

Wiltshire Council

**Strategic Environmental Assessment - Screening determination for
the Holt Neighbourhood Plan**

February 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 Holt Neighbourhood Plan.
- 1.2 Wiltshire Council, as the ‘Responsible Authority’¹ under the SEA Regulations², are responsible for undertaking this screening process of the Holt 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)

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

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”

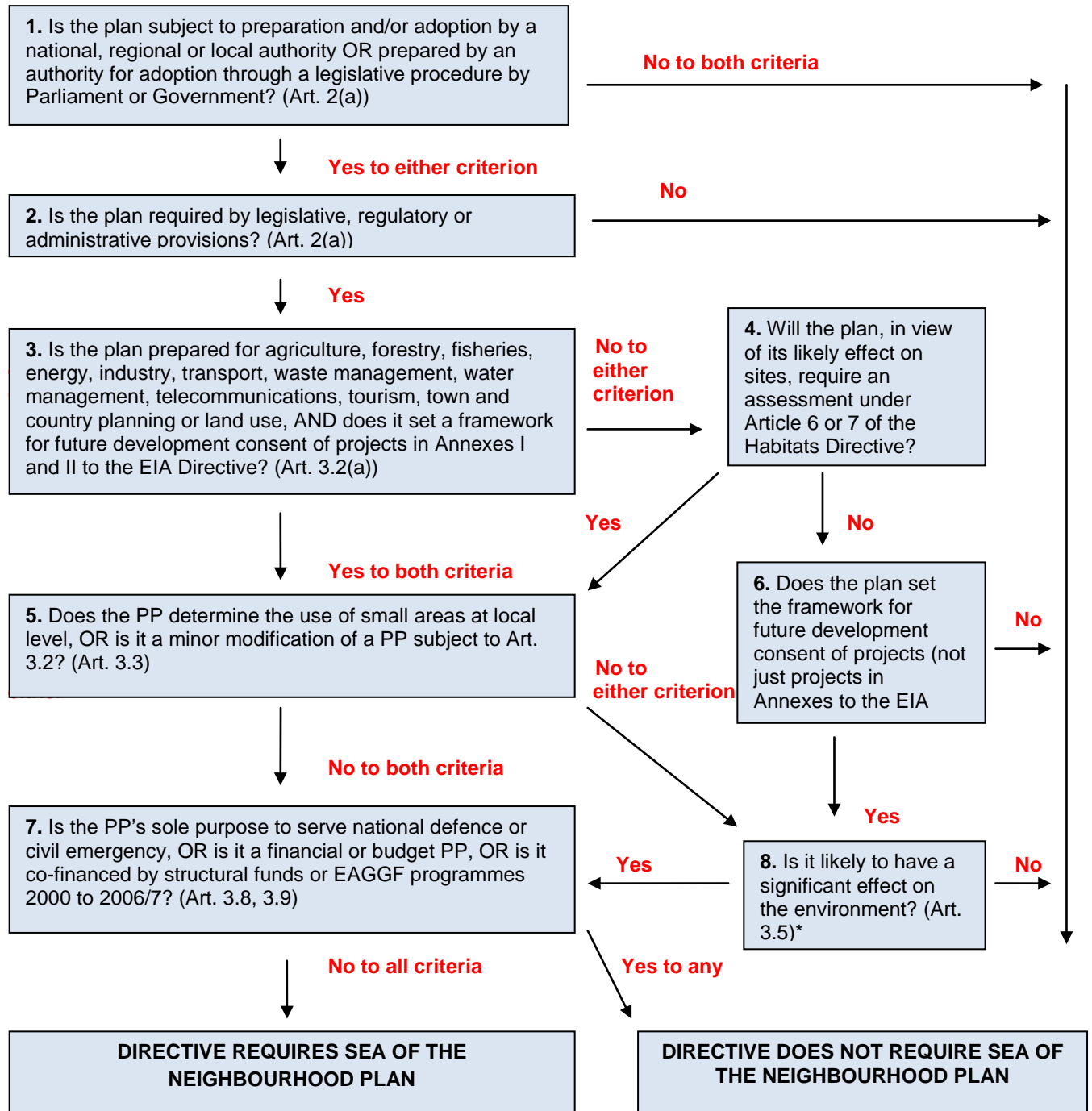
⁴ European Commission guidance states that plans and programmes which **set the framework for future development consent of projects** would normally contain ‘criteria or conditions which guide the way a consenting authority decides an application for development consent’. **Development consent** is 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 below shows the SEA Directive's field of application:

Application of the SEA Directive to neighbourhood plans



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)

* 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.

3. The Holt Neighbourhood Plan

Background

- 3.1 The parish of Holt are currently preparing a neighbourhood plan under the provisions of the Localism Act 2011 and associated Regulations.
- 3.2 The village of Holt is designated as a 'Large Village' in the adopted Wiltshire Core Strategy. The village and the parish moreover, has a strong functional relationship with the towns of Trowbridge to the south; Melksham to the east; and Bradford-on-Avon to the west.
- 3.3 The parish falls within the Community Area of Bradford-on-Avon, which is largely dominated by the Western Wiltshire Green Belt designation. However, the parish of Holt lies outside this designation and hence will need to play an important role in delivering housing supply in the local area. The indicative housing requirement to be planned for over the period to 2026 in the 'Community Area remainder' (essentially Holt village) currently stands at 76 dwellings.
- 3.4 The emerging Neighbourhood Plan seeks to build upon work undertaken from 2009 in relation to the Parish Plan and wider evidence gathering. The Neighbourhood Plan proposes to consolidate the village of Holt by focussing on a series of locally distinctive key themes including: traffic / transport; parking in the village; addressing the increasing pressure of tourists visiting The Courts; and the regeneration of the former JT Beaven Tannery site. The village recognises the need to grow sustainably to support services and facilities in line with objectives of the adopted Wiltshire Core Strategy. As such, a series of draft proposals are being developed for inclusion in the emerging Neighbourhood Plan that seek to manage growth over the period to 2026.

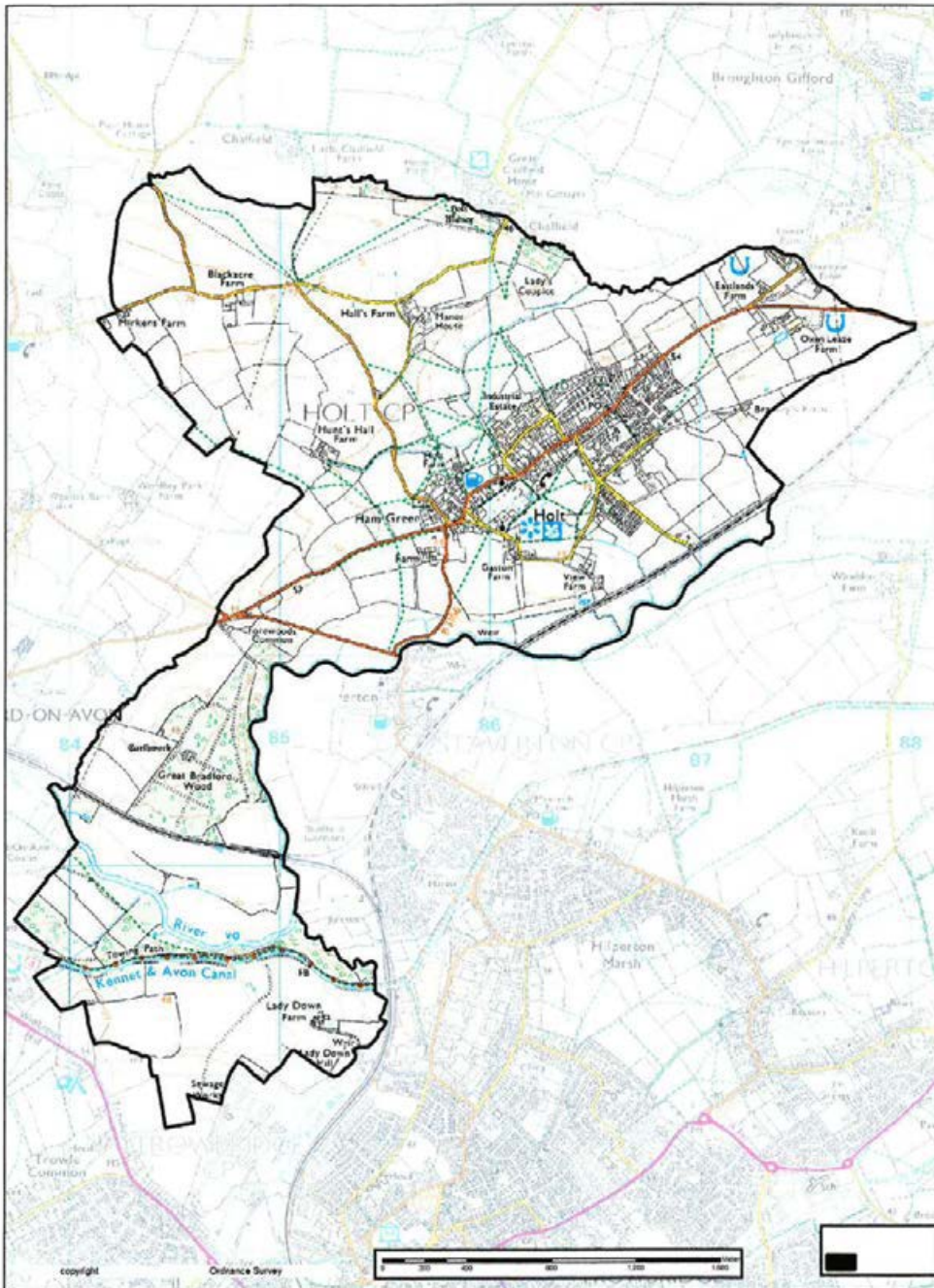
Steering Group

- 3.5 In 2011, the Holt Neighbourhood Plan Steering Group was set up to prepare the plan and is led by the parish council (as the Qualifying Body). The Group includes a cross section of community representatives that meet regularly to develop the draft plan.
- 3.6 A planning officer from Wiltshire Council has been an informal member of the steering group since its inception and will continue to act as 'link officer' in providing support and advice.

Neighbourhood area designation

- 3.7 Wiltshire Council publicised the Holt Neighbourhood Area application for consultation over the period of 6 weeks and 2 days from 9am Monday 4 March to 5pm Monday 17 April 2013. No representations were received.
- 3.8 Having considered the feedback received through the consultation, Wiltshire Council recommended that the proposed Holt Neighbourhood Plan Area is coherent, consistent and appropriate in planning terms. The designation of the Holt Neighbourhood Area was therefore approved on 22 May 2013.

3.9 The Holt Neighbourhood Area application and designation documents area available to view online at:
<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/neighbourhoodplanning/neighbourhoodareadesignations.htm>.



Developing the draft Holt Neighbourhood Plan

3.10 A significant amount of evidence gathering has been undertaken since the preparation of the original Parish Plan. Indeed, this evidence has been used to underpin the themes that the emerging Neighbourhood Plan is seeking to address. In July 2012 a 'Scoping Study' was published and this was followed by the formation of a series of focus groups whose purpose was to corral all of the work undertaken to that point.

- 3.11 A second version of the Scoping Study was published in October 2012 and this was followed by the Qualifying Body submitting their application in February 2013 to designate the parish of Holt as a neighbourhood planning area.
- 3.12 Running in parallel with the work of Steering Group has been the Parish Council's on-going engagement with the promoters of the Tannery development (the extension to the recently permitted 'Glove Factory', a flexible employment and leisure complex). In many ways, it could be argued that the development of the Neighbourhood Plan is a direct result of the Tannery proposals. However, the intention of the Plan is not to stop the regeneration proposals but to work with them.
- 3.13 The development of the Neighbourhood Plan has been driven by extensive community engagement, as outlined in the early versions of the draft plan. Version 1.5 of the Plan was published for informal consultation in May 2014. Copies were circulated to all households / businesses in the village and the information was publicised through the Parish Council website. To support the consultation two public events were laid on for people to discuss the emerging Plan and offer comments. This initial consultation closed on 30 June 2014.
- 3.14 Since the initial consultation, work has been progressing on shaping the Plan for the formal consultation process. This work has been underpinned by consultations on draft wording and further research in relation to policy writing. It is anticipated that the final round of consultation will take place in spring 2015.

Content of the emerging Holt Neighbourhood Plan

- 3.15 The draft Holt Neighbourhood Plan identifies the following vision:

"To make Holt:

- *A village with the same settlement boundary as today, surrounded by green spaces and farmland and preserving the existing green spaces within the village.*
- *Within this boundary, a moderately enlarged population housed mainly on the development of brownfield sites rather than with new infill building or on greenfield sites.*
- *A better place for pedestrians, cyclists and horse riders by reducing the intimidation caused by traffic; with adequate parking for residents, workers and visitors; encouraging walking, cycling and the use of public transport.*
- *A village with a thriving local economy offering employment opportunities for residents.*
- *A village with an enhanced environment, protected green spaces and a commitment to developing appropriate renewable energy.*
- *A village with a strong sense of community supported by good local resources and facilities which should be protected and improved."*

- 3.16 The Plan also identifies five key themes / objectives to address:

- Housing
- Traffic, parking and other transport
- Commercial and economic issues
- Environment, energy and green spaces
- Community amenities

3.17 From these overarching themes, the emerging Plan then presents a series of thematic objectives designed to address particular issues in the village. Each theme objective is then linked to specific policies.

3.19 The draft policies proposed can be summarised as:

- **Housing Policy H1.1** – designed to support the development of new houses on the Tannery site provided certain criteria are met including mix and tenure.
- **Housing Policy H1.2** – designed to support the provision of affordable housing in the village (the Tannery site is the preferred location and if this is not feasible then an alternative site is proposed at Star Ground off Station Road). The draft policy also seeks to limit occupancy of affordable homes to people living in the village.
- **Housing Policy H2.1** – designed to ensure that all new housing development delivers high quality design.
- **Housing Policy H3.1** – designed to support new infill development within the current 'limits of development'.
- **Housing Policy H3.2** – designed to proactively deliver all new housing on brownfield land. No support is offered for greenfield development.
- **Housing Policy H3.3** – designed to support the conversion of redundant farm buildings subject to criteria including the need for infrastructure.
- **Transport Policy T.1** – designed to support improvements to the B3107 that mitigate increased vehicular traffic.
- **Transport Policy T.2** – designed to control parking associated with the Tannery regeneration proposals.
- **Transport Policy T.3** – designed to specifically control road improvements relating to The Midlands and deliver safe pedestrian crossing.
- **Transport Policy T.4** – designed to support longer-term proposals to re-route HGV traffic away from the village.
- **Parking Policy P.1** – designed to ensure that any new development is completely self sufficient in off-road parking.
- **Parking Policy P.2** – designed to ensure that any improvements to the western end of The Midlands provides short-term parking outside the village shop.
- **Other Transport Policy OT.1** – designed to any development takes account of the needs of cyclists and makes an appropriate contribution towards improving the National Cycling Network.
- **Commercial and Economic Policy CE.1** – designed to safeguard The Midlands industrial site for B1 use.
- **Commercial and Economic Policy CE.2** – designed to support the commercial element of the Tannery regeneration proposals as part of a mixed-use scheme.
- **Commercial and Economic Policy CE.3** – designed to support the delivery of infrastructure to support commercial development.
- **Commercial and Economic Policy CE.4** – designed to support a feasibility study into the future re-opening of Holt Station.
- **Environmental Policy E.1** – designed to ensure that new development supports the delivery of environmental improvements (e.g. preservation of on-site green

infrastructure, creation of new cycle and pedestrian routes, supporting green energy etc).

- **Environmental Policy E.2** – designed to ensure new development does not impact on energy and water supply; drainage; waste disposal; transport routes and schools.
- **Energy Policy EN.1** – designed to support the installation of renewable energy and energy efficiency measures on existing housing stock.

3.20 A planning officer from Wiltshire Council has been engaged with the Neighbourhood Plan throughout the plan making process. As part of this involvement, internal ‘pre-validation’ sessions have been held at key stages to discuss the content of the Plan. It is intended that further screening of the Plan (policies and proposals) will be undertaken to support the formal consultation arrangements.

3.21 At this stage it is considered that the emerging Holt Neighbourhood Plan broadly conforms with higher level policy (the adopted Wiltshire Core Strategy), including the National Planning Policy Framework (NPPF). The Core Strategy sets out the strategic objectives for the Bradford-on-Avon Community Area, focussing on key issues and a delivery strategy setting out how much development is intended to happen, where, when, and by what means it will be delivered.

3.22 In addition, bearing in mind the proposed level of growth to be delivered in the village; and the location of any subsequent development being focussed on the former Tannery site, the view of Wiltshire Council officers is that the emerging Plan need not be supported by a full Strategic Environmental Assessment.

4. SEA Screening assessment

4.1 Wiltshire Council, as the ‘Responsible Authority’, consider that the Holt 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 Holt 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 includes two sets of characteristics for determining the likely significance of effects on the environment. These relate to: i) the characteristics of the Holt Neighbourhood Plan and ii) the characteristics of the effects and of the area likely to be affected by the Holt. 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 Holt 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	No	The emerging Plan sets out a framework of objectives designed to address particular issues in the village through policies on housing, transport, commercial, economic and environmental themes. Development for the village is being focussed on the regeneration of the former Tannery site. It also seeks to address the increasing pressure of tourists visiting The Courts.
(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 level. It does not influence Strategic plans higher up in the hierarchy.
(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 of the historic, built and natural environment.
(d) environmental problems relevant to the plan	No	The neighbourhood plan will seek to address environmental problems that are relevant to the parish. There are no specific significant environmental problems that need resolving. The Plan seeks to enhance the environment, protect green spaces and develop appropriate renewable energy. The neighbourhood plan will seek to address environmental problems that are relevant to the parish.
(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	No	Any environmental effects are not considered to be significant judging by the proposals in the neighbourhood plan. Any effects of the limited amount of development proposed is likely to be localised and short-term and related to the construction stage.
(b) the cumulative nature of the effects	No	No cumulative effects considered to be significant.
(c) the transboundary nature of the effects	No	There are no EU transboundary effects arising from the neighbourhood plan.
(d) the risks to human health or the environment (for example, due to accidents)	No	There are unlikely to be risks to human health or the environment arising from the neighbourhood plan.

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The neighbourhood plan will apply to the parish area (a population of approximately 1,757 residents in 736 dwellings. Significant effects due to the geographical 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;	No	<p>It is considered that the proposals put forward will not significantly affect the natural characteristics or cultural heritage of the area, or lead to an exceedence of environmental quality standards.</p> <p>The neighbourhood plan is being promulgated to manage development pressure in the Bradford-on-Avon 'Community Area Remainder'. The area is dominated by the Western Wiltshire Green Belt (a factor limiting how indicative housing numbers will be delivered); and Holt is the only 'large village' in that area.</p> <p>As the village lies outside the Green Belt designation, it follows that the residual housing requirements for the Community Area remainder will need to be focussed on Holt. The neighbourhood plan recognises this and is seeking to support the redevelopment of the former tannery site in the village. As such, the plan is focussed on a 'brownfield first' strategy, thus limiting the overall environmental impact.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The neighbourhood plan is focussed on delivering an appropriate level of growth in line with the adopted Core Strategy. As such, the critical proposals relating to: the support for the regeneration of the former tannery site; and wider projects for managing traffic may well lead to environmental improvements and are not considered likely to lead to significant adverse effects. The adopted Core Strategy has been subject to SEA and HRA and the neighbourhood plan does not propose anything over and above what is contained in the higher-level plan in terms of meeting housing quantum.

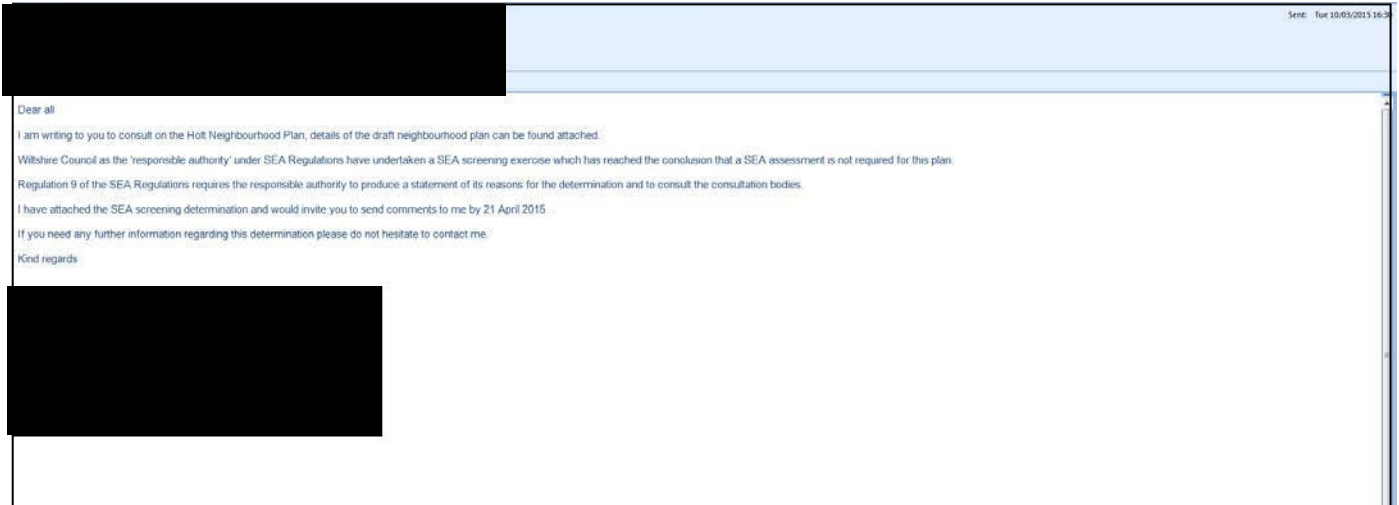
5. SEA Screening decision

- 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, as the responsible authority, considers that the proposed Holt Neighbourhood Plan is unlikely to have significant environmental effects and will not require a Strategic Environmental Assessment.
- 5.4 This screening decision has been sent to Natural England, Environment Agency and English Heritage for their opinions and their responses are attached to this report as an appendix.

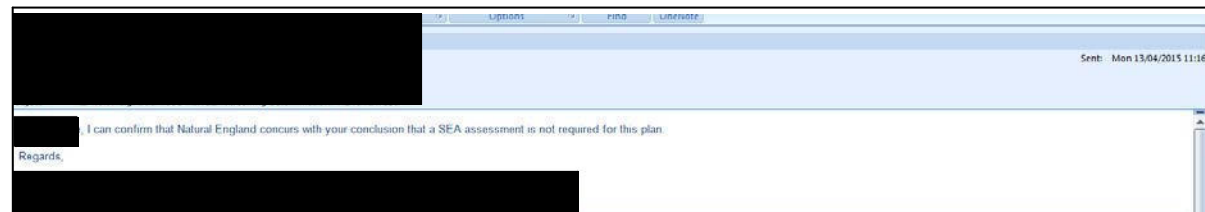
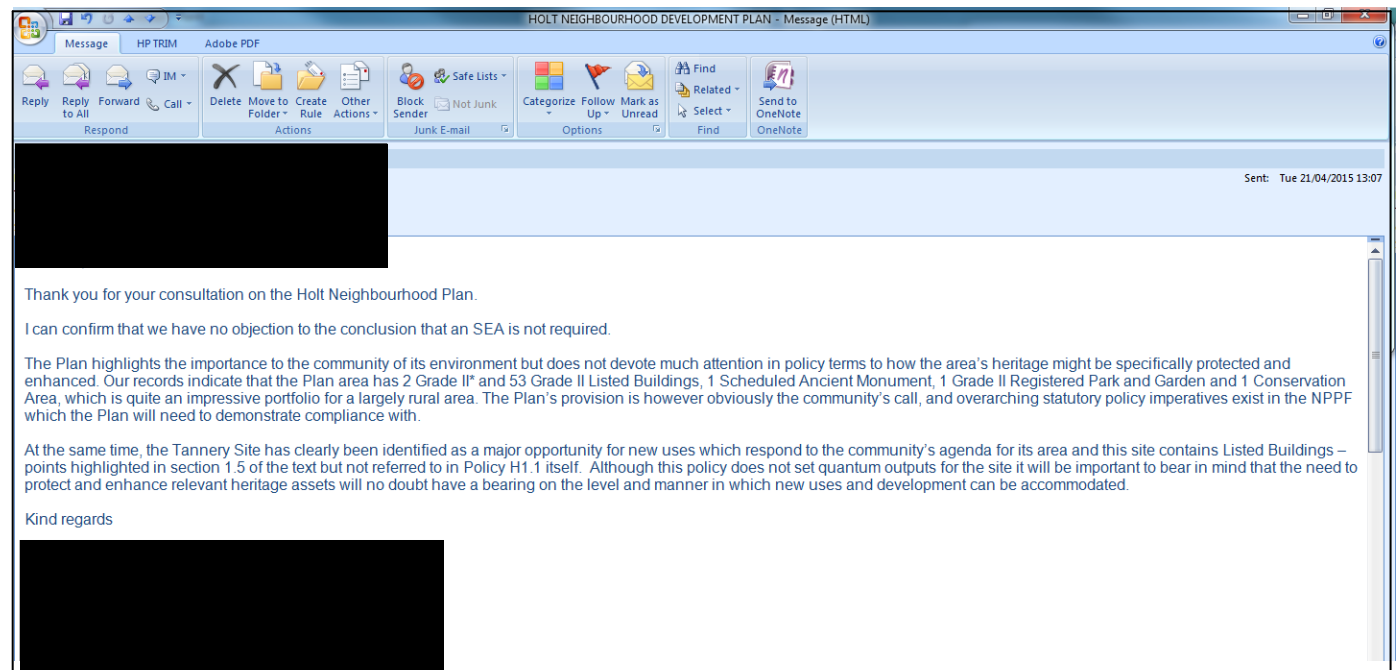
6. Statutory consultee response to screening decision

- 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 10 March 2015 and 21 April 2015. All three bodies agreed with the screening determination that the Holt Neighbourhood Plan was not likely to have significant environmental effects and therefore an SEA is not 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



Appendix B – Consultation responses from statutory consultation bodies





Our ref: WX/2009/110257/OR-26/IS1-L02
Your ref: Holt NP
Date: 28 April 2015

I
Dear 

HOLT NEIGHBOURHOOD PLAN – SEA SCREENING DETERMINATION

Further to our letter of 21 April 2015, I write to amend an error in the text. The letter should have read as follows:

We concur with the LPA's screening determination that the Holt Neighbourhood Plan will **not** require a Strategic Environmental Assessment (SEA).

We have no further comments.

Yours sincerely

