

**The Ivers Neighbourhood Plan
2020 – 2036**

**Strategic Environmental Assessment Screening
Opinion**

FEBRUARY 2021

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1. Introduction

- 1.1 This screening statement considers whether the contents of the Ivers Neighbourhood Plan (“the Neighbourhood Plan”) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. It is the responsibility of the local planning authority, Buckinghamshire Council (“Bucks Council”), to determine if the Directive is engaged by the provisions of the Neighbourhood Plan. It is then the responsibility of the Ivers Parish Council (“the Parish Council”), as the ‘qualifying body’ that is bringing forward a plan proposal, to undertake the SEA and to prepare an ‘environmental report’ if required. This screening opinion has been prepared by O’Neill Homer Ltd, professional planning consultants, as agreed with Bucks Council and the Parish Council.
- 1.2 The screening process is based upon consideration of standard criteria to determine whether the plan is likely to have “significant environmental effects”. The result of the process is detailed in this Screening Opinion.
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4 provides a screening assessment of the likely significant environmental effects of the emerging Neighbourhood Plan to establish whether there is a need for a Strategic Environmental Assessment.
- 1.4 The main consideration as to whether an SEA is required on a Neighbourhood Plan is if it is likely to have a significant effect on the environment. Neighbourhood Plans containing land allocations for development that are not included in the local authority’s plan, are likely to require SEA. Neighbourhood Plans which do not contain such allocations (or simply reflect allocations already identified as part of a local authority plan) are less likely to require SEA.
- 1.5 The purpose of the Ivers Neighbourhood Plan (INP) is to establish a planning framework for the development and use of land within the parish of Iver. The INP will cover the whole of the Parish of Iver. There are no site allocations within the neighbourhood plan.
- 1.6 The neighbourhood area was designated by the former local planning authority, South Bucks District Council (now Buckinghamshire Council (‘Bucks Council’)) on 18 November 2016. A working version of the draft Neighbourhood Plan has informed the informal screening opinion.

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’¹.

¹ ‘A Practical Guide to the Strategic Environmental Assessment Directive’ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance> (ODPM 2005)

2.2 The Planning and Compulsory Purchase Act 2004 requires Sustainability Appraisals (SA) to be produced for all Local Development Documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

2.3 Although an SA cannot be made a requirement of a Neighbourhood Plan, one of the 'Basic Conditions' on which the plan is examined, is that the plan "contributes to the achievement of sustainable development". The SA process is an established method and a well-recognised 'best practice' method for doing this. It may therefore be advised, where an SEA is identified as a requirement, an SA should be incorporated with an SEA, at a level of detail that is proportionate to the content of the Neighbourhood Plan.

3. Criteria for Assessing the Effects of Neighbourhood Plans

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below².

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,

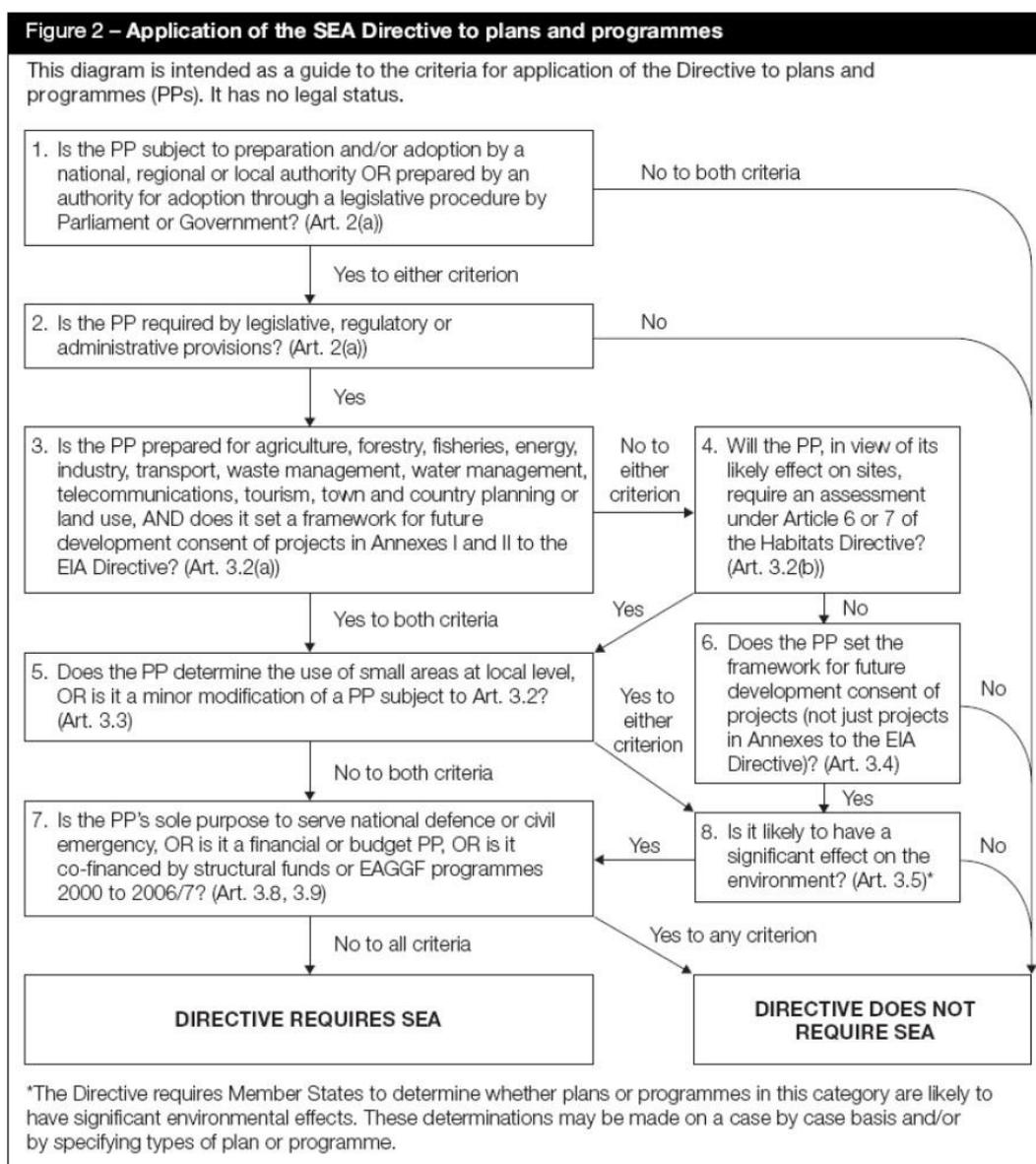
² Source: Annex II of SEA Directive 2001/42/EC

- the effects on areas or landscapes which have a recognised national, Community or international protection status.

4. Assessment

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

4.2 The three statutory consultation bodies (Historic England, Environment Agency and Natural England), as well as Bucks Council, will be consulted to determine whether they agree with the conclusion of the informal screening opinion, in establishing whether the INP requires an SEA and whether it may have a ‘significant environmental effect’. The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



4.3 Set out below is a summary of the INP followed by a table which shows the assessment of whether the INP will require an SEA. The questions in the table are drawn from the diagram above which sets out how the SEA Directive should be applied.

Summary of the Neighbourhood Plan	
Name of the Plan	The Ivers Neighbourhood Plan
Geographic coverage of the Plan	The Parish of Iver
Key topics/scope of the Plan	To retain and enhance the unique character of each settlement within the Parish whilst delivering sustainable growth within development constraints identified for each village.
Key issues	<ul style="list-style-type: none"> ▪ To protect the semi-rural environment and the Green Belt ▪ Protect the current townscape character of each settlement ▪ Preserve and enhance the Parish's heritage assets ▪ Improvement of vital community infrastructure ▪ Protect and enhance the most valued open spaces used by the community ▪ Protect and improve the quality and connectivity of green infrastructure assets with an emphasis on providing safe and attractive walking and cycling routes within and between settlements ▪ Encouraging measures to prevent further deterioration of existing poor air quality ▪ To encourage eco-building practices and the re-planting of trees and hedges

Screening Assessment 1: Establishing the need for an SEA

Stage	Y/ N	Reason
1. Is the plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The Town and Country Planning Act 1990 (as amended) makes provisions for the preparation and adoption of a Neighbourhood Plan. The Neighbourhood Plan is being prepared by the Parish Council (as the 'qualifying body') and will be 'made' by Bucks Council (as the Local Planning Authority) following a successful referendum as set out by the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (referendums) Regulation 2012 (as amended). GO TO STAGE 2
2. Is the plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	As per the Town and County Planning Act 1990 (as amended) Neighbourhood Plans are not mandatory and there is no obligation on the Parish Council to bring forward a plan proposal. GO TO STAGE 3
3. Is the plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N/A	The Neighbourhood Plan is being prepared for town and country and land use 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)) therefore: NOT APPLICABLE
4. Will the plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive (HRA)? (Art. 3.2 (b))	N	The neighbourhood plan area does not include any Natura 2000 sites (Special Areas of Conservation or Special Protection Areas). However, a very small part of the parish lies within the 5.6km Zone of Influence of the Burnham Beeches SAC. Bucks Council has concluded that additional homes built over 500 metres and up to 5.6 kilometres from the boundary of the Beeches will need to contribute financially to education, monitoring and survey projects to help reduce any likely harm to the Beeches and are set out in the Burnham Beeches SAC supplementary planning document (SPD) adopted in November 2020. The Neighbourhood Plan does not allocate sites for future development and the provisions of the adopted SPD will continue to apply to development coming forward within 500m and up to 5.6km of the Burnham Beeches SAC. It is therefore unlikely that an HRA will be necessary.

<p>5. Does the plan determine the use of small areas at local level, OR is it a minor modification of a plan subject to Art. 3.2? (Art. 3.3)</p>	<p>N</p>	<p>Given the existing strategic planning context and the absence of a true indicative housing number means that it will be difficult for this Neighbourhood Plan to effectively anticipate its quantum of housing growth. In addition to this, there are no provisions for Neighbourhood Plans to make detailed amendments to Green Belt boundaries in this location at this time (as per paragraph 136 of the NPPF). There are a number of proposals made or instigated in the Parish, including major development schemes at Pinewood, a new service station on the M25 and infrastructure projects. Given the scale of proposals continuing to come forward in the parish, the Parish Council will commit to an early review of the plan to deal with the matter of housing growth.</p> <p>This version of the INP intends to set out the principles by which any future change of use and redevelopment of some of forthcoming projects in the meantime should be considered. In such cases, it does not seek to make the exceptional circumstance case for the release of the Green Belt land, but as with other policies, should that case be made in the future, the INP puts down some essential markers to make a successful, sustainable development. The INP also seeks to designate Local Green Spaces though they would not change the current use of open land.</p>
<p>6. Does the plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>N</p>	<p>Whilst the Neighbourhood Plan sets a non-strategic policy framework for future development consents of projects which may come forward it does not make any allocations.</p>
<p>7. Is the plans sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>N/A</p>	<p>The purpose of the Neighbourhood Plan is not for any of the projects listed in Art 3.8, 3.9. NOT APPLICABLE</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>N</p>	<p>It is anticipated that there will be no likely significant effects on the environment (see Assessment 2: Likely significant effects on the environment (Stage 8)).</p>

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

SEA Directive criteria and Schedule 1 of the Environmental Assessment of plans and Programmes Regulations 2004	Y/ N	Reason
1 (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	N	The Neighbourhood Plan will, if 'made', form part of the statutory development plan. As such, it will contribute to the framework for development consents of projects. The INP does not allocate any specific development sites.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	N	The Neighbourhood Plan, where possible, will respond to, but is unlikely to influence, other plans or programmes beyond the designated Area. A Neighbourhood Plan can only contain non-strategic policies for its Area, and it must be in general conformity with the strategic policies of the South Bucks District Local Plan adopted in March 1999 and the South Bucks Core Strategy adopted February 2011 and have regard to national policies and advice. None of the policies in the Neighbourhood Plan are likely to have a direct impact on other plans in neighbouring areas but may have a limited influence over the formation of future strategic policies.
1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	N	The INP recognises the importance of the surrounding environment and the protection and enhancement of green infrastructure and heritage within the neighbourhood area is particularly important. It is considered that the Neighbourhood Plan will have a positive impact on local environmental assets and places valued by local people in the Neighbourhood Area which is reflected in the scope of the plan and key issues it seeks to address.
1(d) environmental problems relevant to the plan	N	The preparation of the INP will need to consider the impact of proposals on heritage assets, the whole of the Parish designated as an Air Quality Management Area (AQMA), the whole of the Parish lying within the Colne Valley Regional Park, and flood risks. The INP seeks to preserve and enhance its heritage assets, encourages measures to prevent further deterioration of existing poor air quality, and intends to adopt the detailed strategy of the Colne Valley Regional Park to improve the functionality of green infrastructure assets within the Parish, including water/wetland opportunities.

		Given the approach to preserve and enhance environmental assets and as there are no development sites proposed to be allocated there is unlikely to be any significant impact.
1 (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	N	The INP is being prepared to be in general conformity with the strategic policies of the development plan and to have full regard to national policy and advice. The reasoning and evidence base of the emerging new Bucks Local Plan will also inform the Plan. The plan has no relevance to the implementation of Community legislation but will need to take the impact of the Water Framework Directive into account.
2 (a) the probability, duration, frequency and reversibility of the effects	N	As the INP is not proposing to allocate any specific development it is unlikely that there will be irreversible damaging environmental impacts that will arise from the provisions of the INP.
2 (b) the cumulative nature of the effects	N	It is highly unlikely there will be any negative cumulative effects of the policies, rather it is likely it will have moderate positive effects. Any impact will be local in nature.
2 (c) the trans boundary nature of the effects	N	There are no transboundary effects of the INP with other European states.
2 (d) the risks to human health or the environment (e.g. due to accidents)	N	There are unlikely to be any risks to human health or to the environment as a result of the INP.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	N	The INP covers the parish of Iver Neighbourhood Area which has approximately 4471 dwellings (2011 census) and an area of 1774 ha.
2 (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 intensive land-use	N	The INP is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. If anything, it will provide greater policy support to sustain and enhance heritage and green infrastructure assets. The INP is also likely to include policies to manage the design of new development coming forward within the area which will help protect the character of the settlements.
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	N	The whole parish lies within the Colne Valley Regional Park. There are no SSSI's in the Parish, but much of the Parish lies within SSSI Impact Risk Zones from SSSI's in adjoining areas. There is one Conservation Area, The Iver Conservation Area. As the INP does not propose to allocate any development, it is unlikely to have any significant effects.

5.0 Screening Summary

- 5.1** The relevant statutory consultees - Natural England, Historic England and the Environment Agency – including Bucks Council, have been consulted on the contents of this report, see Appendix A.
- 5.2** Having reviewed the intentions of the INP against the criteria, it is concluded that, as the INP does not allocate any specific sites for future development, the plan is unlikely to have a significant effect on the environment and an SEA is not required.

From: David Waker [REDACTED]
Sent: 10 February 2021 17:34
To: [REDACTED]
Subject: Iver Neighbourhood Plan SEA Screening

Leani

[REDACTED]

include the relevant text from their e mails below

Environment Agency

Thank you for consulting us on your draft SEA screening opinion for Iver Parish neighbourhood plan.

We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. Based on our review of the environmental constraints affecting your neighbourhood plan area and for which we are a statutory consultee, we think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

We have identified that the neighbourhood plan area will be affected by the following environmental constraints:

Flood risk

The neighbourhood plan lies within areas of flood zones 2 and 3.

Main rivers

The River Colne runs through the East of the Neighbourhood plan area.

Source Protection Zones /Aquifers

Your plan includes areas which are located within Source Protection Zone 3 and on Principal aquifers. These areas represent the most sensitive and highest risk in terms of potential pollution to protected groundwater supplies, some of which are used for drinking water. These should be considered within your plan if growth or development is proposed here.

The relevance of the designation and the potential implication upon development proposals should be considered with reference to our Groundwater Protection guidance: <https://www.gov.uk/government/collections/groundwater-protection>

Your plan area includes historic landfill sites located on Principal aquifers and within Source Protection Zone 3. If considering the redevelopment of this land, we recommend that developers:

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Refer to the Thames River Basin Management Plan
- Refer to our website at www.gov.uk/environment-agency for more information.

Further Sources of Information

For your information, 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:

<https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

On the basis that future development is steered away from the sensitive aspects of the environment highlighted in my previous email, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to cover the management of flood risk.

Historic England

On the basis of the information below and in the attachments provided and without prejudice to comments

we may wish to make on individual planning applications, I am happy to confirm that we agree that the neighbourhood plan is unlikely to have any likely significant environmental effects within areas of interest to Historic England. As such we agree that it does not merit an SEA.

I hope these comments are of assistance to the Council and steering group.

Natural England

Thank you for your consultation on the above dated 23rd December 2020 which was received by Natural England on the same day.

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.

Based on the plan submitted, Natural England agree with the assessment that the Neighbourhood Plan does not require an SEA.

Should the proposal change, please consult us again.

Essentially the statutory bodies agree the screening report and that no SEA is required

regards

David Waker

Senior Planner (Policy)
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