

**Strategic Environmental Assessment (SEA) Screening Opinion for St Neots  
Neighbourhood Plan**

The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes requires an environmental assessment to be made of certain plans or programmes. The objective of SEA, as defined in the Government’s guidance on strategic environmental assessment, is “to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of plans....with a view to promoting sustainable development” (Article 1). The SEA Directive has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

St Neots Town Council has prepared a draft Neighbourhood Plan. The Neighbourhood Plan will not result in any significant environmental effects and hence a SEA is not required. This paper sets out the Town Council’s thoughts on SEA and St Neots Town Council respectfully request that Huntingdonshire District Council issues a formal screening opinion following consultation with the statutory environmental bodies.

The first table explains why an SEA is not required. The second table supports this explanation and shows how the Town Council has systematically reached its conclusion.

**Table 1. SEA Screening Determination**

Environmental Regulations Paragraph	SEA Requirement	Comments
2	Is the plan: (a) subject to preparation or adoption by an authority at national, regional or local level; or (b) prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case, (c) required by legislative, regulatory or administrative provisions?	Yes, the plan is prepared by St Neots Town Council and will be made by Huntingdonshire District Council.
5(2)	Is the plan (a) prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and does it (b) sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC(9)?	Yes, the plan is prepared for town and country planning purposes and sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (urban development projects).

4(c)	Is the plan or programme likely to have significant environmental effects?	No, the plan does not allocate land for development and so is unlikely to lead to significant environmental effects. The plan is topic based and is likely to lead to positive social, environmental and economic effects but these will not be significant.
6	Does the plan (a) determine the use of a small area at local level; or (b) is a minor modification to a plan or programme of the description set out in either of those paragraphs?	(a) No, the plan does not determine the use of an area of land. (b) For the purposes of the SEA Regulations, the plan is effectively a minor modification to the Huntingdonshire District Core Strategy by building on the planning policies contained within that document.
5(3)	Has it been determined that the plan requires an assessment pursuant to Article 6 or 7 of the Habitats Directive?	No (see next section).
St Neots Town Council considers that the St Neots Neighbourhood Plan is not likely to have significant environmental effects and consequently a Strategic Environmental Assessment (SEA) is not required. The criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 has been taken into account in reaching this conclusion.		

***Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004 - Criteria for determining the likely significance of effects on the environment:***

**Table 2. Likely significant effects**

SEA Requirement	Comments
<b>1. The characteristics of plans and programmes, having regard, in particular, to -</b>	
(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 plan is topic based and will be applied within St Neots. However, it will not directly influence the location, nature and scale of development proposals.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The plan sits in a hierarchy and must be in conformity with strategic policies in the development plan. It is unlikely to influence other plans and programmes.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The plan will promote sustainable development and this is detailed in the Sustainability Assessment. However, it will not have any significant impacts on environmental issues.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	This plan has no relevance to the implementation of Community legislation.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -</b>	

(a) the probability, duration, frequency and reversibility of the effects;	The plan sets out the Town Council's requirements for the achievement of sustainable development. It is likely that positive environmental, economic and social effects will occur through the plans implementation. However, these effects are very unlikely to be significant. Effects are likely throughout the 15 year plan period (2014-2019). No negative effects are likely, however if any unintended consequences occur the Town Council reserve the right to review the plan.
(b) the cumulative nature of the effects;	The cumulative effect of this plan and Huntingdonshire's Core Strategy and emerging Local Plan will likely lead to sustainable development in St Neots.
(c) the transboundary nature of the effects;	There are no transboundary effects; this plan applies to Colchester Borough only.
(d) the risks to human health or the environment (for example, due to accidents);	The plan poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The town of St Neots will be affected by this plan.
(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	The built, natural and historic environment will not be significantly affected by this plan.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No effects to areas of high quality landscape will occur as a result of this plan.
<b>Conclusion</b>	
The St Neots Neighbourhood Plan will result in positive environmental, economic and social effects. However, as the plan does not allocate land for development and is effectively a minor modification to the Huntingdonshire Core Strategy it will not affect the location, scale and nature of development. Therefore, an assessment of the significant environmental effects of the SPD under the SEA Directive and Environmental Assessment Regulations is not required.	

## **Habitat Regulations Assessment Screening**

The Habitats Regulations Assessment of land use plans relates to Special Protection Areas (SPAs), Special Areas of Conservation (SAC) and Ramsar Sites. SPAs are sites classified in accordance with Article 4 of the EC Directive on the conservation of wild birds (79/409/EEC), more commonly known as the Birds Directive. They are classified for rare and vulnerable birds, listed in Annex I to the Birds Directive, and for regularly occurring migratory species. SACs are classified in accordance with EC Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Article 3 of this Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive. These sites are known as the Natura 2000 network and are commonly referred to as European sites. Ramsar Sites are designated under the International Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention, Iran 1971 and amended by the Paris Protocol 1992). Although Ramsar Sites are not protected in law by the Birds and Habitats Directives as a matter of policy government has decreed that unless otherwise specified procedures relating to SPAs and SACs will also apply to Ramsar Sites. Therefore the term 'international sites' is used to refer to all three of these designated sites.

On 20 October 2005 the European Court of Justice ruled that the UK had failed to transpose the Habitats Directive into UK law in the proper manner. Land use plans were incorrectly described under the UK Habitat Regulations as not requiring an appropriate assessment to determine the impacts of the plan on sites designated under the Habitats Directive and Birds Directive (under Regulation 48 appropriate assessments are required for a plan or project, which either alone or in-combination with other plans or projects, is likely to have a significant impact on an international site).

The St Neots Neighbourhood Plan will only result in positive effects within St Neots. There are no Natura 2000 sites within St Neots and accordingly an appropriate assessment is not required. No cumulative effects with other plans or programmes are likely as the St Neots Neighbourhood Plan does not allocate land for development and so will not lead to issues in terms of increased recreational disturbance, water resources or water quality.