

West Berkshire District Council
Cold Ash Neighbourhood Development Plan

**Strategic Environmental Assessment and Habitat Regulations Assessment
Screening Report**

Post Consultation Version

13 December 2021

Contents

Strategic Environmental Assessment Screening Report	1
Habitat Regulations Assessment Screening Report	15
Strategic Environmental Assessment and Habitat Regulations Assessment - Conclusions of West Berkshire District Council	17
Consultation	18
Conclusions following consultation with the statutory bodies	19
Appendices	
Appendix 1 Responses from Historic England and Natural England	20
Appendix 2: Remainder email sent to the Environment Agency	23

Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report of the Cold Ash Neighbourhood Development Plan

1. Introduction

- 1.1. This document sets out whether or not the contents of the Cold Ash Neighbourhood Development Plan (NDP) require a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC¹ and associated Environmental Assessment of Plans and Programmes Regulations 2004².
- 1.2. The purpose of the Cold Ash NDP is to provide planning policies to guide development in the designated Cold Ash Neighbourhood Area.
- 1.3. SEA is required for all plans which may have a significant effect on the environment. A SEA aims to protect the environment at a high level, and ensures the environment is considered during the preparation and adoption of plans. This promotes sustainable development.
- 1.4. Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan, and see if a significant effect is likely.
- 1.5. This document also assesses whether a Habitats Regulation Assessment (HRA) to consider potential impacts on sites of European importance for Nature Conservation is necessary. The HRA screening is set out on pages 12-14.
- 1.6. The legislative background set out below outlines the regulations that require the need for this screening exercise. A screening assessment of the likely significant environmental effects of the Cold Ash NDP and the need for a full SEA has been undertaken.

¹ European Directive 2001/42/EC: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

² Environmental Assessment of Plans and Programmes Regulations 2004:
<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

2. Legislative background

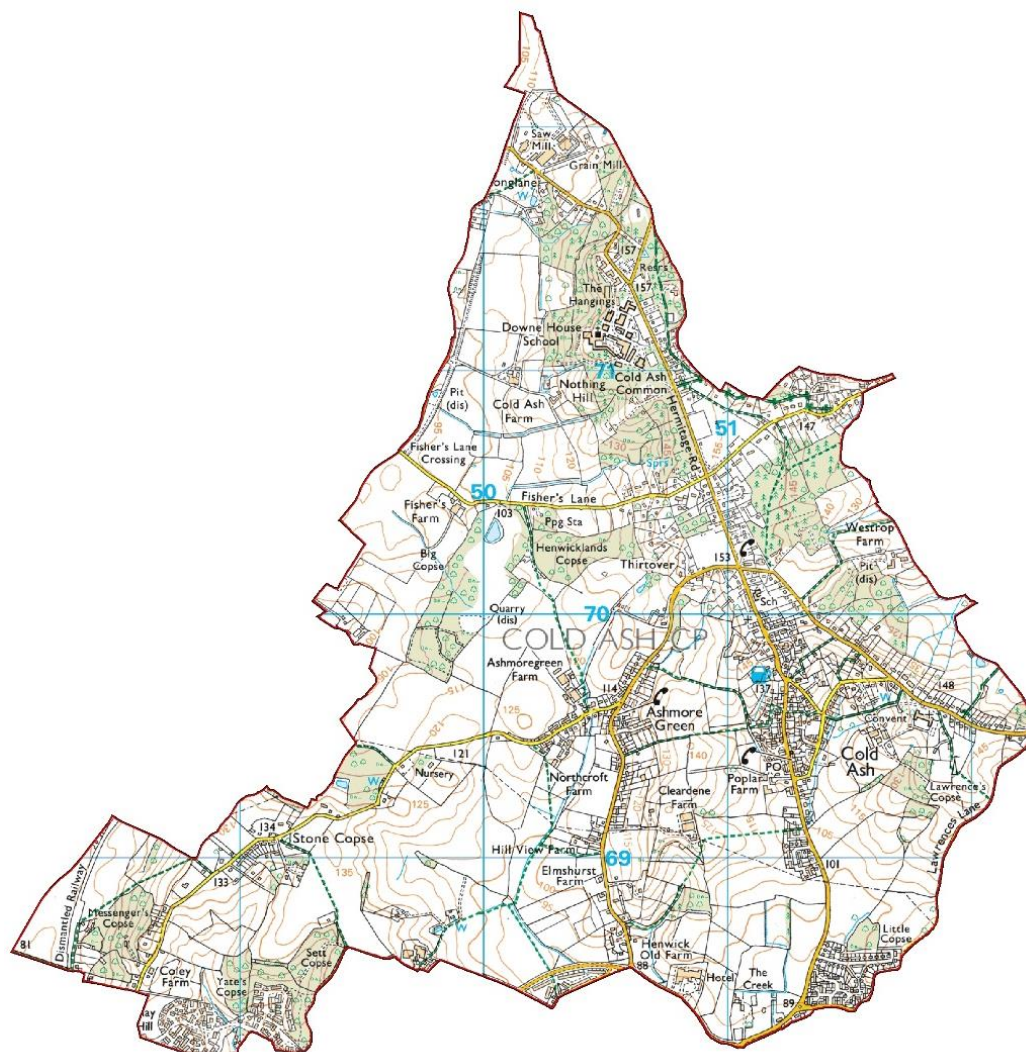
- 2.1. European Directive 2001/42/EC is the legislative basis for SEA, and it was transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government Publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)³.
- 2.2. Under these requirements, plans that set the framework for future development consent of projects must be subject to an environmental assessment. This is to determine if the plan, in this case the Cold Ash NDP, will have any significant effects on the environment.
- 2.3. There are exceptions to this requirement for plans that determine the use of a small area at local level, and for minor modifications if it has been determined that the plan is unlikely to have significant environmental effects.
- 2.4. In accordance with the provisions of the SEA Directive and Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004, the West Berkshire District Council (WBDC) must determine if a plan requires an environmental assessment. If the Council determines that a SEA is not required, then under Regulation 9 (3) it must produce a statement that sets out the reason for this determination. This screening report is the Council's Regulation 9 (3) statement.

³ A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005):
<https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

3. Background to the emerging Cold Ash NDP

- 3.1. West Berkshire District Council (WBDC) designated a Neighbourhood Area for the whole of Cold Ash Parish in March 2018. The Parish and Plan boundaries are the same and that is shown in Figure 3.1.

Figure 3.1: Cold Ash Neighbourhood Area



© Crown copyright and database rights 2021. West Berkshire District Council 0100024151.

- 3.2. The NDP will sit alongside, and complement the West Berkshire Local Plan which covers the period 2006 to 2026. The Local Plan comprises of the West Berkshire Core Strategy (2006-2026) Development Plan Document⁴ (adopted July 2012), the Housing Site Allocations Development Plan Document (HSA DPD)⁵ (adopted May

⁴ West Berkshire Core Strategy (2006-2026) Development Plan Document: <https://info.westberks.gov.uk/corestrategy>.

⁵ Housing Site Allocations Development Plan Document (2006-2026): <https://info.westberks.gov.uk/hsa>.

2017), and the West Berkshire District Local Plan 1991-1996 (Saved Policies 2006) as amended in July 2012 and May 2017⁶.

- 3.3. WBDC is currently preparing a review of the Local Plan to cover the period up to 2037, and upon adoption it will replace the documents that form the existing Local Plan. An emerging draft of the Local Plan Review (LPR) was published for a Regulation 18 consultation in December 2020. It had been anticipated that consultation on the proposed submission draft of the LPR would commence in autumn 2021, however this has been delayed following the publication of the updated National Planning Policy Framework (NPPF) which has implications for the LPR. The Council is currently considering options for a revised timetable, but consultation on the proposed submission version will not take place in 2021.
- 3.4. In the adopted Core Strategy, the village of Cold Ash is identified as a Service Village within the district settlement hierarchy meaning that, along with the other Service Villages, it has a limited range of services and has some limited development potential. To the west of Cold Ash village lies the hamlet of Ashmore Green which is a 'smaller village with settlement boundary' and therefore suitable only for limited infill development subject to the character and form of the settlement. The far southern end of the parish includes parts of the settlements of Newbury and Thatcham. Within the district settlement hierarchy both Newbury and Thatcham lie within the top tier and are 'Urban Areas'. Urban Areas have a range of services and are to be the focus for development.
- 3.5. The adopted HSA DPD includes three residential allocations within Cold Ash Parish:
 - Land at Coley Farm, Stoney Lane, Newbury (policy ref: HSA3);
 - Land at Poplar Farm, Cold Ash (policy ref: HSA6); and
 - St. Gabriel's Farm, The Ridge, Cold Ash (policy ref: HSA7).
- 3.6. It is proposed to retain the three sites as allocations within the LPR as development on these sites has not yet been built out.
- 3.7. During the preparation of the HSA DPD, a daughter document of the Core Strategy which also forms part of the Local Plan, technical work and the outcomes of public consultation confirmed that sites HSA3, HSA6, and HSA7 should be included as allocations.
- 3.8. As aforementioned, the Cold Ash NDP will supplement policies within the West Berkshire Local Plan. The Core Strategy and HSA DPD were both subject to Sustainability Appraisal (SA) and SEA. The SA/SEA for the West Berkshire Core Strategy was produced in order to ensure that sustainability issues were considered throughout the preparation of the Core Strategy. The SA/SEA was an iterative process which identified the likely significant effects of the Core Strategy and the extent to which its implementation would achieve social, environmental and economic objectives.
- 3.9. The SA/SEA was published at key stages of the Core Strategy process and updated as necessary. Each of the stages was assessed against the 11 SA framework objectives and the 29 sub objectives to determine the predicted economic, environmental and social effects of the Core Strategy on the District. At each stage, the findings of the SA/SEA were used to inform the formulation of policies, thereby

⁶ West Berkshire District Local Plan 1991-2006 (Saved Policies 2007):
<https://info.westberks.gov.uk/article/28783>.

improving the sustainability of the Core Strategy in the process. The process of the SA/SEA means that the overall spatial strategy and the housing distribution strategy of the Core Strategy have been tested.

3.10. The SA/SEA for the HSA DPD considered reasonable alternatives for the scope of the HSA DPD, and for each of the sites and policies included within the DPD. The SA/SEA clearly demonstrates the progression of the preferred strategy from the regulation 18 stage through to the submission stage. The social, economic and environmental dimensions were therefore taken into account throughout the preparation of the DPD to ensure sustainable development.

3.11. The vision statement for the draft Cold Ash NDP is as follows:

A beautiful, desirable place to live, preserving the distinctive rural villages of Cold Ash and Ashmore Green, with their own identities, whilst also providing a variety of settings and dwellings across the whole parish that take advantage of modern infrastructure and transport links to local towns and beyond.

3.12. The six objectives of the draft Cold Ash NDP are:

- To support sustainable, high quality, energy efficient and carbon neutral development that is in keeping with and seeks to preserve the heritage and character of the village in terms of design and scale. Development should meet an identified need and be directed to the most appropriate locations within the defined settlement boundaries.
- To protect the rural character and green spaces in and around the village, conserving and enhancing the attractiveness of the landscape, enabling access to the countryside, encouraging biodiversity and maintaining the Parish's distinct boundaries.
- To reduce the reliance on cars by improving the opportunities for walking and cycling both within the Parish and to other villages, towns and services, which will help to improve both health and road safety for all.
- To maintain and enhance the existing 'village' atmosphere, ensuring the Parish remains a safe and friendly place to live, work and visit with a strong sense of community and a range of facilities on offer.
- To support the measures that will help to mitigate climate change, that will improve air and water quality, tackle plastic pollution and restore habitats to allow plants and wildlife to thrive.
- To establish policies that support the infrastructure, environment and businesses within the Parish.

3.13. In order to realise the vision for Cold Ash and meet the objectives, the draft Cold Ash NDP proposes 16 localised policies grouped under the following themes:

- Spatial Strategy
 - Policy CAP1: Location of Development

- Character, design and heritage
 - Policy CAP2: Character and design of development
 - Policy CAP3: Sustainable design
 - Policy CAP4: Minimising the risk of flooding
- Environment and Landscape (including Green Space and Biodiversity)
 - Policy CAP5: Conserving and enhancing the natural landscape
 - Policy CAP6: Biodiversity and the network green infrastructure
 - Policy CAP7: Iconic views
 - Policy CAP8: Local Green Spaces
 - Policy CAP9: Dark Skies
- Getting around the parish
 - Policy CAP10: Encouraging sustainable movement
 - Policy CAP11: Sunken Lane Policy
 - Policy CAP12: Public car parking
- Community and social
 - Policy CAP13: Important community facilities
- Commercial
 - Policy CAP14: Supporting new businesses and expansions
 - Policy CAP15: Supporting SMEs, flexible start-ups and homeworking
- Infrastructure
 - Policy CAP 16: Community and utility infrastructure provision

3.14. No site allocations are proposed in the NDP.

3.15. Any policies relating to these matters will be of a localised effect.

3.16. Section 5 below provides a summary of the policies proposed in the draft Neighbourhood Plan. It also considers the potential for environmental effects to occur as a result of these policies. It is based on the emerging draft (Version 0.20) Draft 9 Pre-Submission Screening Draft) of the NDP as at May 2021.

4. The SEA screening process

- 4.1. Producing the Cold Ash NDP requires the Council to look at whether a SEA is required; this is known as the screening process. The screening is based on the criteria set out in Annex II of European Directive 2001/42/EC and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and considers the likely significant environmental effects as a result of the NDP.

5. SEA determination and reasons for determination

- 5.1. The Council has assessed the Cold Ash NDP against the criteria set out within Annex II of European Directive 2001/42/EC and Schedule 1 of the Regulations (as summarised in Table 5.1).

Overview of the plan area

- 5.2. Cold Ash is a largely rural parish that is located in the southern part of West Berkshire district. Newbury lies to the south west of the parish and Thatcham to the south east. The Parish is also bounded by the parishes of Bucklebury to the east, Hermitage to the north and Donnington and Chieveley to the west.
- 5.3. It covers an area of about 3 square miles (7.9 square kilometres) and has a population of 4,063 (2011 Census). The main settlement within the parish is the village of Cold Ash, however the parish also includes the hamlet of Ashmore Green and some urban areas, principally in Manor Park, which is contiguous in its southern boundary with the area between Shaw and Benham Hill.
- 5.4. There are various constraints to development in Cold Ash. The North Wessex Downs Area of Outstanding Natural Beauty (AONB) washes over the eastern edge of the parish. There are many listed buildings, one SSSI (Cold Ash Quarry), several Local Wildlife Sites, areas of ancient semi-natural woodland and ancient replanted woodland. There are issues of surface water flooding. Close to the southern boundary of the parish (c.677m) is the River Lambourn Special Area of Conservation and the River Lambourn SSSI.

Screening analysis

Spatial strategy

- 5.5. The designated Neighbourhood Area includes a settlement boundary around the built up area of the village of Cold Ash and the hamlet of Ashmore Green. A small part of the built up area Newbury and Thatcham fall within the far southern part of the parish and there is a settlement boundary around these areas. Settlement boundaries are identified within the Local Plan and they identify the main built up area of the settlement within which development is considered acceptable in principle, subject to other policy considerations. While allowing for development, settlement boundaries protect the character of a settlement and prevent unrestricted growth into the countryside.
- 5.6. The draft NDP includes a policy that guides the location of any new development. The policy seeks to locate development within the settlement boundary, and substantial weight is given to development proposals on previously developed land.
- 5.7. The policy takes a restrictive approach to development outside of any settlement boundary with criteria identifying instances when development may be acceptable, for example it relates to necessary utilities infrastructure and no alternative location is available.
- 5.8. No housing allocations are proposed in the NDP.

Character, design and heritage

- 5.9. A number of draft policies are included with the aim of achieving sustainable, high quality developments that reduce the risk of flooding.
- 5.10. It is unlikely that this policy will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in minor improvements in the local area.

Commercial Economy and employment

- 5.11. No employment allocations are proposed. There is a draft policy that supports new businesses and expansion to existing businesses, subject to there being no unacceptable harmful impacts on the local environment, the amenity of neighbouring uses, and upon the local road network.
- 5.12. There is also a policy which supports small medium enterprises, flexible start-ups, and homeworking subject to a set of criteria being met which includes:
- respect to the surrounding rural landscape;
 - sensitive to loss of wildlife habitat;
 - the provision of protected species and habitat surveys at the planning application stage;
 - avoidance of adverse impacts on biodiversity;
 - achievement of net gain through
- 5.13. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area.

Infrastructure

- 5.14. There is a draft policy which aims to ensure that utilities infrastructure, for example utilities, broadband, and telecommunications masts, are in place to support any new development. Criteria is set out to ensure that infrastructure has, amongst other things, no visual impact, does not impede the planting of trees, and has no adverse effect of the character or appearance of the historic, natural or rural environment of the Parish.
- 5.15. It is unlikely that these policies will result in any adverse environmental effects, either alone or in combination with other plans in the area.

Getting around the Parish

- 5.16. A number of draft policies are included which seek to ensure that development does not detract from areas identified as 'dark skies zones', protect the network of sunken lanes in the Parish, and ensure that publically accessible car parking is protected.
- 5.17. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in minor improvements in the local area.

Community and social

- 5.18. There is a policy in the draft NDP which seeks to restrict against the loss of important community facilities, namely the Acland Memorial Hall and Cold Ash Post Office and Village Shops unless alternative facilities of equivalent standard and convenience have been agreed. The policy also supports the upgrade or extension of existing facilities subject to a set of criteria being met.
- 5.19. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area.

Environment and landscape

- 5.20. There are five policies which seek to protect and enhance the environment. In particular they designate a number of areas as Local Green Space, restrict against the loss of existing open space, recreational facilities and buildings, create new Public Rights of Way within new development sites and prevent unacceptable harm to existing Public Rights of Way, a measurable net gain for biodiversity and which restricts against the loss or deterioration of existing green infrastructure that supports protected habitats and species.
- 5.21. It is unlikely that these policies will result in any likely adverse environmental effects, either alone or in combination with other plans in the area. It is likely that these policies will result in some improvements to the local environment.
- 5.22. The Council has assessed the Cold Ash NDP against the criteria set out within Annex II of European Directive 2001/42/EC and Schedule 1 of the Regulations (as summarised in Table 5.1 below).

Table 5.1: Assessment of likely significant effects (screening)

Criterion (from Annex II of SEA Directive and Schedule 1 of Regulations)	West Berkshire District Council's Response
<i>1. Characteristics of plans or programmes, having regard, in particular, to:</i>	
(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 NDP, if adopted, will become part of the development plan for the area. It will not set a framework for other plans or policies outside of the Cold Ash NDP area (see Figure 3.1 on page 2 above). It will help inform decisions within the parish relating to development up to 2037.</p> <p>It sets out a local policy framework for development proposals. It supports the implementation of policies in the Local Plan which have been subject to SEA and assessed as having no significant effects.</p> <p>Overall there would be no significant effect.</p>
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>The NDP does not influence other plans or programmes in the Local Plan; instead it supplements them. The NDP will form part of the Development Plan for the District and will only apply to the designated Neighbourhood Area, the parish of Cold Ash. Neighbourhood Plans by their nature are locally driven</p>

Criterion (from Annex II of SEA Directive and Schedule 1 of Regulations)	West Berkshire District Council's Response
	<p>and focused, providing detailed guidance to local development.</p> <p>Overall there would be no significant effect.</p>
<p>(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>A number of policies seek to promote sustainable development that can be considered to be in conformity with the NPPF. This is a 'basic condition'/requirement of the Neighbourhood Plan making process.</p> <p>The draft plan, policy CAP3: Sustainable Design includes support for incorporating design and environmental performance measures and standards to reduce energy consumption and climate effects. This includes the optimisation of passive solar gain, the thermal efficiency of building materials, energy efficiency measures such as loft and wall insulation, and double glazing and on-site energy generation from renewable sources such as solar panels, ground source heating and energy generation.</p> <p>The draft plan also supports the reduction of water consumption through water re-use measures (rainwater harvesting, surface water harvesting and grey water recycling systems), low carbon sustainable design, the avoidance/mitigation of regulated emissions ideally using on-site energy efficiency measures and zero carbon technologies.</p> <p>In addition, it supports adequate infrastructure for electric charging points, sustainable design and construction standards, and the generation of renewable energy where appropriate.</p> <p>Overall there would be no significant effect, and it is likely that the draft policies proposed will result in minor improvements to the local environment.</p>
<p>(d) Environmental problems relevant to the plan or programme</p>	<p>The North Wessex Downs AONB washes over the eastern edge of the parish. There are many listed buildings, one SSSI (Cold Ash Quarry), several Local Wildlife Sites, areas of ancient semi-natural woodland and ancient replanted woodland. There are issues of surface water flooding. Close to the southern boundary of the parish (c.677m) is the River Lambourn Special Area of Conservation and the River Lambourn SSSI (c.677m).</p> <p>The draft Cold Ash NDP seeks to minimise existing environmental problems in the area. The plan does not propose development that would give rise to environmental problems.</p>

Criterion (from Annex II of SEA Directive and Schedule 1 of Regulations)	West Berkshire District Council's Response
	<p>The NDP Vision Statement comments that “</p> <p><i>A beautiful, desirable place to live, preserving the distinctive rural villages of Cold Ash and Ashmore Green, with their own identities, whilst also providing a variety of settings and dwellings across the whole parish that take advantage of modern infrastructure and transport links to local towns and beyond.</i></p> <p>The policies of the NDP will therefore supplement policies within the adopted Core Strategy and relevant policies within the adopted HSA DPD and saved policies of West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). The NDP proposes policies on the location of development, character, design, heritage, environment, landscape, transport, employment and infrastructure which would supplement relevant Local Plan policies.</p> <p>Overall there would be no significant effect, and it is likely that the draft policies proposed will result in improvements to the local environment.</p>
(e) The relevance of the plan or programme for the implementation of [European] Community legislation on the environment (eg. plans and programmes linked to waste management or water protection)	<p>Strategies relating to waste disposal or water protection, and other community legislation on the environment, are dealt with in higher tier plans which have already been tested in full. The NDP will not impact on EU legislation on the environment.</p> <p>Overall there would be no significant effect.</p>
<i>2. Characteristics of the effects and of the area likely to be affected [by the plan or programme], having regard, in particular, to:</i>	
(a) The probability, duration, frequency and reversibility of the effects	<p>The NDP will provide a context and framework to guide future development within the Neighbourhood Area and will supplement adopted planning policy. It will guide development up to 2036.</p> <p>It includes policies that seek to protect and improve the environment, and to minimise the effects of development on its immediate surroundings and ensure development is delivered to high levels of sustainability.</p> <p>No significant effects are envisaged due to the scope and duration of the NDP.</p>
(b) The cumulative nature of the effects	<p>As above.</p> <p>No significant effects are envisaged.</p>
(c) The transboundary* nature of the effects	<p>Effects will be local with limited effects on neighbouring areas. No transboundary effects are expected.</p>

Criterion (from Annex II of SEA Directive and Schedule 1 of Regulations)	West Berkshire District Council's Response
* <i>Transboundary effects are understood to be in other Member States</i>	The NDP will supplement adopted policy and is not envisaged, in itself, to have a significant effect.
(e) The risks to human health or the environment (eg. due to accidents)	No risks to human health have been identified as a result of the proposed policies in the NDP. Policies relating to environmental nuisance, pollution control and noise pollution are included in higher tier planning documents. Overall there would be no significant effect.
(f) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The designated Neighbourhood Area is about 7.9 square kilometres in size, and covers 1.1% of West Berkshire District. At the last census in 2011, the population of Cold Ash was 4,063. Neighbourhood Plans cover small geographical areas and their policies must be in general conformity with the strategic policies of the Local Plan. As such they contain non-strategic development plan policies to address specific local issues. (NPPF paragraph 29). The NDP will provide a context and framework to guide future sustainable development in the area. The majority of effects would be focused within Cold Ash Parish. Overall there would be no significant effect.
(g) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> • special natural characteristics or cultural heritage • exceeded environmental quality standards or limit values • intensive land-use <p>And</p> <p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	The built and natural environmental designations within or adjacent to the Neighbourhood Area, along with the proposed NDP policies to protect these are considered below. Cold Ash Parish has the following: <ul style="list-style-type: none"> • 11 Grade II Listed Buildings • 14 Local Wildlife Sites • Biodiversity Opportunity Area • Areas of Ancient Semi-Natural Woodland and Ancient Replanted Woodland • Tree Preservation Orders • North Wessex Downs AONB • 1SSSI <p>Within the NDP area there are no known:</p> <ul style="list-style-type: none"> • World or National Heritage Sites; • Registered Historic Parks and Gardens; • Regionally Important Geological and Geomorphological Sites or Local Geological Sites <p>Within the NDP area there are no known:</p> <ul style="list-style-type: none"> • International conservation designations (or adjacent to it), outside of those listed above;

Criterion (from Annex II of SEA Directive and Schedule 1 of Regulations)	West Berkshire District Council's Response
	<p>The NDP will protect the above with a vision of “A beautiful, desirable place to live, preserving the distinctive rural villages of Cold Ash and Ashmore Green, with their own identities, whilst also providing a variety of settings and dwellings across the whole parish that take advantage of modern infrastructure and transport links to local towns and beyond.”</p> <p>The draft plan includes support for reducing energy consumption and climate effects, the optimisation of passive solar gain, thermal efficiency of building materials, energy efficiency measures, on-site energy (renewable sources), ground source heating, reduction of water consumption, low carbon sustainable design, regulated emissions, on-site energy efficiency measures, zero carbon technologies, electric charging points, sustainable design and construction standards, and the generation of renewable energy where appropriate.</p> <p>It is not considered that the NDP is likely to have any significant effects on local heritage assets or nature conservation interests and it is likely that the draft policies proposed will result in minor improvements to the local environment. As such, an SEA of the plan is not considered necessary.</p>

- 5.23. Based on these findings, the Council's initial conclusion is that a SEA of the Cold Ash NDP is not necessary under the SEA Directive and Regulations because it has been demonstrated that there will not be significant environmental effects as a result of the NDP.

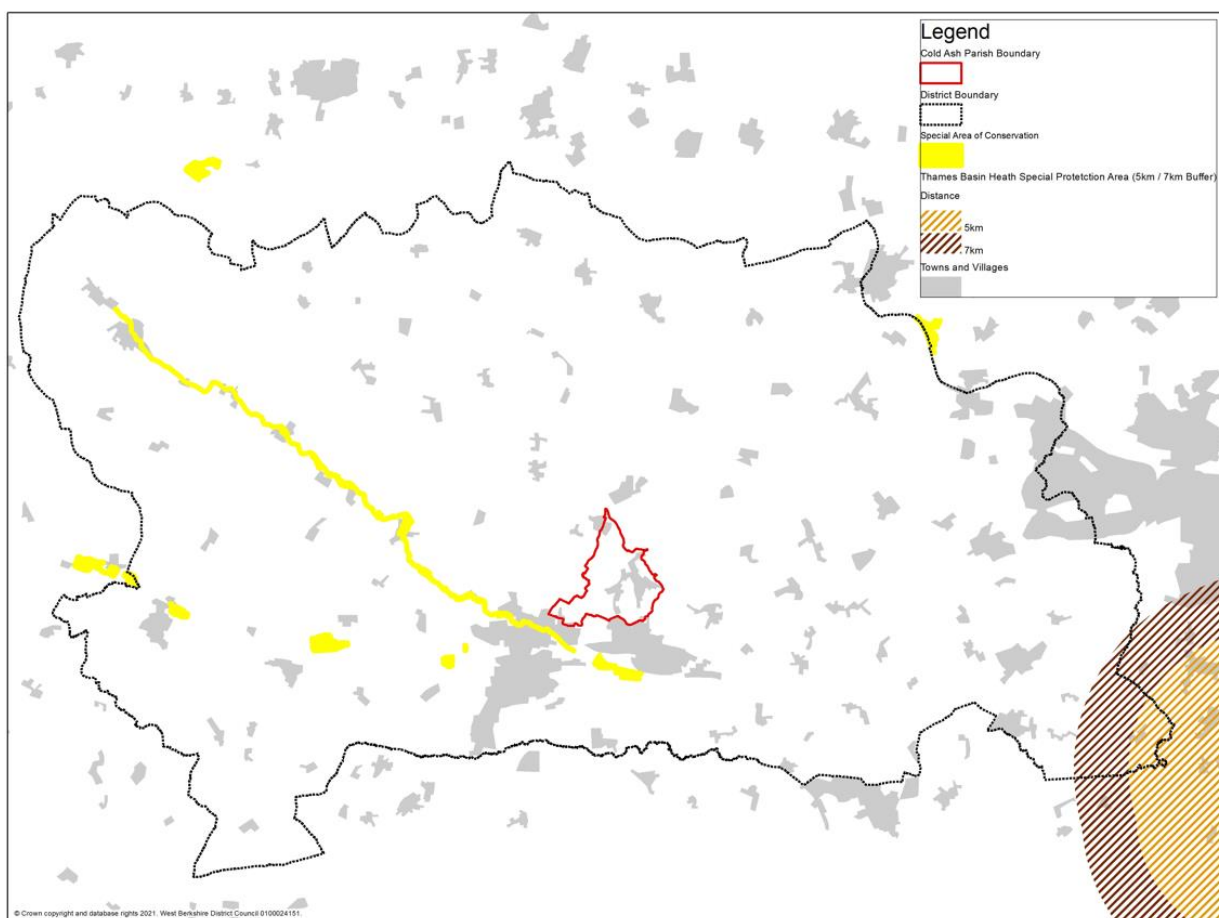
6. Habitat Regulation Assessment Screening Report

- 6.1. A Habitats Regulations Assessment (HRA) is required to determine if a neighbourhood plan would have a significant impact upon the integrity of nature conservation sites of international importance, ie. Ramsar sites, Special Areas of Conservation (SAC), and Special Protection Areas (SPA). The principal aim of this part of the document is to ‘screen’ the potential of the Cold Ash NDP for its likely effect, either alone or in combination, on these sites.
- 6.2. This is a requirement under EC Habitats Directive 92/43/EEC⁷, and has been transposed into British law by Regulation 102 of the Conservation of Habitats and Species Regulations 2010⁸. The Directive states that any plan or project not connected or necessary to a sites management, but likely to have significant effects, shall be subject to Appropriate Assessment. An Appropriate Assessment determines the impact that plans and projects would have on internationally important nature conservation sites.
- 6.3. Within West Berkshire there are three SACs (River Lambourn, Kennet and Lambourn floodplain and Kennet Valley Alderwoods), and no Ramsar sites or SPAs. However, a very small area of the district around Beech Hill falls within the 5km buffer area of the Thames Basin Heaths SPA which Natural England has determined as being needed to regulate development near the SPA. This is illustrated in Figure 6.1 below.

⁷ EC Habitats Directive 92/43/EEC: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992L0043:20070101:EN:PDF>

⁸ Conservation of Habitats and Species Regulations 2010: http://www.legislation.gov.uk/uksi/2010/490/pdfs/uksi_20100490_en.pdf

Figure 6.1: Location of SACs and Thames Basin Heaths SPA buffer within West Berkshire District



- 6.4. An Appropriate Assessment of all Core Strategy policies has been undertaken to ensure that either alone or in combination with other plans and projects, the policies do not adversely affect any of the SACs or the buffer area for the Thames Basin Heath SPA.
- 6.5. In addition, a HRA screening was undertaken on the HSA DPD and this concluded that an Appropriate Assessment was not required because the allocations and policies would not result in impacts and effects divergent to those assessed in the Core Strategy. The screening also concluded that there would be no negative effects on nature conservation sites of international importance.
- 6.6. The Neighbourhood Area is not in any close proximity to the SPAs or the Thames Basin Heaths SPA buffer area. The Cold Ash NDP is therefore unlikely to have significant effects on nature conservation sites of international importance, and therefore, an Appropriate Assessment for the Cold Ash NDP is not required.

7. Strategic Environmental Assessment and Habitat Regulations Assessment – Conclusions of West Berkshire District Council

- 7.1. Based on the findings in Sections A and B, WBDC's initial conclusion is that a SEA of the Cold Ash NDP is not required under the SEA Directive and Regulations because it has been demonstrated that there will be no significant environmental effects as a result of the NDP.
- 7.2. It is also WBDC's initial conclusion that a HRA is not required because there are no internationally designated sites within or adjacent to the Neighbourhood Area.
- 7.3. Nonetheless, a final determination cannot be made until the three statutory bodies (Historic England, Environment Agency, and Natural England) have commented on this SEA Screening Report. This SEA Screening Report was subject to such a consultation for a five week period commencing on **Friday 4 November 2021** and running through **until 5pm on Friday 10 December 2021**.
- 7.4. Responses from Historic England and Natural England were received by 10 December 2021. No response was received from the Environment Agency despite a reminder email being sent.

8. Consultation

8.1 The consultation responses from Historic England and Natural England to the SEA and Habitats Regulations Assessment Screening Report are detailed below and are also included in Appendix 1. No response was received from the Environment Agency:

Table 8.1: Responses from the statutory bodies

Consultation body	Comments	Action
Environment Agency	No response. A reminder email was sent on 9 December 2021 which stated that if no response was received, then it would be assumed that the Environment Agency had no comments to make.	No further action necessary
Historic England	Based on the information provided I'm happy to confirm Historic England's agreement that SEA would not be merited on grounds within our areas of interest. We do, as ever, reserve the right to request a review of this decision should the scope of the plan change to include site allocations or policies that limit areas for development or promote change of use, or design that would generate significant effects for heritage assets or the wider historic environment.	No further action necessary
Natural England	Based on the plan submitted, Natural England agree with the assessment that the Cold Ash Neighbourhood Plan does not require an SEA or HRA.	No further action necessary

9. Conclusions following consultation with the statutory bodies

- 9.1 On the basis of the screening process detailed in this report, it is the Council's opinion that the NDP is unlikely to have significant environmental effects and as such does not require an SEA under EU Directive 2001/42/EC and The Environmental Assessment of Plans and Programmes Regulations (2004), or a Habitats Regulations Assessment under EC Habitats Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010.
- 9.2. This determination has been made on 13 December 2021.

Appendix 1 Responses from Historic England and Natural England

From: Umrah Mahadik
Sent: 10 December 2021 13:27
To:
Subject: FW: Consultation on the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report for the Cold Ash Neighbourhood Development Plan

From: Lloyd Sweet, Robert [REDACTED]
Sent: 10 December 2021 13:24
To: Umrah Mahadik [REDACTED]
Cc: Smith, Isaac [REDACTED]
Subject: Fw: Consultation on the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report for the Cold Ash Neighbourhood Development Plan

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Umrah

Thank you for consulting Historic England on the draft screening statement for SEA of the Cold Ash Neighbourhood plan.

Based on the information provided I'm happy to confirm Historic England's agreement that SEA would not be merited on grounds within our areas of interest. We do, as ever, reserve the right to request a review of this decision should the scope of the plan change to include site allocations or policies that limit areas for development or promote change of use, or design that would generate significant effects for heritage assets or the wider historic environment.

I would be happy to answer any queries with regard to these comments

Yours sincerely

Robert Lloyd-Sweet

Robert Lloyd-Sweet | Historic Places Adviser | South East England | Historic England
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA
Mobile: [REDACTED]

From: Umrah Mahadik
Sent: 10 December 2021 11:28
To:
Subject: FW: Cold Ash Neighbourhood Plan - Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report

Follow Up Flag: Follow up
Flag Status: Flagged

From: Satchwell, Ellen [REDACTED]
Sent: 10 December 2021 11:25
To: Umrah Mahadik [REDACTED]
Subject: RE: Cold Ash Neighbourhood Plan - Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Umrah,

Planning consultation: Cold Ash Neighbourhood Plan - Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report

Our ref: 371234

Thank you for your consultation on the above dated 8th December 2021 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

Should the proposal change, please consult us again.

If you have any queries relating to this advice, please contact me on the details below.

Yours sincerely,
Ellen

Ellen Satchwell
Sustainable Development Lead Adviser
Thames Solent Team | Natural England
[REDACTED]

<https://www.gov.uk/natural-england>

Appendix 2 Sent email reminder to the Environment Agency

From: Umrah Mahadik
Sent: 08 December 2021 15:14
To: Planning_THM@environment-agency.gov.uk
Cc: Laila Bassett
Subject: Statutory consultation period for the Cold Ash NDP ends this Friday

Importance: High

Dear Sir / Madam,

We would like to bring to your attention that the 5 week consultation on the Cold Ash Strategic Environmental Assessment (SEA) / Habitat Regulation Screening Assessment (HRA) screening report closes at 5pm on Friday 10 December 2021.

If we do not hear from you by the close of the consultation we will assume that you have no comments to make, and we will issue the SEA/ HRA screening decision to Cold Ash Parish Council on Monday 13 December 2021.

Kind regards,

Umrah Mahadik

Senior Policy Consultant Neighbourhood Planning

Planning Policy | Development and Regulation | West Berkshire Council | Market Street | Newbury | Berkshire | RG14 5LD

(01635) [REDACTED] | Ext. [REDACTED] | [REDACTED]

<https://info.westberks.gov.uk/planningpolicy>