

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 —

(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature,

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.

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;	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;	<p>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.</p> <p>The allocation sites were subject to high-level assessment of their suitability and sustainability.</p>
(d) environmental problems relevant to the plan or programme; and	<p>The Wedmore NDP is neither (a) primarily responding to, nor (b) heavily constrained by significant environmental problems.</p> <p>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.</p> <p>A review of potential environmental constraints reveals that:</p> <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 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.

- 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:
 - 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 achievable without significant environmental effects with respect to heritage.

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.

	No serious environmental problems
(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).	Not directly relevant to implementation of EC environmental legislation. [The plan does not contain policies 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;	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.
(b) the cumulative nature of the effects;	None (No reason to anticipate the limited minor / negligible effects being significant cumulatively)
(c) the trans-boundary nature of the effects;	None
(d) the risks to human health or the environment (for example, due to accidents);	None
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	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.]
(f) the value and vulnerability of the area likely to be affected due to—	No effect on valuable / vulnerable areas is predicted (see 1d).

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

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