



Bromsgrove
District Council

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Strategic Environmental Assessment and Habitat Regulation Assessment

Draft Screening Assessment

Wythall Parish Neighbourhood Plan

July 2024

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1. Introduction

- 1.1 This report sets out the screening assessment for the Wythall Parish Neighbourhood Plan and has been prepared by Bromsgrove District Council. The purpose of the screening is to assess if the Neighbourhood Plan will require a Strategic Environmental Assessment (SEA) and /or a Habitat Regulation Assessment (HRA). Conclusions for both SEA and HRA in this Screening Opinion are included in Section 9 of this report.

2. Introduction to Strategic Environmental Assessment and Habitat Regulation Assessment

Strategic Environmental Assessment (SEA)

- 2.1 Strategic Environmental Assessment (SEA) is required under the [Environmental Assessment of Plans and Programmes Regulations 2004](#) legislation for all plans which may have a significant effect on the environment. In order to determine whether a plan has a significant effect on the environment, it is necessary to screen the policies and proposals contained within a plan. When a neighbourhood plan becomes “made” (adopted) it will have legal status as part of the statutory development plan for the neighbourhood area it relates to. There is therefore a legal requirement to assess the policies and proposals in the draft Wythall Neighbourhood Plan against and this is set out in [Regulation 9](#) of the above 2004 Regulations.
- 2.2 The objective for SEA is: *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”* ([2001 SEA Directive, Article 1 - Objectives](#)).

Habitat Regulation Assessment (HRA)

- 2.3 The [Conservation of Habitats and Species Regulations \(as Amended\) 2017](#) requires an assessment of land use planning proposals to determine whether a plan is likely to have significant effects on European designated sites of nature conservation importance within, close to, or connected to the plan area. European sites are areas of international nature conservation importance that are protected for the benefit of the habitats and species they support. This assessment is known as a Habitat Regulations Assessment (HRA). For the purposes of the HRA, designated sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC), and Ramsar wetland sites.

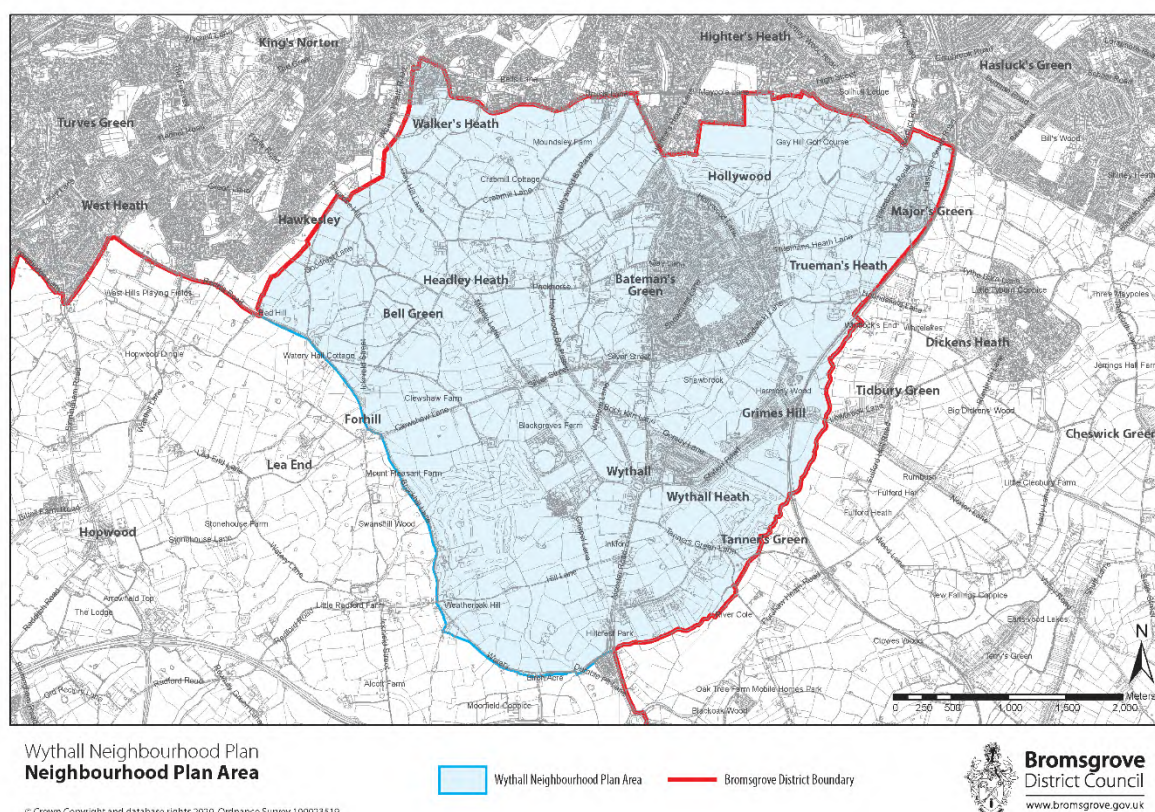
3. Neighbourhood Plans and SEA / HRA

- 3.1 [Regulation 15 of the 2012 Neighbourhood Planning \(General\) Regulations](#) sets out the information that must accompany a neighbourhood plan when submitted to the local planning authority. Amendments to the Neighbourhood Plan Regulations at Regulation 15 (e) made additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environment assessment is not required.
- 3.2 The National Planning Policy Framework (NPPF) makes it clear that “Local plans should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements” ([NPPF 2023](#), #32). The legal requirements referred to (SEA legislation) are included in NPPF footnote 17, which also states that: *“Neighbourhood plans may require SEA, but only where there are potentially significant environmental effects”*.
- 3.3 Neighbourhood plan areas that are located in close proximity to a European designated site may also require HRA, depending on the complexity of policies and proposals contained within the plan and the likely significant effects. The Duty to Cooperate requires the Local Planning Authority (alongside the Statutory Consultees - Natural England, Environment Agency, and Historic England) to advise and assist on SEA and HRA requirements. This involves the Local Planning Authority undertaking a screening assessment of the emerging neighbourhood plan proposals at an early stage.
- 3.4 If an SEA or HRA is found to be required, the gathering of evidence for its preparation can be integrated into the process of producing the neighbourhood plan. If the outcome of this screening opinion concludes that SEA or HRA is not necessary, a statement will be prepared that sets out how environmental issues have been taken into account and considered during the preparation of the Wythall Neighbourhood Plan. This statement will be submitted to the Local Planning Authority in accordance with Regulation 15 referred to above, alongside the proposed Neighbourhood Plan, following the pre-submission (‘Regulation 14’) consultation.

4. The Wythall Neighbourhood Plan

- 4.1 Work on the Wythall Neighbourhood Plan commenced in 2020. A steering group of parish councillors and interested residents from the parish was set up to oversee the preparation of the neighbourhood plan.
- 4.2 Wythall Parish (see Figure 1) is located in Bromsgrove District within Worcestershire County. The parish is located to the north of the M42 motorway and south of the district's border with Birmingham CC/Solihull MBC. The parish shares its eastern boundary with the district boundary with Solihull and the western boundary is formed by Redhill Road and Brockhill Lane. The parish is home to the built up areas of Wythall, Hollywood, Drakes Cross and Major's Green in the east, surrounded by land within the designated West Midlands Green Belt.

Figure 1: Wythall Neighbourhood Plan Area



- 4.3 The draft Wythall Neighbourhood Plan (May 2024) includes the following policies:

Policy Ref	Policy Title	Summary
WYTHALL 1	Local Community Facilities	Proposals which avoid the loss of community facilities will be supported. Local community facilities are listed.

Policy Ref	Policy Title	Summary
WYTHALL 2	Affordable Housing Tenure	Sets out desired affordable housing tenures
WYTHALL 3	Housing Types and Sizes in Wythall	New housing provision to meet a range of housing needs but 1-bed and 2-bed low rise apartments and houses will be welcome.
WYTHALL 4	Good Design and Development Form in Wythall Parish	Development to be undertaken in accordance with the Design Guidelines and Codes Report. Development at an increased density than adjacent residential should set out measures to avoid overbearing.
WYTHALL 5	Environmental Performance of Buildings	New buildings and alterations/extensions to existing buildings are expected to achieve high standards of environmental performance.
WYTHALL 6	Wythall Parish Local Heritage Assets	Sets out non-designated heritage assets
WYTHALL 7	Local Green Space Sites	Sets out Local Green Spaces
WYTHALL 8	Biodiversity Gains from new development in Wythall Parish	Requirement to secure BNG on application sites in the first instance and for new developments to contribute to local habitat network enhancement
WYTHALL 9	Support for Bus Services	Major development which includes measures to improve public transport services will be supported
WYTHALL 10	Support for Rail Services and Station improvements	Major development which includes measures to improve facilities and rail services at Wythall station will be supported
WYTHALL 11	Support for improvements to priority walking and cycling routes	Major development which includes measures to improve walking and cycling routes and signage will be supported

5. Applying the SEA & HRA Screening to the Wythall Neighbourhood Plan

5.1 The SEA screening is a two stage process consisting of:

- Stage 1 – this stage considers the Neighbourhood Plan against the SEA assessment criteria set out in Planning Practice Guidance (PPG). If it is determined at this stage that there is potential for the Neighbourhood Plan to have a significant effect on the environment then stage 2 should be carried out.
- Stage 2 – this stage involves testing the relevant Neighbourhood Plan against the criteria set out in [SEA Directive Annex II](#), to determine the likely significance of environmental effects.

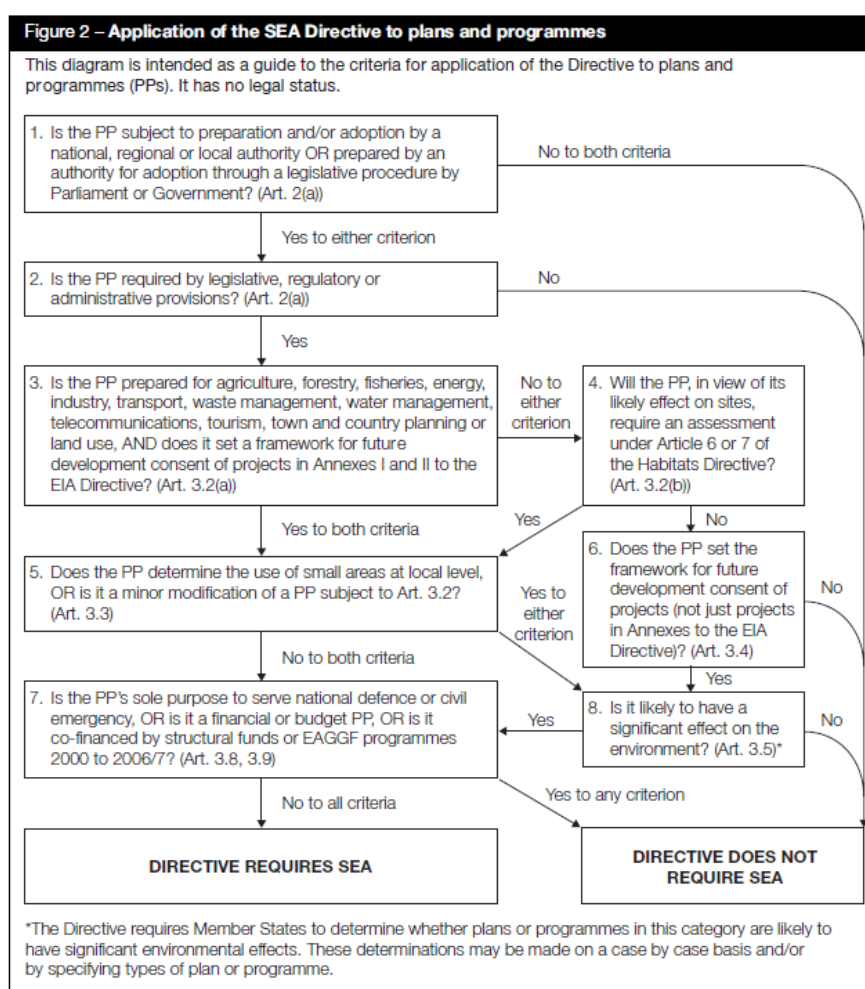
5.2 The HRA screening approach involves consideration of the European designated nature conservation sites within a reasonable distance of the Neighbourhood Plan area, and the potential impact of the proposals within the plan on these designated sites.

6. SEA Screening Stage 1: Application of SEA Directive to the Wythall Neighbourhood Plan

6.1 To establish if a Neighbourhood Plan needs to be accompanied by a SEA, stage 1 of the screening assessment is required to assess the plan against a series of criteria set out in the SEA Directive.

6.2 The diagram shows the screening process and how a plan would be assessed against the SEA Directive criteria.

Figure 2: Application of the SEA Directive to plans and programmes



Source: [A Practical Guide to Strategic Environmental Assessment Directive](#), ODPM 2005

6.3 An assessment of the characteristics of the Wythall Neighbourhood Plan against these criteria is set out in Table 1 below.

Table 1: SEA Screening Stage 1 – Application of the SEA Directive to the Wythall Neighbourhood Plan (following flow chart in Figure 2 above)

SEA Assessment Criteria	Neighbourhood Plan Outcome (Y/N)	Commentary
1) Is the Wythall Neighbourhood Plan subject to preparation and / or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))	Yes	<p>The Wythall Neighbourhood Plan is being prepared by a qualifying body (Parish Councils) under the Town and Country Planning Act 1990 (as amended).</p> <p>The Local Planning Authority (Bromsgrove District Council) has a statutory obligation to “make” a Neighbourhood Plan once it has successfully gone through the relevant statutory preparation stages, culminating in a local referendum. At this stage, the Neighbourhood Plan becomes part of the statutory development plan for the neighbourhood area. To this extent, the Neighbourhood Planning process is directed through a legislative procedure which is set out in The Neighbourhood Planning (General) Regulations 2012 (as amended) and the Localism Act 2011 (as amended).</p>
2) Is the Wythall Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	No	<p>The preparation of Neighbourhood Plans is optional and is a decision to be made by the Parish/Town Council or Neighbourhood Forum. However, if the decision is taken to prepare a Neighbourhood Plan, the qualifying body is required to follow the set of regulatory and administrative procedures as set out in the Neighbourhood Planning Regulations 2012 (as amended) and the Localism Act 2011 (as amended).</p> <p><i>Whilst Figure 2 above indicates that a ‘No’ response to this question indicates that SEA is not required, if the Neighbourhood Plan is ‘made’ it will form part of the statutory development plan and therefore it is considered necessary to answer the additional questions set out in Figure 2.</i></p>
3) Is the Wythall Neighbourhood 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	Yes	<p>A Neighbourhood Plan must relate to town and country, spatial and/or land use planning. Once made, it will form part of the statutory framework (“development plan”) for the determination of planning applications. Neighbourhood Plans therefore set specific frameworks for future development consents.</p>

SEA Assessment Criteria	Neighbourhood Plan Outcome (Y/N)	Commentary
framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))		
5) Does the Wythall Neighbourhood Plan determine the use of small areas at local level OR is it a minor modification of an existing plan/programme subject to Article 3.2? (Article 3.3)	Yes	<p>A Neighbourhood Plan can set out detailed, localised policies to reflect local aspirations, concerns or issues.</p> <p>The Neighbourhood Plan can also determine the use of sites in its neighbourhood plan area by making site specific land use allocations. The Wythall Neighbourhood Plan does not propose to allocate any new sites within its area for development.</p>
8) Is the Wythall Neighbourhood Plan likely to have a significant effect on the environment (Article 3.5)?	Potentially	<p>A Neighbourhood Plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals within the Neighbourhood Plan. This requires individual assessment of the Neighbourhood Plan.</p> <p>The relevant criteria for determining whether Neighbourhood Plans are likely to have significant environmental effects are set out in Annex II of the SEA Directive.</p> <p>Stage 2 of this screening assessment determines whether or not the Wythall Neighbourhood Plan will lead to any significant effects on the environment and, therefore, whether the Neighbourhood Plan will need to be accompanied by a SEA.</p>
SEA COULD BE REQUIRED		

SEA Screening Stage 1: Conclusions

6.4 The conclusion of the assessment set out in Table 1 is that Strategic Environmental Assessment of the Wythall Neighbourhood Plan could be required. For this reason an analysis of the proposed neighbourhood plan is required to determine the likely significant effects on the environment. Therefore, it is necessary to complete stage 2 of the SEA screening process.

7. SEA Screening Stage 2: SEA Directive Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan referred to in Article 3(5)

7.1 Table 2 below sets out the assessment against the SEA criteria for the Wythall Neighbourhood Plan. This is to determine whether the implementation of the Neighbourhood Plan will have a significant effect on the environment. The criteria against which the screening is carried out are taken directly from [Annex II of Directive 2001/42/EC](#) (also known as the SEA Directive), as required by Article 3(5).

7.2 The criteria from Annex II are as follows:

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.

Table 2: SEA Screening Stage 2 – Assessment of likelihood of significant effects on the environment

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
1) The characteristics of plans and programmes, having regard, in particular to:		
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.	No	The Wythall Neighbourhood Plan will only be setting the framework for projects in a local context. There is a statutory requirement for the Neighbourhood Plan's policies to be within the context of strategic policies in the adopted Bromsgrove District Plan (BDP, 2017). It therefore cannot provide for development that is not in general conformity with the adopted Local Plan. Rather, it will make policies and proposals that will be applicable to the designated neighbourhood plan area. The draft Neighbourhood Plan does not include site allocations.
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Wythall Neighbourhood Plan will be in general conformity with the adopted Bromsgrove District Plan (BDP, 2017). The Neighbourhood Plan will also be in conformity with the National Planning Policy Framework (NPPF) and guidance set out in the National Planning Practice Guidance (PPG). The conformity of the Neighbourhood Plan with both national and local strategic policy is part of the basic conditions which will be tested at examination stage by an Independent Examiner.
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The draft Wythall Neighbourhood Plan includes a policy on Environmental Performance of Buildings but this does not propose to introduce any standards which go beyond national targets.
d) Environmental problems relevant to the plan or programme.	No	It is not considered that the Wythall Neighbourhood Plan will introduce any environmental problems, rather it will seek to encourage sensitive development in relation to the environment.

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
e) The relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	No	<p>The Wythall Neighbourhood Plan will not impact on the implementation of European Community legislation on the environment.</p> <p>Strategies relating to waste disposal or water protection are mostly dealt with by Worcestershire County Council. Bromsgrove District Council itself has a number of strategies in place, relating to waste collection and environmental protection. Community consultations as part of the plan process may identify specific local environmental concerns or issues, but these are generally not issues which could be addressed through a Neighbourhood Plan.</p>
2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) The probability, duration, frequency and reversibility of the effects	No	It is considered that the overall impact of the Wythall Neighbourhood Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts.
b) The cumulative nature of the effects	No	It is considered that the effect of this Wythall Neighbourhood Plan will be largely beneficial therefore any cumulative impacts will also be beneficial.
c) The transboundary nature of the effects	No	The effects of the proposals within the Wythall Neighbourhood Plan are limited to the designated neighbourhood area and are unlikely to have a significant impact on neighbouring areas outside of this boundary.
d) The risks to human health or the environment (e.g. due to accidents)	No	No significant risks to human health or the environment are envisaged through the application of this Neighbourhood Plan.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Wythall Neighbourhood Plan is applicable only to developments within the neighbourhood plan area (Wythall Parish area). Therefore, the potential for environmental effects are likely to be minimal and limited to the neighbourhood plan area.
f) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> a. Special natural characteristics or cultural heritage; 	No	The Wythall Neighbourhood Plan is applicable to proposed developments within Wythall Parish but it does not allocate sites for development and is unlikely to have an impact on the value or vulnerability of the area as it is not in itself proposing development.

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
b. Exceeded environmental quality standards or limit values; or c. Intensive land-use.		
g) The effects on areas or landscapes which have a recognised national, community or international protection status.	No	<p>The overall impact of the Wythall Neighbourhood Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts. Wythall has a number of local sites for nature conservation including one SSSI and some Local Wildlife Sites but these are protected by separate policies in the adopted Bromsgrove District Plan.</p> <p>If a Habitat Regulations Assessment (HRA) is deemed necessary, then a SEA would also be required. The results of the HRA screening assessment are set out in sections 8 and 9 of this report.</p>

SEA Screening Stage 2: Conclusions

7.3 On the basis of the SEA Screening Assessment set out in Tables 1 and 2, the conclusion is that the Wythall Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA. The main reasons for this conclusion are:

- There are no plans for the proposed Wythall Neighbourhood Plan to allocate sites for development;
- The policies in the draft Wythall Neighbourhood Plan seek to reinforce the policies in the adopted Bromsgrove District Plan, which has itself been subject to SA and SEA;
- Policies and proposals within the Wythall Neighbourhood Plan itself are unlikely to have significant environmental effects; rather it is the specific developments that come forward as part of planning applications within the neighbourhood area that may result in environmental effects;
- The Wythall Neighbourhood Plan will seek to avoid or minimise negative environmental effects by providing guidance for applicants when making proposals for development within

the neighbourhood plan area. This will help to reduce adverse environmental effects occurring within the neighbourhood plan area.

7.4 This determination is pending the findings of consultation and the formal views of the statutory environmental bodies.

8. HRA Screening

- 8.1 In addition to the screening of the Wythall Neighbourhood Plan in relation to SEA, there is a requirement to assess if the proposals within the Neighbourhood Plan could have an adverse impact on European designated nature conservation sites. This Habitats Regulation Assessment (HRA) is required by [The Conservation of Habitats and Species Regulations 2017](#) (as amended).
- 8.2 The HRA involves an assessment of any plan or project to establish if it has potential implications for European sites. The HRA will consider if the proposals in the Neighbourhood Plan have the potential to harm the habitats or species for which European sites are designated. European sites are:
- Special Protection Areas (SPA) designated under the Wild Birds Directive ([2009/147/EC](#))
 - Special Areas of Conservation (SAC) designated under the Habitats Directive ([92/43/EEC](#))
- 8.3 In addition to SPA and SAC sites, Ramsar sites are designated under the [Ramsar Convention](#) (Iran 1971 as amended by the Paris Protocol 1982). Although they are not covered by the Habitats Regulations, as a matter of UK Government Policy, Ramsar sites should be treated in the same way as European sites.
- 8.4 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a “screening” exercise where the details of nearby internationally designated sites within a reasonable distance from the Neighbourhood Plan area are assessed to see if there is any potential for the Neighbourhood Plan proposals to have an impact on the international site. For the purposes of this HRA screening assessment a “reasonable distance” will be taken to be sites within 15km of the designated Neighbourhood Plan Area.
- 8.5 For the HRA “screening” assessment, Defra’s [MAGIC Map](#) was examined to determine whether any Special Protection Areas, Special Areas of Conservation sites, or Ramsar sites were located within a reasonable distance of the designated Neighbourhood Plan area.
- 8.6 The outcome was that no internationally designated sites fall within the Neighbourhood Plan area or within 15km of it. The nearest site is the [Fens Pool Special Area of Conservation](#) (SAC) in the Dudley MBC area which is 17.3km from the nearest point of the Wythall Neighbourhood Plan area.

8.7 Fens Pool SAC lies close to Pensnett in Dudley and is a 20ha site consisting of mostly dry grassland, heath and scrub, plus bogs, marshes and fens and open water.

8.8 The other nearest internationally designated sites are:

- Lyppard Grange SAC (Worcester City Council area) – 25.6km
- Ensor Pool SAC (Nuneaton and Bedworth Borough area) - 27.1km

9. SEA & HRA Screening Conclusion

SEA Assessment

- 9.1 On the basis of the SEA Screening assessment set out in sections 6 and 7 above, it is concluded that the Wythall Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA report.

Habitat Regulations Assessment

- 9.2 As set out in section 8 above, there are no internationally designated nature conservation sites within the Neighbourhood Plan area or within 15km of it. However, the results do show that there is one Special Area of Conservation (SAC) located within 20km of the neighbourhood plan area. This site is [Fens Pools](#), a 20ha SAC site located near to Pensnett in Dudley Borough which is located 17.3km from Wythall Parish at the closest point.
- 9.3 However using an approach of a 15km radius from the neighbourhood area, based on consideration of other neighbourhood plan HRA screening exercises across the UK, it is concluded that the Wythall Neighbourhood Plan will not have an adverse effect on the integrity of designated sites either on its own or in combination with other plans, and therefore does not require a Habitat Regulation Assessment to be undertaken.

10. Next Steps

Strategic Environmental Assessment (SEA)

- 10.1 The next stage will be to consult with the Statutory Consultees (Natural England, the Environment Agency, and Historic England) on this Screening Report of the Wythall Neighbourhood Plan. The Statutory Consultees will be asked to consider the Screening Report and confirm if they consider an SEA is necessary or not.
- 10.2 If the Statutory Consultees advise that an SEA is necessary then an environmental report will be required for the Neighbourhood Plan. The environmental report will integrate the requirements of the SEA Regulations. This will ensure that the potential environmental effects (the focus of the SEA) are given full consideration in the preparation of the neighbourhood plan. The environmental report will be published alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority when the proposed Neighbourhood Plan is submitted under Regulation 15 of the Neighbourhood Planning Regulations.
- 10.3 If it is concluded that the emerging Neighbourhood Plan does not require SEA, then it will be necessary to publish the Statutory Consultee responses together with this screening assessment on the Bromsgrove District Council website and the Wythall Parish Council website. In accordance with Regulation 15 (e)(ii) of the 2012 Neighbourhood Planning (General) Regulations (as amended), a statement of reasons why an environmental assessment is not required will need to be published and submitted to the Local Planning Authority with the proposed Neighbourhood Plan.

Habitats Regulations Assessment (HRA)

- 10.4 Consultation with the Statutory Consultees will also make a request of Natural England to consider the screening assessment of the Habitat Regulations Assessment (HRA) and to advise if an Appropriate Assessment is necessary or not. If Natural England advises that HRA is necessary then a report will be prepared and will sit alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority with the proposed Neighbourhood Plan.

11. Further Information

- 11.1 A copy of the draft Wythall Neighbourhood Plan has been sent to the Statutory Consultees alongside this Screening Assessment document.