



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

Screening Report

**Draft Modified Witchford Neighbourhood Plan
Strategic Environmental Assessment & Habitats Regulation
Assessment**

July 2024

**(Updated August 2024, post
consultation)**

On behalf of Witchford Parish Council in relation to the emerging Draft Modified Witchford Neighbourhood Plan

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| Date of assessment: | 4 July 2024 |
| Date/ version of neighbourhood development plan to which Preliminary Screening Report applies: | Draft Modified Witchford Neighbourhood Plan "May 2024 post-regulation 14 consultation version 2", anticipated to be submitted later in 2024. |

1.0 Introduction

- 1.1. Witchford parish already has a made Witchford Neighbourhood Plan (2020). The local parish council is proposing to retain that plan, but modify it by adding additional policies to it.
- 1.2. For a new or modified plan to be 'made', a Neighbourhood Plan must meet certain Basic Conditions. These include that the making of the plan "*does not breach, and is otherwise compatible with, EU obligations.*" One of these obligations relates to Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.
- 1.3. This is often referred to as the **Strategic Environmental Assessment (SEA)** Directive. The SEA Directive seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. The SEA Directive is transposed into English law through the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations') and it is these regulations that a plan will need to be compatible with.
- 1.4. The UK left the EU on 31st January 2020. Under the UK-EU withdrawal agreement, a transition period ended on 31st December 2020, during which time all EU law continued to apply to the UK. During the transition period the UK needed to continue following domestic law that implements EU law, or directly applicable EU law that is given effect through the EUWA 2018. Beyond the transition period, the SEA Regulations will continue to apply as before unless and until new legislation is introduced.
- 1.5. A key stage in the neighbourhood planning process is determining whether SEA is required. The process for deciding whether SEA is necessary is referred to as 'screening'.
- 1.6. SEA is a process with specific documents that are consulted on and considered through the decision-making process. Failure to adhere to the process and generate the required documents may increase the risk of legal challenge to the adoption of that plan.
- 1.7. The SEA Regulations set out a series of sequential steps that must be undertaken as part of any SEA. Article 3(5) of Directive 2001/42/EC details the criteria for determining whether plans are likely to have significant environmental effects. These criteria are outlined in **Appendix 1**.
- 1.8. The (former) Department of the Environment produced a flow chart diagram¹ which sets out the process for screening a planning document to ascertain whether a full SEA is required. The flow chart diagram is provided in **Appendix 2**.
- 1.9. More recently, the national Planning Practice Guide reflects the SEA Regulations in a six-stage flowchart process for undertaking SEA for a Neighbourhood Plan (see **Appendix 3**).
- 1.10. These various pieces of law and guidance have been used to help prepare this report.
- 1.11. To decide whether a SEA is required for a modified neighbourhood plan, East Cambridgeshire District Council (ECDC) needs to consider the following sorts of issues:
 - How the **new** policies in the modified plan might affect the environment, community or economy.
 - Whether the **new** policies are likely to adversely affect a "sensitive area", such as a European Site (Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar) or a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR) etc.
 - Whether the **new** policies propose a higher level of development than what is set out in the existing development plan (with that existing plan having already been assessed by the SEA or Habitats Regulations Assessment (HRA) for that plan).
 - Whether the implementation of the **new** policies is likely to lead to new development.
 - Whether the cumulative impact of the **new** policies taken together may give rise to a significant effect.

¹ Department of the Environment, A Practical Guide to the Strategic Environmental Assessment Directive (2005)

- 1.12. For the avoidance of doubt, all policies in the current made (or adopted) Witchford Plan (2020) are excluded from this process, as they are not proposed to be amended and will continue to be in place irrespective of whether the new proposed policies proceed to completion and adoption. Only the proposed new policies are the focus of assessment in this report.
- 1.13. Not every Neighbourhood Plan will need SEA. However, when a parish council submits a plan proposal to the Local Planning Authority (LPA) it is mandatory to provide, either:
- a statement of reasons as to why SEA was not required; or
 - if SEA is required, an Environmental Report (a key output of the SEA process).
- 1.14. As a rule of thumb, SEA is more likely to be necessary if both of the following two elements apply:
- a Neighbourhood Plan allocates sites for development (for housing, employment etc.); **and**
 - the neighbourhood area contains sensitive environmental assets (e.g., SSSI or an Area of Outstanding Natural Beauty) that may be affected by the policies and proposals in the Neighbourhood Plan.
- 1.15. In light of these two considerations, it is very unlikely that a Neighbourhood Plan would require SEA if the plan was not allocating land for development (which isn't already allocated or with consent). This is because allocating land for development is more likely to generate physical changes which lead to significant effects.
- 1.16. However, this Screening Report is not just about SEA. Another element of the Basic Conditions relates to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, often referred to as the **Habitats Directive**. Under the Habitats Regulations which implement the Directive, an assessment referred to as 'an appropriate assessment' must be undertaken if the plan in question is likely to have a significant effect on a European protected wildlife site. European sites refer to the UK network of protected areas covering the most valuable and threatened species and habitats.
- 1.17. A decision by the European Court of Justice (ECJ) (*People Over Wind & Sweetman vs. Coillte Teoranta*) in April 2018 has had a significant impact on the HRA process for both Neighbourhood Plans and Local Plans. In short, the ECJ ruled that to determine whether it is necessary to carry out a full HRA of the implications of a plan, it is not appropriate to take account of mitigation measures at the screening stage. Rather, consideration of mitigation will need to occur at the full Appropriate Assessment stage.
- 1.18. Following the UK's withdrawal from the European Union (EU), decisions by the ECJ are no longer legally binding but may continue to be relevant².
- 1.19. A consequence of the ECJ's decision is that mitigation measures set out in a plan cannot be used at the screening stage to conclude there will be 'no likely significant effects' on European Sites. Therefore, if a Neighbourhood Plan includes measures to counter the plan's effects on European Sites these should, in effect, be ignored at the screening stage.
- 1.20. Previously, plan-making in the UK has followed case law as set out in *Application of Hart District Council; vs. Secretary of the State for Communities and Local Government* in 2008, which concluded that: '*anything which encourages the proponents of plans and projects to incorporate mitigation measures at the earliest possible stage in the evolution of their plan or project is surely to be encouraged*'.
- 1.21. The Government has acknowledged that the ECJ's ruling has caused uncertainty in preparing Neighbourhood Plans and could result in more plans requiring a full SEA or HRA. In December 2018, *The Conservation of Habitats and Species and Planning* (Various

² <https://www.legislation.gov.uk/ukpga/2018/16/section/6/enacted>

Amendments) (England and Wales) Regulations 2018³ came into force, amending the Basic Conditions and allowing affected NDPs and Orders to proceed.

- 1.22. For the avoidance of doubt, this screening report has been undertaken in accordance with the ECJ's ruling, insofar that the effects of any mitigation measures set out in the policies of the emerging Witchford Neighbourhood Plan (May 2024, version 2) have not been considered.
- 1.23. The SEA Directive requires that if an eligible plan or programme requires an appropriate assessment under the Habitats Directive, then that plan, or programme will also require an SEA. It is therefore advisable to check whether an assessment under the Habitats Regulations is required by undertaking HRA screening at the same time as screening for SEA. That is what has been done in this document.
- 1.24. Returning to the purpose of this document, there are three recommended steps in the initial screening process:
 1. Prepare a screening report
 2. Request a screening opinion from the consultation bodies in light of this report (this took place in July 2024)
 3. Considering their responses, determine whether the plan is likely to have significant effects on the environment (and therefore require a full SEA) (THIS DOCUMENT).
- 1.25. Whilst it is not prescribed, in most instances the LPA, which is ECDC in this case, will undertake SEA screening for a Neighbourhood Plan. This is because the LPA will ultimately be responsible for ensuring that the SEA requirements have been met prior to the Neighbourhood Plan being made. **It is confirmed that ECDC prepared this Screening Report.**
- 1.26. The Neighbourhood Plan should be screened as soon as there is sufficient information available to consider whether the proposed content of the plan or its likely intent (e.g., will it allocate development sites or not?) are likely to lead to significant effects to effectively inform the development of the Neighbourhood Plan.
- 1.27. A preliminary screening was undertaken and published in December 2023. It was only a preliminary screening as the emerging modified plan had not yet been consulted upon at its first consultation stage (known as Reg 14 stage). It was therefore prudent to await the conclusion of that first stage before preparing a full Screening Report. Nevertheless, the Preliminary Screening Report provided commentary on the *likely* conclusions of a full Screening Report, if the Plan content continues to be similar to that as presently drafted.
- 1.28. The purpose of this report, therefore, is to undertake a screening exercise to determine whether the Pre-Submission Draft Modified Witchford Neighbourhood Plan (May 2024, version 2) (subsequently referred to as the 'MWNP') requires a full SEA and / or HRA Appropriate Assessment. The screening exercise will therefore support the MWNP in satisfying the Basic Conditions and can be submitted as part of the evidence base which will accompany the plan. Witchford Parish Council is the Qualifying Body for the Witchford Neighbourhood Area (which is coterminous with the parish boundary). Only Witchford Parish Council has the legal right to prepare a Neighbourhood Plan for the Witchford Neighbourhood Area.
- 1.29. Please note that this screening report uses the term 'European Site' when referring collectively to SPAs, SACs, and Ramsar sites. The National Planning Policy Framework (NPPF) also expects candidate SACs, potential SPAs and Ramsar sites to be included within the assessment.
- 1.30. For the purposes of SEA, the statutory bodies are executive non-departmental public bodies with responsibilities for managing the environment on government's behalf, namely:
 - Environment Agency
 - Historic England

³ <http://www.legislation.gov.uk/ukxi/2018/1307/contents/made>

- Natural England

1.31. The statutory bodies were requested in July 2024 to review and make representations on this Screening Report within 5 weeks. Their responses have been added at Appendix 4. As no substantive objections were received by the statutory bodies, the rest of this report has not been amended.

2. Strategic Planning Context

- 2.1. The Basic Conditions require a Neighbourhood Plan to be in *general conformity* with the strategic policies contained in the development plan (primarily, the Local Plan) for the area. Through its strategic policies, the Local Plan effectively defines the parameters within which a Neighbourhood Plan may operate.
- 2.2. Throughout their preparation, Local Plans are subject to SEA (generally incorporated through a Sustainability Appraisal (SA)) and HRA. Where a Neighbourhood Plan is in general conformity with the strategic policies of the Local Plan, it is likely that many of the environmental effects of the plan will have already been considered through the Local Plan-making process.
- 2.3. National policy states that evidence should be proportionate and should not repeat policy assessment already undertaken. It is therefore relevant to consider the strategic policy context for the purpose of avoiding duplication and to identify environmental effects not already considered and addressed through the Local Plan-making process.

Local Plan 2015 (as amended 2023)

- 2.4. The current East Cambridgeshire Local Plan is the East Cambridgeshire Local Plan 2015 (as amended 2023), which defines strategic (and more locally specific) policies for the area. The Local Plan was adopted by the Council on 21 April 2015, with some small changes to it adopted by the Council on 19 October 2023. It is therefore referred to as the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 2.5. At the time at which the MWNP is to be examined, the Local Plan 2015 (as amended 2023) will remain the adopted Local Plan.
- 2.6. The Local Plan directs the majority of growth to the main settlements of Ely, Littleport and Soham). Growth in villages such as Witchford is fairly limited.
- 2.7. The Local Plan defines a Development Envelope within which growth is, in principle, generally acceptable. During its preparation, the Local Plan was subject to SA and HRA, both for the 2015 version and the 2023 updated elements.

Withdrawn Local Plan 2018

- 2.8. It is also worth noting that, prior to the preparation of the East Cambridgeshire Local Plan 2015 (as amended 2023), ECDC had embarked on a full update of its Local Plan. In February 2018, ECDC submitted for examination the updated Local Plan along with a supporting evidence base. Examination of the Local Plan commenced in June 2018. However, in February 2019, ECDC withdrew the draft Local Plan, so it never reached the final adoption stage.
- 2.9. At the point of withdrawal, the draft Local Plan was at an advanced stage of its preparation and had been subject to a full SA incorporating SEA, and a full HRA. The withdrawn Local Plan proposed a similar growth strategy to the adopted Local Plan, focussing growth principally in the market towns, albeit with an increased role for large and medium villages in the rural area.
- 2.10. The SA prepared for the submitted (but subsequently withdrawn) Local Plan incorporated the requirements of SEA. Throughout the stages of plan preparation, the SA influenced policy formulation and the allocation of development sites.
- 2.11. The proposed sites and overall level of growth were considered to provide a sustainable approach to growth in Witchford.
- 2.12. In June 2018, ECDC published a HRA report⁴ which accompanied the now withdrawn submitted Local Plan 2018. The purpose of the HRA report was to set out the method,

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<http://www.eastcamb.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

findings and conclusions of the Habitats Regulations Assessment (Stage 1 Screening and Stage 2 Appropriate Assessment) of the submitted East Cambridgeshire Local Plan, which was carried out by ECDC, in consultation with Natural England. ECDC has retained the HRA (dated June 2018) as it provides evidence and guidance on issues relating to European Sites which the Council believes remains relevant to applicants, decision-makers and to the preparation of Neighbourhood Plans. It remains published on the Council's website⁵.

- 2.13. The HRA complied with the judgement of the Court of Justice for the European Union of 12th April 2018, as described in section 1 of this report. Through the Local Plan examination, Natural England confirmed the HRA was legally compliant.
- 2.14. The following European sites were scoped into that HRA for consideration:
- Fenland SAC (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsars)
 - Ouse Washes SAC/SPA/Ramsar
 - Devil's Dyke SAC
 - Breckland SAC/SPA
- 2.15. The potential likely significant effects identified as a result of the submitted (but subsequently withdrawn) Local Plan 2018 were:
- Habitat damage and/or loss
 - Disturbance from urbanisation effects
 - Disturbance from increased recreational pressure
 - Reduced air quality as a result of increased vehicle journeys
 - Water quality changes from water consumption and abstraction
 - Reduced water quality from pollution due to increased demand for waste-water treatment
- 2.16. Witchford parish is in the east of East Cambridgeshire district, approximately 4km from the Ouse Washes SAC/SPA/Ramsar, with the 'impact risk zones' (IRZ) of that site extending into the parish. Other SSSI IRZs also creep into parts of Witchford parish, though these are primarily the outer such elements of the IRZs.
- 2.17. The Parish is also around 3km from Ely Cathedral, with the cathedral clearly visible from parts of the parish.
- 2.18. Witchford already benefits from an adopted Neighbourhood Plan (2020), which itself benefitted from a comprehensive Screening Report (April 2019) which concluded a full SEA or HRA was not needed. On the basis that the 2020 Neighbourhood Plan is proposed to be retained unaltered (and not subject to re-consultation), there is no need to reopen any assessment of that Neighbourhood Plan. Hence, this Screening Report only focusses on the **new** policies to be **added** to the Plan.
- 2.19. All of the above commentary has been taken into account when preparing this Screening Report.

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<https://www.eastcambs.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

3. Summary of the Witchford Modified Neighbourhood Plan (May 2024, version 2)

- 3.1. The Plan (May 2024, version 2) is proposing to introduce a new chapter, entitled 5.11 *Addressing the Climate Change emergency in Witchford*. That chapter proposes to include five new policies, as follows:

Table 1: New Policies Proposed to be added to the Plan

| Policy | Summary |
|---|--|
| WNP CC1 – Delivering sustainable buildings fit for a net zero carbon future, which are resilient to the effects of climate change | A design related policy, aiming to ensure new development is energy efficient and incorporates other sustainability measures. It is not site specific and does not allocate land for any specific purpose. |
| WNP CC2 Protecting existing habitats in Witchford and seeking opportunities to strengthen parish-wide ecological networks | A short policy, aiming to protect and enhance local habitats and nature related networks. The habitats are identified on a map (Map 15). |
| WNP CC3 Delivering Biodiversity Net Gain | A policy seeking 20% BNG, plus further policy on those proposal out of scope from national mandatory BNG. It also ‘encourages’ certain measures when BNG proposals are being formulated. |
| WNP CC4 – Trees, woodland and carbon sequestration implications of proposals | A comprehensive policy on trees, essentially seeking to protect trees and promote tree planting in the right locations. |
| WNP CC5 Supporting renewable energy infrastructure | A comprehensive policy broadly supporting renewable energy generation, from householder to commercial, subject to several criteria that will need to be met. The policy explicitly limits support of wind turbine development. |

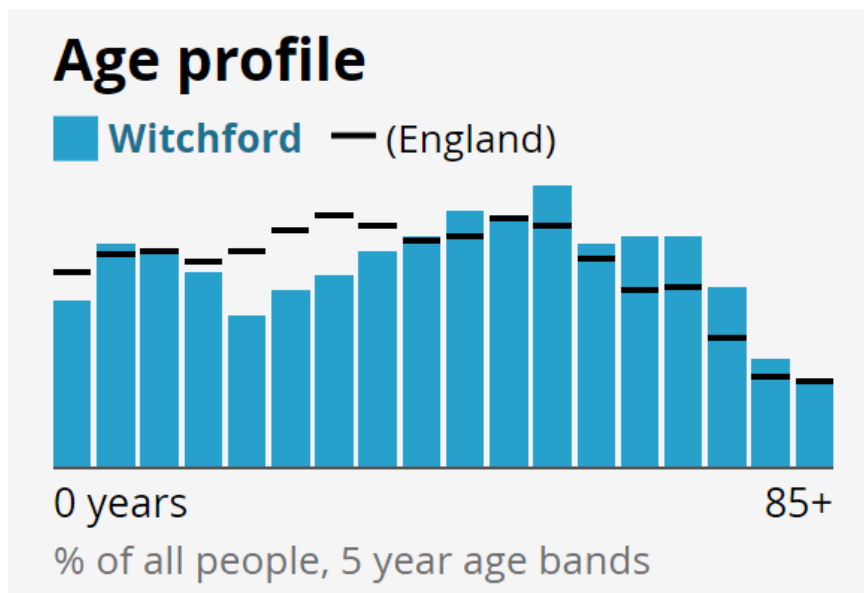
4. Summary of the Environmental Characteristics of the Witchford Neighbourhood Plan Area

- 4.1. To determine the likely significant effects of the MWNP on the environment, it is important to consider the characteristics of the area likely to be affected and the key areas of sensitivity. Enough information needs to be included in the screening report to allow the consultation bodies to take a view on the likely significant effects of implementing the plan. For the purposes of screening, it is appropriate to undertake a systematic review of these issues.
- 4.2. The following paragraphs provide a high-level contextual overview of environmental issues and key areas of sensitivity in and around the Witchford Neighbourhood Area. A range of sources of information have been used to gather this information, including Office for National Statistics, DEFRA Magic Maps, Environment Agency Flood Risk Maps for Planning, and the MWNP's own evidence base.

Population and human health

- 4.3. The total population of Witchford parish at the time of the 2021 Census⁶ was 2,389 people. 51.1% of the total population were female and 48.9% were male, similar to the average for England.
- 4.4. Life expectancy at birth in East Cambridgeshire is above the England average for both males and females⁷. The % of the total population described their health as 'very good' and 34% as 'good'. These figures are above the average for England. 13.8% of the total population were classed as disabled under the Equality Act. This figure is below the England average of 17.3%.
- 4.5. The age profile for Witchford parish reveals that there is a higher proportion of the parish population aged 40 and above than the England average. This can be seen clearly in **Figure 2** below. Conversely, there is a lower proportion of the parish population in the age bands below aged 40 than the England average, other than the 5-9 age group which is slightly above national average.

Figure 1: Age profile of residents at 2021 Census



Source: Office for National Statistics – Census 2021

⁶ Office for National Statistics - Census 2021

⁷ Office for Health Improvement & Disparities, access online at <https://fingertips.phe.org.uk/profile/health-profiles>

- 4.6. The 2021 Census recorded a total of approximately 1000 households (rounded to the nearest 10). 44% of households were owned outright (above the England average). Broadly speaking, housing statistics were similar to national averages, except for very low number of flats and 1 bed roomed properties (compared with national averages), and much higher number of 4-bed properties.

Biodiversity, Flora and Fauna

Internationally Designated Sites

- 4.7. There are no European Sites within the boundary of the Witchford Neighbourhood Area. The following European Sites lie within approximately 30km of Witchford Neighbourhood Area (source Magic maps):
- Chippenham Fen Ramsar
 - Wicken Fen Ramsar
 - Rex Graham Reserve SAC
 - Devils Dyke SAC
 - Fenland SAC
 - Breckland SAC, SPA
 - Ouse Washes SAC, SPA, Ramsar
 - Woodwalton Fen Ramsar
 - Nene Washes SAC, SPA
- 4.8. There are no Proposed Ramsar sites, Possible Special Areas of Conservation, or Potential Special Protection Areas in proximity of the Witchford Neighbourhood Area.

National Nature Reserves and Sites of Special Scientific Interest

- 4.9. There are no NNRs within the Witchford Neighbourhood Area.
- 4.10. There are no SSSIs within the Witchford Neighbourhood Area.
- 4.11. According to Magic Maps, the SSSI Impact Risk Zone (IRZ) for Ouse Washes SSSI extends across most of Witchford Neighbourhood Area. The Goose and Swan IRZ, which is also associated with the Ouse Washes, creeps into the upper most part of the Neighbourhood Area only. The IRZ for the Ely Pitts SSSI also covers an eastern section of the Area.
- 4.12. Broadly speaking, therefore, the Neighbourhood Area is on the very periphery of three IRZs. Witchford village itself falls within the Ouse Washes IRZ. The part of the Goose and Swan IRZ within Witchford's neighbourhood area contains only a very low human population, with just an odd isolated farm or two.
- 4.13. For planning purposes, Magic Maps instructs LPAs the following for when Natural England should be consulted for proposals in the parish of Witchford (as a consequence of the IRZ zones):

Within the **Goose and Swan IRZ** (where it falls in Witchford NA):

- All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.
- Solar schemes with footprint > 0.5ha, all wind turbines.
- Large non residential developments outside existing settlements/urban areas where net additional gross internal floorspace is > 1,000m² or footprint exceeds 0.2ha.

- Residential development of 10 units or more.
- Any residential developments outside of existing settlements/urban areas with a total net gain in residential units.
- (other less used categories are also listed – please check Magic maps for full details)

Within the **Ouse Washes IRZ** (where it falls in Witchford NA):

- Solar schemes with footprint > 0.5ha, all wind turbines.
- Large non residential developments outside existing settlements/urban areas where footprint exceeds 1ha.
- Any residential developments of 50 or more houses outside of existing settlements/urban areas.
- (other less used categories are also listed – please check Magic maps for full details)

Within the **Ely Pitts IRZ** (where it falls in Witchford NA):

- Solar schemes with footprint > 0.5ha, all wind turbines.
- (other less used categories are also listed – please check Magic maps for full details)

- 4.14. What can be seen above is that for the majority of the parish, including the settlement of Witchford itself, the consultation thresholds are quite high before Natural England need consulting, but this is not the case for proposals within the Goose and Swan IRZ area, which has much lower thresholds.
- 4.15. Also of particular note is that throughout the Neighbourhood Area is the requirement to consult Natural England on all solar schemes with footprint greater than 0.5ha and all wind turbines. This is particularly relevant when we consider the proposed policies in the modified Witchford Neighbourhood Plan.

Locally Designated Sites

- 4.16. There are no Local Nature Reserves within the Witchford Neighbourhood Area.
- 4.17. There is one County Wildlife Sites (CWSs) located within or adjacent to the Witchford Neighbourhood Area:
- Beald Drove Pollard Willows – a linear site, on the very eastern edge of the Neighbourhood Area (and partly in the Ely parish area)
- 4.18. CWSs are defined areas, identified and selected locally for their nature conservation value based on important, distinctive and threatened habitats and species within a national, regional and importantly a local context. CWS are areas of land important for their wildlife and can be found on public and private land. They vary in shape, size and may encompass a variety of different habitat types. The habitats and species present are often because of past management and many sites provide a refuge for rare or threatened plants and animals.

Ancient Woodland

- 4.19. There are no areas of ancient and semi natural woodland or ancient replanted woodland within or adjacent to Witchford Neighbourhood Area.
- 4.20. The Woodland Trust's Ancient Tree Inventory⁸ maps the oldest and most important trees in the UK. It is a live database where records are provided by members of the public and

⁸ <https://ati.woodlandtrust.org.uk/>

verified by the Woodland Trust. Within the Witchford Neighbourhood Area, there is a single record of a 'notable tree' close to the centre of Witchford village.

Priority Habitats

- 4.21. Priority Habitats are those which have been deemed to be of principal importance for the purpose of conserving biodiversity, being listed in the UK Biodiversity Action Plan, and with maintenance and restoration of these habitats being promoted through agri-environment schemes.
- 4.22. Priority habitat are mapped by Natural England. In the Witchford Neighbourhood Area just a single small site of deciduous woodland is mapped, on the southern edge of the village. It can be viewed on DEFRA's Magic Map.

Landscape

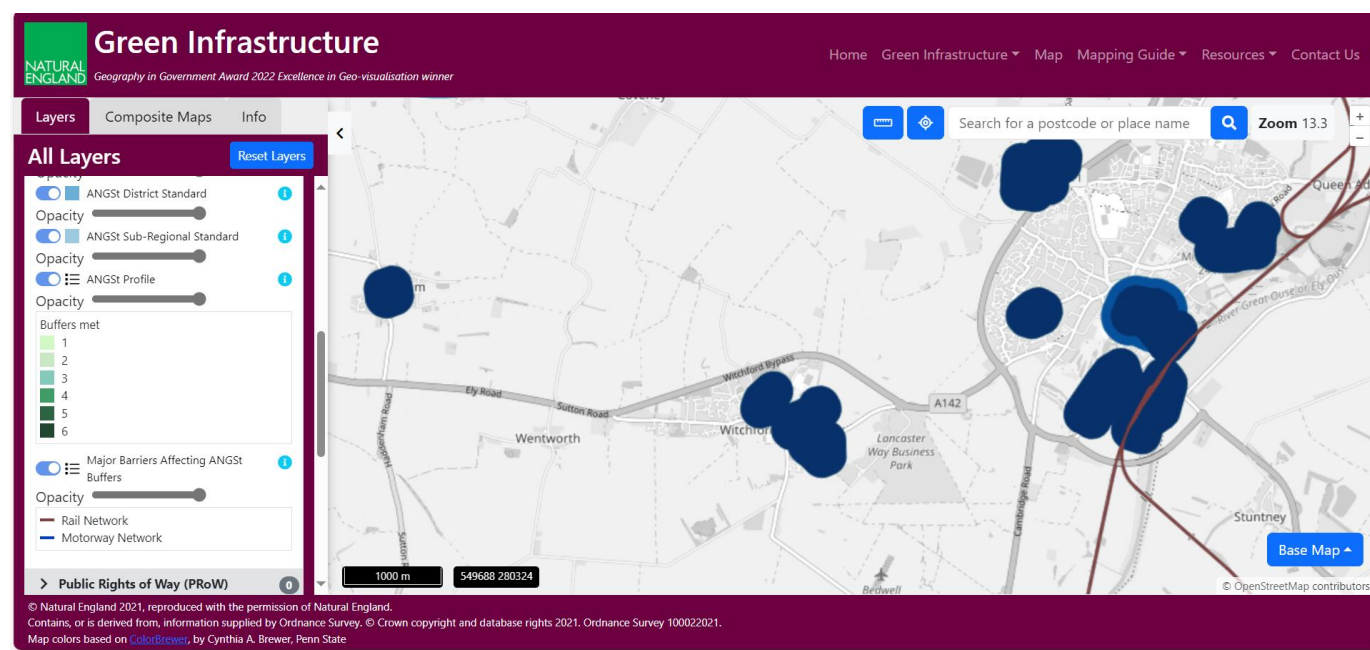
National Character Areas (NCAs)

- 4.23. Witchford Neighbourhood Area falls within The Fens NCA. The Fens National Character Area (NCA) is a distinctive, historic and human-influenced wetland landscape lying to the west of the Wash estuary, which formerly constituted the largest wetland area in England. The area is notable for its large-scale, flat, open landscape with extensive vistas to level horizons. The level, open topography shapes the impression of huge skies which convey a strong sense of place, tranquillity and inspiration.

Green Infrastructure

- 4.24. Natural England's Green Infrastructure Map is a useful source of evidence to help understand green infrastructure provision. The mapping shows very few residents within Witchford Neighbourhood Area have access to a natural greenspace close to home, with an extract of the website below.

Figure 1: Accessible Natural Greenspace Standard buffers for Witchford parish



Cultural heritage, including architectural and archaeological heritage

- 4.25. There is no Conservation Area within the Witchford Neighbourhood Area.
- 4.26. There are 7 listed buildings within the Witchford Neighbourhood Area (6 Grade II; 1 grade II*).⁹ They are concentrated within the village centre.
- 4.27. There are no Scheduled Monuments within the Neighbourhood Area.

⁹ <https://historicengland.org.uk/listing/the-list/>

- 4.28. There are no Registered Parks and Gardens in the Neighbourhood Area.
- 4.29. Nevertheless, despite the relatively limited amount of designated heritage assets in Witchford parish, it is important to note that Ely Cathedral is only about 2km from the edge of the Neighbourhood Area, and is clearly visible from a number of locations within the Neighbourhood Area.

Soil, Air and Water

- 4.30. The Soilscape (England) dataset is based on the National Soil Map of England and Wales (NATMAPvector). There are two main soil types in the Neighbourhood Area according to the national soil map (see Magic Maps):
- Loamy and sandy soils with naturally high groundwater and a peaty surface
 - Lime-rich loamy and clayey soils with impeded drainage
- 4.31. The Agricultural Land Classification (ALC) classifies land into six grades (plus 'non-agricultural' and 'urban'), where Grades 1 to 3a are the 'best and most versatile' land and Grades 3b to 5 are of poorer quality. The ALC data does not distinguish between grades 3a and 3b (instead simply referring to Grade 3). More detailed assessment would be required to identify subgrades 3a and 3b. Most land within the Neighbourhood Area has been classed as Grade 1, 2 or 3.
- 4.32. Air Quality Management Areas (AQMAs) are designated because they are not likely to achieve national air quality objectives. At the time of preparing this report, there were no AQMAs within the Neighbourhood Area. Indeed, there are no AQMAs within East Cambridgeshire district¹⁰.
- 4.33. The Environment Agency has assessed water company areas and determined whether they are either in 'not serious or in 'serious' water stress.¹¹ Water stress applies both to the natural environment and to public water supplies. Both will be affected by climate change. The Neighbourhood Area falls within the Anglian Water company area, which has been classified as seriously water stressed.
- 4.34. The Neighbourhood Area does not have a main watercourse running through it. However, according to the Environment Agency's Flood Map for Planning,¹² there are areas of fluvial flood risk (i.e. flood risk zones 2 and 3) within the Neighbourhood Area. These flood risk areas are largely confined to the north and east of the neighbourhood area.
- 4.35. Source Protection Zones for groundwater sources such as wells, boreholes and springs used for public drinking water supply have been designated by the Environment Agency. These zones show the risk of contamination from any activities that might cause pollution in the area. Generally, the closer the activity, the greater the risk. Three main zones (inner, outer and total catchment) have been applied to groundwater sources with a fourth zone of special interest occasionally applied. An Inner zone (Zone 1) is defined as the 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres.
- 4.36. None of the Neighbourhood Area falls within a SPZ.¹³

Climatic factors

- 4.37. Greenhouse gas emissions in Cambridgeshire and Peterborough are high. The Combined Authority estimate that emissions are 25% higher per person than the UK average.¹⁴ In

¹⁰ <https://uk-air.defra.gov.uk/aqma/maps/>

¹¹ <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

¹² <https://flood-map-for-planning.service.gov.uk/>

¹³ [Click here](#) to view on DEFRA's Magic Map

¹⁴ Cambridgeshire & Peterborough Independent Commission on Climate (2021) Fairness, nature and communities: addressing climate change in Cambridgeshire and Peterborough

Autumn 2019 ECDC declared a climate emergency and is working to reduce greenhouse gas emissions.

- 4.38. The UK climate is changing. A report into the kinds of impacts that are likely to be felt in Cambridgeshire and Peterborough¹⁵ found that the region is at high risk from a changing climate. Risks include: flooding, high summer temperatures, water shortages, and damage to the natural carbon stores in the deep peat of the Fens.

Materials assets

- 4.39. The SEA Directive does not define what is meant by 'material assets' and it can be interpreted in several ways. This screening report takes material assets to include a range of social, physical and environmental infrastructure, such as schools, health facilities, roads, railways, bus services, wastewater treatment works, flood defences etc. Impacts on materials assets are likely to relate to several other SEA topics.
- 4.40. Provision of community services and facilities is considered to be generally good in the Neighbourhood Area, when taken against the size of the population. They include a local shop, church, primary school, public house and recreation ground.

¹⁵ CZ (2021), Aines, E.D., Simpson, C., Munro-Faure, A., Shuckburgh, E., Preliminary report on climate risk in the Cambridgeshire and Peterborough region, 2020-2099, Cambridge Zero, University of Cambridge

5. Development Opportunities within the Witchford Neighbourhood Area arising from the Modifications Proposed to the Neighbourhood Plan

- 5.1. Of the five policies proposed to be added to the already made plan, none provide a fundamental new opportunity for new development within the Neighbourhood Area when considered against the development opportunities already arising from existing policies of the development plan.
- 5.2. The new policies are non-site specific and relate to design or similar expectations for development, rather than creating specific mapped opportunities for new development. The policies also do not increase the overall growth targets to be achieved in the area.

6. Determination of likely significant environment effects - SEA

6.1. Once data on environmental issues and sensitivities has been gathered (see early chapters of this report), it is then possible to determine whether there would be any likely significant effects (positive or negative) on the environment. The 'responsible authority' in the case of SEA must determine whether a plan or programme, in this case the MWNP, is likely to have a significant environmental effect with reference to specified criteria. The following section sets out an assessment of the MWNP against these criteria, considering the area characteristics outlined in **Section 4** above.

6.2. When the new policies in the Plan are read as a whole, and tested against the SEA themes (as set out in Annex I (f) of the SEA Directive), the following conclusions are drawn:

Population and human health:

6.3. Overall, the MWNP is not likely to have a significant negative impact on population and human health, given the relatively small population that the plan applies to and no new sites are specifically allocated for new housing development within the new policies of the plan. Through its various policy measures, it is likely that the needs of the population, and standards of human health, will be maintained and potentially enhanced. For example, the protection and enhancement of nature related community assets facilities and services via draft Policies WNP CC2, WNP CC3 and WNP CC4 will provide opportunities for residents to partake in activities to support their physical and mental health and wellbeing. However, these effects are not likely to be 'significant' for the purposes of SEA.

Biodiversity, flora and fauna:

6.4. Overall, the potential for significant negative impacts on biodiversity, flora and fauna to arise from the implementation of the plan are unlikely as a consequence of the new policies. It is expected that the new policies of the MWNP will help to protect and enhance biodiversity, flora and fauna in the Neighbourhood Area through the various policy measures it employs.

6.5. Policy WNP CC5 'Supporting renewable energy infrastructure' is worthy of mention. In basic terms (and excluding taking into account any mitigation measures in the policy), this policy supports renewable energy infrastructure in the Neighbourhood Area, including solar but excluding wind turbines. However, there is nothing in the policy that goes significantly beyond national policy support for such measures, nor beyond existing local policy support in the form of Policy ENV6 of the Local Plan, which states:

Local Plan Policy ENV 6: Renewable energy development

Proposals for renewable energy and associated infrastructure will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:

- The local environment and visual landscape impact.
- Impact on the character and appearance of the streetscape/buildings.
- Key views, in particular those of Ely Cathedral.
- Protected species.
- Residential amenity.
- Safeguarding areas for nearby airfields; and
- Heritage assets.

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.

- 6.6. Therefore, along with the other four new policies, new policy CC5 will not likely lead to significant effects. Indeed, and whilst not relevant to this SEA screening, the policy when read as a whole, including taking into account the mitigation measures within it, will likely lead to a greater set of tools for the decision maker to ensure any significant effects are avoided when compared with the scenario of not having policy CC5 at all.

Landscape:

- 6.7. There are no nationally designated landscapes within the Neighbourhood Area. With the policies in the existing development plan, it is considered unlikely that the MWNP would result in a significant impact on the local landscape, and any landscape issues arising from proposals can be appropriately dealt with using existing policies.

Cultural heritage, including architectural and archaeological heritage:

- 6.8. As highlighted in section 4, the Witchford Neighbourhood Area has a limited heritage collection of assets, with a handful of Listed Buildings concentrated in the village centre but no Conservation Area. Nevertheless, these assets, together with the considerable asset of Ely Cathedral nearby (which is clearly visible from the Neighbourhood Area), are important national assets.
- 6.9. Overall, the potential for significant negative impacts on heritage assets from the implementation of the plan are deemed unlikely as a consequence of the new policies in the MWNP. By avoiding support for wind turbines in new policy CC5, this likely eliminates the potential of any significant effects on the setting on Ely Cathedral, and in any event any such effects can be considered under existing policy measures.

Soil, air or water:

- 6.10. There are currently no 'significant' air quality issues in the neighbourhood area.
- 6.11. Most of the neighbourhood area falls within Flood Risk Zone 1, with some areas in Flood Risk 3. The MWNP does not include any specific site allocations for residential development or other forms of development that will be occupied, and therefore is not anticipated to have any direct implications.
- 6.12. The policies do not provide opportunities for new development (beyond opportunities already arising from existing policies), therefore there is no potential for significant effects arising on soil, air or water from them.

Climate Factors:

- 6.13. Climatic factors involve the consideration of a plan or programme in relation to climate change. Climate change adaptation and mitigation are closely interrelated and are closely linked to other environmental issues.
- 6.14. Overall, the potential for significant negative impacts on climate factors from the implementation of the plan are unlikely as a consequence of the new policies. Indeed, to the contrary, with the policies likely to achieve positive impacts through energy efficiency (CC1) or nature based carbon capture solutions (CC4).
- 6.15. Overall, it is considered unlikely that implementing the policies in the MWNP would give rise to significant negative effects on climatic factors, and would, if anything, likely lead to positive effects..

Material assets:

- 6.16. The SEA Directive does not define what is meant by 'material assets' and it can be interpreted in a number of ways. This screening report takes material assets to include a range of social, physical and environmental infrastructure, such as schools, health facilities,

roads, railways, bus services, wastewater treatment works, flood defences, etc. Impacts on materials assets are likely to relate to several other SEA topics. It is considered unlikely that that implementation of the MWNP would have significant effects on material assets.

Conclusion

- 6.17. Following review, and in conclusion, it is considered **unlikely that implementation of new policies CC1-5 of the MWNP will result in significant environmental effects**. The main reason for this conclusion is that these policies of the MWNP are not proposing any new additional site allocations or any other policies which are likely to lead to new additional significant development opportunities that are not already opportunities provided for by existing policies. The policies are, to put it simply, either likely to have a positive impact, or they provide additional design guidance and expectations when such opportunities are to be brought forward in the neighbourhood area.
- 6.18. **Figure 4** (in section 8) provides assessment of the MWNP to identify likely significant effects on the environment. The first column uses the SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004 (as set out in **Appendix 1**).

7. Determination of likely significant effects on European Sites – HRA Screening

- 7.1. East Cambridgeshire's latest Habitats Regulation Assessment (June 2018) report¹⁶ accompanied the submitted, but now withdrawn, Local Plan 2018. The purpose of the HRA report was to set out the method, findings and conclusions of the Habitats Regulations Assessment (Stage 1 Screening and Stage 2 Appropriate Assessment) of the now withdrawn East Cambridgeshire Local Plan. The HRA was carried out by ECDC, as the competent authority, in consultation with Natural England.
- 7.2. Despite the Local Plan 2018 having been withdrawn, this HRA continues to be considered relevant and appropriate in the context of this neighbourhood plan HRA screening assessment since it relies on more up to date evidence than the HRA which supported the original Local Plan 2015, such as evidence pertaining to European sites, the current context of recent growth, other authorities' plans and strategies, and the views of stakeholders such as the statutory environmental bodies.
- 7.3. The HRA complies with the judgement of the Court of Justice for the European Union of 12th April 2018. Through the Local Plan examination process, Natural England confirmed the HRA is legally compliant.
- 7.4. The following European Sites, within and outside East Cambridgeshire's administrative boundary, were scoped into the HRA for consideration:
- Fenland SAC (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsars)
 - Ouse Washes SAC/SPA/Ramsar
 - Devil's Dyke SAC
 - Breckland SAC/SPA
- 7.5. As discussed in section 4 of this report, within Witchford parish (and consequently the Witchford Neighbourhood Area), there are no European Sites.
- 7.6. The HRA was prepared to assess the effects of the now withdrawn Local Plan 2018. The withdrawn Local Plan proposed higher growth levels than the current adopted Local Plan 2015 (as amended). The potential likely significant effects on designated sites arising from the withdrawn Local Plan were:
- Habitat damage and/or loss
 - Disturbance from urbanisation effects
 - Disturbance from increased recreational pressure
 - Reduced air quality as a result of increased vehicle journeys
 - Water quality changes from water consumption and abstraction
 - Reduced water quality from pollution due to increased demand for waste-water treatment
- 7.7. A summary of the scoped in European sites is as follows:
- Fenland SAC - Wicken Fen**
- 7.8. The centre of Witchford Neighbourhood Area is located approximately 10km as the crow flies from the centre of Wicken Fen. The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:
- *Increased recreational pressure:* The site lies within the East Cambridgeshire area and Natural England have advised that the qualifying features of the site are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations being within 8km of the site boundary of the Ramsar. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.

¹⁶ See

<https://www.eastcambs.gov.uk/sites/default/files/HRA%20Appropriate%20Assessment%20Post%20Submission%20Local%20Plan%20-%20published%2015.6.18.pdf>

- *Water quality:* The features of this site are sensitive to water quality changes. Water quality is important for floodplain fen, which is dependent on an adequate supply of nutrients being maintained to support aquatic habitats and the range of species associated with them.
- *Water quantity:* The features of this site are water resource sensitive.

7.9. Whilst growth is a potential threat to the Fenland SAC – Wicken Fen, the MWNP does not make site allocations and does not provide opportunities for new development. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Therefore, likely significant effects on the integrity of the Wicken Fen SAC are not expected to arise from implementation of the MWNP.

Fenland SAC – Chippenham Fen

7.10. The centre of Witchford Neighbourhood Area is located approximately 20km as the crow flies from the centre of Chippenham Fen. The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- *Increased recreational pressure:* This European Site lies within the East Cambridgeshire area and Natural England have advised that the qualifying features of the site are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations being within 8km of the site boundary of the Ramsar. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Urbanisation:* An employment allocation in Fordham is less than 400m from the site boundary of Chippenham Fen. The site's features are therefore potentially exposed to increased urbanisation pressure.
- *Water quality:* The features of this site are sensitive to water quality changes, particularly high nutrient water reaching the fen from a mixture of groundwater, rainwater and run-off.
- *Water quantity:* The features of this site are water resource sensitive, with concerns water does not seep into site compartments between ditches to the extent it once did.

7.11. Whilst growth is a potential threat to the Fenland SAC – Chippenham Fen, the MWNP does not make site allocations within 8km of this European Site and provides only limited opportunities for new development. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Therefore, likely significant effects on the integrity of the Chippenham Fen SAC are not expected to arise from implementation of the MWNP.

Fenland SAC - Woodwalton Fen

7.12. The centre of Witchford Neighbourhood Area is located approximately 30km as the crow flies from the centre of Woodwalton Fen.

7.13. Woodwalton Fen was screened in for consideration prior to Stage 1 Screening, however the screening assessment did not identify any potential impact pathways between this site and the proposals in the now withdrawn Local Plan 2018. On this basis, Woodwalton Fen was ruled out of further consideration in the HRA.

Ouse Washes

7.14. The centre of Witchford Neighbourhood Area is located approximately 6km as the crow flies from the Ouse Washes.

7.15. The HRA identified the following pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- *Physical damage/ loss of habitat:* Some site allocations within the Local Plan fall within the 'Goose and Swan Functional IRZ' for this site, recently prepared by Natural England. Land within this zone is considered to be potentially functionally linked to the Ouse Washes and therefore there is the potential for likely significant effects on the integrity of the European Site.

- *Increased recreational pressure:* This European Site lies within the East Cambridgeshire area and Natural England have advised that the qualifying features of the site are under threat from increased visitor pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations in the Plan being within 8km of the site boundary of the SPA. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Water quality:* The features of this site are sensitive to water quality changes, particularly inappropriate levels of nutrients from diffuse pollution in combination with inappropriate water levels.
- *Water quantity:* The features of this site are water resource sensitive and are particularly vulnerable to increased flooding.

7.16. The HRA identifies that land beyond the boundary of the Ouse Washes designation may also provide important functional habitat for qualifying bird species. The HRA provides advice on development proposals on greenfield sites that fall within the Goose and Swan Functional Land IRZ to ensure there are no adverse effects on the qualifying species of the Ouse Washes. The upper most part of the Witchford Neighbourhood Area is located inside the Goose & Swan Functional Land IRZ.

7.17. Whilst growth is a potential threat to the Ouse Washes SAC/SPA/Ramsar, the MWNP does not make any new site allocations or additional opportunities for new development. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Therefore, likely significant effects on the integrity of the Ouse Washes SAC/SPA/Ramsar are not expected to arise from implementation of the MWNP.

Devil's Dyke

7.18. The Devil's Dyke runs from Reach village and extends to Woodditton. The full extent of the Devil's Dyke is over 11km long, with varying SAC and SSSI designations. The centre of Witchford Neighbourhood Area is approximately 15km away as the crow flies from the nearest part of Devil's Dyke.

7.19. The HRA provides the following summary of threats and pressures to Devil's Dyke SAC, relating to habitat damage or loss, and recreational pressure:

- *"This species rich calcareous grassland is vulnerable to vegetation succession by rank grasses and requires active management by grazing. It is also vulnerable to increased recreational pressure. Habitat degradation is occurring, particularly through trampling of vegetation and soil enrichment from dog excrement. Antisocial behaviour such as littering, fires and other activities is damaging vegetation. Dogs off leads also pose a risk to the continuance of the essential long term management of the site through livestock grazing. The site is also potentially at risk from atmospheric nitrogen deposition, although the site improvement plan states this requires further investigation."* (p16, Habitats Regulations Assessment 2018)

7.20. In addition, the HRA identifies that air pollution is a key issue for Devil's Dyke, since it lies within 200m of the A14 and A1304. Natural England's Site Improvement Plan (SIP) for Devil's Dyke states: *"nitrogen deposition exceeds the site-relevant critical load for ecosystem protection and hence there is a risk of harmful effects, but the sensitive features are currently considered to be in favourable condition on the site. This requires further investigation"*.

7.21. According to the SIP, Devil's Dyke SAC does not support any notified species that are sensitive to changes to water quality and/or quantity and does not list this impact as a priority pressure or threat.

7.22. In summary, potential pressures or threats to the Devil's Dyke SAC are:

- *Increased recreational pressure:* This European Site lies within the East Cambridgeshire area and Natural England have advised that the qualifying features of the site are under threat from increased visitor pressure. The screening assessment identified the potential

for likely significant effects due to residential site allocations being within 8km of the site boundary of the SAC. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.

- *Reduced air quality:* The interest features of the SAC are sensitive to atmospheric pollutants and Devil's Dyke lies within 200m of the A14 and A1304, which may be used by new residents of site allocations in the settlements of: Bottisham, Burrough Green/Burrough End, Dullingham, Swaffham Bulbeck, Swaffham Prior to access services and facilities in Newmarket. There is therefore potential for likely significant effects.

7.23. Whilst growth is a potential threat to the Devil's Dyke SAC, the MWNP does not make new site allocations and does not provide new opportunities for growth. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Therefore, likely significant effects on the integrity of the Devil's Dyke SAC are not expected to arise from implementation of the MWNP.

Breckland SAC/SPA

7.24. The centre of Witchford Neighbourhood Area is located approximately 20km from the nearest part of Breckland SAC/SPA. The HRA identified the following potential pressures and threats which could arise were the now withdrawn Local Plan 2018 implemented:

- *Physical damage/ loss of habitat* Site allocation KEN.M1 within the Local Plan falls within the IRZ for Breckland Farmland SSSI, a component of Breckland SPA. Land within this zone is considered to be potentially functionally linked to Breckland and therefore there is the potential for likely significant effects on the integrity of the European Site.
- *Increased recreational pressure:* Whilst the site is outside of the East Cambridgeshire area, a mixed use site allocation at Kennett (KEN.M1) is approximately 2km from Breckland Farmland SSSI, a component of Breckland SPA and falls within the IRZ for this SSSI. The Breckland Farm SSSI has interest features that are potentially sensitive to increased recreational pressure. The screening assessment identified the potential for likely significant effects due to residential site allocations in the Plan being within 8km of the site boundary of the SPA. These could be significant in-combination, i.e. total recreation pressure from multiple residential developments within and beyond the study area.
- *Urbanisation:* Whilst urbanisation is recognised in the SIP for Breckland SPA/SAC as a priority issue, there is no development proposed in the Local Plan within 400m of the site boundary. The Local Plan will therefore have no effect via this pathway.

7.25. Whilst growth is a potential threat to the Breckland SPA/SAC, the MWNP does not make new site allocations and or opportunities for new development. This approach reflects the growth strategy of the now withdrawn Local Plan 2018 (the subject of the HRA), and the current adopted Local Plan 2015 (as amended 2023). Therefore, likely significant effects on the integrity of the Breckland SPA/SAC are not expected to arise from implementation of the MWNP.

Potential for likely significant effects

7.26. The HRA prepared for the now withdrawn Local Plan 2018 concluded that:

...after taking into account the above mitigation measures and consideration of other plans, that there will be no likely significant effects, alone or in combination, on the Ouse Washes SAC/SPA or Fenland SAC, resulting from water quality or quantity changes through the implementation of the East Cambridgeshire Local Plan.

7.27. Natural England confirmed the HRA followed accepted methodology, was in line with relevant legislation and guidance, and agreed with the conclusion of the HRA.

7.28. The MWNP's growth strategy reflects that of the now withdrawn Local Plan 2018 and the current adopted Local Plan 2015 (as amended 2023). The MWNP does not make new site allocations or provide opportunities for new development. The effects arising from planned

development on the integrity of European sites have been previously tested through the HRA of the East Cambridgeshire Local Plan.

HRA Screening: Modified Witchford Neighbourhood Plan (“May 2024 post-regulation 14 consultation version 2”)

- 7.29. Having regard to the nature of the policies in the MWNP and vulnerabilities of European Sites, this HRA screening considers that the MWNP is not likely to have a significant effect on any European Site, either alone or in combination, with other plans and projects.

8. Summary of identified effects

- 8.1. **Figure 4** below provides an assessment of the MWNP to identify likely significant effects on the environment. The first column uses the SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004 (as set out in **Appendix 1**)

Figure 2: Assessment of the likely significant effects on the environment

| The characteristics of plans and programmes, having regard, in particular, to — | Assessment of the MWNP (May 2024) | Likely significant environmental effect |
|---|--|---|
| (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; | <p>The MWNP would, if adopted, form part of the Statutory Development Plan and contribute to the framework for future development projects. However, the MWNP would only apply to a very limited geographical area (the Witchford Neighbourhood Area).</p> <p>The MWNP does not provide additional opportunities for development beyond that identified by the Local Plan or national policy.</p> | None |
| (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy; | <p>The MWNP would not influence other plans and programmes to a significant degree due to the locally specific nature of the policies contained within the plan. The MWNP is required to be in general conformity with the strategic policies set out in the East Cambridgeshire Local Plan 2015 (as amended 2023). The MWNP has been prepared having regard to national planning policies and guidance.</p> | None |
| (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development; | <p>It is a Basic Condition that a Neighbourhood Plan must contribute to the achievement of sustainable development. The proposed MWNP includes several policies which promote environmental considerations and promote opportunities for sustainable development.</p> | None |
| (d) environmental problems relevant to the plan or programme; and | <p>There are no specific environmental problems relevant to the Neighbourhood Plan that have not been identified and assessed through the higher-level Local Plan 2015 (as amended 2023), the withdrawn Local Plan 2018 and accompanying SA/SEA.</p> | None |
| (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 | <p>The MWNP is not relevant to the implementation of Community legislation on the environment.</p> | None |

| | | |
|--|--|--|
| management or water protection). | | |
| Characteristics of the effects and of the area likely to be affected, having regard, in particular, to— | Assessment of the MWNP (May 2024) | Likely significant environmental effect |
| (a) the probability, duration, frequency and reversibility of the effects; | The assessment of the MWNP has not identified any significant negative effects. It is likely that some of the policies in the MWNP may result in minor positive effects by helping to preserve and enhance the environmental features within the Neighbourhood Area. | None |
| (b) the cumulative nature of the effects; | As above in 2(a) | None |
| (c) the transboundary nature of the effects; | The MWNP is not expected to give rise to any transboundary effects. | None |
| (d) the risks to human health or the environment (for example, due to accidents); | The MWNP is not expected to pose any risks to human health or the environment: the effects of policies within the MWNP may, if any, enhance these elements. | None |
| (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected); | The extent of any effects of the implementation of the MWNP are expected to be limited to the immediate local area, the extent of which is, therefore, spatially small and covering a small population. | None |
| (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 | Directly within the area are very limited assets (from a national perspective), though the area is within close proximity to high value national/international natural and historic assets. However, the policies of the plan only apply to the area, and the <i>potential</i> for significant effects on heritage and natural assets of national and international importance are not considered significant as a result of the policies. | None |
| (g) the effects on areas or landscapes which have a | As above in 2(f) | None |

| | | |
|--|--|--|
| recognised national, Community or international protection status. | | |
|--|--|--|

8.2. **Figure 5** applies the advice prepared by the (former) Department of Environment to ascertain whether a full SEA is required for a plan or programme. Please note that as the questions have been answered using the flow diagram, some of the questions may not be applicable because of previous answers: where this is the case, the response is stated as N/A ('not applicable').

Figure 3: Application of the SEA Directive to Draft Modified Witchford Neighbourhood Plan

| Criteria | Response: Yes/ No/ Not applicable | Details |
|--|--|--|
| 1. Is the NDP 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? | Yes | The preparation and adoption of the MWNP is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Whilst the MWNP has been prepared by Witchford Parish Council it will be adopted by ECDC as the local authority. GO TO STAGE 2 |
| 2. Is the NDP required by legislative, regulatory or administrative provisions? | Yes | Whilst the production of a Neighbourhood Plan is not a requirement and is optional, it will, if made, form part of the Development Plan for the ECDC area. It is therefore important that this screening process considers the potential effects. GO TO STAGE 3 |
| 3. Is the NDP 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? | Yes – Town & Country Planning / land use; No - EIA Directive Annex I & II | The MWNP is being prepared for town and country planning and land use. It does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive. GO TO STAGE 4. |
| 4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? | No | See Section 7 above. The MWNP will not require an assessment for future development under Article 6 or 7 of the Habitats Directive GO TO STAGE 6 |

| Criteria | Response: Yes/ No/ Not applicable | Details |
|--|--|---|
| 5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of an NDP subject to Art. 3.2? | N/A | |
| 6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? | Yes | Alongside the East Cambridgeshire District Local Plan, once 'made' the MWNP will set the framework for development consents in the neighbourhood area. GO TO STAGE 8 |
| 7. Is the NDP'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? | N/A | |
| 8. Is it likely to have a significant effect on the environment? | No | The extent to which implementation of the MWNP will result in likely significant environmental effects is assessed in section 6 and Figure 4 of this screening report. The assessment identifies that no likely significant environmental effects are expected to arise through implementation of the MWNP. GO TO CONCLUSION |
| Conclusion: SEA and HRA not required | | |

9. Screening Outcome

- 9.1. The MWNP does not allocate any land or sites for development. The effects of any potential growth have been considered previously through the submitted but now withdrawn East Cambridgeshire Local Plan 2018 and supporting evidence base, including the Sustainability Appraisal (which incorporated SEA) and Habitats Regulation Assessment, and the adopted East Cambridgeshire Local Plan 2015 (as amended 2023). For the purposes of SEA screening, this evidence base is considered appropriate and relevant.
- 9.2. To take an alternative approach, such as preparing evidence bespoke to the MWNP would be disproportionate and result in unnecessary duplication. This would be contrary to national planning policy.
- 9.3. Several of the new policies as proposed for the MWNP policies are particularly environmentally conscientious and address environmental issues positively by seeking to improve the quality of new development to reduce its impacts on the environment. However, for the purposes of SEA, these effects are not considered 'significant'.
- 9.4. Based on the findings of the screening assessment in this report and taking account of the consultation responses from the statutory agencies, ECDC is of the view that the implementation of the MWNP will not result in likely significant environmental effects. **As such, a full SEA is not required for the Modified Witchford Neighbourhood Plan (May 2024 post-regulation 14 consultation version 2).**
- 9.5. The assessment in section 7 also considers the effects of the MWNP in respect of European sites. The assessment determines that implementation of the MWNP is not expected to result in likely significant effects on European sites. **As such, a full HRA appropriate assessment is not required for the Modified Witchford Neighbourhood Plan (May 2024 post-regulation 14 consultation version 2).**
- 9.6. If the objectives, aims and/or policies covered by the MWNP should change significantly prior to submission, this screening process will be reviewed.

Appendix 1 SEA assessment criteria

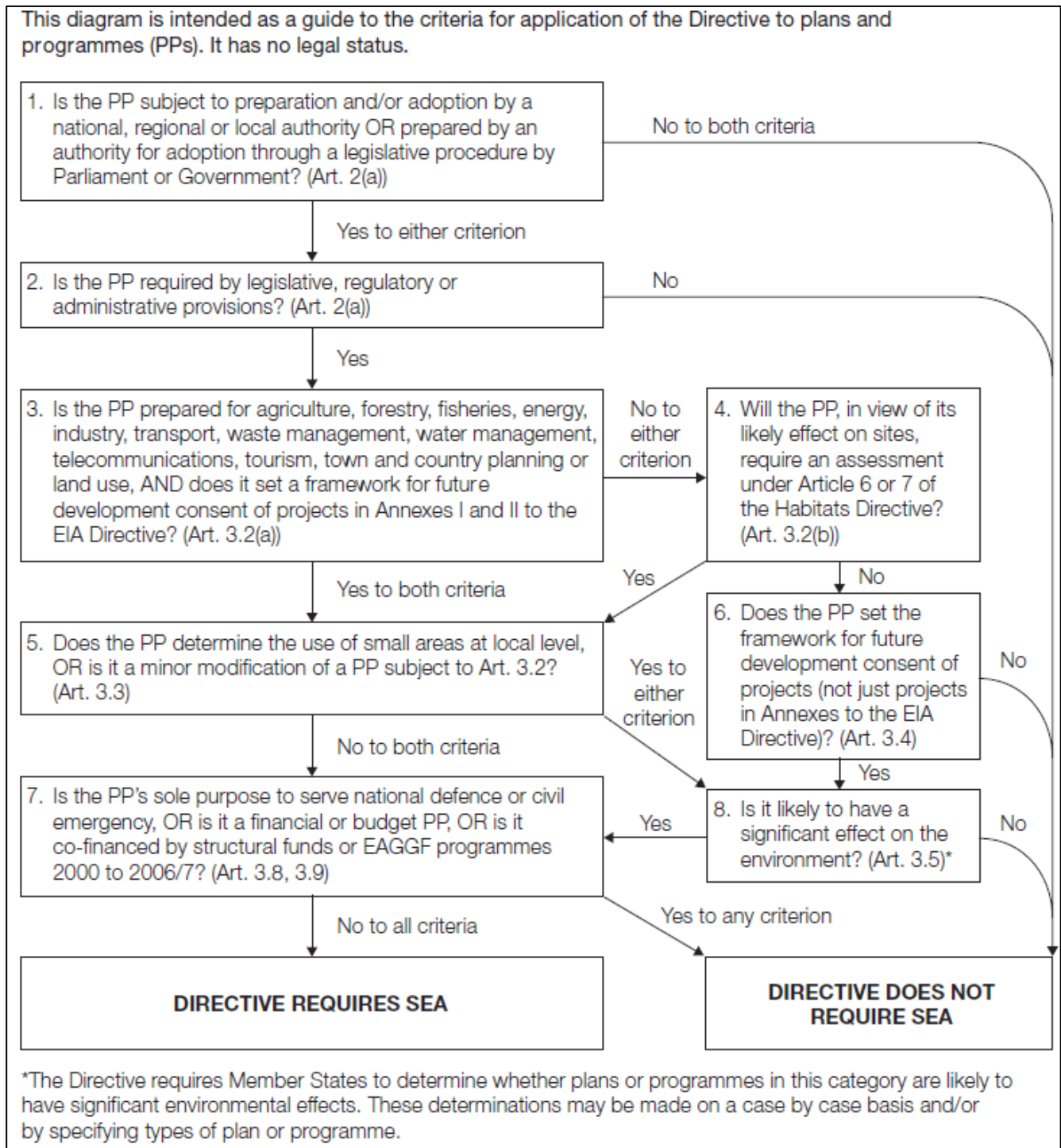
Article 3. Scope

5. Member States shall determine whether plans or programmes referred to in paragraphs 3 and 4 are likely to have significant environmental effects either through case-by-case examination or by specifying types of plans and programmes or by combining both approaches. For this purpose Member States shall in all cases take into account relevant criteria set out in Annex II, in order to ensure that plans and programmes with likely significant effects on the environment are covered by this Directive.

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.

Appendix 2 Application of the SEA Directive to plans and programmes¹⁷



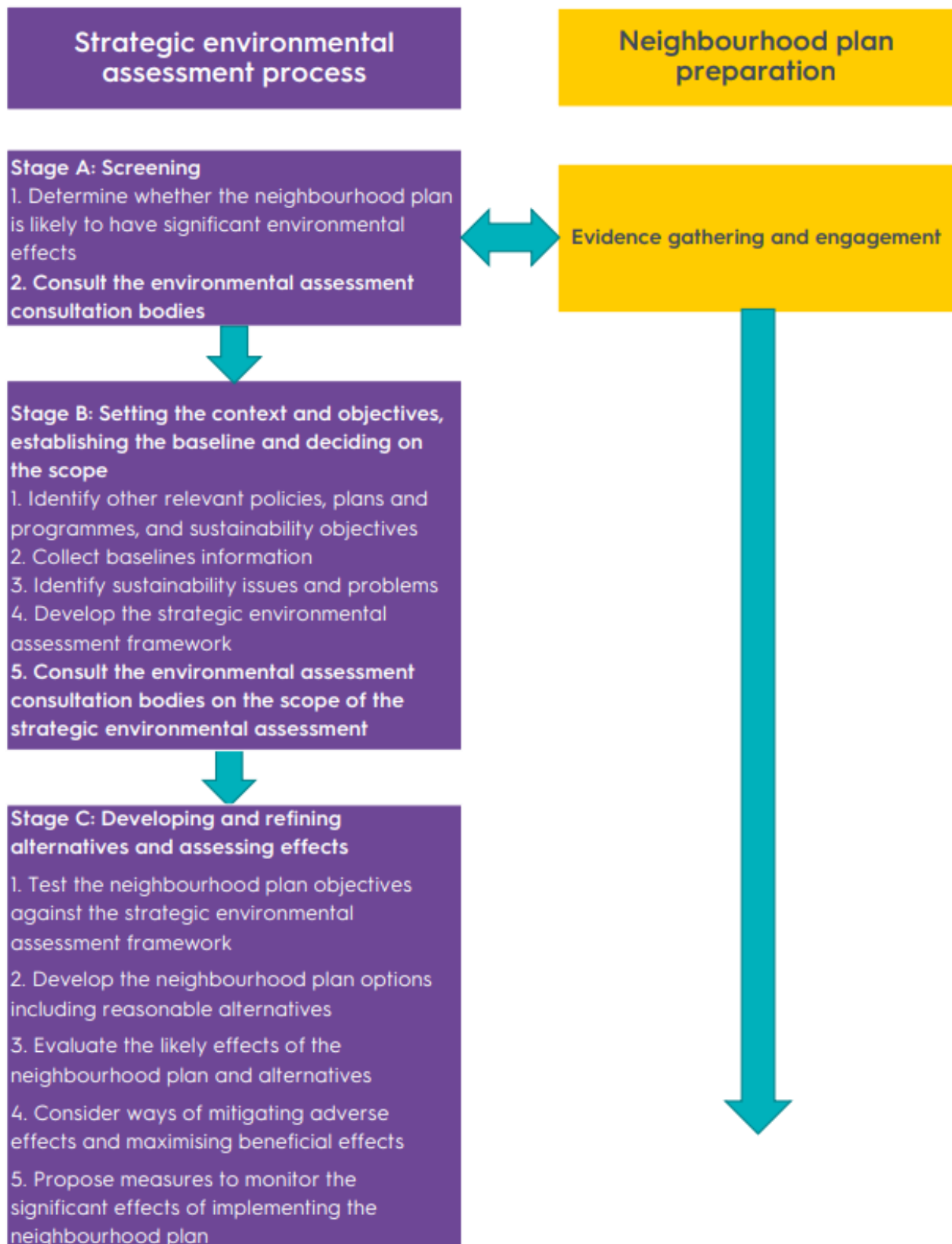
¹⁷ Annexes I and II of Directive 2011/92/EU (as referred to in Figure 2, question 3) available at:

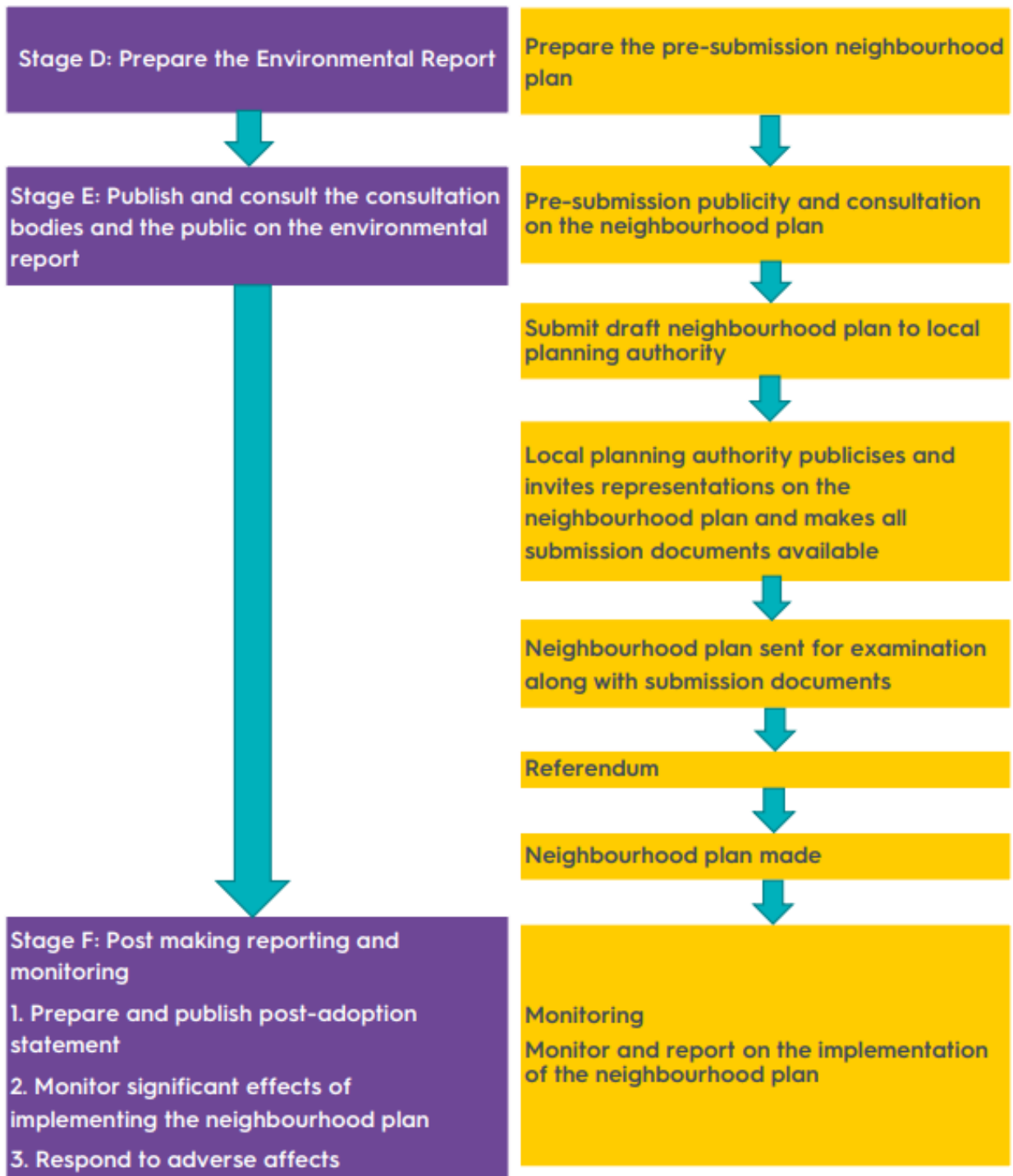
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN>
(see <http://ec.europa.eu/environment/eia/eia-legalcontext.htm> for details of amendments).

Articles 6 and 7 of the Habitats Directive (as referred to in Figure 2, question 4) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN>.

Appendix 3: SEA process for Neighbourhood Planning

(source: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#Strategic-environmental-assessment-process>)





Appendix 4: Consultation with Statutory Agencies

The following responses were received:

Natural England (5 August 2024)

Dear Mr Kay

Modified Witchford Neighbourhood Plan - Single-Issue Review (Climate Change) - SEA/HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 4 July 2024.

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 (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites, either alone or in combination, are unlikely.**

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 areas (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.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the Planning Practice Guidance. This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's standing advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to

consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle

Consultations Team

Historic England (17 July 2024)

Dear Richard,

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Modified Witchford Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

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 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number below, if you have any queries.

Best wishes,

Ross McGivern (he/him)
Historic Places Adviser
East of England Region
Partnerships Team
Historic England | Brooklands
24 Brooklands Avenue | Cambridge | CB2 8BU

Environment Agency (8 August 2024)

Dear Richard

DRAFT MODIFIED WITCHFORD NEIGHBOURHOOD PLAN “MAY 2024 POST-REGULATION 14 CONSULTATION VERSION 2”

Thank you for the consultation dated 07 July 2024. We have reviewed the latest version of the draft Neighbourhood Plan.

The plans confirm that there are no site allocations associated with these latest submissions, with all allocations occurring when original plan was approved in 2020.

This document deals specifically with one amended section, relating only to Addressing the Climate Change Emergency – Section 5.11 (Confirmed in Table 1: “New Policies Proposed to be added to the Plan”).

The most relevant policy to us is Policy WNP CC3 Delivering Biodiversity Net Gain. At present, Biodiversity Net Gain (BNG) doesn’t change our statutory consultation checklist, meaning we won’t comment on it as a statutory body if there are no other constraints that meet our remit. However, when proposals relate to statutory watercourses, we may choose to raise comments on BNG.

Please note that the view expressed in this letter is a response to the proposed Neighbourhood Development Plan only and does not represent our final view in relation to any future planning or permit applications that may come forward. We reserve the right to change our position in relation to any such application

We trust this advice is useful.

Yours sincerely

Mr Jack Saunders

Sustainable Places - Planning Advisor