



Foxton Parish Council



**South
Cambridgeshire
District Council**

Foxton Neighbourhood Plan

Strategic Environmental Assessment (SEA) Screening Determination Statement

3 June 2019

Executive Summary

This statement sets out the reasons for the determination that the draft Foxton Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. In addition this statement determines that the making of the Foxton Neighbourhood Plan is not likely to have a significant effect on a European site.

This determination statement is intended to demonstrate that the Foxton Neighbourhood Plan is compatible with certain European Union obligations as required by the basic conditions, namely:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment; and
- Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

Foxton Parish Council and South Cambridgeshire District Council will publish this determination statement in accordance with the regulatory requirements.

Determination Statement

This statement has been produced to ensure the Neighbourhood Plan will, when examined, comply with the Neighbourhood Planning (General) Regulations 2012 (as amended) in particular Regulation 32 and Regulation 15(1)e(ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

A neighbourhood plan is required to meet a number of basic conditions (which are set out in the Town and Country Planning Act 1990), one of which being it must not breach and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the SEA regulations¹ which transpose the EU's SEA Directive² into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in primary legislation. Regulation 32 states: *"The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e)) (either alone or in combination with other plans or projects).*

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion was prepared by Place Services on behalf of South Cambridgeshire District Council (SCDC) for the Foxton Neighbourhood Plan.(See Appendix 1).

SCDC has consulted the statutory consultees (Historic England/Natural England/Environment Agency) on the Screening Report prepared by Essex Place Services and asked for their views on whether an SEA is required.

Consultation responses were received from the three statutory consultees. Their conclusions are summarised below, and their detailed comments are included in Appendix 2.

- Historic England: The Screening Report concludes that the Foxton Neighbourhood Plan will not have any significant effects on the historic environment. Historic England notes that there are two site allocations within the village, either inside or immediately adjacent to the Foxton Conservation Area. Having reviewed the information supplied with the screening report, including the proposed policy framework in the neighbourhood plan, we concur with the conclusion of the report that it is unlikely there will be significant effects arising from the development of either or these two sites. Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.(2 May 2019)
- Natural England: On the basis of the material supplied to Natural England with the consultation, that , in so far as their strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effected from the proposed plan. Therefore we agree with the conclusions of the HRA screening. (1 May 2019)

¹ Known fully as The Environmental Assessment of Plans and Programmes Regulations 2004.

² Known fully as Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

- Environment Agency: Due to resource pressures they were unable to provide a comprehensive bespoke advice on pre application enquiries, screening and scoping opinions. (30 May 2019)

The SEA screening assessment considered that the Neighbourhood Plan would not have a significant effect on the environment in so far as the Neighbourhood Plan has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications. Although the Plan allocates land for development purposes, the small scale of these allocations minimises the possibility of any negative effects on the environment.

The assessment concluded that the Neighbourhood Plan was not likely to have significant environmental effects and consequently that a strategic environmental assessment was not required.

The HRA screening indicated that the Foxton Neighbourhood Plan is not predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects.

Based on the screening opinion and having considered the consultation responses from the statutory environmental bodies, Foxton Parish Council and South Cambridgeshire District Council determine that the Foxton Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a strategic environmental assessment. The Councils also determine that the Neighbourhood Plan is not likely to result in significant effects on any European site.

Appendix 1: Strategic Environmental Assessment Screening for Foxton Neighbourhood Plan

As part of the process of making a Neighbourhood Plan, Foxton Parish Council has requested a screening opinion to see whether a Strategic Environmental Assessment is required. Such a requirement can be screened out if it is felt, based on the information available, that the Neighbourhood Plan would not have a likely significant environmental affect.

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion was prepared by Place Services on behalf of South Cambridgeshire District Council for the Foxton Neighbourhood Plan.



Foxton Neighbourhood Plan 2019-2031

Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) Screening Report – April 2019





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1. Introduction

1.1 The Purpose of this Report

This screening report is an assessment of whether or not the contents of the Foxton Neighbourhood Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/ EC and associated Environmental Assessment of Plans and Programmes Regulations. A SEA is required if the Neighbourhood Plan is deemed to have a likely significant effect on the environment.

This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected Habitats (European) Sites as a result of the implementation of a plan/project.

1.2 The Foxton Neighbourhood Plan (2019-2031)

The Neighbourhood Plan will set out planning policies for the Foxton Neighbourhood Plan area. Once formally adopted, a Neighbourhood Plan carries the same legal weight as Local Development Plans adopted up by the Local Planning Authority (LPA), in this case South Cambridgeshire District Council.

The Neighbourhood Plan states that the primary purpose of a Neighbourhood Plan is related to the use and development of land within the Parish and its role in determining planning applications within the Plan Area. The Plan's Vision is as follows:

'To retain and enhance the unique rural character and community spirit of Foxton'.

Additionally, a number of Key Objectives are devised for the Plan. These are:

Theme	Key Objective
Spatial Strategy	<ul style="list-style-type: none"> To reflect Foxton's Group Village status and provide local context to Foxton's development framework.
Environment and Local Character	<ul style="list-style-type: none"> To maintain the historic and rural nature of Foxton. To protect and enhance the landscape character. To enhance and add to existing biodiversity assets. To improve the built-up area of Foxton where opportunities arise.
Housing	<ul style="list-style-type: none"> To support modest growth commensurate with Foxton's status in the wider settlement hierarchy where this growth contributes to meeting local housing needs.
Community Facilities	<ul style="list-style-type: none"> To retain existing infrastructure and secure improved provision of facilities.



Theme	Key Objective
Employment	<ul style="list-style-type: none"> To provide appropriate high value local employment. To facilitate employment of Foxton residents.
Transport	<ul style="list-style-type: none"> To reduce the impact of traffic in the village and improve safety of all road users. To encourage people to walk, cycle and use public transport in preference to cars.
Foxton Transport Hub	<ul style="list-style-type: none"> To maximise benefits to Foxton in the event of creation of a travel hub and/or closure of the level crossing. To ensure that the area adjacent to the railway station is redeveloped in a coherent, integrated way.

1.3 The South Cambridgeshire Local Plan

The adopted South Cambridgeshire Local Plan sets out the planning policies and land allocations to guide the future development of the district up to 2031. It includes policies on a wide range of topics such as housing, employment, services and facilities, and the natural environment.

1.3.1 Content regarding the Neighbourhood Plan area within the Local Plan

The Local Plan identifies Foxton as a 'Group Village' within Policy S/10. Group Villages are generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village. All Group Villages have at least a primary school and limited development will help maintain remaining services and facilities and provide for affordable housing to meet local needs. Development will not be permitted on sites capable of accommodating scheme sizes significantly larger than 8 or exceptionally 15 dwellings in Group Villages.

Policy S/7 of the Local Plan, entitled 'Development Frameworks'. Development Frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. The Policy supports development within such frameworks (including that of Foxton), and includes further information on proposals outside development frameworks for Neighbourhood Plans, stating that,

'(2) Outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.'

The Local Plan does not allocate any land for development purposes within Foxton, however does safeguard existing rail freight facilities within the Neighbourhood Plan area within Policy TI/4. Similarly, a Transport Safeguarding Area has been designated in the Cambridgeshire and Peterborough Minerals and Waste Local Development Framework for the Foxton Sidings and the branch railway line to Barrington to enable the import of materials by rail for the partial fill and restoration of the quarry.



2. Legislative Background

2.1 Strategic Environmental Assessment (SEA)

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment states that,

'Environmental assessment is an important tool for integrating environmental considerations into the preparation and adoption of certain plans and programmes which are likely to have significant effects on the environment.'

(10) All plans and programmes which are prepared for a number of sectors and which set a framework for future development consent of projects listed in Annexes I and II to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment(7), and all plans and programmes which have been determined to require assessment pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna(8), are likely to have significant effects on the environment, and should as a rule be made subject to systematic environmental assessment. When they determine the use of small areas at local level or are minor modifications to the above plans or programmes, they should be assessed only where Member States determine that they are likely to have significant effects on the environment.'

(11) Other plans and programmes which set the framework for future development consent of projects may not have significant effects on the environment in all cases and should be assessed only where Member States determine that they are likely to have such effects.'

The Foxton Neighbourhood Plan may influence frameworks for future development, or become used ancillary to those plans and programmes that do set such a framework, and as such it has been determined that the principle of the Neighbourhood Plan should be screened for the necessary application of the SEA Directive.

The Report from the Commission to The Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions states, on the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC), that

'the following P&P, and modifications to them, are covered when prepared and/or adopted by an authority[2] and required pursuant to legislative, regulatory or administrative provisions:

- P&P prepared for certain sectors and which set the framework for future development consent in respect of projects under the Environmental Impact Assessment-EIA-Directive.*
- P&P requiring an assessment under the Habitats Directive (92/43/EEC).*
- P&P setting the framework for development consent in respect of projects (not limited to those listed in the EIA Directive; see above) and determined by "screening" as being likely to have significant environmental effects.'*

This report represents this screening process in regard to the content and influence of the Foxton Neighbourhood Plan.



2.2 Habitats Regulations Assessment (HRA)

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (*The Conservation of Habitats and Species (Amendment) Regulations 2017*), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site (also referred to as Habitats Sites in the National Planning Policy Framework), in terms of impacting the site's conservation objectives.

HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites.

This HRA Screening Report has been undertaken in order to support the Foxton Neighbourhood Plan which is being produced by Foxton Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

In line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.



3. SEA Screening

3.1 When is SEA Required?

Planning Practice Guidance – Strategic environmental assessment requirements for neighbourhood plans (Paragraph: 026 Reference ID: 11-026-20140306) states that,

'In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a "screening" assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of those Regulations.

One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).

To decide whether a draft neighbourhood plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan's preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.

Each consultation body will be able to advise on particular topics relevant to its specific area of expertise and responsibility, and the specific information that it holds.

Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement must be submitted with the neighbourhood plan proposal and made available to the independent examiner.'

Articles 2 and 3 of the SEA Directive set out the circumstances in which an SEA is required. Table 1 sets out the assessment of whether the principle of the Foston Neighbourhood Plan will require a full SEA.

Table 1: Exploring whether the Principle of the Plan would warrant SEA

Q	Criteria	Response	Outcome	Commentary
1	Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through legislative procedure by Parliament or Government	Yes	Go to question 2	The Neighbourhood Plan has been prepared for adoption through legislative procedure.
2	Is the Plan required by legislative, regulatory or <u>administrative provision</u> Typical characteristics of "administrative provisions" are that they are publicly available, prepared in a formal way, probably involving consultation with interested parties. The administrative provision must have sufficient formality such that it counts as a "provision" and it must also use language that plainly requires rather than just encourages a Plan to be prepared.	Yes	Go to question 3	The Neighbourhood Plan would be considered as falling within the category of an 'administrative provision'.
		No	DOES NOT REQUIRE SEA	
3	Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?	Yes to both criteria	Go to question 5	The Neighbourhood Plan has been prepared for town and country planning and sets a framework for future development consent
		No to either criteria	Go to question 4	
4	Will the Plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	Yes	Go to question 5	N/A
		No	Go to question 6	
5	Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan likely to require assessment under the Habitats Directive?	Yes to either criteria	Go to question 8	The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications.
		No to both criteria	Go to question 7	

Q	Criteria	Response	Outcome	Commentary
6	Does the Plan set the framework for future development consent of projects (not just projects in the Annexes of the EIA Directive)?	Yes	Go to question 8	N/A
		No	DOES NOT REQUIRE SEA	
7	Is the Plans sole purpose to serve national defence or civil emergency, OR is it a financial or budget Plan, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7	Yes to any criteria	DOES NOT REQUIRE SEA	N/A
		No to all criteria	REQUIRES SEA	
8	Is it likely to have a significant effect on the environment?	Yes	REQUIRES SEA	Likely significant effects are explored in more detail elsewhere in this Screening Report.
		No	DOES NOT REQUIRE SEA	

The following section looks at the criteria for assessing the effects of the Neighbourhood Plan and the identified effects of the Neighbourhood Plan in line with the criteria. Crucially, it will determine whether there are any likely significant effects on the environment.



3.2 Criteria for Assessing the Effects of the Neighbourhood Development Plan

Criteria for determining the likely significant effects on the environment, referred to in Article 3(5) of Directive 2001/42/EC are set out below.

Annex II of SEA Directive 2001/42/EC – Significant Effects

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.

3.3 Likely Significant Effects on the Environment resulting from the Neighbourhood Development Plan

The following assessment will consider the likelihood of the Foxton Neighbourhood Plan (at the time of writing) to have significant effects on the environment.

Table 2: Assessment of Likely Significant Effects on the Environment

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>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>	<p>The Plan sets out relevant policies which will be used to determine proposals for development within the Neighbourhood Plan area once adopted. The Plan includes a policy (Policy FOX/21 Site Allocations) which includes Plan allocations. These are included separately in the following policies:</p> <ul style="list-style-type: none"> • Policy FOX/16 New Employment Provision in Foxton (at the Burlington Press site) • Policy FOX/20 Foxton Travel Hub and A10 Development Opportunity Site (for the provision of a station car/cycle parking, compatible employment uses and potentially appropriate housing) • Policy FOX/9A Redevelopment of old school/chapel site on Station Road (at least four appropriately designed older people's dwellings) <p>The policies indicate preferred locations for forthcoming development, with supporting site specific criteria. These sites do not have planning permission and are not included within the District Council's adopted Local Plan.</p> <p>The degree to which the Plan sets a framework for projects through allocating resources, could be considered relatively high. This increases the likelihood of warranting the application of the SEA Directive in the form of a SEA Environmental Report from a procedural point of view, subject to the identification of any environmental effects elsewhere in this table.</p>
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>The Neighbourhood Plan provides policies for the Plan area, relevant to a local level only. The policies are in general conformity to that of the adopted South Cambridgeshire Local Plan. The Neighbourhood Plan allocates land for development purposes within the Plan area that is not allocated within the adopted South Cambridgeshire Local Plan.</p> <p>The Neighbourhood Plan, when/if 'made', will have weight in all planning decisions within the Plan area, including allocating land as a resource for development purposes. This in turn will influence future iterations of the Local Plan and planning policy in general in the local area.</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Neighbourhood Plans are required to contribute to the achievement of sustainable development. The Neighbourhood Plan policies seek to ensure environmental considerations are taken into account. The Plan includes policies related (directly / indirectly) to ensuring environmental considerations will be integrated into any forthcoming development within the Plan area. These are:</p> <ul style="list-style-type: none"> • FOX/4: Enhance and add to exiting green spaces with biodiversity and landscape value • FOX/5: Protecting and enhancing Foxton’s Landscape Character • FOX/8: Biodiversity and new development • FOX/14: Future green infrastructure provision <p>The Plan sufficiently seeks to ensure that environmental considerations are integrated, with a view to promoting sustainable development.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The Neighbourhood Plan reflects a small area and the Plan’s policy content seeks to address environmental issues. The policy content of the adopted Local Plan will additionally apply to any proposals within the Neighbourhood Plan area. These policies have been subject to Sustainability Appraisal within the context of the Local Plan. The Plan and this Screening Report identify the following potential (direct / indirect) environmental problems or sources of potential problems relevant to the Neighbourhood Plan area:</p> <ul style="list-style-type: none"> • A number of Priority Habitats (from the Priority Habitat Inventory¹) are scattered throughout the Plan area, with many adjacent to the existing development framework boundary. These include Deciduous Woodland, Young Trees Woodland and Traditional Orchard. Areas of coastal floodplain and grazing marsh are also associated with the River Cam to the north of the Plan area. • The Plan area contains a Scheduled Monument (Settlement site SE of West Hill). This Scheduled Monument is detached from the development framework and located to the south of the built up area of Foxton. • Adjacent to the Neighbourhood Plan boundary lie two other Scheduled Monuments: a Roman site North of Brown Spinney (to the west) and a Settlement site at Manor Farm (to the north east). • There are approximately 30 Listed Buildings within the Plan area; the majority of these are within the Foxton Conservation Area.

¹ a spatial dataset that describes the geographic extent and location of Natural Environment and Rural Communities Act (2006) Section 41 habitats of principal importance.



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
	<ul style="list-style-type: none"> • Of these Listed Buildings, there exists the Grade I listed Church of St Lawrence. • A SSSI that is in ‘unfavourable declining’ condition (the Whittlesford – Thriplow Hummocky Fields SSSI) lies adjacent but outside the Plan area to the south (south of Cambridge Road). The Plan area is within various Impact Risk Zones of this and other SSSIs, however Natural England would not have to be consulted on any land-uses promoted / allocated within the Plan. • There are noise quality implications associated with the A10 within the Plan area. This includes areas of land within average noise levels of 75dB in the day (Lden) and 65-69.9dB at night (Lnight). • Additionally, the presence of the railway line bisecting the Plan area also has noise quality implications of 70.0-74.9dB in the day (Lden) and 60.0-64.9dB at night (Lnight). • Large areas of Flood Risk Zones 3 and 2 exist within the Plan area associated with the River Cam to the north of the development framework boundary. Tributaries also exist to the immediate east and west of the built up area of Foxton. • The non-developed areas of the Plan area consist of Grade 2 Agricultural Land. This corresponds to ‘very good’ soil quality and is the best and most versatile soil within the wider District context. • The parish falls within the National Character Area 87 East Anglian Chalk, and comprises three generic landscape types as defined in the East of England Regional Typology: Valley meadowlands (flat, low lying valley floors supporting a pastoral land use, associated with notable watercourses/rivers. Generally unsettled, with occasional carr (wet) woodland and gravel extraction lakes, or ancient meres); Lowland village farmlands (a low lying landscape which is often crossed by major river corridors); and Lowland village chalklands (low lying, but gently rolling arable landscape, dissected by small streams, with a distinctive pattern of nucleated villages and a patchwork of woodlands and shelterbelts). • The eastern half of the parish is in Green Belt.
<p>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).</p>	<p>The content of the Neighbourhood Plan is not in conflict with those relevant planning documents within the wider district and county area related to waste management or water protection.</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)		Likelihood and summary of significant effects
Sustainability Theme	The probability, duration, frequency and reversibility of the effects on the following factors:	The following impacts have been identified within this Screening Assessment:
	- Biodiversity	<p>The Plan area is within numerous Impact Risk Zones of various SSSIs in close proximity; however no land is allocated for development within the Plan that would require consultation with Natural England. As a result, there cannot be considered to be likely significant effects on nationally designated sites within the Plan area. Regarding internationally designated sites, the Plan area is within the Zone of Influence of a Habitats Site (Eversden & Wimpole Woods SAC), however the HRA Screening element of this Report concludes that there would be no likely significant effects resulting from the Plan alone or in-combination with other plans and projects.</p> <p>Policy FOX/8 seeks to protect and enhance natural habitats in the Plan area, and seeks net gains in biodiversity. In addition, it should be acknowledged that adopted Local Plan policies on biodiversity also apply. The HRA Screening element of this Report also screens out any negative effects at the Plan level and in-combination with other plans and projects. Therefore, the potential for negative effects on biodiversity can be ruled out at this stage.</p>
	- Population	It is considered that there would be no significant effects on population resulting from the Neighbourhood Plan. This is due to the small scale of the Plan area and the fact that the Plan only allocates land for the development of four dwellings.
	- Human health	There are no highlighted significant effects of the Neighbourhood Plan regarding human health that would warrant a strategic assessment through SEA. The Plan includes policies for the protection of green and open spaces that contribute to healthy lifestyles.
	- Fauna	The impacts of the Neighbourhood Plan on fauna are not considered significant at the plan level. It is possible that any number of developments that could be forthcoming within the Plan Area could have negative impacts on protected species, however these cannot be considered strategically significant to the extent that Strategic Environmental Assessment would be warranted. Such issues are more appropriate to be considered on a case-by-case 'project level' basis at the development management stage and in accordance with relevant development management policies contained within the LPA's adopted Local Plan.
- Flora	Areas of Priority Habitat woodland exist within the Plan Area, however these are not likely to be lost or otherwise harmed through their protection (where relevant) in Policy FOX/8 and the fact that no	

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
	<p>development is allocated within the Plan. There will be no likely significant effects on flora as a result.</p>
- Soil	<p>The Plan area contains Grade 2 (very good) Agricultural Land (ALC) / soil quality which represents the best and most versatile agricultural land within the wider District. The Plan predominantly allocates brownfield land for development, aside from the employment extension allocated adjacent to the development framework boundary. Additionally, large parts of the Plan area are also within the Greenbelt. There will therefore be no negative implications surrounding soil quality.</p>
- Water	<p>The Plan area is not within any Source Protection Zone and as such the Neighbourhood Plan will not have any related effect. Furthermore it cannot be considered that the Plan would cause any related negative water quality effects related to the potential pollution of ground water (e.g. give rise to hazardous substances such as pesticides, oils, petrol and diesel, solvents, arsenic, mercury or chromium VI; or non-hazardous substances such as ammonia or nitrates). Pollution control policies at the LPA level also apply within the Neighbourhood Plan area to ensure that no negative effects on water quality would be experienced within Foxton.</p>
- Air	<p>As mentioned above, there are noise quality implications associated with the A10 and the railway line bisecting the Plan area. The Plan includes noise related criteria within Policy FOX/16 related to new employment provision in Foxton. Further, Policy FOX/20 states that, 'due to the barrier created by the A10 corridor and anticipated future disturbances (noise, pollution etc.) from a future transport hub, new residential uses west of the railway and A10 are not considered appropriate and will not be supported.'</p> <p>The Plan is therefore not considered to have any noise related impacts that could cumulatively exacerbate conditions outside of the Plan's control; those being strategic development within the Plan area (a transport hub) and the wider impacts associated with transport movements on the A10.</p>
- Climatic factors	<p>The Neighbourhood Plan area contains significant areas of Flood Risk Zones 3 and 2. The Plan does not include any allocations for development purposes within such areas. No policies exist within the Plan that address flood risk issues, although it should be acknowledged that existing adopted Local Plan policies regarding flood risk apply in the Plan area. There will be no impacts resulting from the scope and content of the Neighbourhood Plan.</p>
- Material assets	<p>The Plan area is not within a Minerals Safeguarding Area (MSA) within the County Council's adopted Minerals Local Plan (Proposals Map C) (2011). The Plan does not include any policies that conflict</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>- Cultural heritage</p> <p>- Landscape</p>	<p>with the MSA or include any site allocations.</p> <p>Regarding other material assets, the content of the Neighbourhood Plan is not considered to have any significant effects due to the extent / size of the Neighbourhood Area. Such issues are more appropriate to be considered on a case-by-case basis at the development management stage and in accordance with relevant development management policies contained within the LPA's adopted Local Plan.</p> <p>The Plan area contains a Scheduled Monument and 30 Listed Buildings including one that is Grade I listed. The Plan area also includes a Conservation Area. The Plan includes a site allocation located within the Conservation Area (FOX/9A, the old school and chapel) that could have a negative effect on the Conservation Area through its location; however consideration must be given to the brownfield nature of the site. Additionally, the Plan's allocation for an employment extension (FOX/16, at the Burlington Press site) is on land adjacent to the Conservation Area. In both instances, the Plan's supporting policies include criteria related to ensuring that design take account of the Conservation Area. Thematic policies FOX/2: Design and Character and FOX/3: Heritage Assets and their Setting provide more detailed information as to what constitutes appropriate development in the Conservation Area. In both instances also, the sites are not in close proximity to any listed buildings.</p> <p>In consideration of the above, and the fact that Policy exists at the LPA level which additionally applies in the Plan area, significant negative effects can be ruled out at this stage.</p> <p>The Neighbourhood Plan area contains areas of Greenbelt. The Plan does not allocate land for development or seek any settlement boundary amendments within this area. The Plan's allocations represent brownfield development or are otherwise a logical extension of the existing built up area outside the Green Belt. As a result, there have not been any significant strategic landscape effects that would warrant the requirement for the application of the SEA Directive and the formulation of a SEA Environmental Report.</p>
<p>The cumulative nature of the effects.</p>	<p>In line with the above considerations that explore the possible individual effects of the Plan's content, no significant cumulative effects are considered to be likely to warrant the requirement for the application of the SEA Directive and the formulation of a SEA Environmental Report.</p>
<p>The trans boundary nature of the effects.</p>	<p>The adopted South Cambridgeshire Local Plan can be seen to support the protection and improvement of conditions relevant to those sustainability factors listed within the SEA Directive. The Neighbourhood Plan is not in conflict with these wider thematic policies. The HRA Screening element of this Report, which explores</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The risks to human health or the environment (e.g. due to accidents).</p>	<p>in-combination effects with other relevant plans and projects, also identifies no in-combination effects regarding Habitats (European) Sites.</p>
<p>The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).</p>	<p>There is limited risk to human health or the environment as a result of the Neighbourhood Plan. This is in consideration of the above screening requirements related to sustainability themes. The Neighbourhood Plan is primarily focused on housing, and is unlikely to give rise to any accidents that can be considered to have a significant risk to human health or the environment.</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - special natural characteristics or cultural heritage - exceeded environmental quality standards - intensive land use 	<p>The Neighbourhood Plan relates to the local level only and the allocations included are of a small scale responding to local needs. As such, no significant effects are identified within this Screening Report.</p>
<p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has been assessed as having no potential for significant effects that would warrant further assessment through SEA.</p> <p>As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has been assessed as not having any significant effects on areas or landscapes which have a recognised national, community or international protection status.</p>



4. HRA Screening

4.1 Habitat Regulations Assessment of Development Plans

This section forms a plan level Habitats Regulations Assessment (HRA) as required by Regulation 63 of The Conservation of Habitats and Species (Amendment) Regulations 2017.

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (The Conservation of Habitats and Species (Amendment) Regulations 2017), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any Habitats Site, in terms of impacting the site's conservation objectives.

HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats (European) sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. Habitats (European) sites are also known as Natura 2000 sites.

In line with the recent Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats site. As the Neighbourhood Plan does not require any mitigation for policies and does not allocate any sites for development, HRA screening concluded that it is possible to rule out likely significant effects related to development, without the need for further assessment.

This Report has been undertaken in order to support the Foxton Neighbourhood Plan which is being produced by Foxton Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

This section of this Report aims to:

- Identify the Habitats sites within 20km of Foxton Neighbourhood Plan area.
- Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
- Screen the Foxton Neighbourhood Plan for its potential to impact upon a Habitats site.
- Assess the potential for in combination effects from other projects and plans in the area.
- Identify if there are any outstanding issues that need further investigation.



4.2 Recent Court Judgements and their consideration in this Report

4.2.1 CJEU People Over Wind v Coillte Teoranta C-323/17

As previously mentioned, in line with the recent Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.

This HRA Screening Report does not therefore consider mitigation measures within the assessment of Likely Significant Effects resulting from the Foxton Neighbourhood Plan.

4.2.2 CJEU Holohan C- 461/17

This recent Court judgement now imposes more detailed requirements on the competent authority at Appropriate Assessment stage:

1. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.
2. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.
3. [...] where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'Appropriate Assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

Within this HRA Screening report, the assessment determines the requirement for whether an Appropriate Assessment is needed for the Foxton Neighbourhood Plan.

4.3 Habitats (European) Sites

Habitats Sites are the centrepiece of EU nature and biodiversity policy. They form an EU wide network of nature protection areas. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats.

The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora).



The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Wetlands of International Importance (Ramsar sites) are also considered as part of the Natura 2000 network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites are considered as Habitats Sites in England (NPPF, 2019).

4.3.1 Explanation of SPAs, SACs and Ramsar Sites

Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU countries. Example: Ouse Washes is internationally important for wintering waterfowl. *Legislation: EU Birds Directive.*

Special Areas of Conservation (SACs)

SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: woodland habitat of Eversden and Wimpole Woods for the population of Barbastelle bats. *Legislation: EU Habitats Directive.*

Wetlands of International Importance (Ramsar Sites)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl habitats. For example, Wicken Fen is an outstanding remnant of East Anglian peat fens and supports one species of British Red Data Book plant fen violet *Viola persicifolia* which survives at only two other sites in Britain. Ramsar sites often overlap with SACs and SPAs and UK planning policy determines that they should be accorded the same importance when developments are proposed. *Legislation: Ramsar Convention (1971) – Wetlands of International Importance.*

4.3.2 Habitats Sites to be considered

There is only one Habitats site (1 SSSI) which lies within 20 km of Foxton parish. These were identified by South Cambs Local Plan Sustainability Appraisal (SA) scoping report and are shown on the map in Appendix 2. The parish is buffered by 10km (with respect to Eversden and Wimpole Woods SAC) as this distance is identified on MAGIC website (www.magic.gov.uk) as Impact Risk Zones for consultation with Natural England. The types of development proposed by the Foxton Neighbourhood Development Plan do not trigger consultation with Natural England regarding potential impacts on any of these statutory sites.

Table 3: Habitats Sites within 20km of the development to be considered in this assessment

SPA	SAC	Ramsar
N/A	Eversden and Wimpole Woods SAC	N/A

After consideration of the South Cambs District Council Local Plan SA Scoping (Appendix 11 HRA screening) (June 2012), it was concluded that only one SSSI with European designation shown in



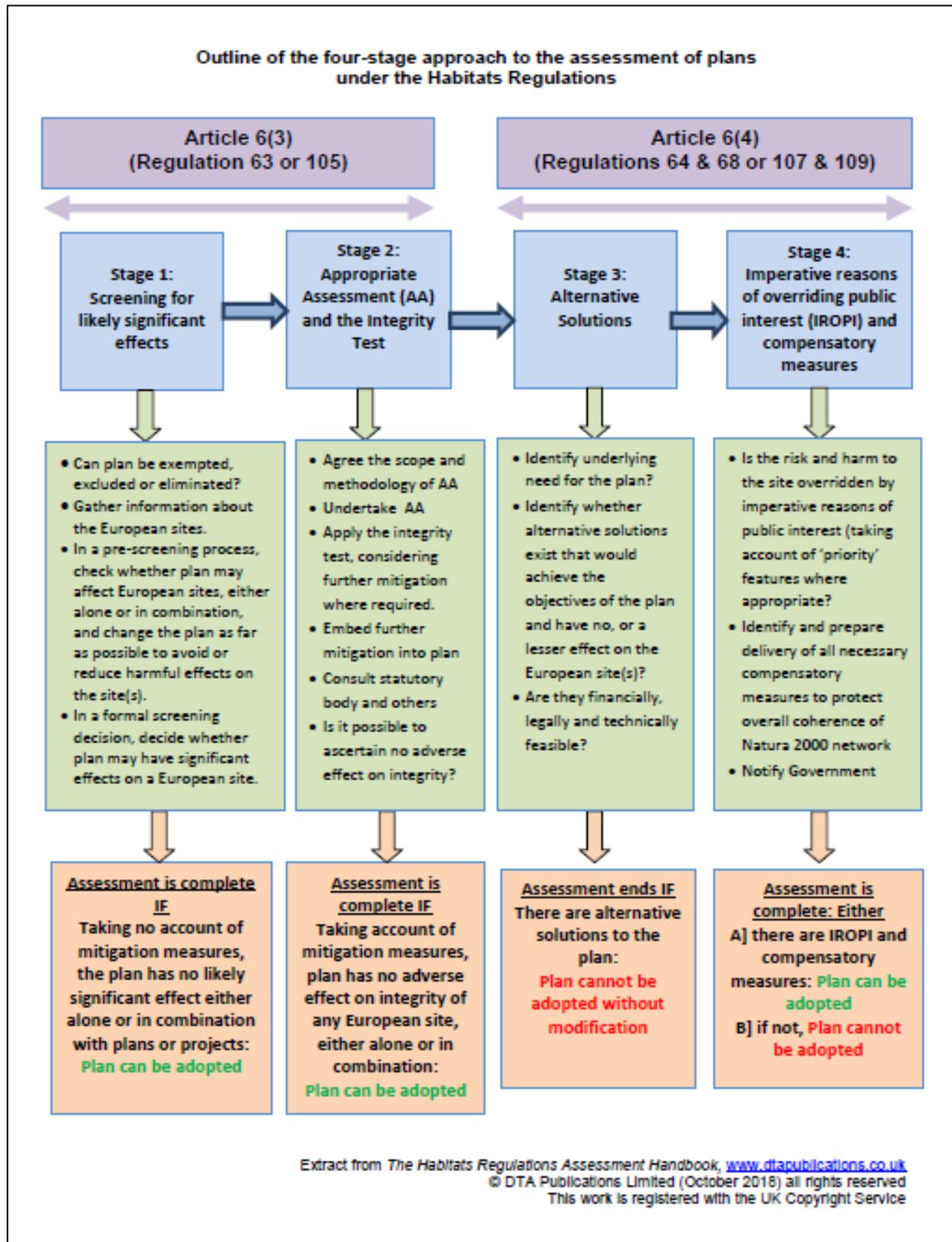
Table 3 need to be assessed further for 'likely significant effects' from this draft Neighbourhood Development Plan. There is therefore only one Habitats Site within scope of this HRA screening.

4.4 Method and Approach

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA screening report; this is necessary to ensure the making of the neighbourhood plan is not likely to have a significant effect on a Habitats (European) site or a Habitats (European) offshore marine site, either alone or in combination with other plans or projects.

This document relates only to Stage 1 of the HRA process as set out in Figure 1 below.

Figure 1: Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations (taken from the DTA handbook).





4.4.1 Stage 1: HRA Screening

The screening stage identifies if any significant effects are likely because any policies or projects will have an impact on a Habitats Site. Table 4 identifies the different categories assigned to each policy in the plan: Category A identifies those policies or projects that are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect upon a Habitats Site either alone or in combination with other plans or projects. Section 4.5 considers each policy or projects and the results of the screening exercise recorded.

Table 4: Screening categorisation

Category A : No negative effect
Policies or projects that will not be likely to have any negative effect on a Habitats site.
Category B : No Likely Significant Effect
Policies or projects that could have an effect but would not be likely to have a <i>significant</i> negative effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.
Category C Likely Significant Effect
Policies or projects which are predicted to have a likely significant effect on a Habitats Site either alone or in combination with other plans and projects.

4.4.2 Potential impacts of Foxton Neighbourhood Plan on Habitats sites

There is a wide range of impacts and these can be summarised as -

- Land take by developments;
- Impact on protected species found within but which travel outside the protected sites may be relevant where development could result in effects on qualifying interest species within the Habitats site, for example through the loss of feeding grounds for an identified species.
- Increased disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure projects;
- Changes in water availability, or water quality as a result of development and increased demands for water treatment, and changes in groundwater regimes due to increased impermeable areas;
- Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc. Pollution discharges from developments such as industrial Developments, quarries and waste management facilities.

In line with the SA Scoping Report for South Cambridgeshire's Local Plan, each policy will be assessed against the criteria in the table below

Table 5: Assessment of potential impacts

Nature of potential impact	How the Foxton Neighbourhood Development Plan (alone or in combination with other plans and projects) could affect a Habitats site?	Why these effects are not considered significant?
Land take by development	Foxton parish is outside the boundaries of the Habitats Sites within scope of this HRA.	N/A
Impact on protected species outside the protected sites	<p>Development in Foxton parish could impact on habitats for Barbastelle bats, a qualifying feature of Eversden and Wimpole Woods SAC, as the Plan lies within the 10km Impact Risk Zone and this species requires minimal disturbance within 2 km of their roost. They can forage up to 20km from their roosts but more typically venture around 6-8km.</p> <p>Development in Foxton parish could potentially impact on foraging habitat for Barbastelle bats.</p>	<p>The site allocations are all outside the main area of importance for Barbastelle bats is shown on Map 1 in the Biodiversity Supplementary Planning Document adopted by South Cambridgeshire District Council in July 2009. This area reflects the landscape and habitat of known value to bats, and also where survey effort has been deployed up to 2009. The Plan is therefore not likely to result in significant effects on this Habitats Site.</p>
Recreational pressure and disturbance	There is public access to both Eversden and Wimpole Woods SAC and Ouse Washes SPA.	<p>Foxton parish is less than 10km from Eversden and Wimpole Woods SAC but more than 5km to Ouse Washes, so beyond the distance that Natural England consider, in the absence of evidence that visitors are likely to travel to these sites for recreation.</p> <p>There is a network of public rights of way in the Washes. The RSPB manage a nature reserve at Welches Dam where there is a visitor centre and a number of bird hides.</p> <p>Both sites are carefully managed by the landowners to avoid impacts from recreational pressure and disturbance</p>
Water quantity and quality	<p>Water quality is a major issue of concern for Ouse Washes & it regularly fails to meet total Phosphorus target of 0.1mg/l. During the winter and increasingly during the spring and summer months as well, the inner river takes flood-water from the Great Ouse, and therefore has an important flood defence function. Issues of concern relate to water quantity, water quality, salinity, turbidity and sediment.</p>	<p>Foxton Parish lies outside the 5km zone of influence for Ouse Washes SAC, SPA & Ramsar.</p> <p>The Environment Agency Review of consents concluded in 2012 that water resources consents do not adversely affect the integrity of the European site, with respect to SPA features.</p>

Nature of potential impact	How the Foxton Neighbourhood Development Plan (alone or in combination with other plans and projects) could affect a Habitats site?	Why these effects are not considered significant?
Changes in pollution levels	As Foxton is outside the IRZs of the wetland SSSIs within scope of this HRA, it is considered that there is no pathway for development to result in pollution impacts.	N/A

4.5 Results from HRA Screening of Draft Neighbourhood Plan Policies

Each of the policies in the Foxton draft Neighbourhood Plan were screened to identify whether they would have any impact on a Habitats Site.

Table 4: Assessment of potential impacts

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
FOX/1: Locations for new development	<p>New development proposals will be supported where they are located within the Foxton village development framework, subject to environmental and other constraints set out in other policies within this NP and the Local Plan. Residential development in line with Foxton's Group Village status is subject to an appropriate level of services, facilities and other infrastructure being available or provided. Proposals outside the Foxton village development framework will only be permitted where schemes comprise:</p> <ul style="list-style-type: none"> • development to be delivered in line with sites allocated in this NP; • rural exceptions affordable housing in line with Policy H/11 of the Local Plan; • regeneration of the A10 triangle site, including the station, in line with NP policy FOX/9; • development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside but 	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>are subject to Green Belt restrictions, including local landscape character recommendations.</p>		
FOX/2: Design and character	<p>All new development shall contribute positively to the existing character within the Foxton NP area. This can be achieved by the following:</p> <ul style="list-style-type: none"> • Within the Conservation Area, recognising and reinforcing Foxton's distinctive vernacular character as described in the Conservation Area Appraisal (summarised above). • Within the built-up area but outside the Conservation Area, new buildings should be a positive asset to the street scene: the choice of materials, height, scale and layout may be similar to neighbouring buildings and should not be detrimental to the visual appearance. • On the edge of the built-up area, there are sensitive edges abutting open fields (Figure 12, Policy Map Figure 31). No development will be permitted adjacent to these sensitive edges or that which creates hard edges to the perimeter of the settlement. On the edge of the built-up area, any permissible development schemes must be accompanied by a landscape scheme to enable it to blend into its local landscape character area. • Any new building adjacent to the main village roads must be in keeping with, or otherwise contribute positively to, the characteristics of existing form: well set back from the road and fronted with wide grass verges. 	No, Category A	No specific recommendations
FOX/3: Heritage assets and their setting	<p>Any development must conserve or enhance the heritage assets and their setting in the Foxton NP area. This includes both designated (Conservation Area, statutorily listed buildings and the scheduled ancient monument) and non-designated heritage assets.</p> <p>Where proposals have any effect on a non-designated heritage asset, a balanced</p>	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	judgement will be applied having regard to the scale of any harm or loss and the significance of the heritage asset.		
FOX/4: Enhance and add to existing green spaces with biodiversity and landscape value	The identified green spaces The Green, recreation ground, dovecot meadow, Foxton woods, Station Road grass verges and the churchyard (Figures 14 and 31) are highly valued by the community and are to be protected. Three are identified as important Local Green Spaces in the Local Plan and one is a PVAA. Any development proposals which impact upon green spaces with landscape and biodiversity value must contribute to, rather than detract from, their biodiversity value, and have a minimal landscape impact.	No, Category A	No specific recommendations
FOX/5: Protecting and enhancing Foxton's Landscape Character	<p>Development proposals shall respect and retain or enhance the local character and distinctiveness of the individual landscape character area (as summarised in the supporting text to this policy and provided in more detail in the Foxton LCA) in which it is located.</p> <p>For proposals on the edge of the built-up area:</p> <ul style="list-style-type: none"> development schemes must be accompanied by a landscape scheme to enable it to blend into its local landscape character area. Sensitive edges abutting open fields, as shown on NP Policy Map figure 31, shall be avoided and proposals that create hard edges to the perimeter of the settlement shall be refused. Development on the eastern side which buffers the Green Belt must include careful landscaping and design measures of a high quality and, where applicable, be in line with FOX/7 in order to protect the purposes of the Green Belt. <p>Within the open countryside:</p> <ul style="list-style-type: none"> development proposals in the open farmlands of the Foxton Chalklands shall not be allowed unless it can be demonstrated, via a Landscape Visual Impact Assessment, that it will 	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>not have a detrimental visual impact on the open landscape, the traditional setting and settlement form.</p> <p>At village gateway locations:</p> <ul style="list-style-type: none"> Maintaining or utilising opportunities to enhance gateways into the village. 		
FOX/6: Protecting and enhancing the key views in and out of Foxton village	Development proposals will not be permitted if they have a detrimental visual impact on key views in and out of the parish, as shown on NP Policy Map (Figure 31).	No, Category A	No specific recommendations
FOX/7: Foxton's Green Belt	<p>Any development (including proposals for agricultural buildings) considered appropriate within Foxton's Green Belt, or proposals outside but in the vicinity of the Green Belt, must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.</p> <p>The location, enhancement and mitigation measures of such proposals shall be informed by the landscape evidence supporting this plan.</p> <p>Where development is permitted, landscaping conditions, together with a requirement that any plan is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.</p>	No, Category A	No specific recommendations
FOX/8: Biodiversity and new development	<p>Development proposals will be expected to retain existing features of biodiversity value (such as grass verges, banks and greens, boundary hedgerows and trees, specimen trees and water courses) and, where practical to do so, to provide a net gain in biodiversity through for example:</p> <ul style="list-style-type: none"> The creation of new natural habitats such as chalk grassland; The planting of additional trees and hedgerows; and Restoring and repairing fragmented biodiversity networks. <p>All new developments should take account of the detailed guidance in the Cambridgeshire</p>	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	Landscape Guidelines, as described in the supporting text.		
FOX/9: New residential proposals	<p>Residential development proposals within the Foxton Development Framework will be supported subject to meeting policies set out in the Local Plan and this plan.</p> <p>Residential development proposals outside the Development Framework will be resisted other than for the site allocation set out in this plan. Rural exception housing policy is set out in FOX/11.</p> <p>Residential obligations will, where appropriate, contribute towards the provision of community infrastructure (including provision of additional recreation and natural green space) in the village.</p>	No, Category A	No specific recommendations
FOX/9A: Redevelopment of old school/chapel site on Station Road	Development proposals for the old Trinity School and Methodist Chapel site in Station Road will give priority to local housing need, as evidenced in the 2018 parish consultation. At least 50% of dwellings should be smaller one/two bedroom dwellings suitable for older people wishing to downsize, and be designed and built to the 'accessible and adaptable M4(2) standard'. Dwellings should have room sizes that exceed the national space standards, reflected in Local Plan policy H/12. Design should also take account of the site's location in the Conservation Area.	No, Category A	No specific recommendations as the allocation is outside the main area of importance for Barbastelle bats as shown in Appendix 3 (Map 1 - Biodiversity Supplementary Planning Document adopted by South Cambridgeshire District Council in July 2009). This area reflects the landscape and habitat of known value to bats, and also where survey effort has been deployed up to 2009.
FOX/10: Housing mix	<p>Housing mix within new residential development schemes shall be suitable for meeting the needs within the parish, as defined for each of the proposed sites (Figure 30) and in Policy FOX/9A and FOX/20, and shall also contribute towards creating vibrant and safe neighbourhoods.</p> <p>The mix of market homes on sites of 9 or less units will take into account Foxton's identified need for more 1 - 2 bedroom homes for both</p>	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>first time buyers and older people down-sizing. The needs of the growing ageing population should be paid specific regard to ensure homes are suitable for lifetime occupation by the older generation.</p> <p>Exceptions may apply for very small schemes where the site would be inappropriate for provision of smaller homes (e.g. where adverse impacts may arise by being out of character with surrounding built environment).</p>		
FOX/11: Rural Exceptions housing	<p>The development of small scale, affordable housing schemes for those with connections to the parish on rural exceptions sites at the edge of the Foxton Development Framework boundary (where housing would not normally be permitted) will be supported provided that:</p> <ul style="list-style-type: none"> • The proposed development will not exceed local need by virtue of its size, scale and type. • The proposed development is appropriate to the size, scale and character of the village and is acceptable in terms of other detailed considerations e.g. site location and circumstances, design, layout, materials, landscape, biodiversity, impacts on the countryside, amenities, access and flood risk. • The site is not within open farmlands of the Foxton Chalklands area unless it will not have a detrimental visual impact on the open landscape, traditional setting and settlement form (as evidenced by an independent landscape visual impact assessment). • For sites within or adjoining the Green Belt, it is demonstrated that there are no other sites with lesser impact on the Green Belt. • The affordable housing is provided in perpetuity. 	No, Category A	No specific recommendations
FOX/12: Protecting existing privately-owned	The village shop and Post Office are the most locally valued facilities, and together with the public house, proposals that help sustain their economic future will be supported.	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
community facilities	Planning permission will be refused for proposals that would result in the loss of these community facilities unless there is re-provision on another suitable village site.		
FOX/13: Additional areas of locally important open space	The smaller areas of open space identified in the Conservation Area Appraisal and listed above are locally important for their amenity value and contribution to the village's rural character and setting. Development proposals must maintain or enhance these spaces.	No, Category A	No specific recommendations
FOX/14: Future green infrastructure provision	The potential biodiversity enhancement sites identified on Figure 17 and policies map Figure 31 are safeguarded for future informal green space provision. Development proposals will not be permitted if they prejudice the delivery of the future provision.	No, Category A	No specific recommendations
FOX/15: Footpath network	<p>The rural surroundings are an important asset to the Foxton community. Opportunities for walking and cycling will be encouraged, including the creation of new permissive footpaths through negotiation with landowners.</p> <p>The existing network of public and informal footpaths will be protected (Figure 24). In order to maintain Foxton's close links to the countryside, development proposals will be expected to utilise opportunities to link into the wider footpath network where applicable.</p>	No, Category A	No specific recommendations
FOX/16: New employment provision in Foxton	<p>Development proposals which expand employment provision at the Burlington Press site (Figure 30 and paragraph 5.8.2 are supported provided:</p> <ul style="list-style-type: none"> Proposals do not adversely affect residential amenity arising from disturbance such as noise, pollution, HGV vehicle movements. Proposals should ensure that the design and layout of additional buildings conforms in scale and materials to the Conservation Character Area 2, as set out in paragraph 5.2.6. Proposals should include appropriate landscaping to minimise the impact on adjacent listed 	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>buildings and their residents.</p> <ul style="list-style-type: none"> Proposals do not create significant additional traffic impacts. Adequate off-street parking for cars and bicycles is available or provided as part of the proposal. Proposals that generate additional car journeys must ensure that provision is made for electric charging points for cycles as well as cars. <p>Additional employment provision within the Foxton development framework will be preferred over locations outside the development framework with the exception of the A10 station site/development opportunity site which is identified in Policy FOX/20 as an opportunity for new employment and residential provision alongside enhanced public realm.</p>		
FOX/17: Support for the provision of a Foxton day care facility	Development proposals that will provide child or adult care facilities within or adjacent to the development framework (subject to environmental constraints set out in this plan and the Local Plan) are encouraged and will be supported. Potential impacts on residential amenity and village centre traffic congestion must be fully considered, identified and mitigated against where applicable. Proposals which damage residential amenity or lead to unacceptable impacts on village centre congestion will not be supported.	No, Category A	No specific recommendations
FOX/18: Alleviating congestion and improving traffic flow	Proposals which alleviate existing congestion, improve pedestrian safety and improve traffic flows through the village of Foxton (such as provision of off-road parking for residents, parking for village facilities and other similar improvement proposals) will be supported.	No, Category A	No specific recommendations
FOX/19: New development and connectivity	Proposals requiring planning permission and which seek to increase the number of access points to existing roads or which would involve an increase in traffic generation will need to demonstrate that they do not have a significantly harmful effect on congestion or road safety or exacerbate parking problems within the village.	No, Category A	No specific recommendations



Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>Development proposals in Foxton village (including sites adjacent to the development framework) will not be supported unless adequate pedestrian and cycle connectivity is in place, or will be provided by the development, ensuring the users of the development can conveniently and safely access:</p> <ul style="list-style-type: none"> • Village facilities including the shop; • Foxton primary school; • Foxton railway station; • Local bus services. <p>Any development proposals that would generate a significant amount of traffic movements must be supported by a Transport Statement. The Statement will set out details of the transport issues relating to the development including measures to be taken to deal with the anticipated transport impacts of the scheme.</p>		
<p>FOX/20: Foxton Travel Hub and A10 Development Opportunity Site</p>	<p>In the event that a Foxton Transport Hub is developed during the plan period, two locations outside the current development framework will be considered for development/redevelopment:</p> <ul style="list-style-type: none"> • The triangular site shown on Figure 30 is identified as a redevelopment opportunity site for the provision of a station car/cycle parking, compatible employment uses and potentially appropriate housing. Any redevelopment must incorporate landscape and public realm improvements in order to provide an enhanced sense of place at this important village gateway site. • The wider area adjacent to the Transport Hub, to the north of the railway line and to the west of the A10) will be considered suitable for additional employment uses. <p>The Transport Hub will be expected to maximise benefits, and minimise negative impacts, for the Foxton community in terms of settlement form, traffic impact, transport</p>	<p>No, Category A</p>	<p>No specific recommendations</p>

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the Habitats Sites?	Recommendations
	<p>services and employment opportunities.</p> <p>Due to the barrier created by the A10 corridor and anticipated future disturbances (noise, pollution etc.) from a future transport hub, new residential uses west of the railway and A10 are not considered appropriate and will not be supported.</p>		
FOX/21: Site allocations	The parish council will work with SCDC, landowners and other interested parties to explore development options for these three sites. The number and type of housing, and the employment offer for each site must conform with the policies in this plan.	No, Category A	No specific recommendations

4.5.1 Recommendations

There are no specific recommendations to deliver for the policies in this draft Neighbourhood Development Plan as they have all been assigned to Category A. There is therefore no need to amend the policy text as they are not predicted to have a Likely Significant Effect on any Habitats site.

The In-combination effects from other plans and projects are considered in the following Section.

4.6 Other Plans and Projects – In-combination Effects

There are two relevant Plan level HRAs that have been carried out by South Cambs DC or other organisations and none have been found to have a likely significant effects on the Habitats sites within scope of this assessment.

The Water Cycle Strategy (WCS) for Major Growth Sites in and Around Cambridge is not in itself a relevant plan or project under the Habitats Regulations, but was prepared to support the delivery of the existing development strategy. Whilst it does not provide as assessment of new proposals for the Local Plan, its findings are relevant to support the assessment of the new plan. It focused on issues related to the water supply, surface drainage and wastewater sewerage associated with potential development sites, and also concluded no significant effects, and that protected sites could be screened out of further assessment.

In the context of this HRA, the relevant other plans to be considered are listed below in combination with Foxton Neighbourhood Plan HRA.



Table 6: Other plans or projects considered for in combination effects

Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
South Cambridgeshire District Council	Habitat Regulations Assessment: Chapter 20 of South Cambs Local Plan SA Scoping Report (June 2012) and including the Draft Final Sustainability Report (2014) and Sustainability Appraisal Addendum (2015)	“The Local Plan for the district was subject to an HRA screening and found to have no likely significant impact on a Natura site or a Ramsar site.”	It is considered that in combination likely significant effects are not predicted.
Cambridge Southern Fringe Area Action Plan	Cambridge Southern Fringe Area Action Plan HRA (May2007)	“This AAP was subject to an HRA and found not to impact on a Natura site or a Ramsar site.”	It is considered that in combination likely significant effects are not predicted.

References

- Foxton civil parish Neighbourhood Development Plan 2017-2031 Pre-submission Draft Plan v4.1, Foxton Parish Council (February 2018)
- South Cambs District Council South Cambridgeshire Local Plan: Proposed Submission (March 2014)
- South Cambs District Council Biodiversity Supplementary Planning Document (adopted July 2009)
- South Cambs District Council Cambridge Southern Fringe Area Action Plan HRA (May2007)
- Natural England Conservation objectives for European Sites: East of England Website: <http://publications.naturalengland.org.uk/category/6581547796791296#content>
- Tydlesley, D., and Chapman, C., (2013) The Habitats Regulations Assessment Handbook, (April 2019) edition UK: DTA Publications Limited



5. Conclusions

5.1 Strategic Environmental Assessment (SEA)

The Neighbourhood Plan has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications.

Although the Plan allocates land for development purposes, the small scale of these allocations minimises the possibility of any negative effects on the environment. Further exploration of effects on this report indicates that there would be no significant effects that would warrant a strategic level assessment through the application of the SEA Directive in the form of an Environmental Report.

This determination takes into account the fact that two of the allocations are located on brownfield land, and that the third represents an extension to an existing employment area that is outside Foxton's Conservation Area. All of the Plan's allocations are of a small scale and are on unconstrained sites, having been through a detailed and independent site assessment process. The potential for significant effects can be ruled out in consideration of the Plan's content, with suitable protection objectives embedded into the Plan's site specific and thematic policy.

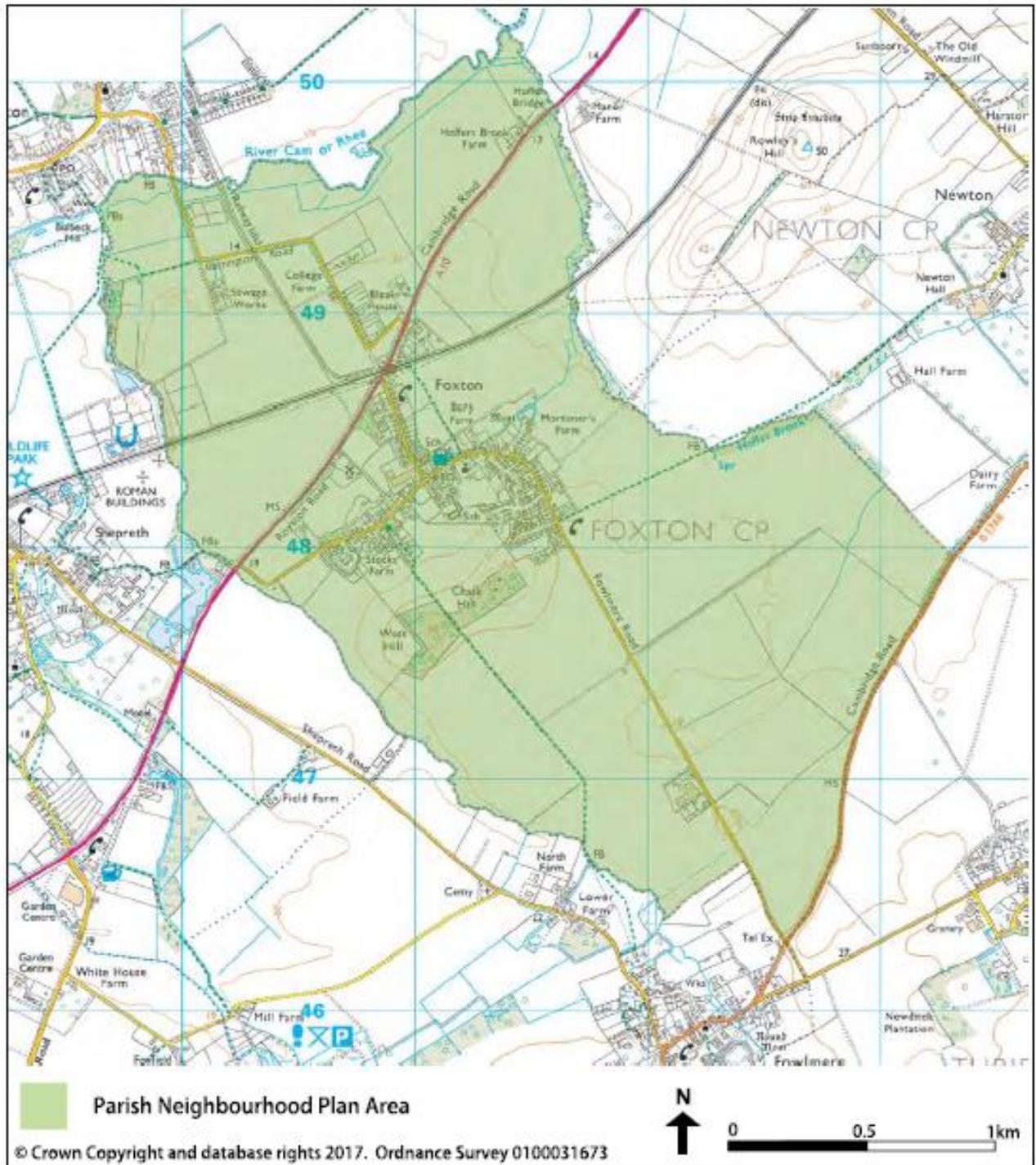
The Foxton Neighbourhood Development Plan can therefore be **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

5.2 Habitats Regulations Assessment (HRA)

Subject to Natural England's review, this HRA screening report indicates that the Foxton draft Neighbourhood Development Plan is not predicted to have likely significant effects on any Habitats site, either alone or in combination with other plans and projects. The requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 is therefore **screened out**.

Appendix 1

The Foxton Neighbourhood Plan area

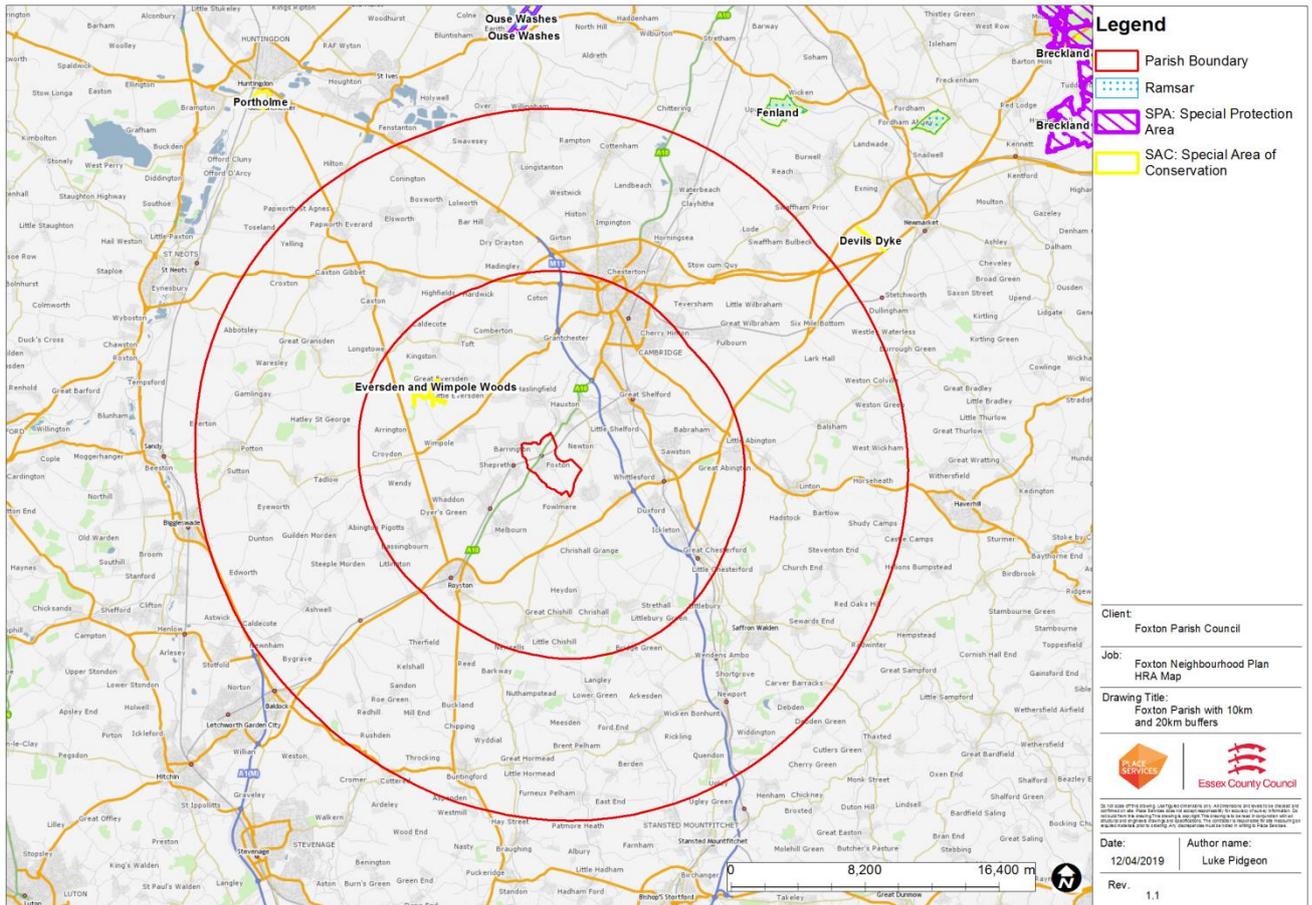


Source: South Cambridgeshire District Council, 2017



Appendix 2

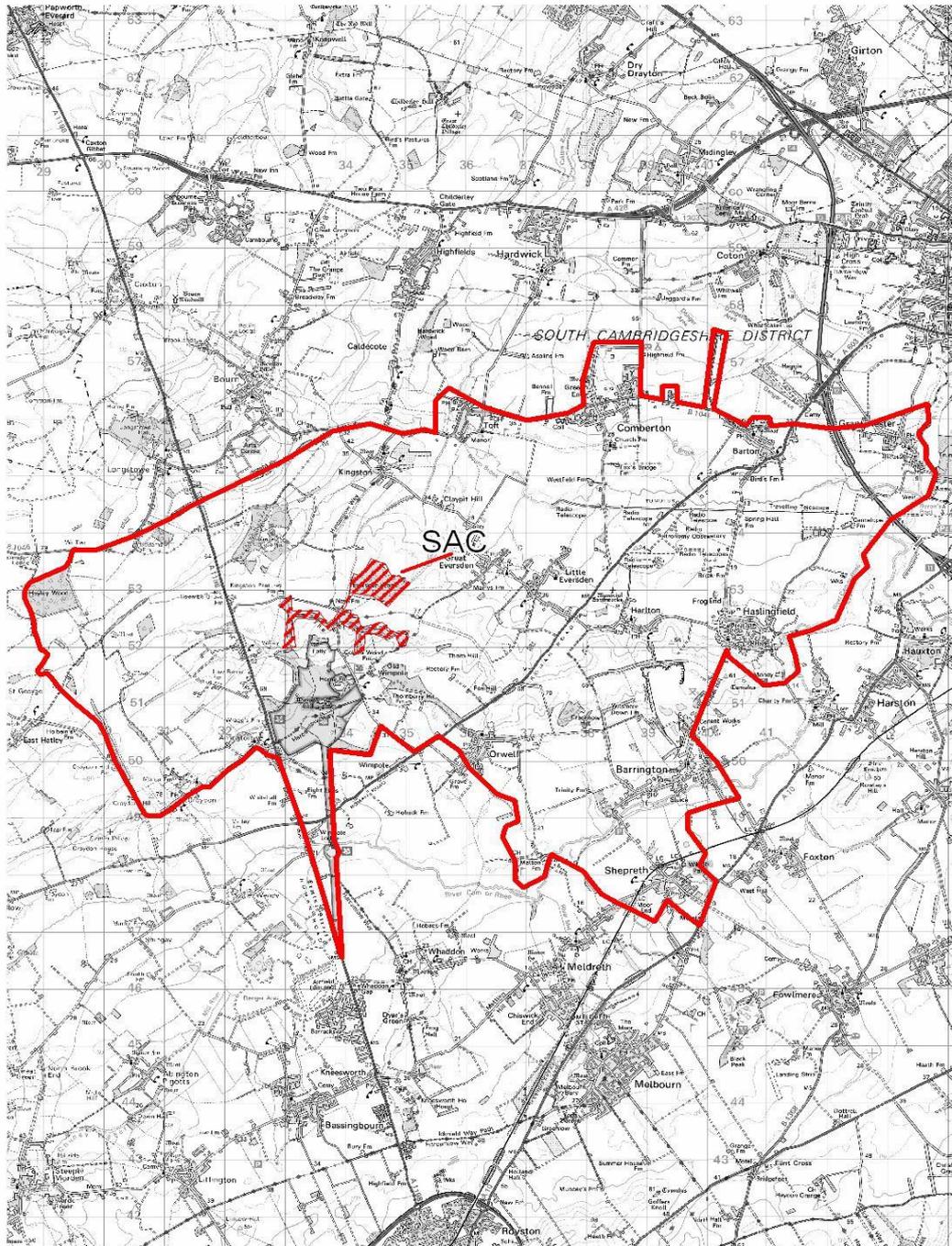
Foxton NP Area and Locations of the Habitats sites within 10km and 20 km



Source: Place Services, 2019

Appendix 3

Barbastelle bat area of importance for Eversden and Wimpole Woods SAC



Source (Map 1 - Biodiversity SPD Adopted July 2009, South Cambs DC)





Place Services

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April 2019



Essex County Council

Appendix 2: Consultation Responses from the Statutory Environmental Bodies

Historic England

2 May 2019

Thank you for your email of Foxtton regarding the above 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 Foxtton 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 considers that the neighbourhood plan will not have any significant effects on the historic environment. We note that there are two site allocations within the village, either inside or immediately adjacent to the Foxtton Conservation Area. Having reviewed the information supplied with the screening report, including the proposed policy framework in the neighbourhood plan, we concur with the conclusion of the report that it is unlikely there will be significant effects arising from the development of either or these two sites.

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 dated 16 April 2019. 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/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk

Natural England

1 May 2019

Thank you for your consultation on the above dated and received by Natural England on 16 April 2019.

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

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan. Therefore we agree with the conclusions of the HRA screening.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:

- 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.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Dawn Kinrade
Consultations Team

Environment Agency

29 May 2019

Thank you for your consultation.

Environment Agency position - Screening Opinions.

Due to resource pressures we are no longer able to provide you with comprehensive bespoke advice on pre application enquiries, screening and scoping opinions.

Notwithstanding the above I attach a copy of the Agency's 'Planning Application Guidance' (PAG) document for the applicant's assistance.

Note to applicant:

Key environmental issues associated with this site will include floodrisk, investigation and remediation of any contaminated land, protection of controlled waters, investigation of any historic landfills in the vicinity and full details of proposed site drainage(surface and foul water including pollution prevention measures). Information regarding these issues is available at www.gov.uk

Please note that the views expressed in this letter by the Environment Agency does not represent our final view in relation to any future planning application made in relation to this site. We reserve the right to change our position in relation to any such application.

Yours faithfully

Mr. T.G. Waddams
Planning Liaison