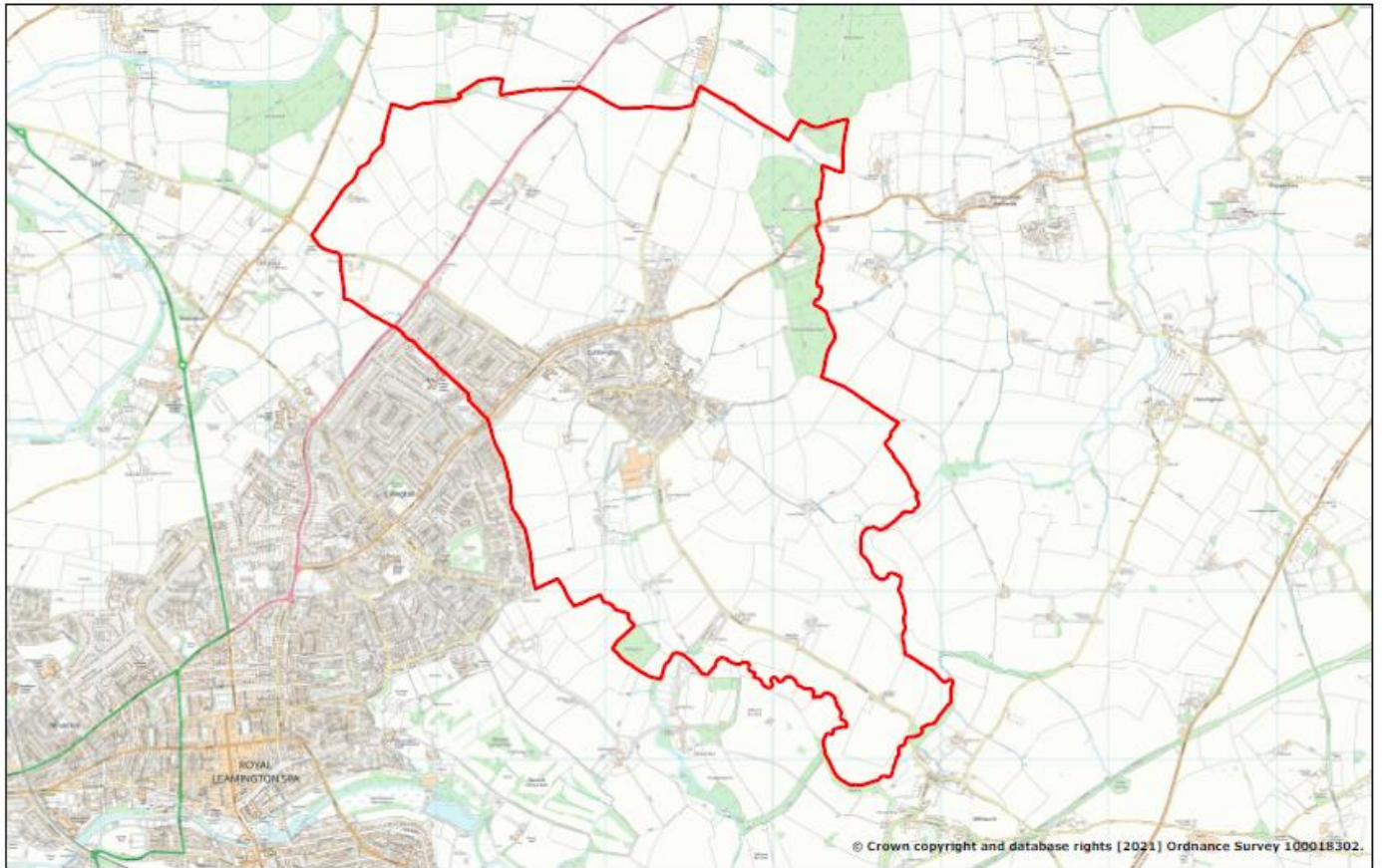



Cubbington Neighbourhood Plan

**Strategic Environmental Assessment
Screening Opinion**

September 2023
Updated November 2023
(following responses from Statutory Consultees)

Cubbington Neighbourhood Plan Strategic Environmental Assessment Screening Report



 <p>WARWICK DISTRICT COUNCIL Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ</p>	<p>Cubbington Parish</p>	<p>Scale: 1:20000 @A3 Drawn By: GIS Date: 16/06/2021</p>	<p>Scale 0 250 500 750 1000 1250 m</p> 
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Designated Cubbington Neighbourhood Area

Cubbington Neighbourhood Plan Strategic Environmental Assessment Screening Report

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Cubbington Neighbourhood Plan Strategic Environmental Assessment Screening Report

1. Introduction

- 1.1 This screening report is to determine whether Cubbington 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.
- 1.2 The purpose of the Cubbington Neighbourhood Plan is to provide locally derived and agreed guidance which will help inform planning decisions and shape the future of Cubbington, and other land and property interests within the designated Neighbourhood Plan Area.
- 1.3 The legislative background set out below outlines the regulations that stipulate the need for this screening exercise. Section 3 provides a screening assessment of the Cubbington Neighbourhood Plan which will be used to determine if there are likely to be any significant environmental effects and a requirement for a full SEA.

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.
- 2.2 Sustainability Appraisal (SA) is a legal requirement for Development Plan Documents but not for Neighbourhood Development Plans. This is because they are not 'Local Plans', or Development Plan Documents as defined by the 2004 Planning Act. Neighbourhood Development Plans have their own designation as "Neighbourhood Development Plans" produced by qualifying bodies under the Localism Act. Even when a Neighbourhood Development Plan is made by a local authority following a successful referendum, and it becomes part of the Development Plan it does not change its designation into a Development Plan Document (this does not mean it has any less status in terms of decision making though).
- 2.3 Whether a Neighbourhood Plan requires a Strategic Environmental Assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft Neighbourhood Plan. A Strategic Environmental Assessment may be required, for example where:
- a Neighbourhood Plan allocates sites for development which may have environmental impacts.

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- the Neighbourhood Plan 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 for the area.

3.1 When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult English Heritage, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require a SEA) it should prepare a statement of its reasons for the determination.

3. Assessment

Neighbourhood Plan Screening Table/ Report

A: Summary of Plan

Details of Neighbourhood Plan	
Name of Neighbourhood Plan	Cubbington Draft Neighbourhood Plan
Geographic Coverage of Plan	Cubbington Parish Area
Key topics / scope of plan	<p>The Cubbington Neighbourhood Plan aims to identify the expectations and aspirations of Cubbington residents for the future protection of the Parish's environment, community, housing, employment, transport and leisure facilities.</p> <p>The draft Plan includes policies that address the following areas:</p> <ul style="list-style-type: none"> • Protecting Local Green Space • Protecting Other Green Spaces • Sustainable Design and Construction • Conserving and Enhancing the Landscape • Cubbington Conservation Area • Protection and Enhancement of

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	<p style="text-align: center;">Community Facilities</p> <ul style="list-style-type: none"> • Community Infrastructure
Key issues	<p>Key issues/ objectives that the Plan is seeking to address include:</p> <p>Objective 1 - To protect and enhance green spaces.</p> <p>Objective 2 - To ensure any new development creates high quality, beautiful and sustainable buildings and places that reinforce the identity of Cubbington and the surrounding countryside.</p> <p>Objective 3 - To conserve and enhance the natural environment and built heritage assets of the area.</p> <p>Objective 4 - To protect and enhance local community facility provision.</p> <p>Objective 5 - To ensure any new development is of a proportionate scale and supported by sufficient infrastructure so that it minimises impact on Cubbington’s existing communities.</p>
Date Screening opinion requested	14/07/2023
Person requesting screening opinion	Cllr Paul Watkins – Cubbington Parish Council

B: Local Authority Details

Local Authority Details	Warwick District Council
Name and Job Title of officer producing Screening Opinion	Aspia Jannat - Planning Officer
Date of Assessment	11 September 2023
Conclusion of assessment - Is an SEA required Y / N	No
Reason for conclusion	The characteristics of the Cubbington

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	<p>Neighbourhood Plan and their likelihood for causing significant effects on the environment have been assessed. It is considered that:</p> <ul style="list-style-type: none">• The scale and location of housing development allocation proposed in the Neighbourhood Plan replicate those that have already been set out and subject to the SA of the adopted Local Plan (Warwick District Local Plan – adopted in September 2017). Given this, and the scope of other environmental matters/ policies within the neighbourhood plan (also subject to consideration in the Local Plan), it is considered unlikely that there will be any significant environmental effects arising from the Neighbourhood Plan that were not given detailed consideration in the Sustainability Appraisal of the Warwick District Local Plan – adopted in September 2017.• The plan sets a framework for the consideration of a range of matters at the local level that due to their size, nature and location will not cause rise to significant environmental effects that have not already been assessed through the Local Plan process.• It is considered unlikely that the housing considerations set out within the Cubbington Neighbourhood Plan will have such an influence on other plans and programmes to prejudice their sustainability/ cause significant environmental effects. This plan does not make any new allocations.• The Cubbington Neighbourhood Plan ensures that any matters pertaining to the natural and historic environment are carefully considered in future decisions.• It is not considered that the scale of development proposed and issues to
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	<p>be addressed by the plan will have any transboundary environmental effects of a significant nature, that haven't been considered through the Local Plan process.</p> <ul style="list-style-type: none"> • The Cubbington Neighbourhood Plan will help inform / shape planning decisions to ensure that there are no significant effects (individually or cumulatively) on the recognised special characteristics of the conservation area and its buildings of historic value. • To conclude / summarise: It is the opinion of this screening opinion/ report that the Cubbington Neighbourhood Plan does not require a full SEA to be undertaken.
Name and Job Title of officer approving Screening Opinion	Philip Clarke – Head of Place, Arts & Economy
Date of approval	03 November 2023

C: Summary of Consultation

	Summary of Comments
Environment Agency Dated: 16 November 2023	Having reviewed the Screening Report submitted, and in consideration of the matters within our remit, we concur with the conclusion that, given the lack of specific site allocations within the Neighbourhood Plan, the Cubbington Neighbourhood Plan is unlikely to have significant environmental impacts and a Strategic Environmental Assessment is not therefore required.
Natural England	It is Natural England's advice, on the basis of the material supplied with the consultation,

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<p>Dated: 15 November 2023</p>	<p>that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.</p> <p>The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection area (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.</p>
<p>Historic England Dated: 17 November 2023</p>	<p>For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.</p> <p>Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.</p> <p>Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.</p> <p>The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made.</p>

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D: Assessment

Stage	Y / N	Reason
1. Is the plan or programme subject to preparation / 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 preparation and adoption of the NP is allowed under Town and Country Planning Act 1990 amended by the Localism Act 2011. This is a Neighbourhood Plan that is being prepared by a qualifying body (Cubbington Parish Council) under the Localism Act 2011. The preparation of the NP is subject to The Neighbourhood Planning (General) regulations 2012 and The Neighbourhood Planning (referendums) Regulation 2012. Once independently assessed and subjected to a referendum, it will need to be formally adopted by the Local Planning Authority. Upon adoption, Neighbourhood Plans are statutory planning documents. They will form part of the Local Development Framework and will have significant weight in planning decisions.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The neighbourhood plan is not a mandatory requirement under the provision of the Town and Country Planning Act as amended by the Localism Act 2011. It is being prepared voluntarily at the discretion / choice of the local qualifying body (The Parish Council) in line with the provisions of the Localism Act. However it will form part of the Adopted Local Plan.
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 plan is prepared for land use. Proposed use: Annex I- Not applicable (as no significant effects identified) Annex II- See sections 4 and 8 (below) The Plan will inform the determination of planning applications (a form of development consent)

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<p>4. 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))</p>	<p>N</p>	<p>No, the policies in the Plan are criteria based and unlikely to have an impact on the designated sites. Therefore, the Cubbington Neighbourhood Plan does not require an assessment under Article 6 or 7 of the Habitats Directive.</p>
<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)</p>	<p>Y</p>	<p>The Neighbourhood Plan contains policies that support small scale development, recreation, employment and economic development. The NP sits within the framework of Adopted Local Plan and will help set the framework for localised projects which will have limited resource implications.</p>
<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)</p>	<p>Y</p>	<p>Once adopted, Neighbourhood Plan will be considered in giving planning consent to a wide range of development proposals as it will be a statutory planning document.</p>
<p>7. 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)</p>	<p>N</p>	<p>The NP does not fall into any of the criteria listed.</p>
<p>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>N</p>	<p>The Neighbourhood Plan must be prepared in conformity with the Local Plan. The Local Plan has been subjected to a detailed SA which is considered compliant with European Directive 2001/42/EC the Strategic Environmental Assessment Directive. A Habitats Regulation Assessment (HRA) of the Local Plan has also been produced and reported on separately that is also considered relevant in the assessment of the environmental effects of the Cubbington Neighbourhood Plan. No specific development is</p>

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		proposed through the plan and no land is allocated for development. It can be considered that the plan would not have a significant effect on landscape, heritage assets, biodiversity.
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4 Screening Outcome

4.1 As a result of the screening assessment in section 3, it is considered unlikely there will be any significant environmental effects arising from the Cubbington Neighbourhood Plan that were not addressed in the Sustainability Appraisal of the Local Plan. As such, it is considered that the Cubbington Neighbourhood Plan does not require a full SEA to be undertaken.