



Strategic Environmental Assessment Screening Determination Statement

**Potton Neighbourhood Plan
2018 – 2035**

February 2019

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan

Contents

Executive Summary	3
1. Introduction	4
2. Legislative Background	5
3. Screening Assessment Process	6
4. Summary of Neighbourhood Plan	8
5. Assessment (Part 1)	9
6. Assessment (Part 2)	11
7. Screening Outcome	14
Appendix 1: Consultation Responses	15

Executive Summary

This statement sets out the reasons for the Council's determination that the Potton Neighbourhood Plan proposal is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. In addition, this statement determines that the Potton Neighbourhood Plan is unlikely to result in significant effects on any European sites and consequently the plan does not require Habitat Regulation Assessment.

This determination statement is intended to support Potton Town Council in demonstrating that the Potton Neighbourhood Plan proposal 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
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

This determination has been made on 12th February 2019. Within 28 days of this determination, the Council will publish a statement, setting out its decision. Central Bedfordshire Council will publicise this determination statement in accordance with regulatory requirements. A copy of the statement will be available for inspection at the Council website at <http://www.centralbedfordshire.gov.uk/planning/policy/neighbourhood-planning/consultations.aspx>. It will also be available on request at: Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ.

If you require any further information, then please contact Tom Price by email at tom.price@centralbedfordshire.gov.uk.

1. Introduction

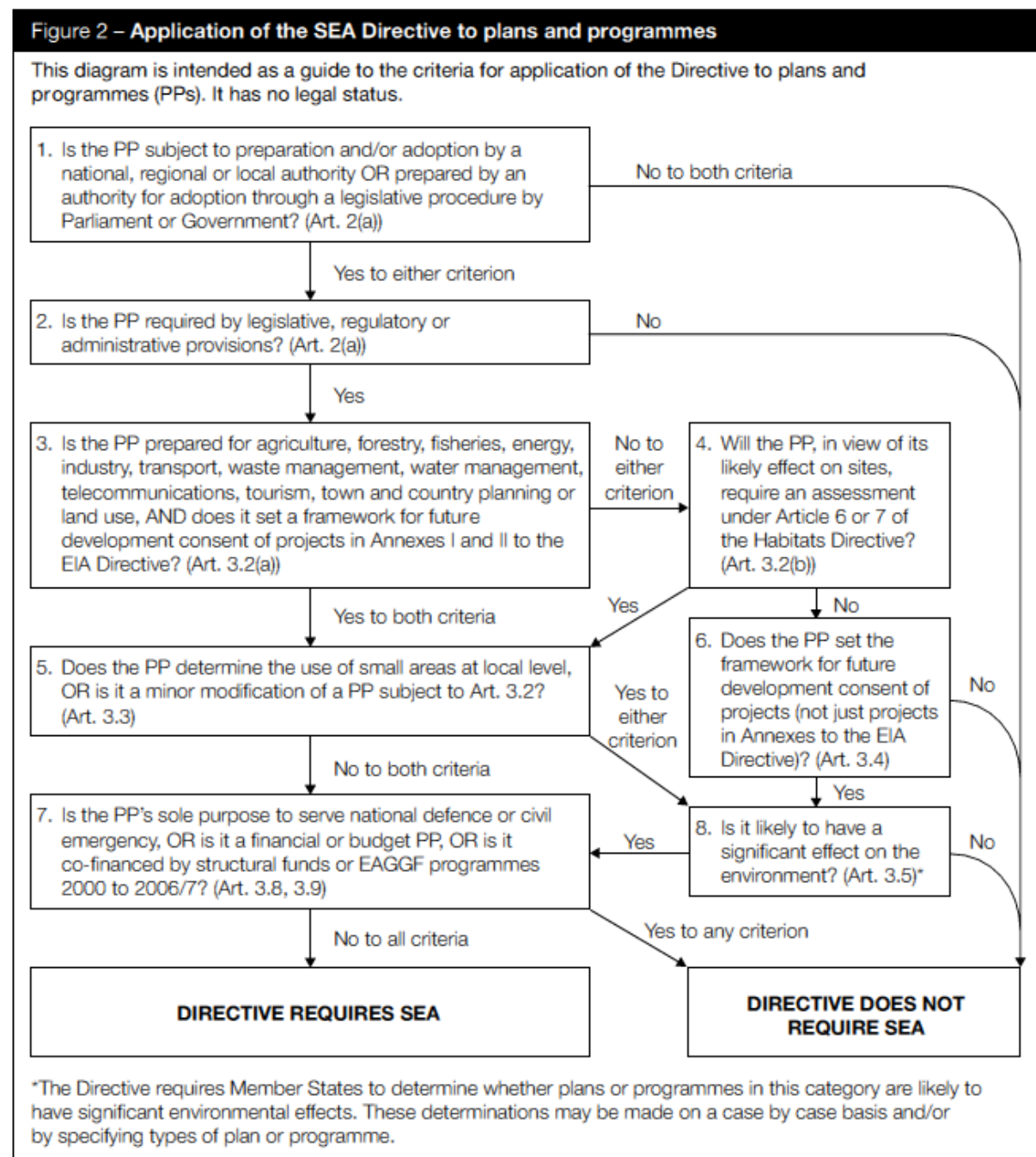
- 1.1 Potton Town Council have requested a Strategic Environmental Assessment (SEA) screening opinion of their Neighbourhood Plan (NP). Central Bedfordshire Council is legally required to determine whether the Potton NP will require SEA.
- 1.2 This document is a final Screening Determination Statement which is being issued to Potton Town Council and the statutory bodies.
- 1.3 The Council undertook a screening exercise to determine whether or not the content of the Potton NP requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. These require an SEA to be undertaken for:
 - 1.3.1 Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
 - 1.3.2 Plans which have been determined to require an assessment under the Habitats Directive.
- 1.4 Following the screening process, the Council determined that the Potton NP is unlikely to result in significant effects on the environment. The Council consulted the findings with the statutory consultation bodies: Historic England, Natural England and Environment Agency.
- 1.5 Section 2 of this report outlines the regulations that set the need for this screening exercise. Process and criteria of the assessment are set out in Section 3.
- 1.6 A summary of the Potton NP is provided in Section 4.
- 1.7 The screening assessment of the likely significant environmental effects of the NP is set out in Sections 5 & 6 and the justification for the determination that the Potton NP does not require a full SEA with further recommendations is provided in Section 7.

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans & 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).
- 2.2 The Planning & Compulsory Purchase Act 2004 requires that a Sustainability Appraisal (SA) is prepared for spatial plans. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 The Government has stated that SAs are not needed for NPs, but it must be demonstrated how the NP contributes to achievement of sustainable development in the area.
- 2.4 The Localism Act 2011 requires NPs to not breach and be otherwise compatible with EU and Human Rights obligations. Ambitious and complex NPs may trigger the EU Strategic Environmental Assessment Directive and Habitat Directive and may need to undertake SEA and Appropriate Assessment depending on the scale and the impact of the plan proposals.
- 2.5 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 refers to the Habitat Directive. The Directive requires that any plan or project likely to have a significant effect on European sites must be subject to an appropriate assessment. Paragraphs 2-5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to Neighbourhood Development Orders (NDOs) and NPs. The Regulations state that NPs are not likely to have significant effects on a site designated at European level for its biodiversity, however, this needs to be ascertained through Habitat Regulations Assessment's screening process.
- 2.6 This report focuses on screening for both HRA and SEA and the criteria for establishing whether a full assessment is needed.

3. Screening Assessment Process

- 3.1 The screening opinion assessment is undertaken in two parts: the first part will assess whether the plan falls into a category of plans requiring SEA; and the second part of the assessment will consider whether the NP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.2 The Government guidance 'A Practical Guide to the Strategic Environmental Assessment Directive' sets out the following approach to be taken in determining whether SEA is required, see flowchart below.



3.3 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard 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 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

Source: Annex II of SEA Directive 2001/42/EC

4. Summary of Neighbourhood Plan

- 4.1 Potton NP covers the administrative boundary of Potton Town Council. Potton is a thriving rural market town located some 4km east of Sandy and 5km north of Biggleswade and today has a population of approximately 5000 residents in around 2,250 dwellings with many small businesses, local shops, community and leisure groups.
- 4.2 Potton draft NP covers a range of land use and environmental issues that relate to the Parish. These are addressed through a number of policies to guide development in the Parish. The policies cover the following areas:
- Community Infrastructure
 - Housing
 - Local Employment & Industries
 - Transport
 - Environment
- 4.3 Community Infrastructure policies aim to; ensure provision is made for an increase in public health and educational services, promote small and medium sized businesses, enhance public open space, play areas, activities for young people and green infrastructure and support the development and maintenance of identified community projects.
- 4.4 Housing policies identify sites the community would like to see developed for new housing. In addition, they aim to; set a framework for the design of housing, achieve a balanced and controlled rate of growth in the parish, realise a good mix of suitable housing and achieve development which matches existing design and enhances the character of the area.
- 4.5 Local Employment & Industries policies aim to; protect existing employment areas, promote sustainable transport for commuters, encourage a suitable level of parking provision, implement improved broadband and communication technologies and assist local businesses in moving to more suitable locations.
- 4.6 Transport policies aim to; alleviate congestion and improve traffic flow, provide suitable rights of ways and connectivity in the parish, promote sustainable transport and suitable parking provision.
- 4.7 Environment policies aim to; promote the use of the Potton GI Plan and the delivery of its aspirations, ensure new developments take account of climate change and sustainability, protect, enhance and manage local wildlife and areas of Local Green Space, and promote the Potton Green Wheel.

5. Assessment (Part 1)

5.1 The first part of the assessment is to establish the need for the SEA. The table below shows the assessment determining whether the Potton NP falls into a category of plans requiring SEA.

Stage	Y/N	Reasons
1. Is the NP 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? [Art. 2(a)]	Y	The preparation and adoption of the NP is allowed under the Town & Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan will be prepared by Potton Town Council (as the 'relevant body') and will be 'made' by the Central Bedfordshire Council as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012 GO TO STAGE 2
2. Is the NP required by legislative, regulatory or administrative provisions? [Art. 2(a)]	Y	Whilst the NP is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if 'made', form part of Local Plan for the unitary area. It is therefore important that the screening process considers whether it is likely to have a significant effect on environment and hence whether SEA is required under the Directive GO TO STAGE 3
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set framework for future development consent of projects in Annexes I and II to the EIA Directive? [Art. 3.2(b)]	Y	The NP is being prepared for town and country planning and land use and supports development of a set of sites, the majority already committed through the Site Allocations DPD (sites A-F) and windfall, including supported employment site (site 21). It supports 3 infill/redevelopment sites within the settlement envelope (sites 8, 13 & 22), including a proposed allocation in the emerging CBC Local Plan (site 8), but it does not set a framework for future development consent for projects in Annexes I and II to the EIA Directive GO TO STAGE 4
4. Will the NP, in view of its likely effect on sites, require assessment under Article 6 or 7 of the Habitats Directive? [Art. 3.2 (b)]	N	Majority of supported sites are already committed development and were considered in the Habitat Regulations screening undertaken for the Site Allocations DPD. This screening found that there will be no significant effects on the Natura sites considered, either alone or in combination arising from developing allocated sites and therefore no further Appropriate Assessment was considered necessary.

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan

Stage	Y/N	Reasons
		<p>The three new sites (8, 13 & 22) are all located within the settlement envelope and deliver very small numbers of development (site 8 – max 12 dwellings, site 13 – max 3 dwellings, site 22 – currently used as a local garage and is unlikely to deliver more than 5 dwellings). Site 8 is also considered in the Appropriate Assessment conducted for the submission Local Plan. This assessment found that there will be no significant effects, either alone or in combination arising from developing allocated sites and therefore no further Appropriate Assessment was considered necessary.</p> <p>Sites 13 & 22 are only supported sites that have not been considered in any of the HRA screenings but given the scale of development that they can deliver, it is considered that impact arising from delivery of such a small number of dwellings within the settlement envelope will be negligible and therefore unlikely to have significant effects on the Natura 2000 sites and there is no need for screening these sites. In addition, the HRA screening of the submission Local Plan concluded that policies included within provided sufficient mitigation measures to ensure that Natura 2000 sites are not affected by development in the CBC area. Any development in the Potton NP area will have to comply with the Local Plan policies in addition to the policies included in the NP.</p> <p style="text-align: center;">GO TO STAGE 5</p>
5. Does the NP determine the use of small areas at local level OR is it a minor modification of a PP subject to Art. 3.2? [Art.3.3]	N/A	NOT APPLICABLE
6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? [Art. 3.4]	Y	<p>The NP will set the framework for future development of projects not included in Annexes I and II to the EIA Directive</p> <p style="text-align: center;">GO TO STAGE 8</p>
7. Is the NP's sole purpose to serve national defence or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? [Art. 3.8 & 3.9]	N/A	NOT APPLICABLE
8. Is the NP likely to have a significant effect on the environment? [Art. 3.5]	N	<p>See Assessment Part 2: Likely significant effects on the environment</p> <p style="text-align: center;">DIRECTIVE DOES NOT REQUIRE SEA</p>

6. Assessment (Part 2)

6.1 The next step in the screening assessment is to establish whether the Potton NP is likely to have a significant effect on the environment. The criteria for determining the likely significance of effects are drawn from Annex II of the SEA Directive 2001/42/EC.

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
1a. 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 NP will contribute to the framework for considering future development consents of projects: it sets out policies to guide future development, but it does not allocate sites for development. The Plan and its policies sit within a wider framework of the NPPF (2018), the Core Strategy (2009), the Site Allocations DPD (2011) and the emerging CBC Local Plan (2018). The Plan's policies must be compliant with policies within the above documents. This NP sets a framework for development that is localised in nature and has limited resource implications	N
1b. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NP will be in conformity with the NPPF. The policies within the NP are in general conformity with the Council's strategic policies and complement the Core Strategy & Development Management policies and emerging CBC Local Plan. The NP is unlikely to significantly influence other plans and programmes	N
1c. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The Plan includes design policies to protect the character, rural and historic setting of Potton, protect and enhance local wildlife and green infrastructure, and ensure that development takes account of climate change and sustainability. All potential development will need to comply with Central Bedfordshire Council planning policies and be in conformity with NPPF. Given the scope of the NP, it is considered that the Plan integrates environmental considerations and promotes sustainable development	N
1d. Environmental problems relevant to the plan	The NP includes policies on the protection and enhancement of the natural environment; protection of the historic character and listed buildings. The Plan promotes the Potton Green Wheel as set out in the Potton Green Infrastructure Plan. The Plan is not allocating sites for residential or commercial development, and therefore the Plan is unlikely to result in significant environmental effects	N

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
1e. 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 or renewable energy generation)	The NP sits within the wider framework of the National Planning Policy Framework (2018), the Core Strategy & Development Management Policies DPD (2009), the Site Allocations DPD (2011) and the emerging CBC Local Plan (2018), and is not directly relevant to the implementation of European legislation	N
2a. Probability, duration, frequency and reversibility of the effects	The NP is likely to have short-term effects resulting from activity associated with improvements to local infrastructure, but they are likely to be localised in their nature and not significantly negative for environmental factors	N
2b. The cumulative nature of the effects	The impacts of the NP are likely to be very localised and unlikely to contribute significantly to impacts of other Plans in the hierarchy	N
2c. The trans-boundary nature of the effects	Given the localised nature of the Neighbourhood Plan there are not expected to be any significant trans-boundary effects	N
2d. The risk to human health or environment (e.g. due to accidents)	The NP is unlikely to pose significant risks to human health or the environment	N
2e. The effects on areas or landscapes which have a recognised national, Community or international protection status	There are no Areas of Outstanding Natural Beauty (AONB) located within the Plan area. Potton lies on the edge of the Everton Heath Greensand Ridge Landscape Character Area to the west and the Dunton Clay Vale LCA to the east. A significant proportion of the parish is within Greensand Ridge Nature Improvement Area. The Greensand Country Landscape Partnership covers almost all of the Greensand Ridge area and aims at enhancing landscape, heritage and environment, whilst promoting leisure and tourism. The policies within the NP will complement this. Given the localised nature of the Plan and scope of potential development this plan will guide, the positive impact of the plan is likely to be limited to the plan's area and immediate neighbouring area.	N
2f. The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected)	The NP covers the area of Potton Parish and it is unlikely to have impacts beyond its boundaries	N

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan

Criteria for determining the likely significant effects (Annex II SEA Directive)	Summary of significant effects	Likely to have significant environmental effects Y/N
<p>2g. 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>Within the Parish there are several natural and cultural heritage designations and the NP policies are looking to protect and enhanced them. However, impacts of the Plan are unlikely to have significant effects</p> <p>The NP is not expected to exceed environmental quality standards or limit values</p> <p>The NP does not propose development likely to result in intensive land use</p>	<p style="text-align: center;">N</p>

7. Screening Outcome

- 7.1 The screening assessment undertaken in Sections 5 & 6 concludes that, it is unlikely there will be any significant environmental effects arising from the Potton NP. **As such, Potton NP does not require a full SEA to be undertaken.**
- 7.2 The Council consulted on its findings with three statutory consultation bodies: Historic England, Natural England and Environment Agency. The consultation period was from 14 January to 14th February 2019. The consultation email stated that if a response was not received it would be assumed that the consultee agrees with the Council's findings and conclusions.
- 7.3 The Council received a response from each statutory consultee, noting that they agreed with the Council findings that the Potton NP does not require a full SEA to be undertaken. The received consultation responses can be found in Appendix 1.
- 7.4 Following the screening process and consultation, the Council determines that **Potton NP does not require a full SEA to be undertaken.**
- 7.5 As part of this screening, Habitat Regulations screening was undertaken because plans that are likely to have significant impact on European sites require a Strategic Environmental Assessment in addition to an Appropriate Assessment (Habitat Regulation Assessment). This screening concluded that the Potton NP is unlikely to have significant impact on European sites and therefore the **Potton NP does not require a full HRA to be undertaken.**
- 7.6 Although SEA is not required, Potton Town Council may wish to consider voluntarily undertaking a Sustainability Appraisal (SA) that covers all three aspects of sustainable development: environmental, social and economic. The advantage of undertaking an SA is that it can assess the impact of the NP on the environmental, social and economic factors and therefore demonstrate to an examiner how sustainable development has been considered in the preparation of the Plan and that the Plan as prepared is the most sustainable compared with any reasonable alternatives.

Appendix 1: Consultation Responses



Historic England

EAST OF ENGLAND OFFICE

Mr Tom Price
Central Bedfordshire Council
Priory House, Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

Direct Dial: 01223 582746

Our ref: PL00532767

12 February 2019

Dear Mr Price

RE: Potton Neighbourhood Plan SEA Screening

Thank you for your email of 14 January 2019 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 Potton Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the Potton will not have any significant effects on the historic environment. Having now had a chance to review the neighbourhood plan, the Site Assessments Annex document, and the SEA Screening Report provided, we note that the neighbourhood plan proposes to allocate a small number of sites for development. One of these, Site 21, is within the Potton Conservation Area and is located on land presently occupied by a small car showroom. Given the scale of any development on this site will be minor, and the requirements of national, local, and neighbourhood planning policy, we consider it unlikely that it would result in significant effects.

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.



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan



Historic England

EAST OF ENGLAND OFFICE

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 14 January 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.

Yours sincerely,

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

cc:




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Strategic Environmental Assessment Screening Report for Potton Neighbourhood Plan




Tue 15/01/2019 09:46

Benn, Neville A <neville.benn@environment-agency.gov.uk>

RE: Potton Neighbourhood Plan

To Tom Price





 You replied to this message on 15/01/2019 09:53.


Dear Tom

With agree with the conclusions your Authority has reached.

Kind regards

Neville Benn
Senior Planning Advisor
Sustainable Places
East Anglia Area (West)

 Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE
 Internal: 51906
 External: 0203 0251906
 neville.benn@environment-agency.gov.uk



Does Your Proposal Have Environmental Issues or Opportunities? Speak To Us Early!

If you're planning a new development, we want to work with you to make the process as smooth as possible. We offer a bespoke advice service where you will be assigned a project manager who be a single point of contact for you at the EA, giving you detailed specialist advice within guaranteed delivery dates. This early engagement can significantly reduce uncertainty and delays to your project. More information can be found on our website [here](#).

Strategic Environmental Assessment Screening Report
for Potton Neighbourhood Plan

Date: 18 January 2019
Our ref: 270248



Tom Price
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Electra Way
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CW1 6GJ

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BY EMAIL ONLY

Dear Mr Price

Potton Neighborhood Plan – SEA Screening Report

Thank you for your consultation on the above dated 14 January 2019, which was received by Natural dated 14 January 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 (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.

Natural England concurs with the results of the HRA screening.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive 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.

Strategic Environmental Assessment Screening Report for Potton Neighbourhood Plan

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.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Alice Watson
Consultations Team