



Strategic Environmental Assessment Screening Report

Draft Datchet Neighbourhood Plan

April 2022

1. Introduction

- 1.1. This screening report will determine the need for the draft Datchet Neighbourhood Plan to require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessments of Plans and Programmes Regulations 2004.

2. Datchet Neighbourhood Plan

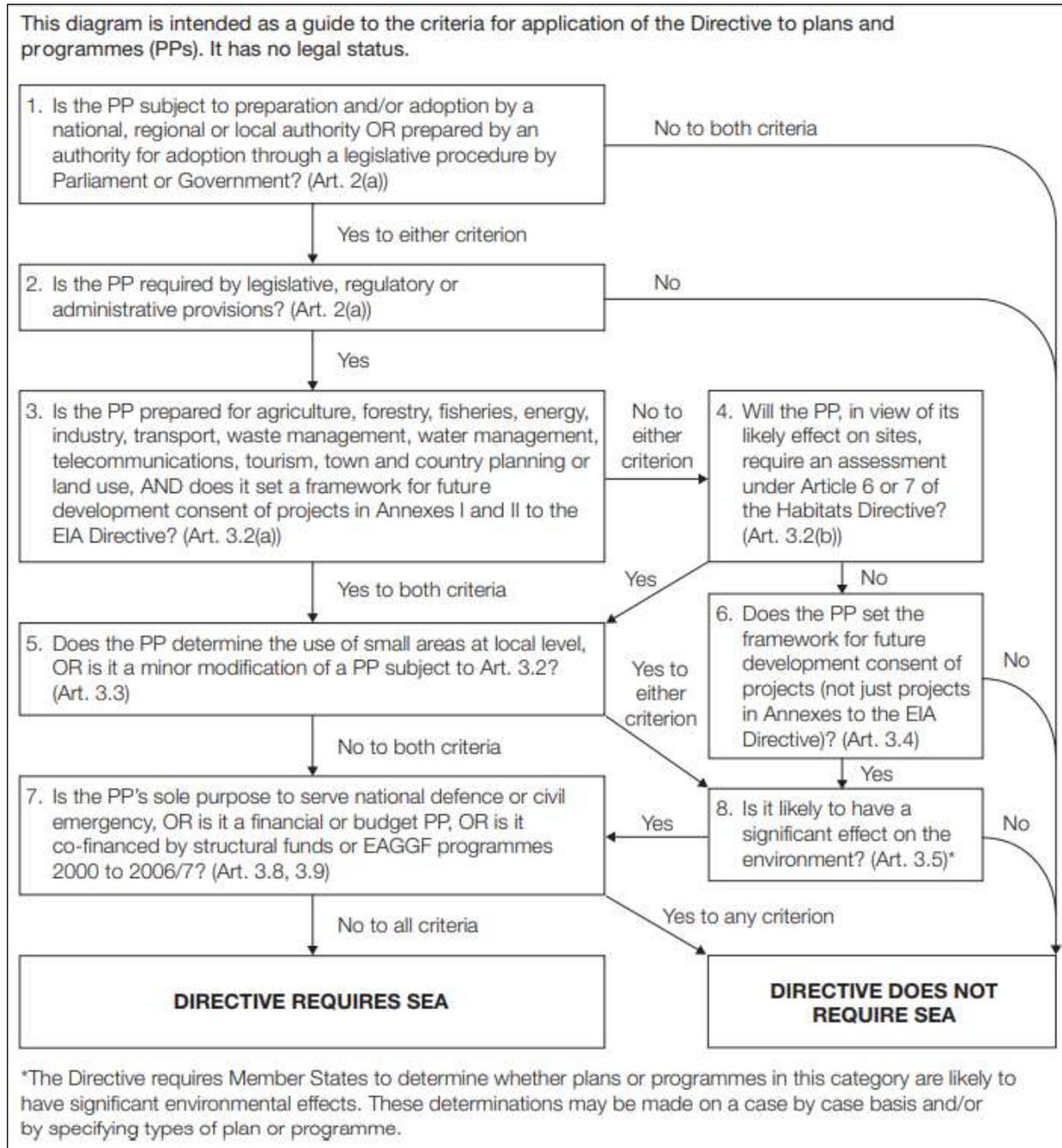
- 2.1. The draft Datchet Neighbourhood Plan presents an overarching vision for the village, followed by a subset of objectives; together with a range of land use policies that seek to encourage appropriate and sustainable development whilst protecting the character of the parish. The key topics covered by the policies are summarised below:
 - Housing
 - Heritage
 - Design
 - Green Space/Open Space
 - Built environment and community infrastructure
- 2.2. The draft Datchet Neighbourhood Plan does not set the level of development or allocate sites.

3. SEA Purpose and Screening

- 3.1. Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects must be subject to an environmental assessment.
- 3.2. As of 1st January 2021, to reflect the fact that the UK's departure from the EU was finalised from that date, EU directives have been amended in the UK so that they continue to operate effectively. For example, in terms of habitat regulations assessment, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) have both been altered. The changes ensure that the strict protections afforded to sites, habitats and species, as derived from the EU Habitats and Wild Birds directives, continue in the UK. There is more information available on these legislation changes at: www.legislation.gov.uk/eu-legislation-and-uk-law.
- 3.3. Screening is the process for determining whether an SEA is required. The screening process is undertaken in two parts: the first assesses whether the Neighbourhood Plan requires SEA, and the second part of the assessment considers whether the Neighbourhood Plan is likely to have a significant effect on the environment. To make a full determination three statutory bodies must be consulted: Historic England, Environment Agency, and Natural England.

3.4. The Environmental Assessment of Plans and Programmes Regulations 2004 came into force on 20th July 2004. The ODPM publication, 'A Practical Guide to the Strategic Environmental Assessment Directive' (2005), sets out the approach to be taken in order to determine whether SEA is required (figure 1).

Figure 1 - Application of the SEA Directive to plans and programmes



3.5. Table 1 below establishes the need for an SEA based on Figure 1.

Table 1 – Establishing the need for an SEA

Environment Regulations	Assessment of Neighbourhood Plan potential effects
<p><i>Question 1</i> Is the PP (plan or programme) 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))</p>	<p>Yes.</p> <p>The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011.</p> <p>Once the plan is ‘made’ by the RBWM as the Local Authority subject to passing an independent examination and community referendum, it will be adopted by RBWM and become part of the statutory development plan for the area.</p> <p>PROCEED TO QUESTION 2</p>
<p><i>Question 2</i> Is the PP required by legislative, regulatory, or administrative provisions? (Art. 2(a))</p>	<p>Yes.</p> <p>Communities are not required by legislative, regulatory or administrative provisions to produce a Neighbourhood Plan. However, once ‘made’, the Datchet Neighbourhood Plan would form part of the statutory development plan for the borough. It is therefore considered necessary to answer the following questions to determine whether an SEA is required.</p> <p>PROCEED TO QUESTION 3</p>
<p><i>Question 3</i> 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>Yes.</p> <p>The Datchet Neighbourhood Plan is prepared for town and country planning and land use. The plan sets out a framework for future development in the plan area, and once ‘made’ will form part of the statutory development plan. The plan does not allocate sites for development but will be used to inform decisions on planning applications.</p>

	PROCEED TO QUESTION 4
<i>Question 4</i> Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive (Art. 3.2(b))	No. The Neighbourhood Plan is not anticipated to have a detrimental impact on any European sites. The HRA and SA/SEA produced to support the adopted BLP is considered to be sufficient.
	PROCEED TO QUESTION 6
<i>Question 5</i> 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)	Not applicable. For information, the Neighbourhood Plan does not propose any site allocations for future development within the plan area, therefore it does not determine at what specific locations certain land uses will take place.
<i>Question 6</i> Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes. The Neighbourhood Plan will be used when determining relevant planning applications and will aim to ensure that development is of a high quality, in accordance with strategic policies in the adopted BLP.
	PROCEED TO QUESTION 8
<i>Question 7</i> Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	Not applicable
<i>Question 8</i> Is it likely to have a significant impact on the environment? (Art 3.5)	No. See Table 2 below.

- 3.4. This screening report follows the criteria found in Table 2 below, which is based on the criteria found in the European Directive 2001/42/EC Annex II.

Table 2 - Criteria assessment of Neighbourhood Plan potential effects

SEA Directive Criteria	Assessment of Neighbourhood Plan potential effects	Likely significant impact?
1. The characteristics of the 'plans and programmes' having regard to:		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Neighbourhood Plan would, if 'made', form part of the statutory development plan and would contribute to the local planning policy framework. The Neighbourhood Plan will form a material consideration in planning application decisions. However, it will not allocate sites for development. As such, the SA/SEA carried out by RBWM as part of the Borough Local Plan is considered sufficient.	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The Neighbourhood Plan is required to be in conformity with the Borough Local Plan (BLP) and the National Planning Policy Framework. The Neighbourhood Plan only provides policies for the area it covers, with the adopted BLP providing the necessary strategic context when determining planning applications.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Neighbourhood Plan is required to contribute to the achievement of sustainable development, minimising any effects on the environment. Policies within the Neighbourhood Plan will sit alongside those within the adopted BLP, which provides environmental protection and promotes sustainable development.	No
(d) environmental problems relevant to the plan or programme; and	There are several environmental issues to be considered in the BLP area including: potential impacts of development on natural and historic landscapes, climate change impacts including fluvial flooding risk, and potential loss of biodiversity. The Neighbourhood Plan does not propose more development than that outlined in the adopted BLP. As a result, the SA/SEA and Habitats Regulation Assessment carried out to support the adopted BLP are considered sufficient.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment	The Neighbourhood Plan is in conformity with the adopted BLP. The adopted BLP has had regard to the European Community legislation on the environment and therefore, this legislation will not be relevant to the Neighbourhood Plan.	No

(e.g., plans and programmes linked to waste management or water protection).		
2. Characteristics of the likely effects having regard (in particular) to:		
(a) the probability, duration, frequency, and reversibility of the effects;	The Neighbourhood Plan does not allocate sites for development. Any environmental impacts that may occur as a result of development within the area have been assessed accordingly in the evidence base produced to support the adopted BLP.	No
(b) the cumulative nature of the effects;	The cumulative effects of the Neighbourhood Plan are unlikely to be significant on the local environment given that the level of development does not exceed that within the adopted BLP.	No
(c) the transboundary nature of the effects;	Any potential significant transboundary environmental effects have already been assessed as part of the BLP Sustainability Appraisal, the Habitat Regulations Assessment (HRA) and the adopted BLP examination process.	No
(d) the risks to human health or the environment (e.g., due to accidents);	The Neighbourhood Plan poses no risk to human health.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude and spatial extent of any effects is not expected to be significant because of the localised nature of the Neighbourhood Plan. The effects of the Neighbourhood Plan will be at the local area scale and lower.	No
(f) the value and vulnerability of the area likely to be affected due to – (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or. (iii) intensive land-use; and	<p>The Neighbourhood Plan includes policies to enhance/protect natural and historic assets when considering future development and the overall impacts are unlikely to be significant.</p> <p>The Neighbourhood Plan does not promote greater residential development than is already set out in the adopted BLP, which also includes policies to mitigate the impacts of recreational pressures on SACs. The Neighbourhood Plan is unlikely to result in any exceedance of environmental quality standards, such as those relating to air, water and soil quality.</p> <p>The Neighbourhood Plan does not allocate site for future development, and therefore is unlikely to bring forward development that would lead to significant intensification of local land use.</p>	No

<p>(g) the effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>The Neighbourhood Plan is not expected to adversely impact on landscapes which have national, community or international protection. The BLP HRA Screening identified that only designated sites within 5km of proposals or plans may possibly suffer significant effects from the plan.</p> <p>The South West London Water Bodies SPA is within 5km of the Neighbourhood Plan boundary. However, the Neighbourhood Plan is in compliance with adopted BLP policy NR2 which ensures that designated sites of international and national importance will be maintained, protected and enhanced. The HRA produced to support the adopted BLP is considered to be sufficient. There will be no significant effects from the Neighbourhood Plan on the SAC.</p>	<p>No</p>
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4. Conclusion

- 4.1.1. The Council considers that the Datchet Neighbourhood Plan is unlikely to have significant environmental effects. The Neighbourhood Plan will need to be consistent with strategic policies within the Brough Local Plan which have themselves already been subject to Strategic Environmental Assessment and Habitat Regulation Assessment. Therefore, the Datchet Neighbourhood Plan does not itself need to be subject to SEA.