



Final Screening Report for Strategic Environmental Assessment (SEA) of Wedmore Neighbourhood Development Plan

October 2018

The draft Screening Report was based on the content of the “Wedmore Neighbourhood Plan – ‘Regulation 14’ Plan” that was issued for formal public consultation in July 2018. The draft NDP was informed by an informal consultation held in May 2018, when an initial draft SEA Screening report was prepared. A draft proposed submission NDP was prepared (not submitted) prior to the issuing of this final screening opinion and whilst it is not substantially different to the ‘Regulation 14’ draft this final SEA Screening report has been refreshed prior to issue to ensure the most up-to-date policy numbers and paragraphs are referred to.



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| Sedgemoor District Council | Strategy and Development |
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Executive Summary

This Screening Report considers the potential need for Strategic Environmental Assessment (SEA) to be undertaken during the preparation of the Wedmore Neighbourhood Development Plan (NDP).

The relevant legislation is outlined in Section 1 and interpretation is explored in more specific detail in Section 3.

In respect of SEA, it is possible that the Sustainability Appraisals (SA) (which incorporated SEA) of the emerging Local Plan has been a sufficient examination of environmental effects, but this judgement can only be made through consideration of specific tests set out in the regulations. The findings are set out in Section 3: Table 2, with a conclusion (at 3.9) that:

SEA Screening Opinion

The Council considers that the Wedmore NDP is not a “plan or programme” of a type described at Regulation 5(2) or 5(4) of The Environmental Assessment of Plans and Programmes Regulations 2004. The Plan is a “plan or programme” of the type described at Regulation 5(3), however, the ‘small area’ exemption applies and a determination made under Regulation 9(1) concludes that the Plan is not likely to have significant environmental effects.

[The reasons are as set out in Table 1 and Appendix 1 (the Regulation 9(1) Determination)]

1. Introduction

- 1.1 Wedmore Parish Council is currently producing the Wedmore Neighbourhood Development Plan (NDP), which will supplement the emerging Sedgemoor Local Plan 2011 - 2032 and form part of the local development plan when finalised. As part of the production of a NDP the District Council is required to advise and assist the “qualifying body” (Parish Council), including in ensuring that the NDP does not breach, and is otherwise compatible with, European Union obligations.
- 1.2 This screening report is designed to determine whether or not the contents of the Wedmore Neighbourhood Development Plan (NDP) requires a **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC (“SEA Directive”) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (“SEA Regulations”)
- 1.3 A separate ‘test of likely significance’ arising from the Wedmore NDP has been undertaken by the County Ecologist as part of the **Habitat Regulations Assessment (HRA)** process. The test determines whether an Appropriate Assessment of the NDP is required under European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora (the “Habitats Directive”) and associated Conservation of Habitats and Species Regulations 2010 (“Habitat Regulations”). The test concluded that an Appropriate Assessment of the Wedmore NDP was required.
- 1.4 The County Ecologist undertook the Appropriate Assessment of the Wedmore NDP in May 2018, the conclusion of the Appropriate Assessment was that the Wedmore NDP is unlikely to have significant effect on the conservation objectives of the Natura 2000 sites assessed. This conclusion was supported by Natural England by way of an email received on the 22nd June 2018.
- 1.5 The SEA Regulations require an environmental assessment to be carried out during the preparation of all “plans and programmes” that are deemed to have significant environmental effects. The parameters for determining if a particular plan is likely to have significant environmental effects are set out in the Regulations. If a SEA is thought not to be required, the Council may be required to consult further.

- 1.6 There is some potential overlap between these two types of assessment, in particular an identified requirement for an “Appropriate Assessment” under the Habitat Regulations will automatically trigger a requirement for SEA (unless a “local level” or “minor modification” exemption applies, as explained at 3.6 below). In this report, Section 2 outlines the nature of the NDP and Section 3 considers SEA.
- 1.7 An NDP must be in general conformity with the strategic policies contained in the development plan [i.e. Sedgemoor Core Strategy and emerging Sedgemoor Local Plan] but can make provision for additional development. It is important to recognise that the Core Strategy and emerging Local Plan were subject of Sustainability Appraisal (incorporating SEA) and HRA, but in some instances subsequent planning applications could still need project level HRA or Environmental Impact Assessment (EIA). If the NDP does not propose development of a scale not anticipated in the Core Strategy or which could affect a sensitive environment there is potential for the higher-level SA and HRA to have been sufficient.
- 1.8 This final screening report is a refreshed version of the revised draft screening report consulted on in September 2018, the revised draft was refreshed in light of the draft proposed submission version of the Plan that was released to the LPA for comment in October 2018, prior to formal submission. The revised draft screening report was based on the content of the “Wedmore Neighbourhood Plan – ‘Regulation 14’ Plan” that was prepared in July 2018 for the formal 6-week consultation period. The revised draft screening report was an updated version of the initial draft SEA screening report that was based on the “Wedmore Neighbourhood Plan – Chapter 10: Housing Allocations” that was issued to the LPA on 12th April 2018, prior to an informal public consultation held in May 2018.

2. **Outline of the purpose and content of Wedmore Neighbourhood Development Plan**

- 2.1 The particular purpose of the Wedmore NDP is to shape development in the parish of Wedmore, under the powers introduced through the Localism Act 2011.
- 2.2 The village of Wedmore was identified as one of 17 “Key Rural Settlements” (KRS) in the Sedgemoor Core Strategy; as such, it was expected to be a focus for local growth that promoted greater self-containment and stronger local communities. The Core Strategy did not set a specific quantum of development for Wedmore but KRSs collectively were

expected to accommodate about 1,260 new homes and at least 945 new jobs in total between 2006 and 2027.

- 2.3 Whilst the Core Strategy is Sedgemoor District Council's current development plan, it should be noted that the Council is in the process of reviewing this document. The draft Local Plan was submitted to the Secretary of State for examination in August 2017. The Examination Hearings have since been held and the Inspector is currently consulting on the Proposed Main Modifications to the Plan. Following this consultation period, the Council will await the Inspector's final report. Whilst this emerging Plan currently holds limited weight as a material planning consideration it should be noted that the emerging Local Plan amends the approach taken to settlement hierarchies within the District and is likely to be adopted prior to the adoption of the Wedmore Neighbourhood Plan. Therefore, the Wedmore NDP must be in general conformity with the policies contained in the Sedgemoor Local Plan (as adopted).
- 2.4 The emerging Local Plan recognises Wedmore village as a Tier 2 settlement. Settlements within this tier provide a range of services both locally and for the adjoining wider area. They act as larger local centres that have a range of services, some local employment opportunities and generally reasonable public transport access. The Local Plan identifies a minimum quantum of housing at Wedmore – 116 dwellings - but does not allocate specific sites.
- 2.5 The Wedmore NDP seeks to allocate land for housing development. Between April and November 2017 a locally led 'Call for Sites' consultation identified 25 possible development sites. The Neighbourhood Planning Group assessed the suitability of each of those sites and subsequently identified and proposed the allocation of 4 preferred sites in their Regulation 14 draft NDP:
- Land at Cross Farm for approximately 55 units;
 - Land at Westholme Farm for approximately 16 units;
 - Land east of Wedmore First School for approximately 35 units; and
 - Land at Axe Valley Vets, Blackford for approximately 12 units.

- 2.6 The draft Wedmore NDP does not include indicative layouts for the sites. The Cross Farm site was granted outline planning permission in March 2015 and so an indicative layout for this site is available to view on the Sedgemoor District Council website. The outline planning application reference for the site is 50/14/00071. In March 2018, a Reserved Matters application (50/18/00023) was submitted for this site and the application was Granted in June 2018. Subsequently, the Cross Farm allocation has been removed from the draft Proposed Submission Wedmore Neighbourhood Plan.
- 2.7 The draft Proposed Submission Wedmore Neighbourhood Plan now proposes the allocation of 3 housing sites:
- WED14 – Land at Westholme Farm for approximately 11 dwellings;
 - WED15 – Land East of Wedmore First School for approximately 35 dwellings; and
 - WED16 – Land at Axe Valley Vets for approximately 12 dwellings.
- 2.7 The draft proposed submission Wedmore Neighbourhood Plan supports small-scale employment in general (WED9 & WED10) but does not propose to allocate land for employment uses.
- 2.8 In addition to the site allocations the draft proposed submission NDP proposes local place-making policies, grouped under the following themes:
1. Housing
 - WED1 – Location of housing
 - WED2 – Housing Mix
 - WED3 – Affordable housing
 2. Design and the Environment
 - WED4 – Natural Environment
 - WED5 – Design
 - WED6 – Wedmore Conservation Area
 - WED7 - Sustainability
 3. Transport
 - WED8 – Transport Strategy
 4. Economy
 - WED9 – Supporting the local economy

WED10 – Small-scale employment space

WED11 – Communications

5. Community and Wellbeing

WED12 – Play, sports, recreation and community facilities

WED13 – Health and medical care

Any policies / proposals relating to these matters will be of localised effect.

2.9 The policies are designed to realise the overall Vision for Wedmore by focussing on achieving a key objective for each of the five themes:

1. To meet the housing needs required in the emerging Sedgemoor Local Plan through allocations and policies which deliver well located sites with a range of house sizes. The priority will be to deliver smaller, less expensive properties for sale, affordable housing to rent and housing for older residents;
2. To maintain the high quality of the natural and built environments of Wedmore Parish, and to protect its well preserved heritage;
3. To manage and control the impact of traffic through the location of future developments as well as by the appropriate use of speed restrictions, traffic calming, footpaths and additional car parking with improved lighting and security;
4. To maintain the position of Wedmore village as a lively retail centre and tourist destination; and
5. To maintain and expand the range of community services and facilities in Wedmore to meet the needs of all sections of the community.

3. Consideration of the possible need for Strategic Environmental Assessment

3.1 National Planning Practice Guidance states that: *“Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, 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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.”*

[Paragraph: 046, Reference ID: 11-046-20150209]

3.2 The SEA Directive requires SEA to be carried out for specified types of plan or programme (as specified in Regulation 5(2), 5(3) and 5(4)):

- a plan which is prepared for ... town and country planning or land use, and sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC ... [i.e. the EIA Directive], or
- a plan which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive [i.e. effects on Natura 2000 sites]
- a plan which sets the framework for future development consent of projects; and is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects

3.3 The first of the above parameters (from Regulation 5(2)) would not normally implicate a NDP because unless the NDP is allocating land for EIA development, it is the NPPF and Sedgemoor Core Strategy [or emerging Local Plan] which “sets the framework for future development consents” of EIA development. There are also “local level” and “minor modification” exemptions, as explained in paragraph 4.6.

- 3.4 The second of the parameters identified at paragraph 3.2 (from Regulation 5(3)) relates to the Habitats Directive and this was examined separately by the Somerset County Ecologist, see separate report. Again, there are also “local level” and “minor modification” exemptions, as explained in paragraph 3.7.
- 3.5 The third parameter (from Regulation 5(4)), requires consideration of “does the plan set the framework for future development consent of projects?” - in this case (unlike the first parameter) this is not limited to EIA development.
- 3.6 For earlier NDP screening reports this Council was of the opinion that the supplementary nature of a NDP is such that it does not “set the framework”. However, recent amendments (SI 2015/20) to the Neighbourhood Planning Regulations 2012 suggest that all NDP’s should be regarded as having the potential to “set the framework”. The amendment set a requirement that when they are submitted for examination all Neighbourhood Development Plans must be accompanied by either:
- (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004(1); or
 - (ii) where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination.
- 3.7 Therefore, it is necessary for each Neighbourhood Development Plan to be subject to further consideration of whether it is “likely to have significant environmental effects” - the “determination under regulation 9(1)” – regardless of whether the Plan is allocating development sites or not. This further consideration requires assessment of the Plan against the criteria specified in Schedule 1 to the Regulations. These same criteria are also utilised in assessing “local level” and “minor modification” exemptions, which may apply in respect of plans initially caught under Regulation 5(2) or Regulation 5(3).

- 3.8 The SEA Regulations require SEA for plans which:
- a) “determine the use of small areas at a local level” or which are
 - b) “minor modifications” to plans,
- only** when these are determined to be likely to cause significant environmental effects (Reg 5(6)). Therefore, even if a NDP were considered to “set the framework”, these exceptions to SEA may well apply, but Reg 9 sets out the determination procedure - this would require the Council to:
- a) take into account the criteria specified in Schedule 1 to the Regulations; and
 - b) consult the consultation bodies (Environment Agency, Natural England and Historic England).
- 3.9 The Council’s screening decision on whether SEA is required needs to consider all these various possibilities. This is achieved through a step-by-step review using Table 1 (below) - this looks at the “Regulation 5 questions”. Part A3 is informed by the results of the assessment against the Regulation 9 / Schedule 1 criteria. The completed Regulation 9/Schedule 1 criteria table forms the “Statement of Reasons” and is provided at Appendix 1. Consideration of the Regulation 9/Schedule 1 criteria has been further informed by reference to the emerging Local Plan Sustainability Appraisal and other relevant evidence reports such as those submitted in support of recent planning applications (where the information has been accepted as accurate by the relevant consultation body).
- 3.10 A formal conclusion in the form of a “Screening Opinion” is set out after Table 1 (paragraph 3.11).

Table 1

Establishing if the Wedmore NDP is a “plan or programme” of a type which requires SEA under the provisions of The Environmental Assessment of Plans and Programmes Regulations 2004

Part A – The “Regulation 5” questions

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| <p>A1</p> | <p>Is the plan of a description set out in Regulation 5(2)?, i.e.: (a) prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and (b) sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC(a).</p> <p>- and if “yes”, does the Regulation 5(6) exemption potentially apply? [i.e. for (a) a plan which determines the use of a small area at local level; or (b) for a minor modification to a plan].</p> | <p><u>Response</u></p> <p>NO. This NDP is prepared in relation to town and country planning, but does not “set the framework for future development consent for EIA development” because: (i) it doesn’t specifically relate to EIA development; and (ii) the policy framework is set at a higher level (Core Strategy / Local Plan / NPPF).</p> |
| <p>A2</p> | <p>Is the plan of a description set out in Regulation 5(3)?, i.e.: A plan which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive.</p> <p>- and if “yes”, does the Regulation 5(6) exemption potentially apply? [i.e. for (a) a plan which determines the use of a small area at local level; or (b) for a minor modification to a plan].</p> | <p><u>Response</u></p> <p>YES However, the exemption applies because the Plan determines the use of a small area at a local level.</p> <p>Therefore, a determination under Regulation 9(1) has been made. This concludes that the plan is <u>not</u> likely to have significant environmental effects and therefore element (b) of the test is negative.</p> <p>The Determination under Regulation 9(1) (The “Statement of Reasons”) is set out at Appendix 1.</p> |

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| A3 | <p>Is the plan of a description set out in Regulation 5(4)? i.e.: (a) sets the framework for future development consent of projects; and (b) is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects</p> | <p><u>Response</u></p> <p>NO</p> <p>In respect of element (a) of this test, the policy framework is primarily set at a higher level (Core Strategy / Local Plan / NPPF) but the NDP allocates sites at a local level and so could be considered to be setting the framework for future consents. Therefore, a determination under Regulation 9(1) has been made. This concludes that the plan is <u>not</u> likely to have significant environmental effects and therefore element (b) of the test is negative.</p> <p>The Determination under Regulation 9(1) is set out at Appendix 1.</p> |
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3.11 **SEA Screening Opinion:** The Council considers that the Wedmore NDP is not a “plan or programme” of a type described at Regulation 5(2) or 5(4) of The Environmental Assessment of Plans and Programmes Regulations 2004. The Plan is a “plan or programme” of the type described at Regulation 5(3), however, the ‘small area’ exemption applies and a determination made under Regulation 9(1) concludes that the Plan is not likely to have significant environmental effects. Therefore, the Plan does not require SEA. The reasons are as set out in Table 1 and Appendix 1.

3.12 The Draft Determination under Regulation 9(1) incorporating the formal “Statement of Reasons” under Regulation 9(3) has been prepared as a separate document – reproduced here at Appendix 1. In accordance with Regulation 11(1) and (2) copies of the Determination and Statement of Reasons have been sent to each consultation body and made available at the Council’s principal office and on the Council’s website.

The Environmental Assessment of Plans and Programmes Regulations 2004

Sedgemoor District Council

SEA Screening Opinion / Determination under Regulation 9(1) as to whether the Wedmore Neighbourhood Development Plan is likely to have significant environmental effects.

Wedmore Parish Council is currently producing the Wedmore Neighbourhood Development Plan (NDP) which will supplement the emerging Sedgemoor Local Plan 2011 - 2032 and form part of the local development plan when finalised. As part of the production of a NDP the District Council is required to advise and assist the “qualifying body” (Parish Council), including in ensuring that the NDP does not breach, and is otherwise compatible with, European Union obligations.

This includes deciding whether the NDP requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (“SEA Directive”) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (“SEA Regulations”).

The Wedmore NDP can be regarded as a “plan or programme which sets the framework for future development consent of projects” (albeit to a limited degree, and primarily because it seeks to allocate sites for residential development with an estimated capacity of circa 58 dwellings). It is potentially caught by SEA Regulation 5(4) - which could require an environmental assessment to be carried out – and therefore the District Council needs to determine (under the provisions of Regulation 9) whether or not the Wedmore NDP is “likely to have significant environmental effects”.

Regulation 9(2) requires that before making such a determination, the District Council shall:

- a) take into account the criteria specified in Schedule 1 to these Regulations; and

- b) consult the consultation bodies [Environment Agency, Historic England and Natural England].

Regulation 9(3) requires that if the Council's conclusion is 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.

Determination under SEA Regulation 9(1)

Having regard to the criteria set out in Schedule 1 of the SEA Regulations, and consultation with Environment Agency, Historic England and Natural England the District Council has made a determination under Regulation 9 that the Wedmore Neighbourhood Development Plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment).

Statement of Reasons

The District Council has had regard to:

1. the characteristics of the plan, and
2. the characteristics of the potential effects and of the area potentially affected

- including all of the particular matters under each of these headings as set out in Schedule 1 of the SEA Regulations.

A response to each of the individual criteria is set out below in tabular form. This was shared in draft form with the consultation bodies and has been agreed by Natural England, has not been disputed by the Environment Agency and has been modified slightly in response to Historic England's comments and the modifications then agreed by them.

This review of the individual criteria indicates that potential effects are limited / localised / negligible / totally absent and therefore the conclusion is that the plan is unlikely to have significant environmental effects.

| 1. The characteristics of plans and programmes, having regard, in particular, to — | |
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| (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; | Very limited degree - the Wedmore NDP is a localised (parish level) refinement of the framework set by the development plan (emerging Local Plan) for Sedgemoor District. The scale and location of allocated housing developments (58 units) is wholly consistent with the emerging Sedgemoor Local Plan. |
| (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy; | None - the Wedmore NDP is at the lowest level of the plan-making hierarchy. |
| (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development; | Minor and localised relevance - it is a “basic condition” of any NDP that it should “ <i>contribute to the achievement of sustainable development</i> ” but there is no requirement for NDPs to be subject to sustainability appraisal. The allocation sites were subject to high-level assessment of their suitability and sustainability. |
| (d) environmental problems relevant to the plan or programme; and | The Wedmore NDP is neither (a) primarily responding to, nor (b) heavily constrained by significant environmental problems. The aim of the Wedmore NDP allocations is to address local concerns and issues – affordable housing integration/ design and location of new development / tenure mix / vehicle access / traffic calming / residential amenity / open space and play space provision / surface water attenuation / preserving and enhancing the character and appearance of the Conservation Area. A review of potential environmental constraints reveals that: <ul style="list-style-type: none"> • Wedmore village and environs are not a flood risk area (is EA Flood Zone 1). There are areas of higher flood risk (Flood Zone 3) in the southern and eastern parts of the Parish. Each of the proposed site allocations are in low risk flood zone 1. • The Blackford site, the Westholme Farm site and the West End site are all located over a minor aquifer. • The nearest part of the Mendip Hills Area of Outstanding Natural Beauty is 5.3km from Wedmore. • There are no designated nature conservation sites of more than local importance within the village or its immediate |

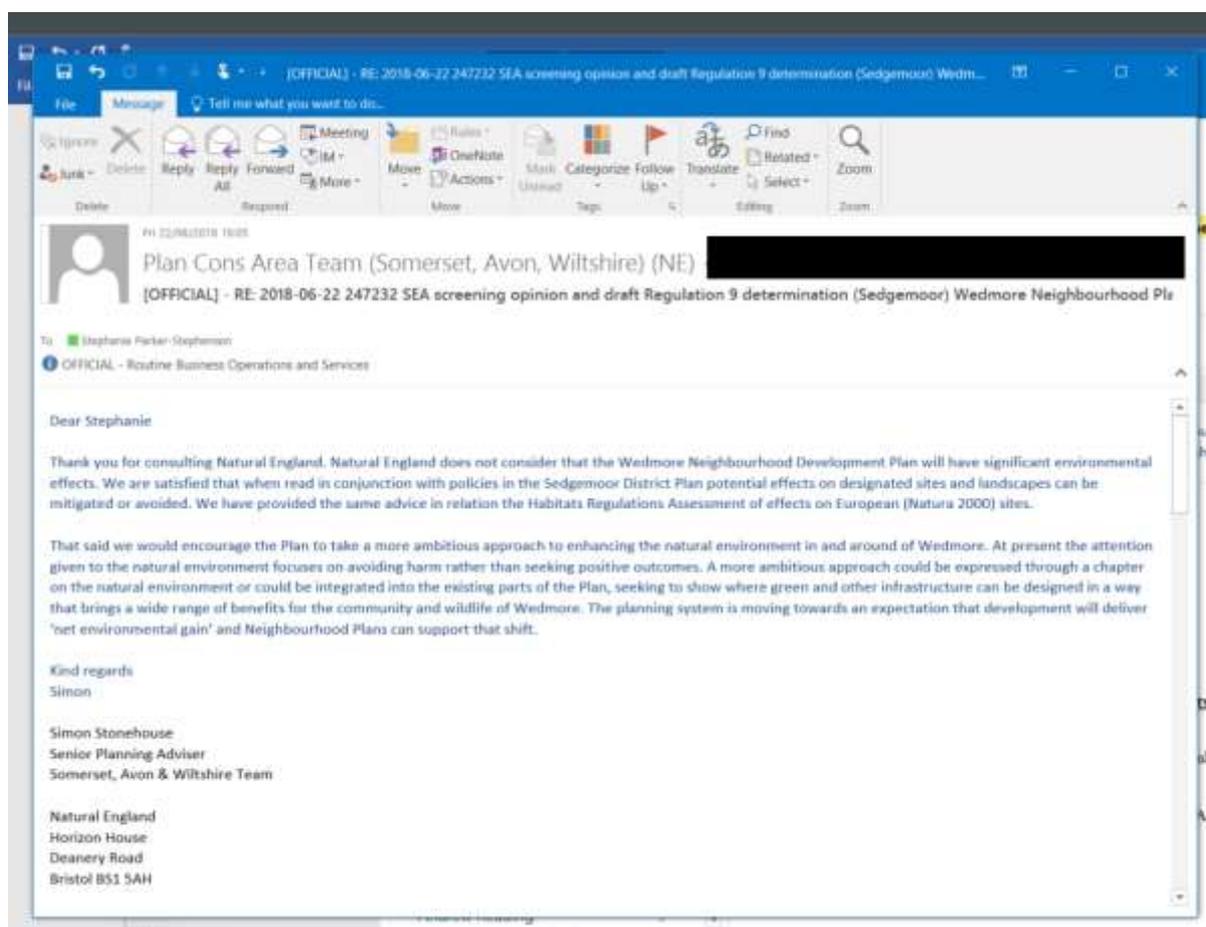
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| | <p>environs. However, the village is within a SSSI Impact Zone and Bat Consultation Zone Band C. The SSSI Impact Zone applies to residential developments of 50+ units. The HRA has concluded that there is unlikely to be significant effects.</p> <ul style="list-style-type: none"> • There are no Local Wildlife Sites (including ecological network components and priority habitats) within the boundaries of the proposed housing allocation sites. • The Agricultural Land Classification for all of the proposed sites is Grade 3 (undifferentiated). • There are no known contamination issues. • There is one archaeological site (the Turnpike Road) that runs between the West End site and the West Holme Farm site. • The Westholme Farm and West End sites are within 25m of the Conservation Area. The Plan acknowledges this proximity by including a relevant principle within the Westholme Farm allocation policy: “the layout and design will pay special regard to the setting of adjoining Listed Buildings and to preserving and enhancing the character and appearance of the Conservation Area.” • There are numerous listed buildings and TPOs in and around the village, and also sites which feature on the Somerset Historic Environment Record, but the presence of such features is not unusual and they are given appropriate protection in the context of any development proposals which may affect them. • A Heritage Assessment has been prepared to assess the impacts on heritage assets from the implementation of the Wedmore Neighbourhood Plan. The Heritage Assessment recommends two changes to the Plan: <ul style="list-style-type: none"> i. Reducing the number of units on the Westholme Farm site; and ii. Strengthening Policy WED4 to emphasise the importance of good design in minimising harm to the significance of the heritage assets. • The Heritage Assessment concludes that “the neighbourhood plan would be unlikely to generate significant environmental effects in terms of its heritage impact”. This conclusion, combined with the knowledge that this Plan will be read alongside the heritage policies in the emerging Local Plan, provides reasonable assurance that the principle of development on the proposed sites is |
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| | <p>achievable without <u>significant</u> environmental effects with respect to heritage.</p> <p>The level of growth proposed in the Wedmore NDP is consistent with the medium option appraised for the Local Plan which did not identify any significant environmental effects.</p> <p>No serious environmental problems</p> |
| <p>(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).</p> | <p>Not directly relevant to implementation of EC environmental legislation. [The plan does not contain policies linked to waste management or water protection.]</p> |
| <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to —</p> | |
| <p>(a) the probability, duration, frequency and reversibility of the effects;</p> | <p>The potential for effects arises from housing development. There will be a direct permanent effect through land use if the sites are developed for housing. Any indirect effects resulting from an increase in local population (emissions, traffic, recreational disturbance etc) are negligible and have been considered in the SA of the emerging Local Plan. Therefore, no significant environmental effects are anticipated.</p> |
| <p>(b) the cumulative nature of the effects;</p> | <p>None (No reason to anticipate the limited minor / negligible effects being significant cumulatively)</p> |
| <p>(c) the trans-boundary nature of the effects;</p> | <p>None</p> |
| <p>(d) the risks to human health or the environment (for example, due to accidents);</p> | <p>None</p> |
| <p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p> | <p>The effects referenced at 2a are small scale and localised, and no effect on population is identified. [The Neighbourhood Plan affects the parish of Wedmore which is approximately 4165 Hectares in area and has a population of approximately 3318 people.]</p> |

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| <p>(f) the value and vulnerability of the area likely to be affected due to—</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and | <p>No effect on valuable / vulnerable areas is predicted (see 1d).</p> |
| <p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p> | <p>No effect on nationally / internationally protected sites. [The Tealham and Tadham Moor SSSI and part of the Somerset Levels and Moors National Nature Reserve/Special Protection Area/Ramsar are within the boundary of the parish of Wedmore and the Westhay Moor SSSI is just outside the boundary. The proposed housing allocations are approximately 2km from the nationally and internationally protected sites. No significant effect is anticipated for any of the sites].</p> |

Appendix 2 – Consultation responses from the Consultation Bodies

Natural England’s response to the initial draft SEA screening report (June 2018)



Historic England’s response to the initial draft SEA screening report (June 2018)

22 June 2018

Dear Ms Parker-Stephenson

Wedmore Neighbourhood Plan: SEA Screening Opinion

Thank you for your consultation on the SEA Screening Opinion for the emerging Wedmore Neighbourhood Plan.

This is our first opportunity to see how the community’s aspirations for its area are taking shape. We were aware that it may have ambitions to allocate sites for development as we were consulted on the Call for Sites exercise last year. In our response we identified to the Parish Council (copied to your authority) the necessary heritage considerations it would need to address and relevant guidance, which was available on our website (see enclosure).

Having sight of the emerging Plan now is therefore useful as it confirms that the community proposes to allocate land for housing development on 4 sites – policies WED12 – 15 in order to deliver the 116 houses for the area identified in the Local Plan. Of these 13 have already been built, and 55 have been approved but not started on the Cross Farm site (policy WED12). The Axe Valley Vets site (policy WED15) is not considered to count against this overall allocation but obviously the site assessment process to determine its suitability needs to be carried out to a similarly robust degree.

We note that the acceptability of the proposed development on Cross Farm has already been established and the Plan is merely seeking to reaffirm this position. We also note that the Axe Valley vets site is already developed and the issue here is less the principle of allocation and more its ability to deliver the 12 homes proposed. Our main interest therefore focuses on the remaining sites (WED 13 &14) and, essentially, whether the sites in principle are suitable for development and if so whether the specific proposals and development criteria set out in the allocation policies take appropriate account of relevant heritage asset considerations.

The Plan itself provides a narrative of the process by which the proposed sites have been decided upon but it contains no evidence to substantiate the suitability of these decisions from a heritage perspective or identifies the supporting evidence they may have been based on. Although your consultation does not include any supporting documents either we have discovered a Site Assessments report dated November 2017 on the Plan website. This appears to be the only relevant document available and so we assume it forms the sole heritage evidence base.

This report assesses the sites utilising a matrix prepared by your authority for use associated with Local Plan site allocations. However, this uses a simplistic traffic light scoring methodology and does not appear to have taken account of the guidance for such exercises we previously drew attention to. The criteria used against Historic Environment considerations (ref D17 p5 of Appendix 1) are helpful in determining whether heritage assets form a relevant part of the site assessment process but there is no information to illustrate how conclusions have been arrived at and what expertise may have been used to inform them. The table of outcomes on p5 of the main report concludes “positive” outcomes for WED14 & 15 and “possible” for WED 13, but these need to be more effectively evidenced.

This need is helpfully illustrated by a parallel planning application consultation we have recently received on proposals to develop the Westholme Farm site (WED13), possibly stimulated by its intended inclusion in the Plan (our ref P00927810; your ref 50/18/00057/DT). Our assessment of the relevant heritage considerations in response to that consultation has identified that this open character makes a positive contribution to the significance the conservation area and its listed buildings derive from their settings.

There is clear intervisibility between the site and these designated heritage assets, and it forms part of the experience of arriving in the historic settlement from the west, crossing from countryside into the village.

In our opinion the proposed development will result in harm to the experience of the relationship between the historic village and its buildings and the surrounding countryside. We further consider that the development will be intrusive in views from within and towards the listed buildings. The harm is compounded by a lack of reference to the historic pattern of development in the proposed layout (as is required by proposed Plan policy WED5) and the harm caused is acknowledged in the Heritage Statement submitted with the application, noting the historic association between the development site and some of the affected designated heritage assets.

This application and our own assessment demonstrate not only that more robust evidence is necessary to substantiate the site allocations the Plan proposes but the level of assessment required to appropriately understand the significance of the relevant heritage assets and the potential for (harmful) impact upon them.

Your authority's Draft Screening Report correctly identifies the issue upon which there might be a need for SEA as whether there is a likelihood of significant environmental effects. Case law has shown that the threshold for such determination is in fact quite low and any harmful impact on a designated heritage asset is capable of providing an adequate trigger. Appendix 1 in section 1.(d) of the Screening Report identifies the existence of a range of designated heritage assets within the vicinity of the proposed site allocations. It refers to the Sustainability Appraisal (SA) carried out for the Local Plan within which one site (Westholme Farm) was considered with the conclusion that a minor negative effect was likely to the landscape and townscape character of Wedmore as an historic rural village if development was not designed sensitively. No further evidence concerning impact on the historic environment is identified. The report cites that the level of development proposed within the Plan is consistent with that which the Local Plan SA took account of and concludes overall that as effects arising from housing development are deemed to be small scale and localised that there will be no significant environmental effects and consequently an SEA is not required.

We disagree with the basis of this conclusion. The report makes assertions but there is insufficient evidence concerning the identification of relevant designated heritage assets, and inadequate demonstration of an understanding of their significance, to be able to conclude that significant impacts to this significance, individually and collectively, will not occur. There is no Conservation Area Appraisal available which would define the setting of this designated heritage asset and allow for the potential impacts on this aspect of its significance arising from the allocation of sites in policies WED13 & 14 to be determined.

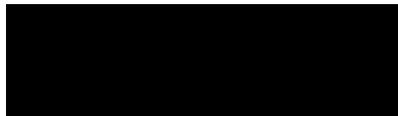
While policies elsewhere in the Plan and Local Plan are capable of ensuring that other development would not harm heritage assets, sites allocated in the Plan are meant to be deliverable; any subsequent determination that the development as proposed within the site allocation policies will cause harm to heritage assets undermines the credibility of the Plan and the integrity of its preparation process – especially if this results in less development than intended ultimately being deemed acceptable or the in-principle suitability of any site being brought into question.

Policy WED5 concerning development affecting the Wedmore Conservation Area relates only to proposals within it and not those outside which might affect its setting. As far as the development criteria within the site allocation policies themselves are concerned these make no reference to any historic environment considerations, generating uncertainty as to whether there are legitimately none in need of consideration or if this is an oversight due to a lack of appropriate site assessment. In addition, it is not clear how it has been determined that the sites can respectively accommodate the number of proposed units without causing harm to (the settings of) relevant heritage assets.

Overall, our view is that the absence of appropriate evidence does not allow for the conclusion that an SEA is not required and on that basis, the default position must be that one should be undertaken. We must also conclude that the Plan and its evidence base does not allow for a demonstration of conformity with national and local policy for the protection of the historic environment.

We would therefore advise that the historic environment evidence for the Plan is improved in accordance with the guidance highlighted by us previously and used to inform the SEA Screening process. On receipt of further evidence we would be happy to review our position.

Yours sincerely

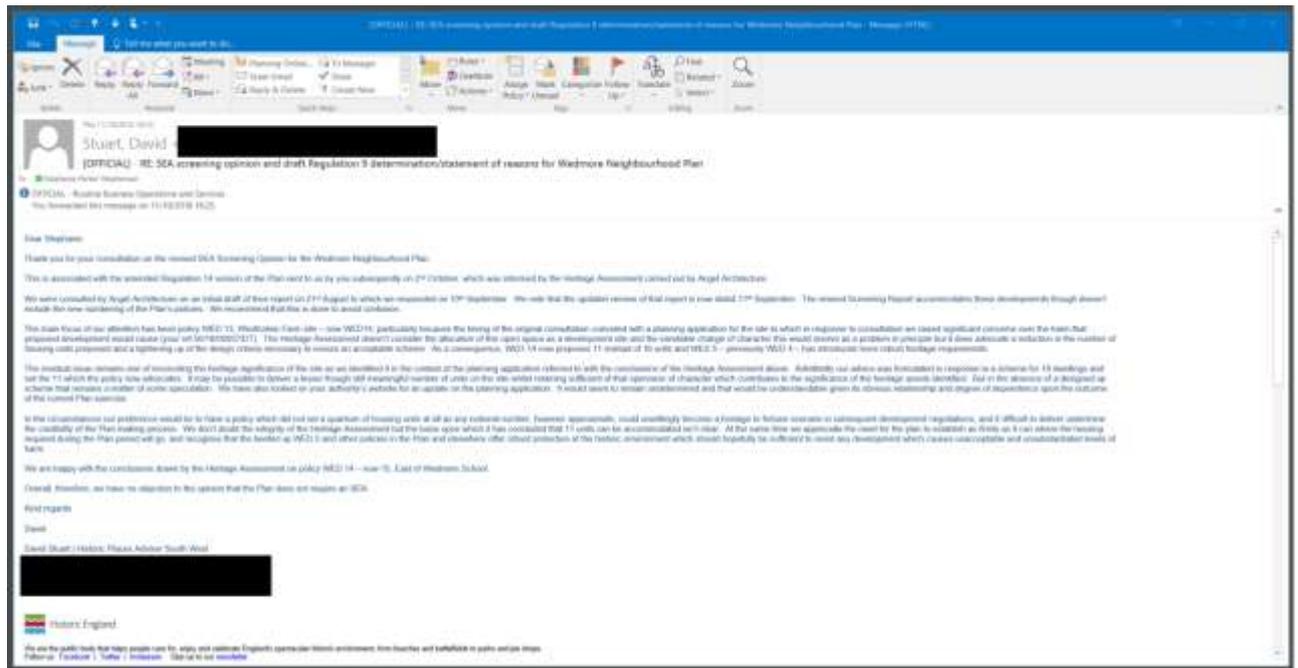


David Stuart

Historic Places Adviser



Historic England's response to the revised draft SEA screening report (October 2018)



Natural England's response to the revised draft SEA screening report (October 2018)

No written response but a telephone conversation with Simon Stonehouse on the 9th October confirmed that their original response still applied.

12th October 2018

Stephanie Parker-Stephenson
Environmental Planner
On behalf of Assistant Director - Inward Investment and Growth

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