

Wiltshire Council

Strategic Environmental Assessment

**Screening determination for the Bradford on Avon Neighbourhood
Plan**

October 2015

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1. Introduction

- 1.1 This document provides a screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the Bradford on Avon Neighbourhood Plan. Wiltshire Council, as the 'Responsible Authority'¹ under the SEA Regulations², is responsible for undertaking this screening process of the neighbourhood plan; it will determine if the Plan is likely to have significant environmental effects, and hence whether SEA is required.
- 1.2 This process has been carried out in accordance with the requirements of European Directive 2001/42/EC³, often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

2. Legislative requirements

- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.
- 2.2 Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)*

2. *in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)*

3. *set the framework for future development consent of projects⁴ (Regulation 5, para. (4)(b)*

4. *are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)*

An environmental assessment need not be carried out for:

- a) *plans which determine the use of a small area⁵ at local level (Regulation 5, para. (6)(a); or*
b) *plans which are a minor modification⁶ to a plan or programme (Regulation 5, para. (6)(b)*

¹ The organisation which adopts the neighbourhood plan (this is described in Wiltshire Council's guide *Neighbourhood planning – a guide for Wiltshire's parish and town councils* (June 2012) as 'makes the plan').

² The Environmental Assessment of Plans and Programmes Regulations 2004

³ European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment"

⁴ European Commission guidance states that plans and programmes which **set the framework for future development consent of projects** would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. **Development consent** is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1(2) of the EIA Directive).

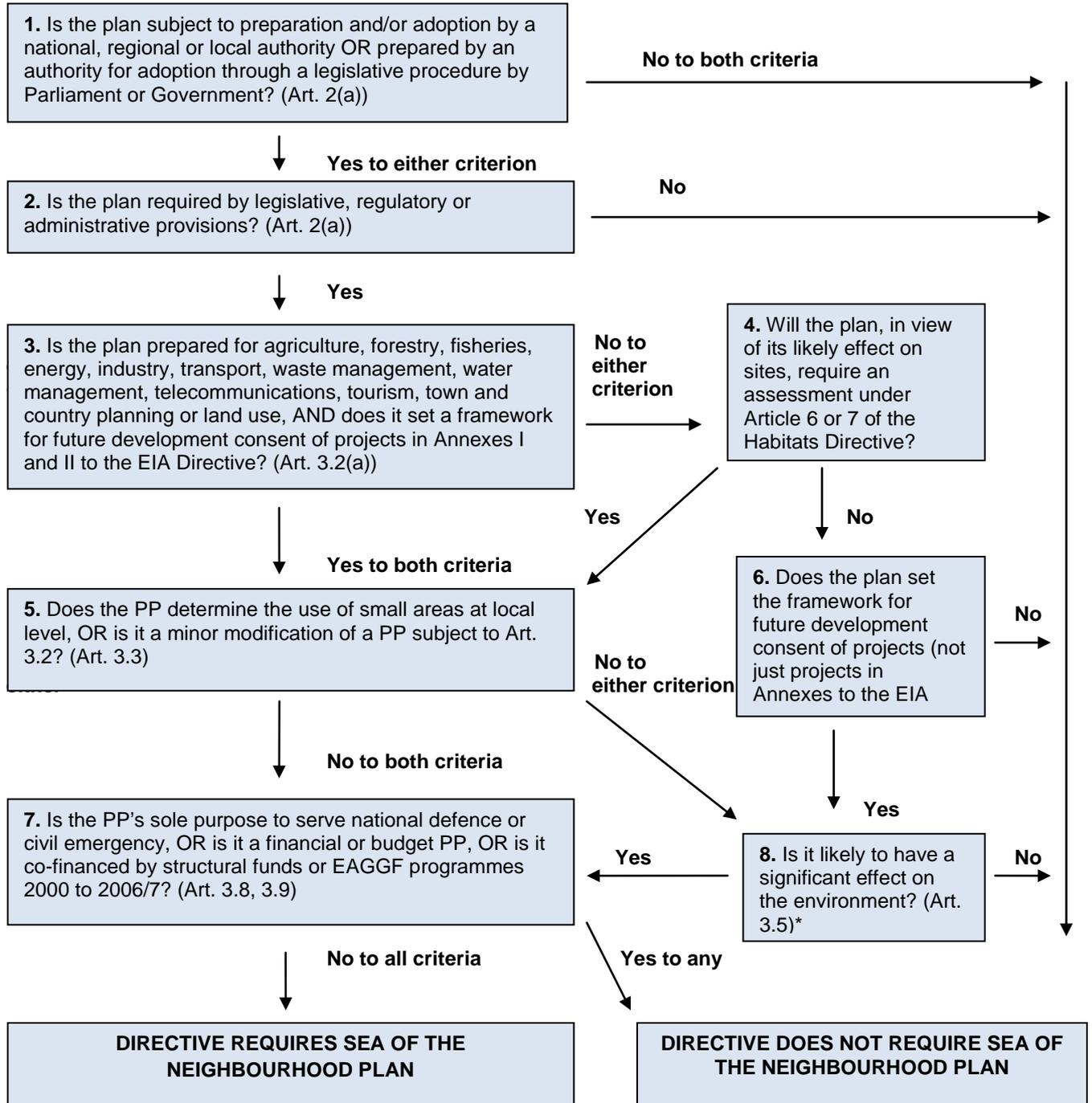
⁵ European Commission guidance suggests that **plans which determine the use of small areas at local level** might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"

⁶ **'Minor modifications'** should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

2.3 The diagram⁷ below shows the SEA Directive's field of application:

Application of the SEA Directive to neighbourhood plans



* Plans falling in this category (No.8) will be screened by Wiltshire Council to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in Wiltshire.

NB This diagram is intended as a guide to the criteria for application of the Directive to neighbourhood plans. It has no legal status.

⁷ Taken from *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005)

3. The Bradford on Avon Neighbourhood Plan

Background

- 3.1 Bradford on Avon Town Council is currently preparing a neighbourhood plan under the provisions of the Localism Act 2011, and associated regulations.
- 3.2 Bradford on Avon is designated as a market town in the adopted Wiltshire Core Strategy. Market towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.
- 3.3 A draft of a neighbourhood plan was produced in August 2015. It acknowledges the combination of river valley, topography, history and architecture including buildings of national significance, which create a town of 'remarkable' interest, much of which has survived to the present day. The plan further describes the rich manufacturing past of the town, and sets out that protecting the essential quality of the town and revitalising its economy are key features that the Neighbourhood Plan seeks to achieve.
- 3.4 Further information on the neighbourhood plan can be found on the Bradford on Avon neighbourhood plan website⁸ and the draft plan attached to this screening opinion consultation document.

Steering Group

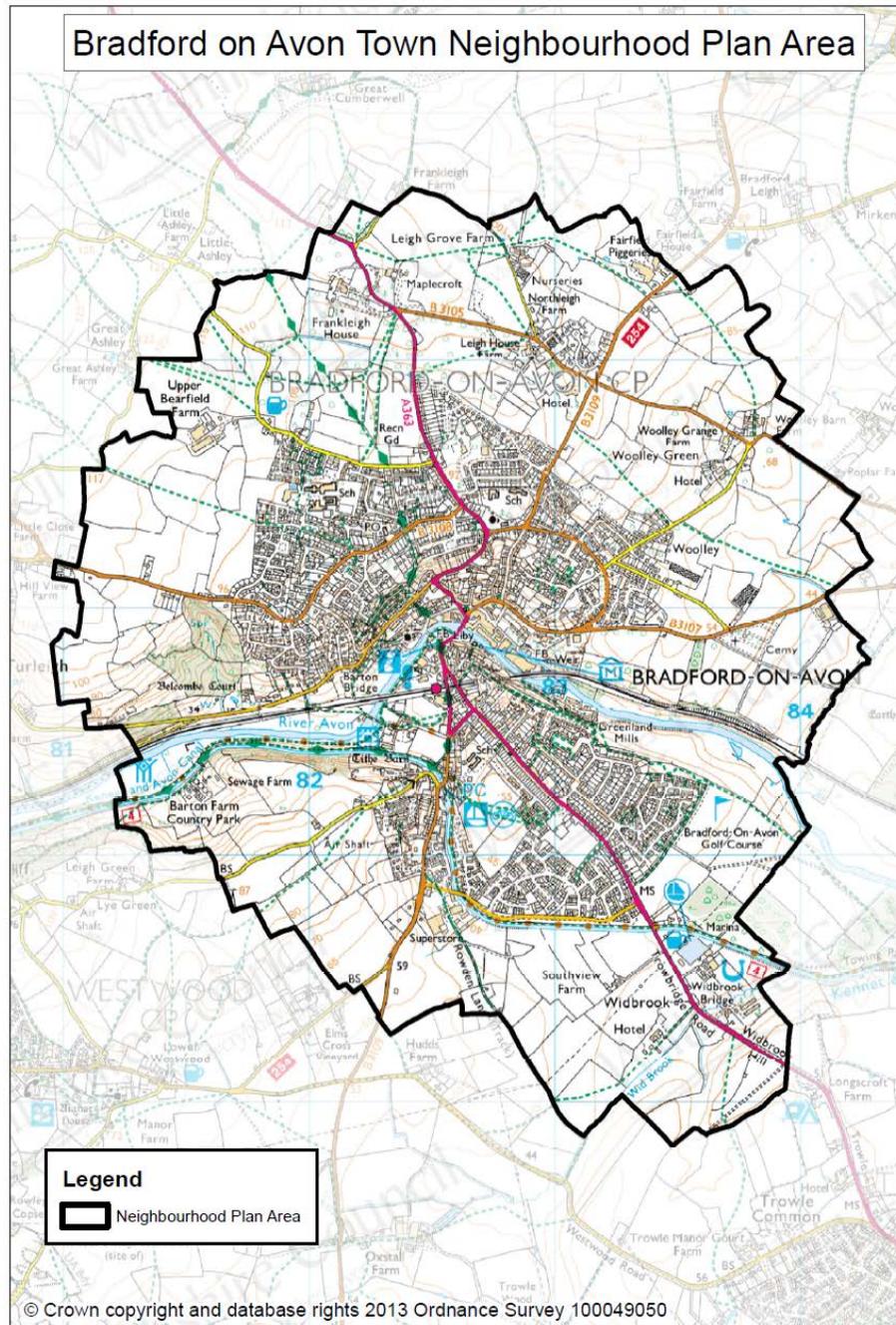
- 3.5 The neighbourhood plan process was started in 2013 and has been undertaken in parallel with the production of Wiltshire Council's Core Strategy. The development of the neighbourhood plan has been led by Bradford on Avon Town Council, as the 'qualifying body', but work has been undertaken by a specifically tasked Working Group, comprising Town Council Members and staff, and individuals representing interests around the town. Information about the process of plan preparation has been available at all times on the Bradford on Avon Neighbourhood Plan website, which is linked to the Town Council website.
- 3.6 Planning officers from Wiltshire Council have advised and supported the steering group since 2013 on the development of the plan.

Neighbourhood area designation

- 3.7 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Monday 19th August until 5pm Wednesday 2nd October 2013. Having considered the feedback received through the consultation, Wiltshire Council recommended that the proposed Bradford on Avon Neighbourhood Plan Area is coherent, consistent and appropriate in planning terms. The designation of the Bradford on Avon Neighbourhood Area was approved on 2nd October 2013.
- 3.8 The Bradford on Avon Neighbourhood Area application and designation documents are available to view online at: <http://www.wiltshire.gov.uk/nppreviousconsultations.htm>

⁸ <http://www.bradfordonavontowncouncil.gov.uk/committees/neighbourhoodplanning.php>

Map showing the designated Bradford on Avon neighbourhood area



Neighbourhood plan draft vision and objectives

3.9 A vision and objectives for the neighbourhood plan have been proposed as follows:

Vision: The agreed vision for Bradford on Avon is of a town that should:

- give a high priority to and achieve a high standard in the conservation of the remarkable architectural and historic character of the town using the best of the past to influence the future
- achieve an improved economic balance in the town by facilitating and delivering significant employment growth in new development, and by retaining all existing employment sites, with an emphasis on high value employment
- provide a valuable range of educational, cultural, sports and community facilities within an attractive and welcoming environment, for all who live and work here and for those that visit the town
- minimise the impact of vehicles passing through the town and improve the environment for pedestrians and cyclists by reducing vehicle/pedestrian conflict, whilst at the same time securing improved air quality
- provide a diverse mix of housing appropriate for all sectors of the community
- achieve high quality design in new buildings and in the public realm that respects and responds to its location
- protect and enhance the green areas within the town including the wider landscape setting and at the same time increase biodiversity
- meet the challenge of climate change and achieve a carbon neutral Bradford on Avon by 2050

The principal objectives are

- To ensure that development in the town is genuinely sustainable and serves local needs
- To protect and enhance the architectural and historic character of the town and its landscape setting
- To ensure that the town has a viable economic future
- To protect and where necessary improve community facilities
- To minimise the adverse effect of through traffic and to improve provision for pedestrians
- To ensure the continued protection of the Green Belt
- To recognise the need to address Climate Change

The principal objectives are then broken down into detailed objectives under the following headline subjects:

- Green Belt
- Conservation and Design
- Housing for All
- Economy and Enterprise
- Green Spaces

- Community Wellbeing
- Traffic and Transport
- Areas of Opportunity

The document will plan for the residual dwelling requirement for the town in the Bradford on Avon community area. Currently the town council is awaiting the results of the latest monitoring exercise undertaken by Wiltshire Council in terms of planning permissions granted, and dwellings completed at the town. The plan is also supportive of additional employment development.

Draft Plan policies

3.10 A number of policies are currently being proposed which are detailed further in the draft Plan attached to this report. These policies are as follows:

- Development Policy 1 (general strategic policy for development)
- Policy GB1 - Rural diversification in the Green Belt
- Policy GB2 - Small scale infill in the Green Belt
- Policy GB3 - Development brought forward through a Community Right to Build Order in the Green Belt
- Policy GB4 - Proposals for extensions to existing buildings in the Green Belt
- Policy GB5 - Proposals for replacement dwellings in the Green Belt
- Policy BE1 – Conservation and Design - New development
- Policy BE2 - Development proposals, including extensions and alterations to existing buildings
- Policy BE3 – Development and effects on views
- Policy BE4 - Maintenance, alteration or extension to listed buildings
- Policy BE5 - Proposals to up-grade historic buildings
- Policy BE6 - Signs and advertising
- Policy BE7 – Proposals involving demolition of buildings in the Conservation Area
- Policy H1 - Small-scale housing developments within the Settlement Boundary
- Policy H2 - Proposals for infill development
- Policy H3 - Within the town centre proposals for residential use above shops
- Policy H4 - Proposals for small-scale housing developments outside the Settlement Boundary
- Policy H5 – Parking standards at residential development
- Policy H6 – Building for Life
- Policy E1 - Business and employment development
- Policy E2 - Proposals for the development of recreational, cultural, arts and tourist facilities
- Policy E3 – Bradford on Avon Railway Station and adjoining land
- Policy E4 - Proposals for change of use of land or buildings on existing employment sites
- Policy E5 – Changes to retail premises
- Policy GS1 – Development or change of use proposals within the setting of the AONB
- Policy GS2b – Any development or change of use within the setting of Bradford-on-Avon
- Policy GS3a - Proposals for development and impacts on biodiversity
- Policy GS3b - Development proposals affecting green corridors
- Policy GS4 – Local Green Spaces

- Policy GS5 – Improvements to Public Open Spaces
- Policy GS6 - Restoration, enhancement and management of degraded, sterile or unmanaged landscapes, features and habitats within and around Bradford on Avon
- Policy GS7 – Protection of Grade 2 and 3a agricultural land
- Policy C1 – Development proposals and community facilities
- Policy C3 - Campus of Public Services
- Policy C4 – New allotments
- Policy T1 – Improvements to pedestrian network and provisions for cyclists
- Policy T2 – Alternative modes of transport in new development
- Policy T3 – Improvements to non-car modes related infrastructure
- Policy T4 – Public and private car parking

Site allocations

3.11 The Draft Plan allocates three sites as an Area of Opportunity and a number of corresponding objectives:

The Station Car Park

- to make better use of the area as a whole for non-residential purposes
- to improve the setting of and access to the Railway Station and maintain space for taxis
- to improve the layout and appearance of the car park
- to facilitate improvements to the Health Centre
- to improve access to the river walk and to investigate the possibility of improving visual links
- to consider the implications of change affecting the Fire Station and the Police Station
- to investigate additional uses that can add to the attractions of the town

St Margaret's Car Park

- to improve pedestrian access from St Margaret's Street to the McKeever Bridge and to the riverside
- to improve links between the car park and Westbury Gardens
- to enhance the setting of St Margaret's Hall
- to investigate whether an improved car park layout can be achieved

Bradford on Avon Football Club

- to maintain the open space for sport and recreation
- to secure improvements to the existing buildings and enhance their value to the community
- to seek improved use of the area for the local community and the town as a whole
- to secure additional landscape planting to improve setting and amenity
- to investigate the possibility of public car-parking when the sports facilities are not in use
- to examine the financial implications and determine opportunities for funding community projects or the use of enabling development

Additional development such as housing or employment, including retail, is supported in the plan subject to compliance with relevant policies. This may include limited development in the Green Belt, infill development within the town and additional employment development.

4. SEA Screening assessment

4.1 Wiltshire Council, as the 'Responsible Authority', considers that the Bradford on Avon Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:

- a)** is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2);
- b)** is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4); and
- c)** will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

4.2 A determination under Regulation 9 is therefore required as to whether the Bradford on Avon Neighbourhood Plan is likely to have significant effects on the environment.

4.3 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment. These relate to: i) the characteristics of the Bradford on Avon Neighbourhood Plan and ii) the characteristics of the effects and of the area likely to be affected by the Bradford on Avon Neighbourhood Plan. In making a determination, Wiltshire Council will take into account the criteria specified in Schedule I of the Regulations as follows:

1. The characteristics of the 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;
- (b)** the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- (c)** the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d)** environmental problems relevant to the plan or programme; and
- (e)** the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

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;
- (b)** the cumulative nature of the effects;
- (c)** the transboundary nature of the effects;
- (d)** the risks to human health or the environment (for example, due to accidents);
- (e)** the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (f)** the value and vulnerability of the area likely to be affected due to—

- (i)** special natural characteristics or cultural heritage;
- (ii)** exceeded environmental quality standards or limit values; or
- (iii)** intensive land-use; and

(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

The screening assessment of the Bradford on Avon Neighbourhood Plan is set out below:

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
1. The characteristics of plans , having regard, in particular, to:		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	Yes	<p>The neighbourhood plan is allocating Bradford on Avon Station and its environs as an Area of Opportunity for mixed-use development. Detailed development proposals, and future land uses are proposed to be informed by a master-plan process or a development brief for the site. The plan furthermore allocates St Margaret's Hall Car Park and Bradford on Avon Football Club as Areas of Opportunity. The football club site may include enabling development to improve the viability of the community facilities. While exact proposals have not been firmed up there is the potential for significant environmental effects and we do not have evidence that proposals will not lead to significant effects.</p> <p>Additional development may come forward incrementally through infill development or small scale housing proposals within, or exceptionally outside current settlement boundaries within or outside the Green Belt. No sites have been identified or proposed to be identified in the draft plan in addition to the Areas of Opportunity.</p> <p>It is considered that development proposals and especially the allocation of the Areas of Opportunity could likely have significant environmental effects. The town's setting and the presence of heritage assets is explicitly noted in the plan. Furthermore, the Area of Outstanding Natural Beauty, Conservation Area and the potential presence of protected species (bats) will require a careful approach to planning for future development</p> <p>The Plan also supports the development of land for a campus of public services. The exact location of any future site is not known but a site large enough to accommodate a new campus facility is also likely to have some significant environmental effects.</p>
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The neighbourhood plan is produced by the local community to influence development at the local parish level. It does not strongly influence strategic plans higher up in a hierarchy, although any potential future review of the Wiltshire Core Strategy and the development of the Housing Site Allocations DPD will need to give consideration to the Plan's proposals.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The neighbourhood plan is a land-use plan that seeks to promote the objectives of sustainable development. However, it is not specifically relevant as a plan for integrating environmental considerations. Any development proposed will be in accordance with environmental protection policies of the adopted Wiltshire Core Strategy and National Planning Policy Framework (NPPF).
(d) environmental problems relevant to	Yes	Parts of the town are covered by flood zones 2 and 3 alongside the River Avon. The land adjacent

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
the plan		to the river, especially near the town bridge is vulnerable to flooding. Development proposals in the draft Plan have the potential to significantly affect the town centre Conservation Area, individual heritage assets and Cotswold AONB.
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The neighbourhood plan is not relevant as a plan for implementing community legislation.
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	Yes	<p>Development supported by the plan, including potentially land for a new community campus and the allocation of the Station Area and the Football Club site as areas of opportunity, is likely to have some significant environmental effects on heritage assets including the Conservation Area; the AONB; protected species and county wildlife sites. The Station Area lies within the Conservation Area where listed buildings and structures at the station itself, and the adjacent Three Horse Shoes Pub, in particular, could be adversely affected from new development. There is the potential for adverse effects in this location. The adjacent River Avon is also a county wildlife site and recognised in the council's Biodiversity Action Plan (BAP).</p> <p>The Football Club site lies adjacent to the Conservation Area and the River Avon county wildlife site and BAP site.</p> <p>The draft neighbourhood plan does not identify specifically where the new campus site could be nor does it state where new buildings and infrastructure would be located at each Area of Opportunity. It does not specify the type of dwellings to be built on each site or the density of the dwellings. The plan currently doesn't show the location of potential infill sites but technical work has been undertaken to identify open spaces and local green spaces to be safeguarded from development. In turn this evidence may assist in identifying suitable infill sites.</p> <p>Additionally, small scale development within the Green Belt, while having to comply with specific policies, could have effects on the openness of the Green Belt and the overlaying Special Landscape Area designation to the north and east of the town.</p> <p>The plan sets out policies which seek to prevent impacts on environmental designations, including heritage assets of the town, improve local biodiversity through development and protect valuable open spaces. This may reduce the probability of effects and suitable measures agreed at planning</p>

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
		application stage could mitigate adverse effects based on the proposed policies in the neighbourhood plan.
(b) the cumulative nature of the effects	Yes	The scale of potential development identified and the support for a campus site will increase the likelihood of cumulative effects on the conservation area and potentially the AONB.
(c) the transboundary nature of the effects	No	No significant transboundary effects with other EU countries are likely from the proposals.
(d) the risks to human health or the environment (for example, due to accidents)	No	No significant environmental effects are considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	Yes	The geographical size of both site allocations and the campus site (albeit unknown), are likely to have some significant environmental effects which should be investigated through an SEA assessment.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	Yes	It is acknowledged that the draft Plan prioritises development of infill and small scale development but the Areas of Opportunity are of a larger scale and there is the possibility of some significant environmental effects due to the potential uses coming forward, and direct and indirect impacts on the Conservation Area and other heritage assets. The site allocations themselves are located either within or adjacent to the Conservation Area and there is the possibility that developments could be adversely affect its setting and also the AONB.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	Yes	<p>There are likely to be some significant effects on AONB designations such as the Cotswolds AONB. With regards European Natura 2000 designations, an HRA screening assessment will be carried out by Wiltshire Council prior to the formal consultation on the plan by the town council under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>This screening report will need to be updated to reflect those findings.</p> <p>Significant effects are most likely to occur with regards to the Bradford on Avon Conservation Area and individual listed buildings some of which are of national significance and it is recommended that an SEA is undertaken to assess the extent of any effects on these designations and how these may be mitigated.</p> <p>Additional development may come forward incrementally through infill development or small scale housing proposals within, or exceptionally outside current settlement boundaries within or outside the Green Belt which may affect its openness and the overlaying Special Landscape Area.</p>

5. SEA Screening decision

- 5.1 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall —
- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
 - (b) consult the consultation bodies.
- 5.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.
- 5.3 Wiltshire Council considers that the proposed Bradford on Avon Neighbourhood Plan is likely to have significant environmental effects and accordingly does require a Strategic Environmental Assessment. This decision is made for the following key reasons:
1. The draft neighbourhood plan, whilst prioritising development of brownfield and infill land, is allocating two sites as Areas of Opportunity within the settlement boundary of Bradford on Avon. The scale of these two proposed sites is unknown but is likely to warrant an SEA assessment due to the potential for significant effects on heritage and landscape designations and the fact that these sites have not been assessed through the SA/SEA of the Wiltshire Core Strategy.
 2. The proximity of the two Areas of Opportunity to the conservation area and county wildlife site (River Avon), given the potential land uses and new structures involved, may have significant direct and indirect effects on these designations – effects which should be explored further through an SEA that will also examine mitigate measures to reduce or avoid and such effects. Development of a campus site, while not specifically allocated may have additional effects.
 3. The plan allows for limited development within the Green Belt around the town and while the policies clearly seek to limit or prevent impacts on the openness of the Green Belt, development proposals may have some significant effects on the environment.
- 5.4 This screening decision was sent to Natural England, Environment Agency and Historic England for their comments in respect of this determination, with a request for responses within a 5 week period, no later than 13th October 2015.

6. Statutory consultee response to screening decision

- 6.1 Natural England, Environment Agency and English Heritage, as statutory consultation bodies under Regulation 9 of the SEA Regulations, were consulted on this SEA screening determination between 8th September 2015 and 13th October 2015. All three bodies agreed with the screening determination of Wiltshire Council that the Bradford on Avon Neighbourhood Plan is likely to have significant environmental effects and therefore an SEA is required.
- 6.2 Wiltshire Council's request for comments on this screening determination from the three statutory consultation bodies is presented in Appendix A. The responses received from the three consultation bodies, agreeing with the screening determination, is presented in Appendix B.

Appendix A – Request for consultation response on screening determination from statutory consultation bodies

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Bradford on Avon neighbourhood plan - SEA screening determination
Date: 08 September 2015 12:25:00
Attachments: [image001.png](#)
[image002.png](#)

Dear [REDACTED]

We are advising the Bradford on Avon neighbourhood plan steering group on the production of their neighbourhood plan and we have produced an SEA screening decision which I have attached. I also attach a latest draft of their neighbourhood plan for you to see the objectives, policies and development allocations that they are proposing.

Wiltshire Council, as 'responsible authority' under the SEA Regulations, must issue a statement of its reasons for the determination and consult the designated consultation bodies. Our opinion is that an SEA is **required** because the Plan is **likely to have significant environmental effects**. The reasons for this decision are outlined in the attached report.

The neighbourhood plan steering group have already produced a Sustainability Appraisal Scoping Report, incorporating SEA, which is currently being consulted on.

Please could you provide any comments you may wish to make by Tuesday 13th October 2015. If you need any further information regarding this please do not hesitate to contact me.

Kind regards,



Senior planning officer
Economic development and planning
Wiltshire Council
County Hall
Bythesea Rd.
Trowbridge
BA14 8JN



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Bradford on Avon neighbourhood plan - SEA screening decision
Date: 08 September 2015 12:18:00
Attachments: [image001.png](#)
[image002.png](#)

Dear [REDACTED]

We are advising the Bradford on Avon neighbourhood plan steering group on the production of their neighbourhood plan and we have produced an SEA screening decision which I have attached. I also attach a latest draft of their neighbourhood plan for you to see the objectives, policies and development allocations that they are proposing.

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The neighbourhood plan steering group have already produced a Sustainability Appraisal Scoping Report, incorporating SEA, which is currently being consulted on.

Please could you provide any comments you may wish to make by Tuesday 13th October 2015. If you need any further information regarding this please do not hesitate to contact me.

Kind regards,

[REDACTED]
Senior planning officer
Economic development and planning
Wiltshire Council
County Hall
Bythesea Rd.
Trowbridge
BA14 8JN
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc:
Subject: Bradford on Avon neighbourhood plan - SEA screening determination
Date: 08 September 2015 12:21:00
Attachments: [image001.png](#)
[image002.png](#)

Dear [REDACTED]

We are advising the Bradford on Avon neighbourhood plan steering group on the production of their neighbourhood plan and we have produced an SEA screening decision which I have attached. I also attach a latest draft of their neighbourhood plan for you to see the objectives, policies and development allocations that they are proposing.

Wiltshire Council, as 'responsible authority' under the SEA Regulations, must issue a statement of its reasons for the determination and consult the designated consultation bodies. Our opinion is that an SEA is **required** because the Plan is **likely to have significant environmental effects**. The reasons for this decision are outlined in the attached report.

The neighbourhood plan steering group have already produced a Sustainability Appraisal Scoping Report, incorporating SEA, which is currently being consulted on.

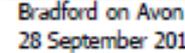
Please could you provide any comments you may wish to make by Tuesday 13th October 2015. If you need any further information regarding this please do not hesitate to contact me.

Kind regards,

[REDACTED]
Senior planning officer
Economic development and planning
Wiltshire Council
County Hall
Bythesea Rd.
Trowbridge
BA14 8JN

[REDACTED]
website: www.wiltshire.gov.uk

Appendix B – Consultation responses from statutory consultation bodies

From: 
To: 
Cc: 
Subject: Bradford on Avon neighbourhood plan - SEA screening determination
Date: 28 September 2015 14:44:49
Attachments: [image001.png](#)
[image002.png](#)

Dear 

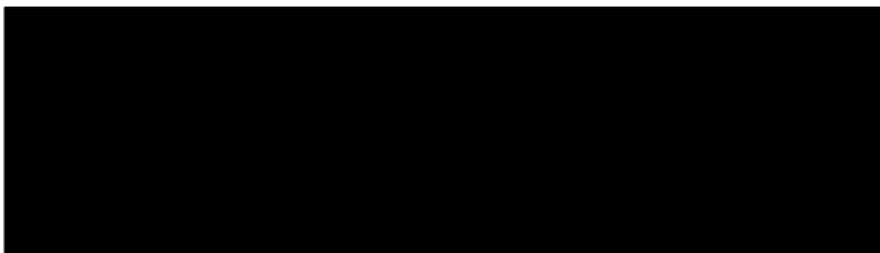
Thank you for your consultation on this Screening Determination. I can confirm that we support your authority's conclusion.

The report bases its outcome on the potential for impact on heritage and other assets arising from development proposed for the Areas of Opportunity. This is as much the result of the absence of evidence to confirm that, inter alia, there won't be significant effects (ie harmful impact) upon heritage assets.

While this means that the community will need to prepare an SEA (and we have a live Scoping consultation from it on this matter) the Neighbourhood Plan will regardless need to demonstrate that the policies relating to the Areas of Opportunity are compliant with the NPPF and Core Strategy. I assume that the community has identified these Areas based on some level and type of appraisal of their individual merits and issues and their potential for positive change in addition to an exercise which demonstrates their ability to sensitively accommodate those development aspirations for them which have been identified. This evidence does therefore need to be articulated explicitly, along with a site options evaluation as necessary.

I'll copy you in on the Scoping response.

Kind regards



[REDACTED] Sustainability Appraisal
Officer
Wiltshire Council
Planning Policy
County Hall Bythesea Road
Trowbridge
Wiltshire
BA14 8JD

Our ref: WX/2009/110257/OR-
35/PO1-L01
Your ref: Bradford-on-Avon NP
Date: 25 September 2015

Dear [REDACTED]

Bradford-on-Avon Neighbourhood Plan – SA Scoping Report and SEA screening decision

Thank you for your email of 08 September 2015, consulting the Environment Agency on the SEA screening decision for the above neighbourhood plan.

We concur with your conclusion that an SEA is required.

The Station car park and St Margaret's Hall car park are both sites affected by flood risk, as shown on our Flood Map. This should be considered within the SEA.

Yours sincerely

[REDACTED]

Sustainable Places - Planning Advisor

[REDACTED]

Date: 08 October 2015

Our ref: 165017

Your ref: Bradford on Avon neighbourhood plan - SEA screening

██████████
Wiltshire Council
County Hall
Bythesea Rd.
Trowbridge
BA14 8JN

Customer Services
Hornbeam House
Crewe Business Park
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T 0300 060 3900

BY EMAIL ONLY

Dear ██████████

Planning consultation: Bradford on Avon neighbourhood plan - SEA screening determination

Thank you for your consultation on the above dated and received by Natural England on 08 September 2015.

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

Screening Request: Strategic Environmental Assessment

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

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, could have significant effects on sensitive sites that Natural England has a statutory duty to protect.

The following sites have been identified as being potentially significantly affected by the plan policies/allocations/proposals:

- Bath and Bradford on Avon Bats Special Area of Conservation (SAC)
- Cotswolds Area of Outstanding Natural Beauty

We are aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

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

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

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Kayleigh Cheese on 0300 060 1411. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely


Sustainable Development Team
South Mercia Area