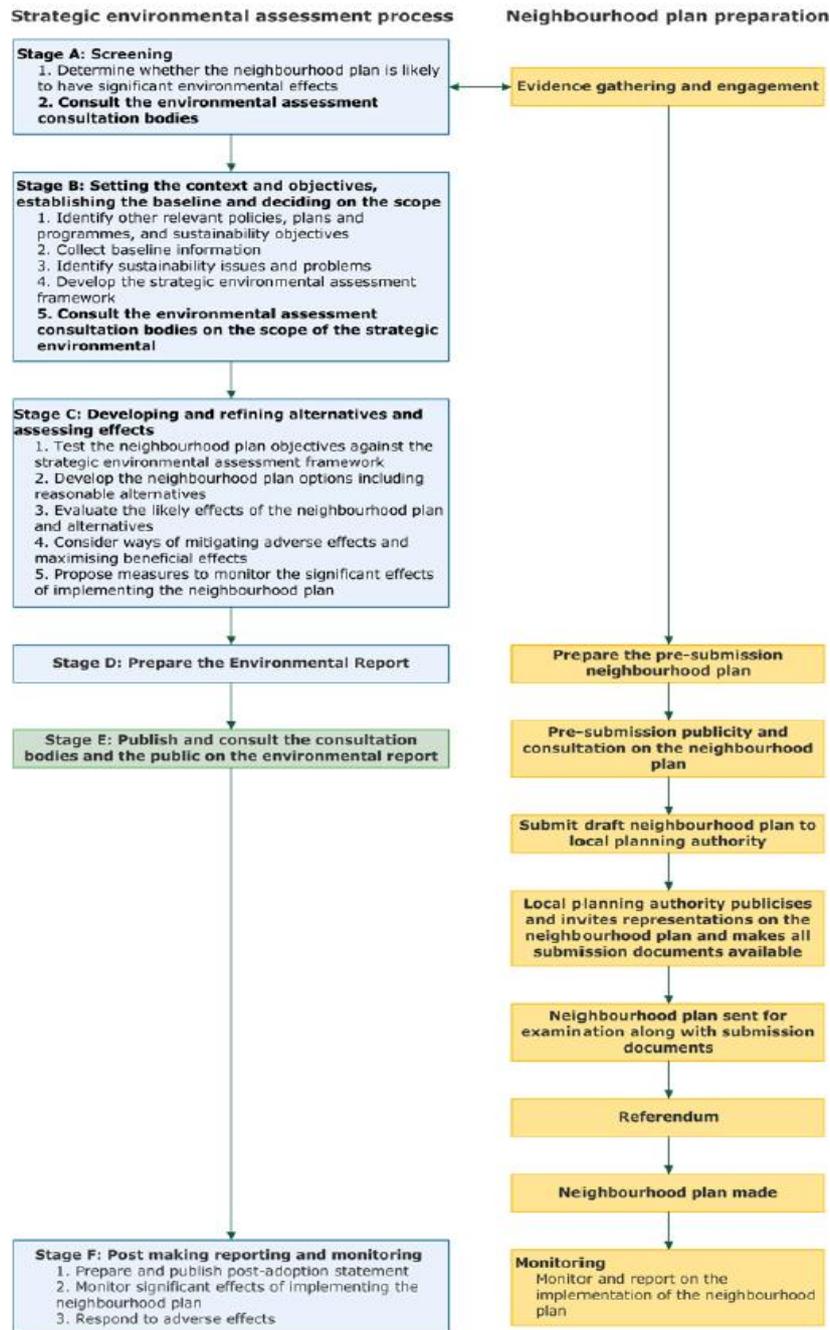
## Legislative Background

- 1.5 Establishing whether a neighbourhood plan requires an environmental assessment is an important legal requirement and forms part of the neighbourhood planning process.
- 1.6 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 (Appendix 1). One of the basic conditions is whether the Neighbourhood Plan is compatible with European Union obligations, including those under the SEA Directive and Habitats Directive. 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). While screening for SEA and HRA is a parallel process both are integrated here into one report.
- 2.1 Neighbourhood Development Plans (NDPs) are not required to undertake the type of sustainability appraisal required for a Local Plan. 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.

- 2.2 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. A neighbourhood plan might require SEA if it is likely to have significant environmental effects that have not already been considered and dealt with through a SA of the Local Plan. 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 The **Habitats Directive** 92/43/EEC is another key obligation and 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, rather than just screening (EU Court of Justice ruling in *People Over Wind and Sweetman v Coillte Teoranta*, April 2018).
- 2.4 The Habitats Directive was transposed into English law by the ‘Conservation of Habitats and Species Regulations (as amended) 2012’ or ‘Habitats Regulations’. HRA is the screening assessment (Reg 106(1)) of the likely effects, or impacts, of a land use proposal against the conservation objectives of European sites; and considers whether or not a proposal (alone or in combination) is likely to be significant. European Sites are also known as Natura 2000 sites. The HRA submitted alongside the Local Plan to Examination can be found here: <https://www.cotswold.gov.uk/media/1500069/Updated-HRA-Report-for-Local-Plan-Focussed-Changes.pdf>

### Screening Process

- 2.5 Screening is ‘Stage A’ of the strategic environmental assessment (SEA) process outlined in the Governments’ National Planning Practice Guidance (NPPG), and should be undertaken as early as possible in the neighbourhood plan process.
- 2.6 The NPPG also provides guidance on when an SEA might be required (see para. 2.20)



2.7 Where the Neighbourhood Plan falls within the scope of the SEA Regulations, a determination under Regulation 9 is then required. Regulation 9 requires that the responsible authority shall determine whether or not a plan is likely to have significant effects and

- a) take into account the criteria specified in Schedule 1 (Annex II) to the SEA Regulations, and
- b) consult the environmental consultation bodies (Historic England, Natural England, Environment Agency).

2.8 Where a Neighbourhood Plan is likely to have a significant effect on the environment an SEA (full environmental report) must be carried out; and where the plan is unlikely to do so, and

does not require an SEA, there should be a 'statement of reasons' or opinion for the determination should be given.

- 2.9 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) below.

## 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.
- 2.10** An SEA would also be necessary if the plan requires appropriate assessment under **Habitats Regulations Assessment (HRA)**.
- 2.11 The overall purpose of a HRA is to conclude whether or not a proposal or policy or whole Plan would adversely affect the integrity of the site in question.
- 2.12 Screening is 'Stage 1' of the HRA process, followed, if necessary, by an Appropriate Assessment. Under the Habitats Regulation 106 an assessment of the 'likely significant effects' of the Plan is the first step to be required. Where a doubt remains an adverse impact should be assumed as HRA's are based on the precautionary principle.
- 2.13 The first step is to consider which European site or sites could be affected by the Plan. Then consider the policies within the NDP and screen, using assumptions from the Local Plan HRA, both in relation to *how* likely significant effects may result from the NDP, and on a *proximity* basis, on how far such impacts may travel; looking at physical damage, pollution, recreational pressure, water quantity and quality. The SAC conservation objectives are outlined in Appendix 2.
- In conclusion**
- 2.14 The Inspector needs to be satisfied that the SEA/HRA work properly demonstrates the making of the Plan would not have any significant effects and therefore satisfies the basic condition on compatibility with EU Regulations.

- 2.15 'Assessment of the effects should be done in a proportionate way...' (Screening NDPs for SEA, Locality, page 10), and although there may be some gaps in information, there should be enough to assess the likely significant effects of the plan.
- 2.16 A screening outcome for both SEA and HRA is provided in the conclusion.

### Assessment – Gathering Data

- 2.17 Once data on the environmental constraints and assets in the area have been gathered, it is then possible to determine any likely significant effects of the NDP proposals (positive and /or negative) on the environment.
- 2.18 The Plan vision and objectives, draft proposals, and a list of sites considered for inclusion in the plan (if any) and potential impact of new development will help determine whether or not the plan would give rise to significant effects.
- 2.19 The following section provides a screening assessment of the likely need for a full SEA.
- 2.20 The text in the box below is taken from the Government's Planning Practice Guidance (NPPG)<sup>1</sup> on when an SEA may be required:

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?***

- 2.21 The draft version of the plan does not allocate sites, although it does seek to designate Local Green Space and 'other' open spaces. Should the scope of the plan change this will need to be reassessed.

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

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

<sup>1</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#baseline-environmental-characteristics>

2.23 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 or EIA):

- ◆ Natura 2000 Sites <sup>2</sup>
- ◆ Sites of special scientific interest (SSSIs)
- ◆ National parks
- ◆ Areas of Outstanding Natural Beauty (AONB)
- ◆ World Heritage Sites
- ◆ Scheduled Monuments

2.24 In the context of the most '**sensitive areas**,' within and in the vicinity<sup>3</sup> of the Neighbourhood Area, (see figure 1) the following sites and areas also exist:

- there are no scheduled monument designations within the NDP area itself, but within the vicinity lies:
  - Hullasey Grove Medieval Village to the north west 0.8km away
  - Two bowl barrows, near Haresdown Barn some 0.8km to the west, both SMs lie to the north of the Roman Road (Fosse Way) that border the NDP area.
  - the Settlement SE of Chesterton Farm , 0.8km to the north east
  - Medieval 'Village Cross' within Poole Keynes settlement, some 0.8km to the South
  - Norwood Castle (site of Motte and Bailey castle) 0.5km to the west
- Sites of Special Scientific Interest (SSSI's):
  - Kemble railway cuttings (two areas) - one area of the SSSI lies within Kemble village itself, just north of Kemble tunnel, with the other area about 1km to the west on the dismantled railway line.
- Cotswold Area of Outstanding Natural Beauty (AONB) lies adjacent to the western boundary of Kemble and Ewen NDP area.

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<sup>2</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>3</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 [Screening Neighbourhood Plans for SEA, Locality, p.12). Designations beyond this area however are also considered

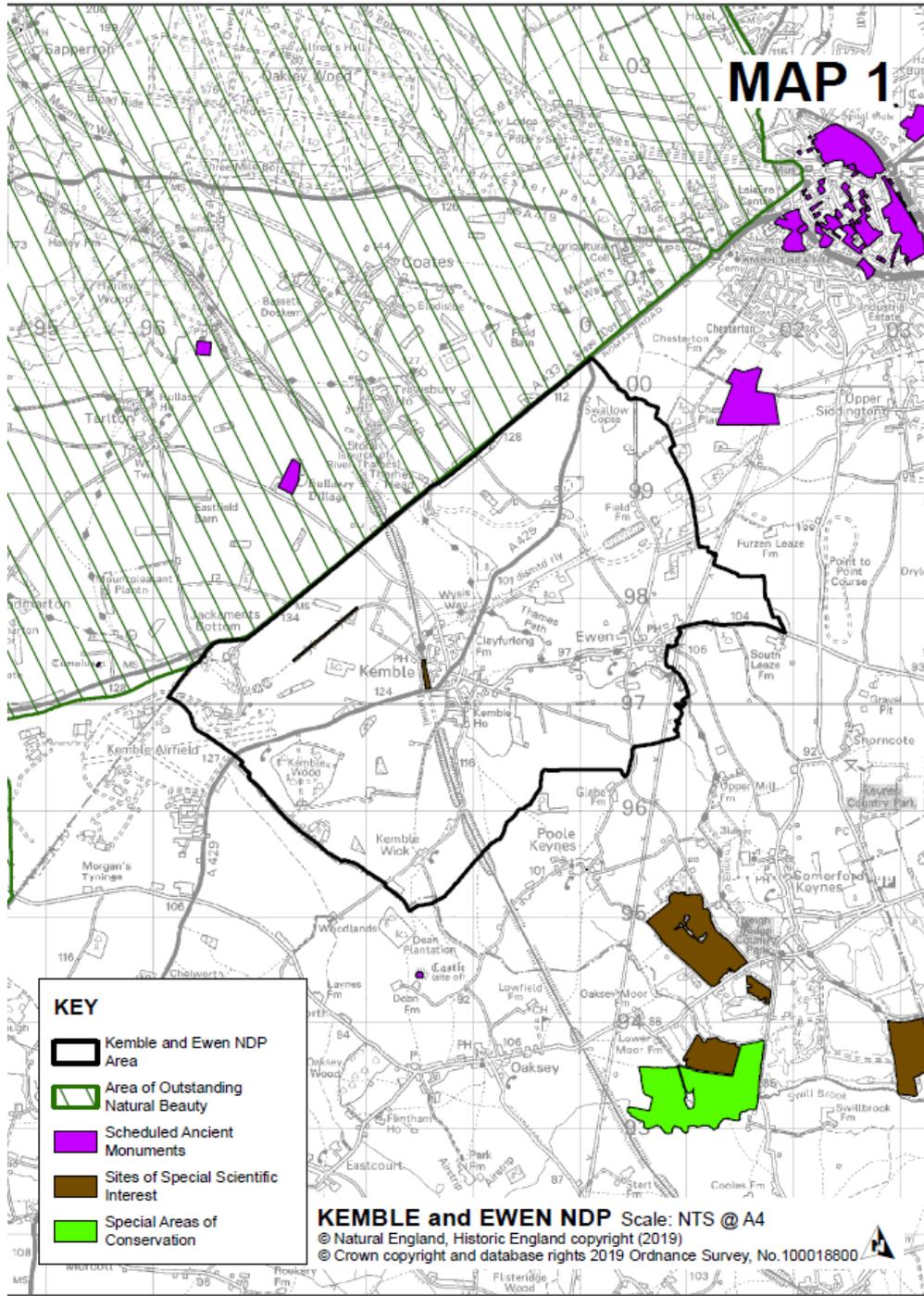


Figure 1

2.25 The European designated 'Natura 2000' sites are included within an area of search of 15km for HRA purposes. The plan below shows those Natura sites within 15km of the neighbourhood plan boundary. The nearest sites to the NDP are (figure 2);

- North Meadow and Clattinger Farm Special Area of Conservation (SAC).
- Cotswold Beechwoods (SAC) lie further to the north.

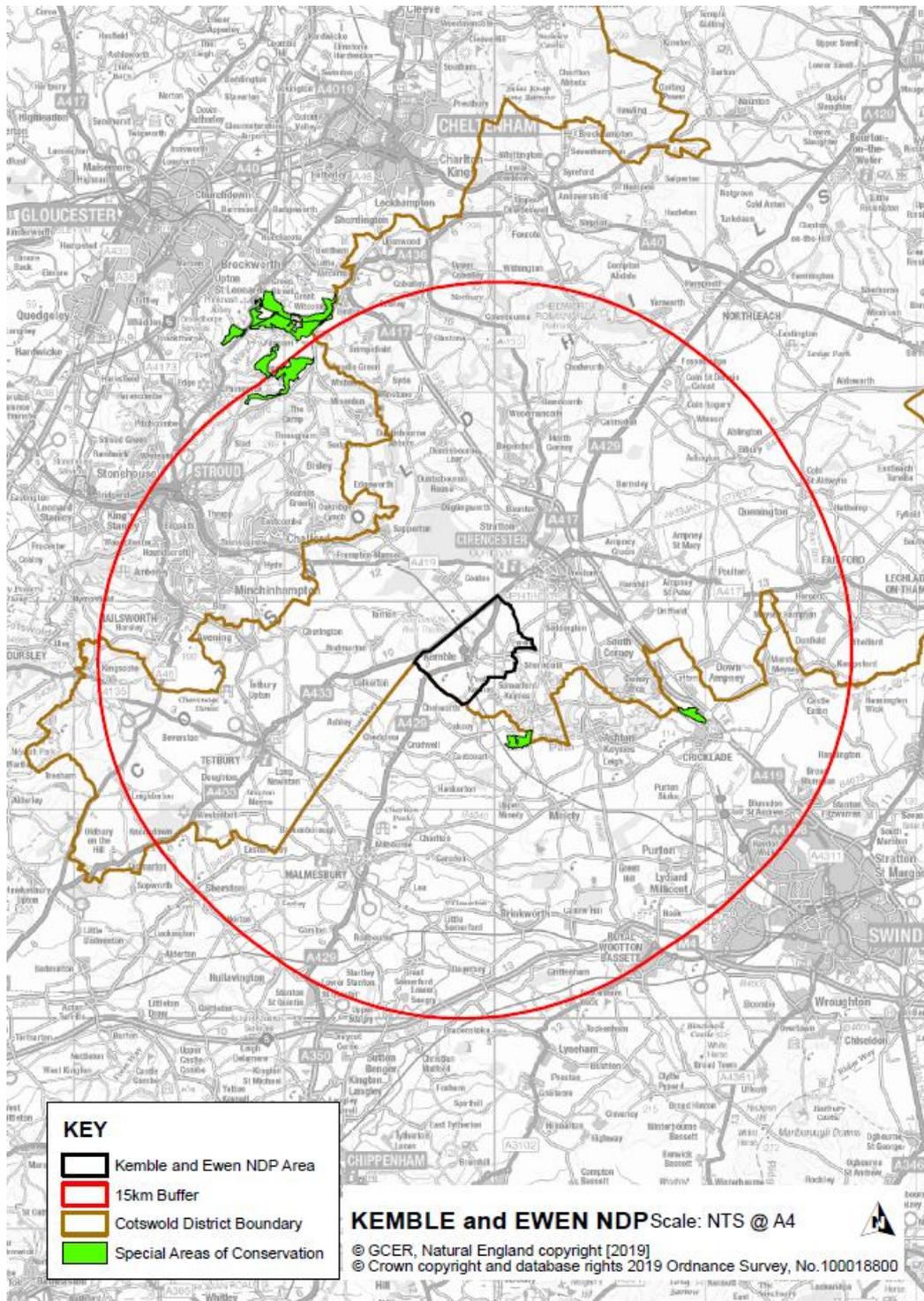


Figure 2

2.26 Further **key environmental assets** (see Locality guidance on Screening Neighbourhood Plans for SEA) located within, and in the vicinity of, (see figures 3 - historic and 4 – landscape and 5 - water ) the area include;

- Conservation Areas in both Kemble and Ewen settlements, as well as the Kemble Station conservation area.

- The Roman Road (Fosse Way), and now route of the A433 in part, forms the western edge of the NDP area. The Roman Road lies to the north en-route to Cirencester.
- Archaeological potential – the Heritage Gateway website shows points from NMR excavation index and listed buildings in Kemble and Ewen. The *Kemble Heritage Appraisal 2017* regards the archaeological potential of Kemble and its surrounds as ‘high’. The Local Plan notes that ‘significant archaeological deposits’ have been found on allocated site K\_2A.
- There are Listed Buildings within both settlements, mainly Grade II Listed and one Grade 2\* All Saints Church at Kemble. - 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.
- Agricultural land<sup>4</sup> classification is an area of Grade 2 to the east of the NDP area, with Grade 1 and 3a further east beyond the plan boundary
- Cirencester Park Historic Park and Gardens lies beyond the Plan boundary.
- An area of ancient woodland (Kemble Wood) lies to the west containing smaller areas of ancient replanted woodland.
- A locally designated Special Landscape Area covers a large part of the NDP area
- There are a number of Priority habitats<sup>5</sup>; a small area of floodplain grazing marsh to the south eastern boundary, areas of deciduous woodland, as well as a central area of woodpasture and parkland.
- The Plan also contains a Key Wildlife Site<sup>6</sup> (KWS) in the west of the NDP area
- A Regionally Important Geological site (RIGs)<sup>7</sup> lies on the edge of the NDP area to the north
- A strategic nature area (SNA<sup>8</sup>) also lies in part across the south and eastern edge of the NDP area
- A local nature reserve (LNR) Coke’s Pit Lake, lies within the vicinity of the Plan to the east.

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<sup>4</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>5</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>6</sup> Key Wildlife Sites are areas with a rich diversity of habitats that provide refuges and corridors for wildlife across Gloucestershire. These sites have no legal protection, yet deserve recognition as the most important places for wildlife outside of legally protected land such as Sites of Special Scientific Interest (SSSI). A KWS designation does not necessarily include public access and boundaries are open to review.

<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.

<sup>8</sup> Strategic Nature Areas (SNAs) are landscape scale areas of land that have been selected by Biodiversity South West as being important areas for conservation and expansion, they are not designated.

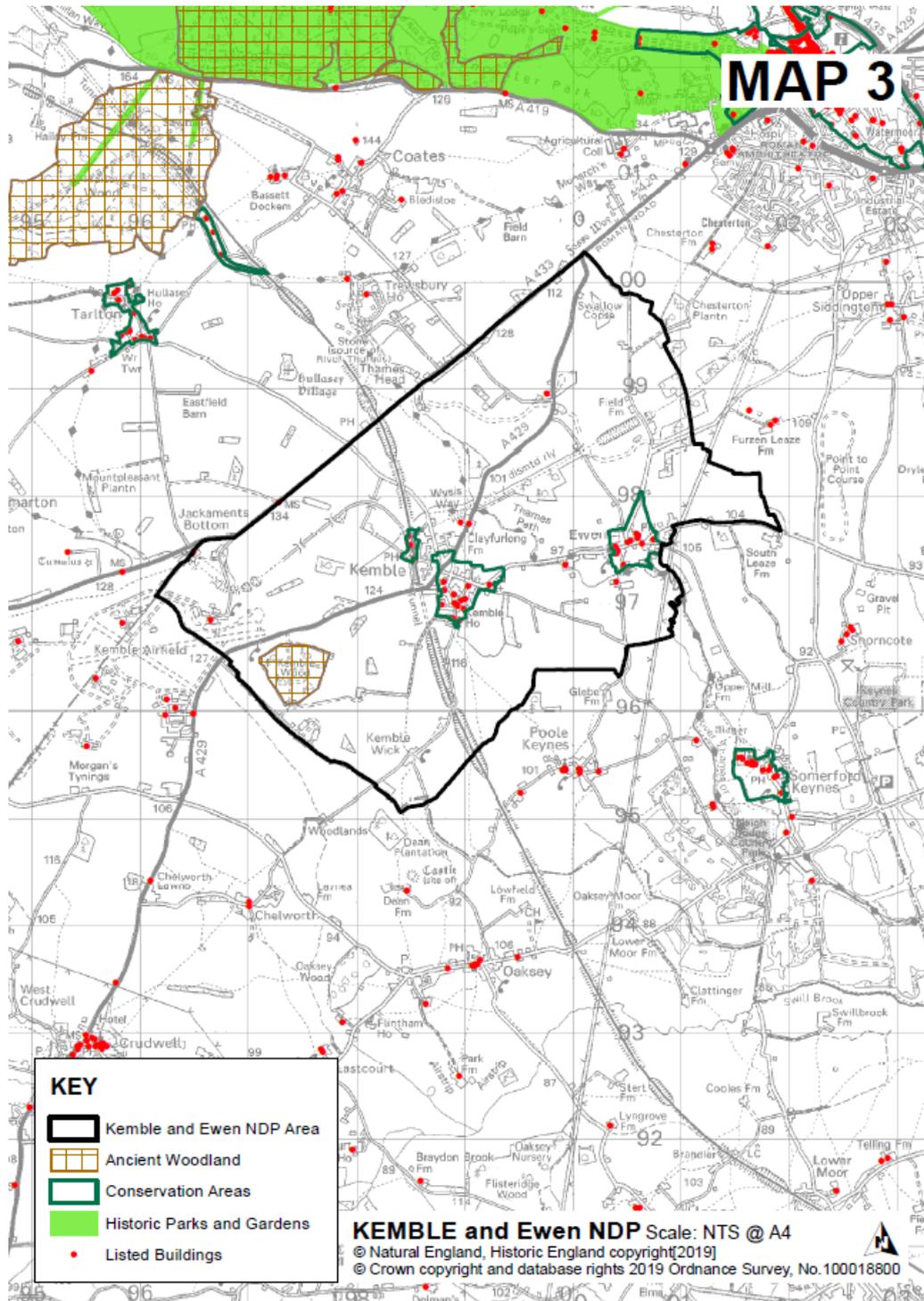


Figure 3

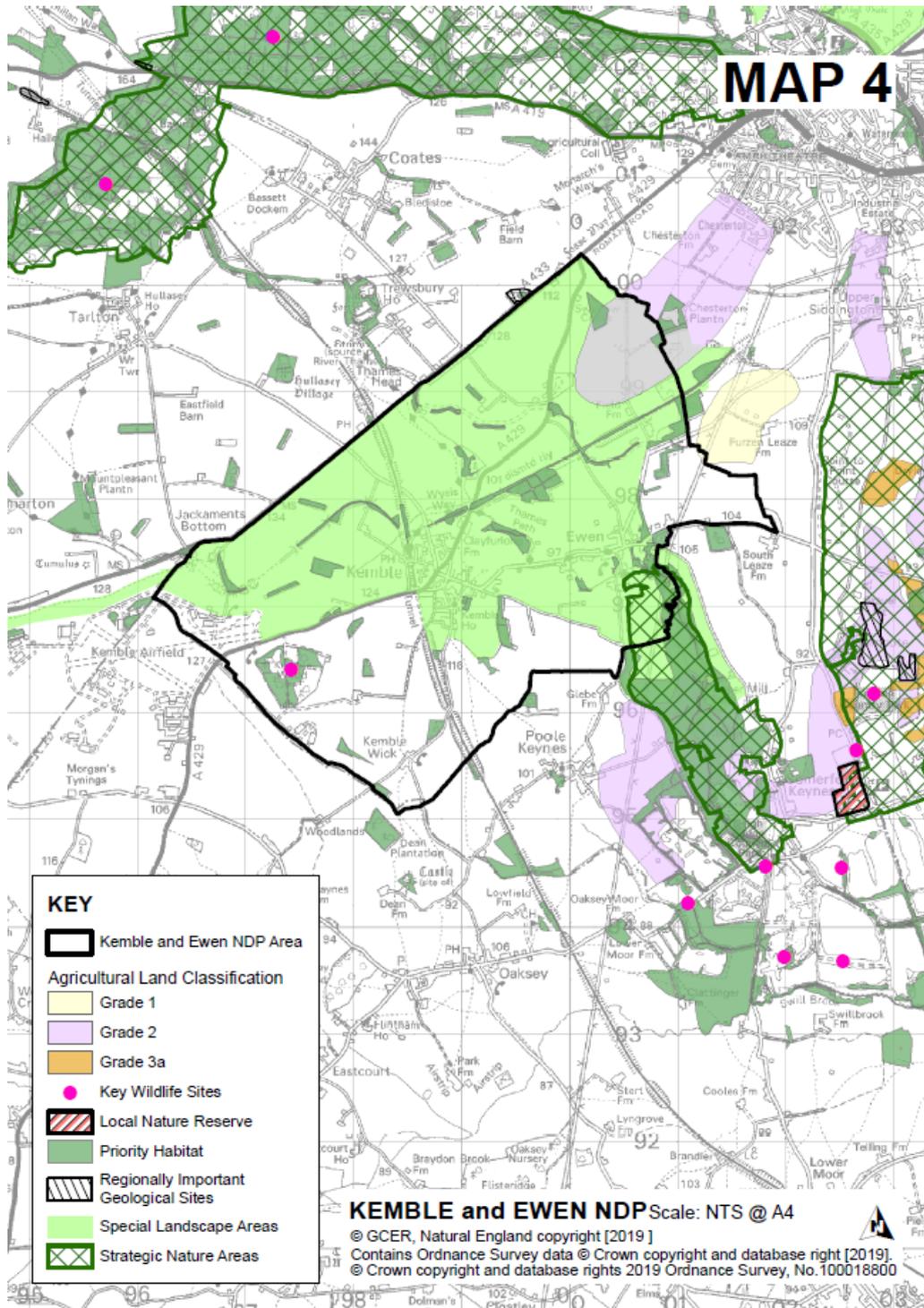


Figure 4

- Flood Zones – No significant fluvial or surface water flood risk issues are highlighted by the Cotswold Strategic Flood Risk Assessment (Level 2). The River Thames has its source upstream of Kemble, and there are narrow fluvial flood zones in the area including the highest risk flood zone 3b ‘fluvial floodplain’ and high risk flood zone 3a along the watercourses.
- There is no local evidence of notable surface water flooding problems at Kemble. The flood surface water flood map indicates a low risk of surface water flooding, with small areas of ponding (SFRA L2). The SFRA also suggests it is also in the area is in the lowest category of risk of groundwater flood emergence (<25%). No historical record of groundwater flooding at Kemble (Strategic Flood Risk Assessment Level 2, Appendices, 2016). Further East in the NDP area and Ewen, the Environment Agency flood maps<sup>9</sup> show similar fluvial and surface water flood risk.
- Source Protection Zones<sup>10</sup> – Reflecting the vulnerability of groundwater in the area to pollution, Source Protection Zone II outer protection zone and Zone IIc subsurface activity cover the NDP area (taken from MAGIC interactive maps, Natural England).

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<sup>9</sup> <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

<sup>10</sup> The purpose of SPZs is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water abstraction (Environment Agency).

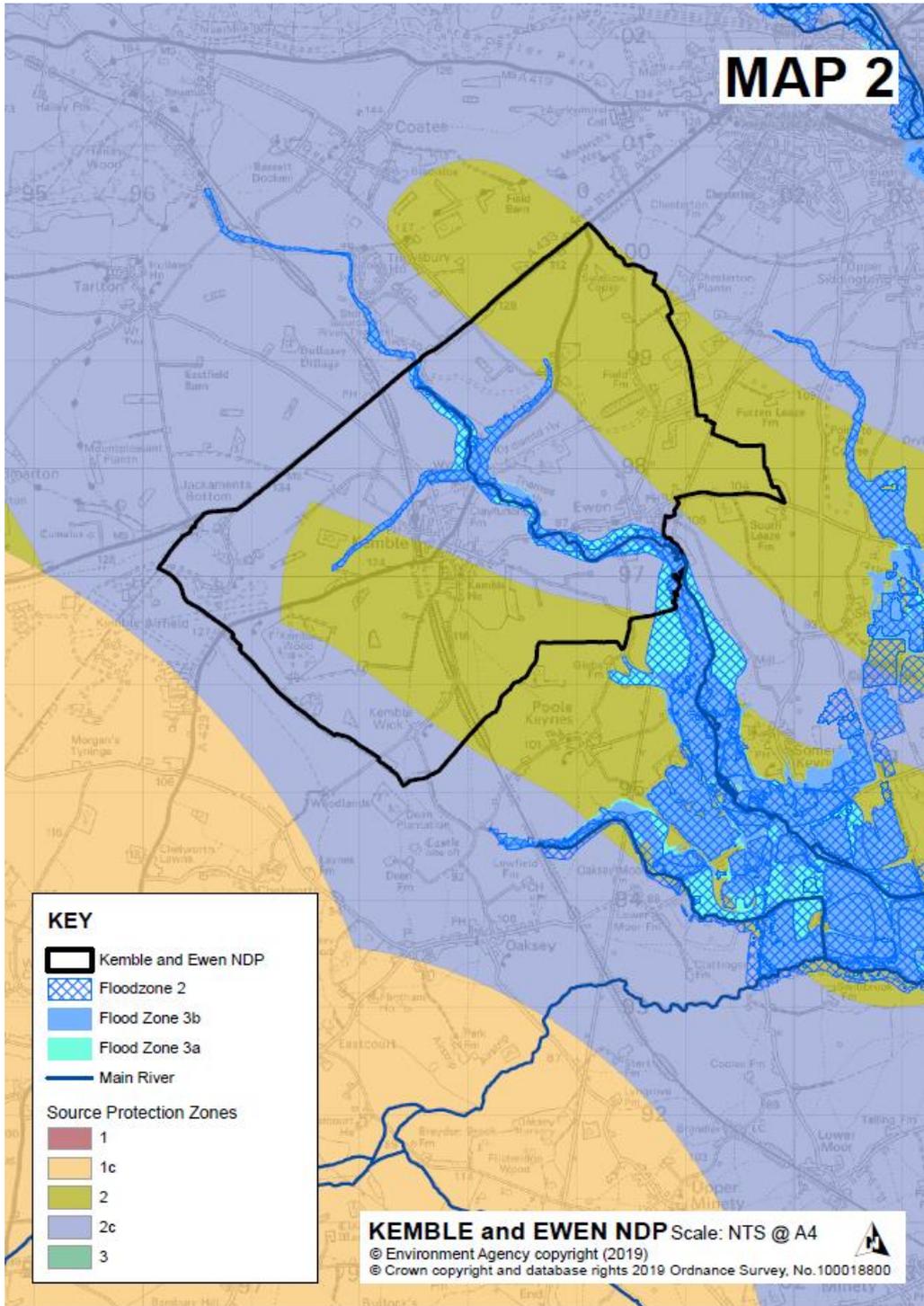


Figure 5

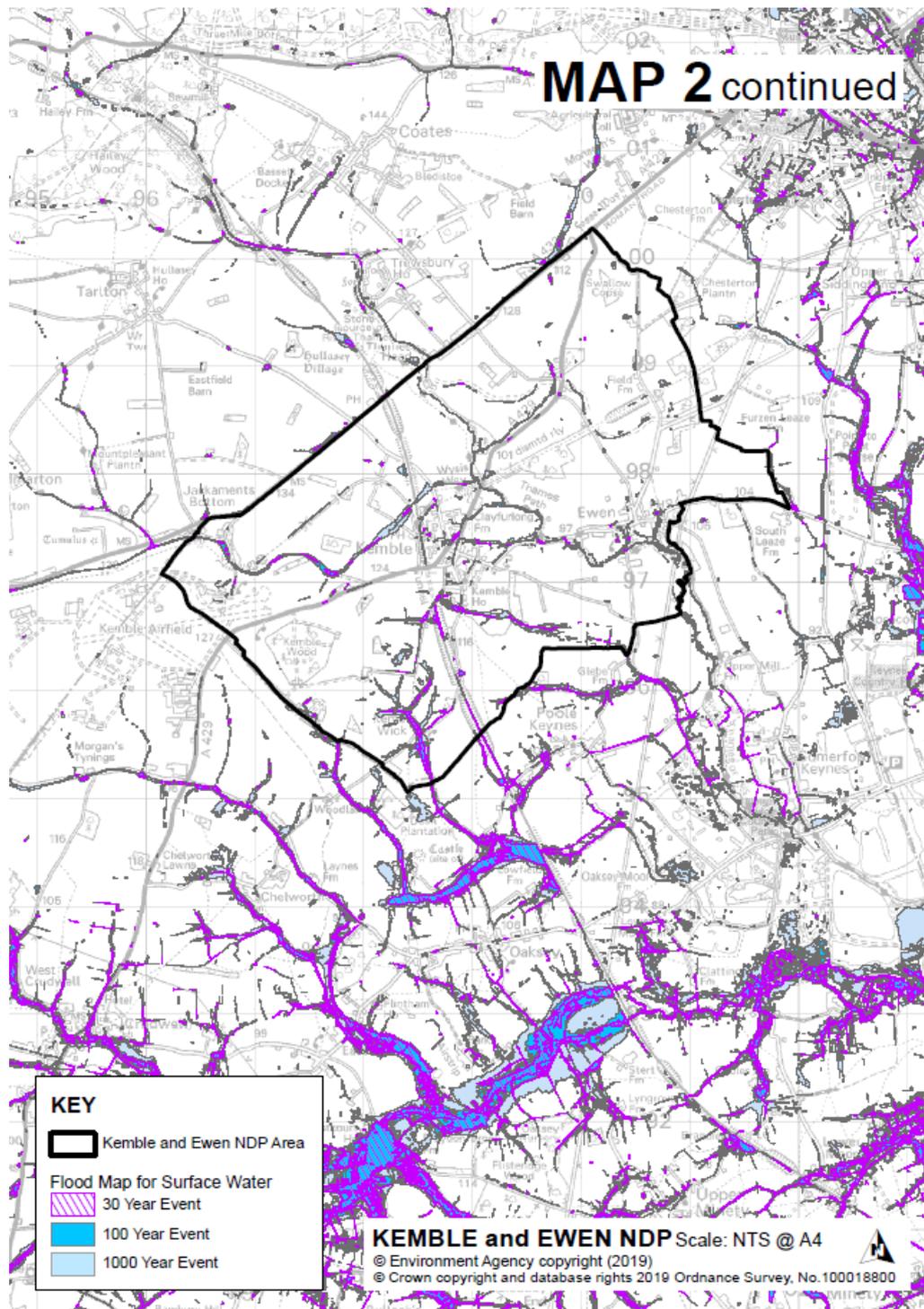


Figure 6

***Is the neighbourhood plan likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan?***

2.27 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'*. 11 (Para.24, Cotswold District Local Plan 2011-2031: Inspector's Report June 2018).

## **Assessment – Commentary**

- 2.28 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**

- 2.29 The NDP does not directly allocate sites for housing or employment. However there are environmentally sensitive areas in the Parish; two areas of nationally designated (due to their geodiversity) SSSI's lie within the Plan area (Kemble Railway Cuttings) both of which are in 'favourable' condition and which the Local Plan SA does not highlight as significant constraints due to the nature of the SSSI designation (p49); and a Natura Site (SAC) further to the southern border of the Plan area and Parish, with another on the edge of the 15km area of search to the west.
- 2.30 There are also a number of Priority Habitats.<sup>12</sup> An ancient and semi-natural woodland (Kemble Wood) lies within the Parish, with a Key Wildlife site close by, and two Regionally Important Geological Sites lie adjacent to the NDP boundary and one to the east, just within the area of search. North Meadow National Nature Reserve also lies beyond the plan area (within the SAC) to the south, close to the District boundary.
- 2.31 Much of the area falls within SSSI Impact Risk Zones, where a location nearest the SSSI would require consultation with Natural England on the likely effects of a planning application. Due to the lack of allocations in the Neighbourhood Plan, and only indirect potential for more small-scale development in general conformity with the Local Plan, the NDP is considered unlikely to lead to additional pressures on the SSSI, or due to location and scale in relation to North Meadow and Clattinger Farm SAC.
- 2.32 No significant air quality issues currently exist (Air Quality Management Areas's - AQMAs) in the area. There is a small pocket of Grade 2, along with some areas of Grade 1 and Grade 3a of 'best and most versatile' agricultural land<sup>13</sup> within the NDP area. However no land has

<sup>11</sup> <https://www.cotswold.gov.uk/media/1605407/Cotswold-Local-Plan-Report-Final.pdf>

<sup>12</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>13</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.

been allocated for development therefore there is unlikely to be a direct loss of the higher quality agricultural land.

- 2.33 Similarly while there are small areas of surface water flooding, and the risk of ground water emergence is less than 25%, there is unlikely to be an increase in water demand from development or for development activities to contaminate water quality (the area is also largely covered by a groundwater Source Protection Zone <sup>14</sup>) and/or contribute to potential flood risk in the area proposed by the Plan.
- 2.34 The NDP itself does not directly allocate sites for housing or employment, and any facilitation of development is considered to be minimal, and therefore unlikely to be significant in terms of the SEA Directive.

### **Landscape; cultural heritage**

- 2.35 The plan seeks to support local design, landscape (Kemble and Ewen Design Code, Kemble Landscape Appraisal) and protect historic character, and lists non-designated Local Heritage Assets.
- 2.36 There are conservation areas, and listed buildings, and several SAMs within the vicinity, a Roman Road and potentially significant archaeology. 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 propose to 'conserve' non-designated heritage assets (NDHAs) the conservation areas and villagescape, and so are likely to have positive effects protecting local distinctiveness and character in the Neighbourhood area.
- 2.37 Similarly a positive effect would likely apply to the landscape, a draft policy seeks to 'retain and enhance' the locally designated Special Landscape Area (SLAs) including its tranquility; as well as the policy clause to preserve the open countryside and historic separation between Kemble and Ewen, but would not change the use of the land.
- 2.38 An SLA covers a large area of the NDP, excluding the eastern and western corners. There is no Area of Outstanding Natural Beauty (AONB) within the Plan area, however Cotswold AONB lies adjacent the NDP boundary to the west.
- 2.39 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**

- 2.40 The plan seeks to encourage access to open spaces and add to the quality of life; with potential benefits for resident's health and well-being, as well as accessibility. 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.

### **Material assets**

- 2.41 Potential increases in waste are likely to be limited due to the lack of proposed allocations through the draft p

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<sup>14</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.

## Assessment – HRA

- 2.42 The Cotswold District Local Plan was subject to HRA which looked at designated sites which could be impacted by development within Cotswold District. Appropriate Assessment concluded that adverse effects on any European Sites were ruled out in relation to physical loss, damage to habitat, air pollution, increased recreation pressure, and there were no likely significant in-combination effects with other authorities' development plans.
- 2.43 This section provides a HRA screening for the Kemble and Ewen NDP as to whether further Appropriate Assessment is required.
- 2.44 The Local Plan HRA suggests a 15km 'area of search,' as '*with respect to Cotswold District the potential for significant effects on European Sites beyond the 15km distance is considered unlikely...*' (para. 3.4, page 10, HRA Jan 2017).
- 2.45 The closest Natura site, is known as the North Meadow and Clattinger Farm Special Area of Conservation (SAC), '*a fragmented site located immediately adjacent to the southern boundary of Cotswold District*' (CDC HRA Report, page 43. Jan 2017), lies within the 'area of search' approximately 2.5km at the nearest point beyond the plan boundary. The Cotswold Beechwoods SAC lies near the edge of the 15km area of search further to the north on the District boundary (see figure 2).
- 2.46 At the screening stage both SACs were identified to have the potential for increased air pollution (due their to location within 200m of a strategic road) and increased recreational pressure as they are likely to receive an increase in visitor numbers due to their locations. However the Appropriate Assessment concluded that the Local Plan (including allocations at Kemble) would not have adverse effects on the integrity of either site (page 29-30, HRA Jan 2017).
- 2.47 The North Meadow and Clattinger Farm SAC represents lowland hay meadows and contains rare species characteristic of lowland meadows. It covers some 105ha in area. It also in part a managed National Nature Reserve.

- **Impact - Physical damage / loss of habitat**

- There are no allocations which would develop the land, neither on nor adjacent the SAC, indeed the Neighbourhood Plan Area itself is over 2km from the nearest SAC. The scale of potential development that could be facilitated within the NDP area is considered small and it does not propose more allocated growth than the Local Plan.

- Development (none is allocated within the Neighbourhood Plan area), could have a potential impact on 'transient species' i.e. those which travel beyond the SAC area to roost or forage. However the Local Plan HRA states, '*In all cases the [SAC] sites are not close enough to the District boundary for effects relating to offsite habitat loss to be a concern...*' (Local Plan HRA, Jan 2016 para 3.16)

- **Impact - Changes in levels pollution**

- While some development is possible within the Neighbourhood Plan area it is unlikely to lead to a significant increase in emissions from vehicular traffic or industrial (employment) uses on air quality as there are no direct housing or employment allocations. The NDP supports the protection and creation of Green Infrastructure.
- Noise and vibration from construction of new housing or employment development, and artificial lighting (such as street lamps, security lighting) as from development, on species such as birds and bats, would need to be within 500m of a site to have an adverse effect . The Local

Plan HRA notes those SACs that do lie within 500m of District boundary are, ‘habitats not vulnerable to noise, vibration or air pollution’ (para 3.19). This does not include the NDP. The nearest SAC is some 2.5km away.

- **Impact -Recreational pressures**
- While some provision for visitors (such policy on as protecting ‘other’ open spaces) visitor numbers are thought unlikely to increase significantly.
- No new housing and/or associated transport infrastructure, resulting in increased population pressure locally, or via improved access through the District, to cause disturbance and erosion to the site (which is also a managed National Nature Reserve), is therefore considered likely.
- **Impact -Water quantity and quality**
- No direct allocations for housing or employment uses suggest there would be no significant increase in water demand from development or to impact on groundwater water quality as a result of potential development, and increased impermeable surfaces for example.

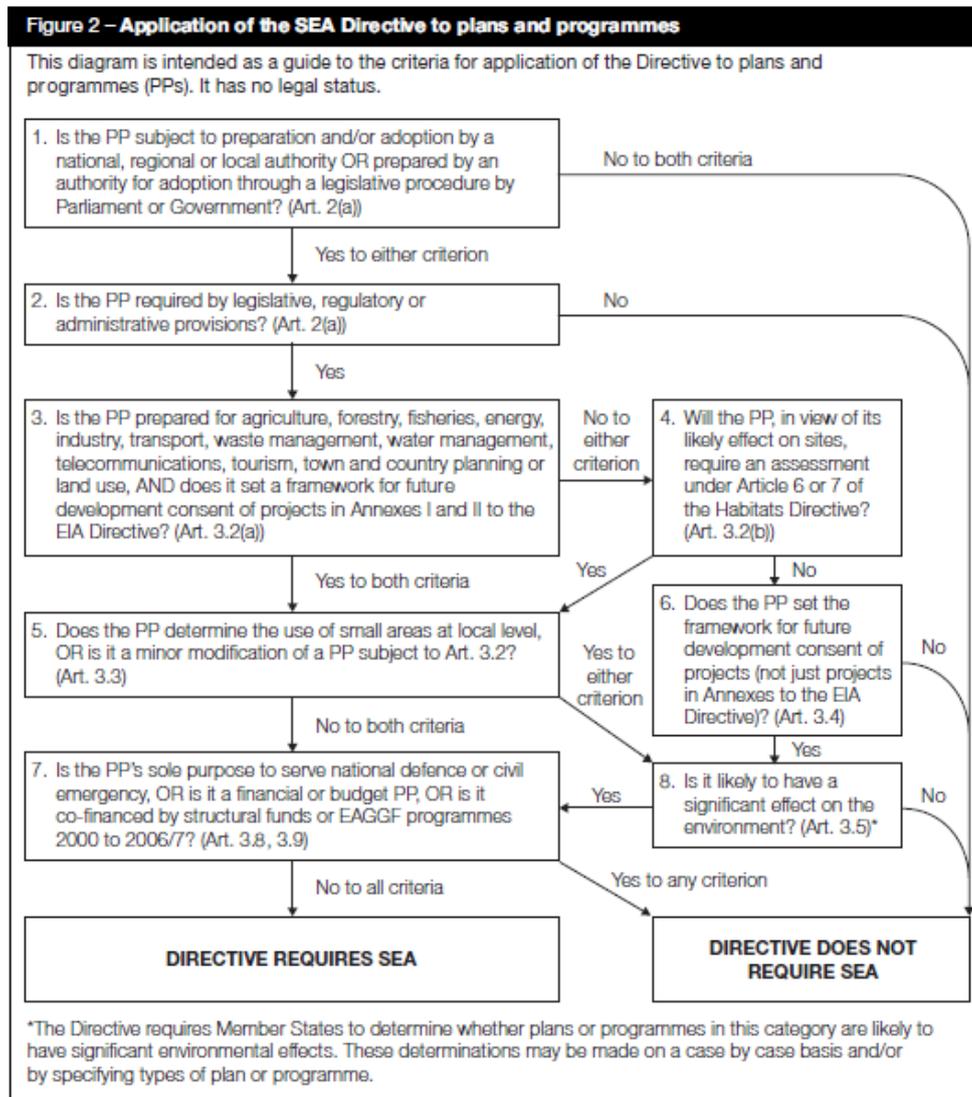
Neighbourhood Plan	Likely activities (operations) to result as a consequence of the proposal	Likely effects if proposal implemented <i>e.g. increased air pollution, erosion trampling and general disturbance from recreation pressure, and physical loss or damage to habitat</i>	European site potentially affected	Possible effects in combination with other plans	Could the proposal have likely significant effects?
Kemble and Ewen - no allocations	Minimal activities- No significant increase in population, vehicle traffic, or recreational activities	Minimal effects - no direct allocations so unlikely to lead to additional pressures on the SAC. Activities unlikely to cause air or other pollution, cause disturbance and/or physical loss or damage to habitat.	North Meadow and Clattinger Farm SAC (Cotswold Beechwoods SAC)	The NDP does not directly propose development. Therefore unlikely any effects with other Plans may combine with the NDP to have adverse effect.  The SAC lies outside the Parish boundary, therefore development planned elsewhere is an important consideration.	Unlikely. The NDP does not propose or facilitate development which could significantly affect the SAC

No such effects were identified by the HRA and Appropriate Assessment for the District Local Plan.

- 2.48 The NDP does propose development, but must be in general conformity with the adopted Local Plan, which already includes Local Plan Policy (EN9) to safeguard such sites from development that could cause a significant adverse effect on the integrity of the SAC.
- 2.49 It is not considered that any further stages of HRA (Appropriate Assessment) are required for the NDP.

## Assessment – Is an SEA required?

2.50 The process for screening a planning document in order to ascertain whether a SEA is required is illustrated below (ODPM 2004 Guidance):



2.51 The table below is drawn from the 'decision making' flow diagram above, and based on the information gathered above<sup>15</sup>. It helps establish the need for a SEA.

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	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 – Kemble and Ewen Parish Council. The NDP is adopted through a legislative procedure and supports the implementation of the Local Plan.

<sup>15</sup> RTPI SEA/SA Guidance, January 2018

Stage	Y/N	Reason
Government? (Art. 2(a))		
2 Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The Neighbourhood Plan is an optional plan and not a requirement. 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.
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))	N	The Neighbourhood Plan is prepared for town and country planning purposes, but it does <i>not</i> set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Art 3.2 (a)) <sup>16</sup> . <a href="http://ec.europa.eu/environment/eia/eia-legalcontext.htm">http://ec.europa.eu/environment/eia/eia-legalcontext.htm</a>
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))	N	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.  Of the 8 Natura Sites looked at in the HRA Report, North Meadow and Clattinger Farm SAC (one of two areas) are the closest to Kemble and Ewen Neighbourhood area lying to the south of the Parish approximately 2.5km beyond the boundary at its closest point . Cotswold Beechwoods SAC lies just within the 15km area of search to the north west.  As the levels of development supported by the NDP are minimal, and the NDP is not adjacent or within the SAC it is unlikely that a further HRA is needed.  In light of a recent ECJ <sup>17</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

<sup>16</sup> Annex I (railways, roads waste disposal installations, waste water treatment plants), but also Annex II other types such as urban development projects, flood-relief works, changes of Annex I and II existing projects...

<sup>17</sup> The People Over Wind and Sweetman vs. Coillte Teoranta

Stage	Y/N	Reason
		<p>conclude there is ‘no significant effect’. While the NDP does not seek to allocate sites for development no mitigation policies are included in the Plan proximity (within 15km buffer<sup>18</sup>) to overcome any effect on the SAC.</p> <p>It is considered that the NDP will not affect the specified Natura 2000 site over and above the impacts identified in the HRA Report carried out for the Local Plan. Therefore a full Appropriate Assessment is not considered to be required for the NDP.</p> <p>The HRA submitted alongside the Local Plan to Examination can be found here:  <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)	Y	<p>The Neighbourhood Plan will apply to a wider area than a small area (like a building plan) but it is at local level.<sup>19</sup> – ‘only requires SEA if it is likely to have significant effects’ (article 3 (3)).</p> <p>It is not a minor modification to an existing plan.</p>
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)	Y	<p>An NDP is (a framework) to be used in determining future planning applications, and once ‘made’ will form part of the statutory development plan.</p> <p>The Local Plan allocations plan set a wider framework for the District including this area.</p> <p>The NDP does not make allocations and so does not in this specific sense set a ‘framework for future development consent’ or beyond those projects listed in the EIA Directive, but it does set a framework more generally.</p>
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	<p>The (sole) purpose of the NDP is not for any of those categories listed in Art 3.8,3.9.</p>
8 <sup>20</sup> Is it likely to have a significant effect on the environment?	N	<p>Kemble and Ewen NDP does not make any housing or employment allocations and as such there is no major</p>

<sup>18</sup> Para 3.4, HRA Report, January 2017

<sup>19</sup> The European Commission guidance (paragraphs 3.33–3.35) suggests that plans or programmes which determine the use of small areas at local level might include “a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design.... The complete phrase... makes it clear that the whole of a local authority area could not be excluded (unless it were itself small)”.

<sup>20</sup> Annex II of the SEA Directive– Criteria for determining the likely significance of effects on the environment.

Stage	Y/N	Reason
<p><i>See also table 2 below for further detail</i></p>		<p>level of proposed development in the Plan to impact upon environmentally sensitive areas.</p> <p>It is considered there would be little or no impact on nationally recognised designation of the SSSI or Scheduled Monuments, or to the risk of flooding within the Parish. Although the Neighbourhood Area does not have any Areas of Outstanding Natural Beauty (AONB) it lies adjacent to an AONB to the north, and a European Natura 2000 Site (SAC) and National Nature Reserve lie some 2.5km to the south of the NDP area. A further SAC lies to the north west some 15km away.</p> <p>More locally there is an identified Key Wildlife Site within plus several to the south east beyond the Plan boundar, a locally designated Special Landscape Area (SLA) crosses the area, and a strategic nature area (SNA) lies in part with the NDP area, as well as Priority Habitats, listed buildings, and three Conservation Areas within the Plan boundary. A Local Nature Reserve and RIGS also lie beyond.</p> <p>The draft plan has policies on design, and ‘appropriate’ development within Kemble, which has already been identified for growth in the Local Plan, and seeks to protect its network of Green Infrastructure, LGS, NDHAs , archaeology and has criteria for development both within Kemble and the Special Landscape Area for example. The NDP provides local guidance on how applications for development in the plan area should be determined.</p> <p>The impact of any potential development (in general conformity with the Local Plan) with no direct allocations is therefore expected to be localised and minimal and therefore unlikely to be significant in the context of Kemble and Ewen NDP.</p>

**Table 1**

2.52 Given the ‘Yes’ responses above, it is considered that the Neighbourhood Plan is within the scope of the SEA Regulations and **a screening opinion is required.**

## Assessment – Are there likely significant effects?

2.53 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment:

- The characteristics of the Plan itself and
- The characteristics of the effects, and of the area likely to be affected by the plan

2.54 These criteria are set out in table 2 below;

8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
<b>1.The characteristics of the Plan, having regard in particular to:</b>		
<b>No</b>	The degree to which the plan or programme sets a framework for projects or other activities, either with regard to the location , nature, size and operating conditions or by allocating resources	The Kemble and Ewen Neighbourhood Plan will set out the framework to be used to determine proposals for development within the neighbourhood. It supports for example appropriate small scale development within the development boundary of Kemble, and seeks to protect local green spaces and potential archaeology. It does not allocate land for development or propose development in excess of that allocated/identified within the Cotswold District Local Plan.
<b>No</b>	The degree to which the plan or programme influences other plans or programmes including those in a hierarchy	The Kemble and Ewen Neighbourhood Plan can only provide polices for the area it covers while the policies at the District and National level provide a strategic context for the NDP to be in general conformity with. Kemble is identified as a Principal Settlement in, and will help deliver the aims of the Local Plan and as such is allocated to take growth. None of the policies in the NDP are likely to have a direct impact on other plans in neighbouring areas.
<b>No</b>	The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	A Neighbourhood Plan is required to contribute to the achievement of sustainable development. It is not specifically a plan for integrating environmental considerations. Any development must also be in accordance with the NPPF and in general conformity with the Local Plan.
<b>No</b>	Environmental problems relevant to the plan	The Neighbourhood Plan is not allocating land for housing or employment use, therefore any adverse impact on the environment arising from the NDP proposals (causing environmental problems) is

8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
		considered to be minimal and unlikely to be significant. No change of use of the land in the NDP is proposed other than to LGS. There are no specific environmental problems that have not been assessed and considered through the Local Plan and its accompanying SA.
<b>No</b>	The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans linked to waste management or water protection)	The Neighbourhood Plan is to be developed in general conformity with the Local Plan, the Gloucestershire Minerals and Waste Plans, and national policy. Therefore the implementation of (EU) community legislation on water protection or waste is not relevant to the NDP.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard in particular to:</b>		
<b>No</b>	The probability, duration, frequency and reversibility of effects	It is considered unlikely that proposals in the NDP will lead to significant irreversible, long or short term or frequent adverse effects on the environment, as there is no direct allocation/ change of use of land. The NDP seeks to minimise the negative effects of any potential development and promote positive impacts to enhance and conserve.
?	The cumulative nature of the effects	Any development will likely have some impact. See above.
<b>No</b>	The transboundary nature of the effects	Effects will be local with limited effects on neighbouring areas as the proposals within the NDP only apply to the designated area.
<b>No</b>	The risks to human health or the environment (e.g. due to accidents)	No risks have been identified
<b>No</b>	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The Neighbourhood Area covers an area of about 14.2km <sup>2</sup> and contains a population of around 1,100 (2011 Census, mid-year estimate 2017). The facilitation of small scale development in the NDP is considered to be minimal, and therefore unlikely to be significant in terms of the SEA Directive. It is unlikely that the effects of the draft policies (especially as there are no allocations) that no proposals will be large scale and extensive in terms of area or population size, although they are adjacent to a sensitive nationally designated area (AONB) and have an SSSI within its boundary.
<b>No?</b>	The value and vulnerability of the area likely to be	The NDP area contains several conservation areas, listed buildings, an SSSI (two areas), Priority Habitats,

8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
	<p>affected due to;</p> <p>i) special natural characteristics or cultural heritage</p> <p>ii)exceeded environmental quality standards</p> <p>iii) intensive land-use</p>	<p>Special Landscape Area and its boundary lies adjacent to the Cotswold AONB. Within the vicinity there are also SAMS and the Fosse Way Roman Road on the edge of the Parish. The area is considered to have high archaeological significance.</p> <p>Any proposed development may have a potentially significant impact on the setting of a listed building or conservation area for example and therefore the effects are uncertain. Local Plan policies would however already apply in this case.</p> <p>The SA (2017) for the Local Plan states that two sites it assessed for Local Plan allocations in Kemble, within a conservation area, have potential for significant effects - any new development should be of '<i>high quality and sympathetic design</i>' (p.49). Draft policies in the NDP further seek to enhance enhance local village character and landscapes, and protect local heritage assets such as NDHAs, local green and other open spaces. Such policies are considered to have a positive effect on the area.</p> <p>There is unlikely to be intensive land use and therefore the NDP will not affect the value and vulnerability of the area.</p> <p>The Neighbourhood Plan does not directly allocate sites for development, including within the potential constraints of the historic environment, or above and beyond that already assessed in the Local Plan SA.</p> <p>Overall there are unlikely to be significant environmental effects , due to the nature of the proposals in the NDP, that should be investigated through SEA.</p>
<b>No</b>	<p>The effects on areas or landscapes which have a recognised national community or international protections status</p>	<p>The Plan boundary is within 2.5km the North Meadow and Clattinger Farm Special Area of Conservation (SAC) and contains SSSI's and a locally designated Special Landscape Area. The Cotswold AONB lies adjacent the Plan area.</p> <p>The Kemble and Ewen Neighbourhood Plan however, is unlikely to lead to additional pressures on the European designated SAC or nationally designated SSSI's, or AONB as it does not allocate or change the use of land for development within or in close proximity of these designations, therefore increasing population and its associated pressures.</p>

8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
		The Local Plan SA also states of potential development sites within 400m of the Kemble SSSI's, <i>'due to the nature of the designation... for its geodiversity...development at these sites is unlikely to adversely effect the integrity of this site'</i> (p48).

**Table 2**

## Conclusion

- 2.55 National Planning Guidance (NPPG) advises that a Neighbourhood Plan might require a SEA where a neighbourhood plan allocates sites for development<sup>21</sup>; and or the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and likely to have significant environmental effects that have not already been considered and dealt with through a SA/HRA of the Local Plan.
- 2.56 No direct allocations are proposed within the NDP, but the NDP provides local guidance on how applications for development in the plan area should be determined. The draft plan has policies on design, and 'appropriate' development within Kemble, (which has already been identified for growth in the Local Plan), it seeks to protect its network of Green Infrastructure, LGS, NDHAs, archaeology and has criteria for development both within Kemble and the Special Landscape Area, for example.
- 2.57 As a result of the above screening assessment, it is considered unlikely that there will be any significant environmental effects arising from the Kemble and Ewen 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.
- 2.58 The assessment was then provided to the statutory environmental consultation bodies (Historic England, the Environment Agency and Natural England) for their opinion. The 5 week consultation period ended on the 28<sup>th</sup> June 2019, with no objections being raised (See their responses, Appendix 3).
- 2.59 Based on the Screening Report, and taking into account responses from the statutory environmental bodies, it is **determined** by Cotswold District Council in accordance with SEA Regulation 9, as the 'responsible authority', that the Kemble and Ewen Neighbourhood Plan is unlikely to have significant environmental effects and is therefore 'screened out' i.e. that no Strategic Environmental Assessment is required.
- 2.60 In accordance with Regulation 106(1) of the Habitats Regulations, Cotswold District Council, as the 'competent authority,' also does not consider that an 'appropriate assessment' under Regulation 105 is required.
- 2.61 If the issues in the Neighbourhood Plan should change then a new screening may need to be undertaken. New development proposals will be determined in line with the Local and

2.1 <sup>21</sup> A neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan (NPPG, para 043).

Neighbourhood Plans, and may individually require screening for Environmental Impact Assessment (EIA) based on their type, scale and location.

- 2.62 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 1)

## Appendix 1

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 2

The conservation objectives of North Meadow and Clattinger Farm SAC can be found in full here: <http://publications.naturalengland.org.uk/publication/6299293463871488?category=5374002071601152>



### European Site Conservation Objectives for North Meadow and Clattinger Farm Special Area of Conservation Site Code: UK0016372

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

**Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;**

- **The extent and distribution of qualifying natural habitats**
- **The structure and function (including typical species) of qualifying natural habitats, and**
- **The supporting processes on which qualifying natural habitats rely**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

#### Qualifying Features:

H6510. Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)

Annex I habitats that are a primary reason for selection of this site

#### **6510 Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)**

North Meadow and Clattinger Farm in the Thames Valley in southern England is one of two sites representing **lowland hay meadows** near the centre of its UK range. As in the case of the Oxford Meadows, this site represents an exceptional survival of the traditional pattern of management and so exhibits a high degree of conservation of structure and function. This site also contains a very high proportion (>90%) of the surviving UK population of fritillary *Fritillaria meleagris*, a species highly characteristic of damp lowland meadows in Europe and now rare throughout its range.

(taken from JNCC, site selection data

<http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0016372>)

### Appendix 3

#### Consultation Responses

##### **Historic England 27/06/19**

Dear Jo

Thank you for your consultation on the SEA Screening Opinion for the emerging Kemble and Ewen Neighbourhood Plan.

This is our first involvement with the preparation of this Plan since we offered initial generic advice at the time of the area's designation in the autumn of 2015.

Having looked at the Informal Consultation Draft Plan I can confirm that there are no issues associated with the Plan which prompt our interest or attention and as such we therefore have no objection to the view that a full SEA is not required.

On this basis, and unless the draft Plan changes significantly as it progresses, we do not anticipate the need to comment on it on future consultation occasions.

Kind regards

David

David Stuart | Historic Places Adviser South West

Historic England | 29 Queen Square | Bristol | BS1 4ND

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

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##### **Environment Agency 24/05/19**

Dear Ms Corbett,

Thank you for consulting the Environment Agency on your screening report on the Draft Kemble and Ewen 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)

Thames Sustainable Places Team

**Environment Agency** | Red Kite House, Wallingford, OX10 8BD

[Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)

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## Natural England 10/6/19

Dear Joanne

### **Request for SEA/HRA Screening Opinion on the Draft Kemble and Ewen NDP**

Thank you for your consultation on the above dated 24 May 2019 which was received by Natural England on 24 May 2019

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 / Habitats Regulations Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (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 Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), 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.

### **Habitats Regulations Assessment**

Natural England agrees with the report's conclusions that the Kemble and Ewen Draft Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required. 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).

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Yours sincerely  
Jacqui Salt  
Consultations Team  
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**Gloucestershire County Council 01/07/19**

**Subject:** RE: Request for SEA/HRA Screening Opinion on Kemble and Ewen NDP

Thank you for forwarding this on to me. I have consulted internally and we do not feel this requires a full SEA/SA or HRA. Apologies for the late reply.

Rob