

Wiltshire Council

Strategic Environmental Assessment

**Screening determination for the Compton Bassett Neighbourhood
Plan**

January 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 Compton Bassett Neighbourhood Plan.
- 1.2 Wiltshire Council, as the ‘Responsible Authority’¹ under the SEA Regulations², is responsible for undertaking this screening determination of the Compton Bassett Neighbourhood Plan. It will determine if the plan is likely to have significant environmental effects, and hence whether SEA is required.
- 1.3 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) or

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) or

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

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*

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”

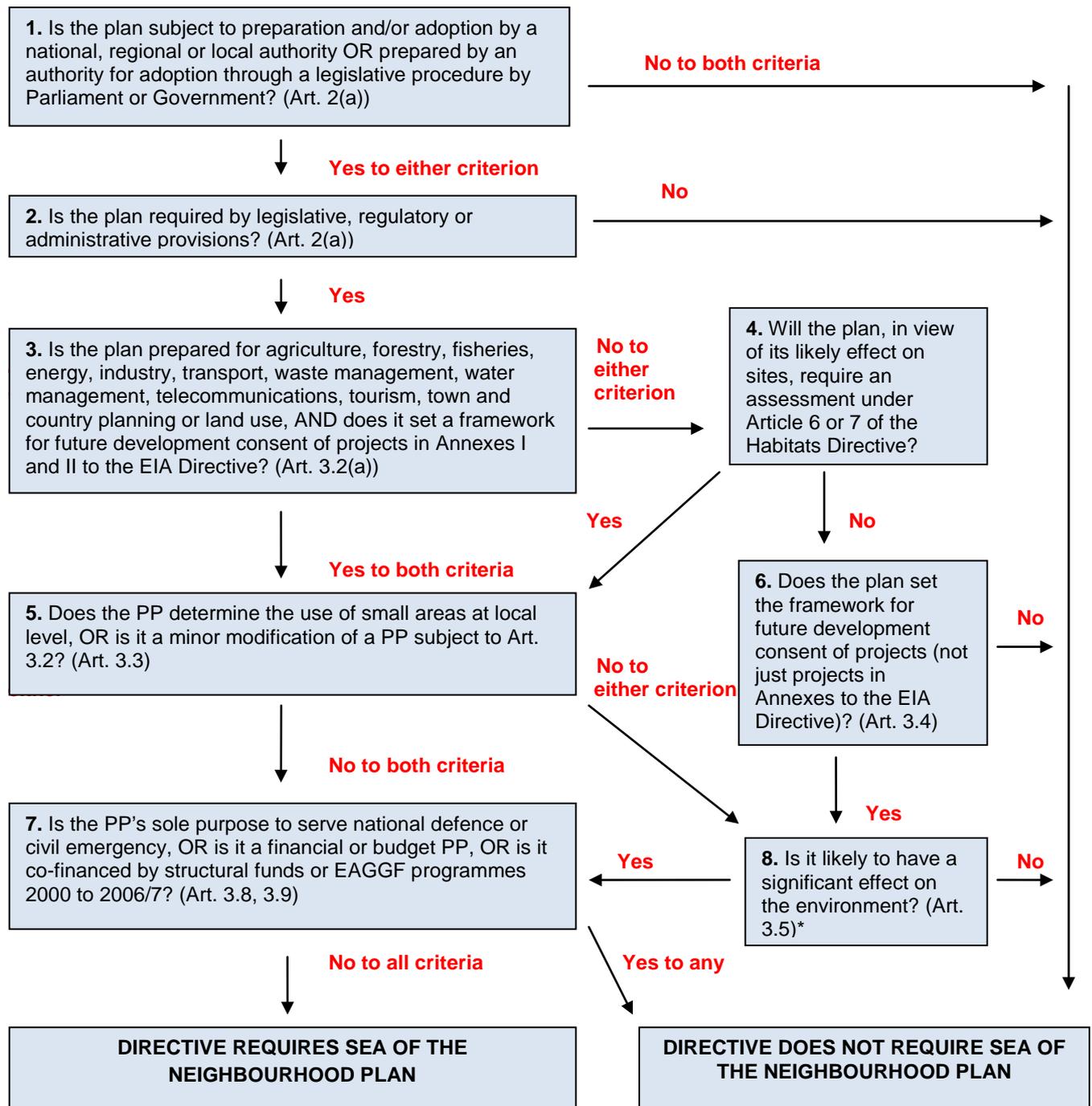
b) *plans which are a minor modification⁶ to a plan or programme* (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

2.3 The diagram⁷ on the following page shows the SEA Directive's field of application:

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.

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

Application of the SEA Directive to neighbourhood plans



* Plans falling in this category (step 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.

3. The Compton Bassett Neighbourhood Plan

Background

- 3.1 The parish of Compton Bassett is currently preparing a neighbourhood plan under the provisions of the Localism Act 2011. The physical scope of the plan is the entire Parish.
- 3.2 The emerging Neighbourhood Plan seeks to control development to ensure community assets are protected and that development takes place in ways and in locations that benefit the local community, provide needed infrastructure, and which do not harm the conservation area.
- 3.3 The NDP will also enable a locally distinctive framework to be developed to complement and add detail to that provided by the emerging Wiltshire Core Strategy.

Steering Group

- 3.4 In 2012, a Steering Group reporting to Compton Bassett Parish Council was set up to prepare the plan. The Group includes a cross section of community representatives that meet regularly to develop the draft plan.
- 3.5 A dedicated link officer from Wiltshire Council is an informal member of the steering group and continues to provide support and advice.

Neighbourhood area designation

- 3.6 Application for the area of the plan was made in August 2014. The neighbourhood area, which is Compton Bassett parish, was designated by Wiltshire Council on 5th November 2014.
- 3.7 The Compton Bassett Neighbourhood Area application and designation documents are available to view online at:
<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/neighbourhoodplanning/neighbourhoodareadesignations.htm>.

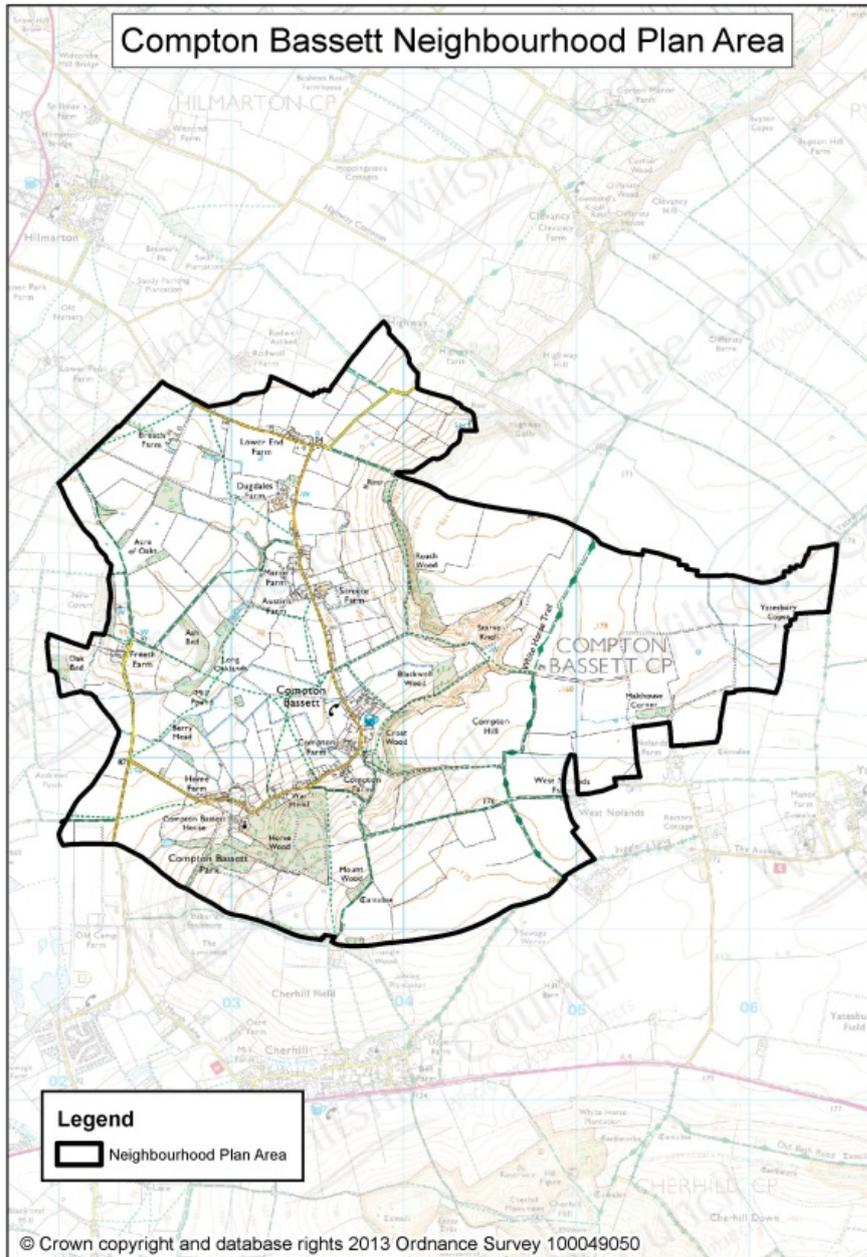


Figure 1 Map of the Compton Bassett Neighbourhood Plan
http://consult.wiltshire.gov.uk/portal/spatial_planning/np/comptonbassett_np_desig

Draft Compton Bassett Neighbourhood Plan (January 2014)

- 3.8 The latest version of the Compton Bassett Neighbourhood Plan (and supporting documents) is available to view online at:
http://www.comptonbassett.com/C_B_Neighbourhood_Plan%28Draft%29.pdf
- 3.9 The development of the Neighbourhood Plan is being driven by extensive community engagement.

3.10 The draft NDP contains the following Executive Summary:

'A Neighbourhood Plan has been developed for Compton Bassett following the appropriate consultation and was approved by Wiltshire Council on 5th November 2014.

The Neighbourhood Plan includes details of the distinctive architectural character of Compton Bassett, details of the designated Conservation Area, the existing community demographics, business, facilities and services together with a list of assets of high community value. The key assets for Compton Bassett include St Swithin's Church, the White Horse Inn, the Benson Village Hall and numerous public rights of way in Compton Bassett Parish, including the green lanes and the White Horse trail.

The key issues for Compton Bassett which are addressed in the Neighbourhood Plan include:

Sympathetic future development, broadband speeds, mobile connectivity, and speeding traffic.

The Neighbourhood Plan addresses the issue of future development within the Compton Bassett Parish Conservation Area and forms the basis for sustainable sympathetic development in Compton Bassett up to 2030, when the Neighbourhood Plan will be reviewed and updated.'

3.11 The plan will take forward planning policies which relate to:

- The development framework
- Housing
- Local green spaces
- Heritage conservation and building design
- Business development
- Infrastructure
- Highway issues and transport

3.12 Alongside this work, the Steering Group will prepare a Sustainability Appraisal Scoping Report that will incorporate the requirements of the SEA Directive.

3.13 Officer input from Wiltshire Council is on-going and at this stage it is considered that the draft NDP is likely to broadly conform with higher level policy, including the National Planning Policy Framework (NPPF) and the emerging Wiltshire Core Strategy. The Core Strategy sets out the strategic objectives for Wiltshire, focussing on key issues and a delivery strategy for achieving these objectives, setting out how much development is intended to happen, where, when, and by what means it will be delivered.

3.14 The Wiltshire Core Strategy identifies Compton Bassett as a 'small village' and the draft Neighbourhood Plan is consistent with this in proposing modest levels of development.

4. SEA Screening assessment

4.1 Wiltshire Council, as the 'Responsible Authority' under the SEA Regulations, considers that the Compton Bassett 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 Compton Bassett 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 Compton Bassett neighbourhood plan and ii) the characteristics of the effects and of the area likely to be affected by the Compton Bassett 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 Compton Bassett 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	The Neighbourhood Plan is proposing new development of up to 10 dwellings within a Conservation Area and within the North Wessex Downs AONB. The proposed development site is also in close proximity to the Stonehenge and Avebury World Heritage Site.
(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 review of the Wiltshire Core Strategy 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 promotes sustainable development; it is not specifically a plan for integrating environmental considerations but does contain policies for the protection and enhancement of the historic, built and natural environment. The Plan acknowledges the presence of the Conservation Area within the parish, proximity to the Stonehenge and Avebury World Heritage Site and location of parts of the parish within the North Wessex Downs AONB and requires that all future development makes provision for the retention and enhancement of Compton Bassett's Green Infrastructure network.
(d) environmental problems relevant to the plan	No	No significant environmental problems are considered to exist in the Plan area.
(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	The neighbourhood plan is proposing an area for development of up to 10 dwellings within the Conservation Area and within the North Wessex Downs AONB. It is also in close proximity to the Stonehenge and Avebury World Heritage Site. This development, within both the Conservation Area and AONB, has the likelihood of leading to significant effects, although it is acknowledged that the Plan requires that all new development is sympathetic to and complements the style of existing properties and that development should protect, conserve and where possible enhance landscape character. Development would be long

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
		lasting and irreversible and significant effects on heritage assets and the nationally designated landscape are probable because of the location of the proposed site within those designations.
(b) the cumulative nature of the effects	No	No cumulative effects are considered to be significant with the proposals.
(c) the transboundary nature of the effects		No transboundary effects with other EU countries likely to be significant.
(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);	No	The neighbourhood plan covers one rural parish with a small population of approximately 220 people. Significant effects due to the geographic size of the area and population size are not considered likely.
(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	Due to the allocation of a development site for up to 10 new dwellings within the Compton Bassett Conservation Area and North Wessex Downs AONB, and the proximity of the Stonehenge and Avebury World Heritage Site, it is considered there is the possibility of significant environmental effects on these internationally and nationally important heritage, cultural and landscape areas.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	Yes	Due to the allocation of a development site for up to 10 new dwellings within the Compton Bassett Conservation Area and North Wessex Downs AONB, and the proximity of the Stonehenge and Avebury World Heritage Site, it is considered there is the possibility of significant environmental effects on these internationally and nationally important heritage, cultural and landscape areas.

5. SEA Screening decision

- 5.1 Regulation 9 of the SEA Regulations requires that the responsible authority i.e. Wiltshire Council, 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 the 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 Compton Bassett 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 reason:
- 1. The neighbourhood plan is proposing a development of up to 10 new dwellings within a Conservation Area, within the North Wessex Downs AONB and in proximate to the Stonehenge and Avebury World Heritage Site. The location of new development of this size within these designations, which has not previously been subject to SEA as part of the Wiltshire Core Strategy, is likely to lead to potential significant effects on the highly important cultural, historic and landscape value of the area. Whilst it is acknowledged that the Plan requires new development to be sympathetic with and to protect and enhance local cultural, heritage and landscape designations, it is considered that a development of this size in one specific area will require an SEA of the Plan.
- 5.4 This screening decision has been sent to Natural England, Environment Agency and English Heritage for their opinions and their responses will be attached to this report as an appendix.

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 12th November 2014 and 24th December 2014. All three bodies agree with the screening determination of Wiltshire Council that the Compton Bassett Neighbourhood Plan is likely to have significant environmental effects and therefore an SEA is required.
- 6.2 Wiltshire Council's request for a response to 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] Sent: Wed 12/11/2014 11:01
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

Dear all,

We are advising Compton Bassett on their neighbourhood plan and I have attached an SEA screening decision for your comments, along with some draft proposals they have put together. As the 'Responsible Authority' under the SEA Regs, we are required to make a decision on SEA and consult the specific consultation bodies on that decision.

We are recommending that they undertake an SEA because they are proposing housing development of up to 10 dwellings within a Conservation Area, within the North Wessex Downs AONB and in proximity to the Stonehenge and Avebury World Heritage Site. The location of new development of this size within these designations, which has not previously been subject to SEA as part of the Wiltshire Core Strategy, is likely to lead to potential significant effects on the highly important cultural, historic and landscape value of the area. Whilst it is acknowledged that the Plan requires new development to be sympathetic with and to protect and enhance local cultural, heritage and landscape designations, it is considered that a development of this size in one specific area will require an SEA of the Plan.

We would be grateful for any comments you may have on this decision by 24th December 2014 please.

Many thanks,

[REDACTED]

Appendix B – Consultation responses from statutory consultation bodies

- **English Heritage**

From: [REDACTED] Sent: Mon 22/12/2014 10:25
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

Dear [REDACTED]

Many thanks for your consultation.

I can confirm that we are happy with your Screening determination that an SEA will be required.

Kind regards

[REDACTED]

- **Natural England**

From: [REDACTED] Sent: Mon 22/12/2014 10:38
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Compton Bassett neighbourhood plan SEA screening. NE ref: 137376

Dear [REDACTED] further to the above consultation, I can confirm that for the reasons set out in para 5.3 of the screening determination report, we concur with your screening determination that an SEA will be required.

[REDACTED]

