North Somerset Council

Strategic Environmental Assessment (SEA) Screening Report

Backwell Neighbourhood Plan

February 2014
Strategic Environmental Assessment (SEA) Screening Report
Backwell Neighbourhood Plan

1. Introduction
1.1 This screening report sets out whether or not the contents of the Backwell Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

1.2 The Backwell NP has been prepared by Backwell Parish Council and this screening report has been undertaken by North Somerset Council.

1.3 The Backwell NP specifically considers the following:
- Increase village sustainability by encouragement of appropriate renewable energy proposals and sustainable construction of dwellings and sustainable drainage systems
- Protection of the landscape through support for green belt, identification of strategic gaps and Local Green Space
- Allocates sites for approximately 60 dwellings and favours the development of smaller houses and promotes affordable housing
- Support new employment opportunities
- Identify a local centre where shops and business uses are concentrated and supported to protect vitality and viability of the village centre
- Safeguard community facilities
- Support the provision of cycling and walking routes to services and neighbouring settlements and traffic mitigation and parking strategy

The Vision is
"To safeguard Backwell for future generations, as an attractive place to live; with a sustainable village feel in proximity to the countryside"

The objectives of the plan are to
- Formulate Backwell future based on community views;
- Develop BACKWELL FUTURE to support, and be consistent with, the North Somerset Core Strategy 2011-26;
- Promote a healthy community through the support of community and recreational facilities, protect and where possible enhance green infrastructure, and encouraging walking and cycling;
- Verify that schools, health and leisure facilities are adequate for community needs;
- Identify housing needs, taking into account demographic change, and where new development should take place;
- Promote appropriate opportunities for local employment;
• Ensure shops, offices and light industry are able to develop to provide a sustainable local service to the community;

• Promote sustainable transport including the creation of safe cycling and walking routes, and public transport;

• Where possible address highway, congestion and parking problems (including through promotion of sustainable transport);

• Protect the environment by safeguarding areas designated for their nature conservation, heritage or landscape value;

• Safeguard the best and most versatile agricultural land in order that it is available for sustained food production;

• Promote more efficient energy use and renewable energy.

2. Sustainability appraisal and appropriate assessments

2.1 The draft Backwell NP was subject to an HRA screening assessment to ascertain whether an Appropriate Assessment is required under Conservation of Habitats and Species Regulations 2010, which relate to Articles 6(3) and (4) of the Habitats Directive. Natural England confirmed that no Appropriate Assessment was required as the implementation of the plan is not likely to have any significant adverse effects on protected species or their habitats (appendix 1).

2.2 Although not required by regulation the draft Backwell Future Plan was also the subject of a separate sustainability appraisal which was also compliant with Strategic Environmental Assessment regulations (SEA) requirement (European Directive 2001/42/EC). This was published in December 2012. Natural England confirmed that the report was fit for purpose. The appraisal showed the plan would not have any significant adverse environmental effects and highlighted some internal conflict in policies and identified a number of potential improvements in it's Appendix 6. These and other issues highlighted in the consultation have been taken into consideration to inform this final version of Backwell Future.

3 SEA requirements

3.1 Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan which in this case is taken to be the North Somerset Core Strategy. The Core Strategy was subject to a full Sustainability Appraisal which included a SEA assessment. This ensured that there were no likely significant effects which would be produced from the implementation of the Core Strategy and if so ensured mitigation measures were in place. The council considers that there is general conformity between the Backwell Neighbourhood Plan and the Core Strategy and that there are no significant changes introduced by the Backwell Plan. It is therefore concluded that the implementation of the Backwell Neighbourhood Plan would not result in any likely significant effects upon the environment.
3.2 This screening report also follows the ODPM guidance on SEA’s on ascertaining whether a full SEA is required. That guidance is set out in a flow diagram which is reproduced in Appendix 4.

3.3 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out in appendix 2.

3.4 The process followed in completing the assessment accords with the diagram (Figure 2) of the Practical Guide to the Strategic Environmental Assessment (reproduced below). The table which follows sets out the assessment undertaken in accordance with the diagram.

<table>
<thead>
<tr>
<th>Application of SEA Directive to Backwell Neighbourhood Plan</th>
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<tbody>
<tr>
<td>Stage</td>
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<tr>
<td>-----------------------------------------------------------</td>
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<tr>
<td>1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</td>
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<td>3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</td>
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<td>4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</td>
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<td>5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</td>
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<td>6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</td>
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<tr>
<td>7. Is the PP’s sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</td>
</tr>
<tr>
<td>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</td>
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4. Screening Outcome
4.1 As a result of the assessment above it can be concluded that there are unlikely to be any significant environmental effects arising from the Backwell NP. As such the Plan does not require a full SEA to be undertaken.
Appendix 1 HRA Screening Assessment

Date: 07 January 2013
Our ref. T2630
Your ref. -

Celia Dring
Principal Planning Officer
Development and Environment
North Somerset Council
BY EMAIL ONLY
Celia.dring@north-somerset.gov.uk

Dear Ms Dring

Backwell Future Neighbourhood Plan: Sustainability Appraisal and Habitats Regulations Assessment

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

General

We note the Backwell Future Neighbourhood Plan has been prepared within the framework of the recently adopted Core Strategy as well as the National Planning Policy Framework (NPPF).

Sustainability Appraisal

We consider the Sustainability Appraisal (SA) provides a clearly presented and systematic assessment of the emerging Backwell Neighbourhood Plan, in terms of its consistency with the principles of sustainable development, including social and economic as well as likely environmental effects. We also consider it to be compliant with Strategic Environmental Assessment requirements. We particularly note and welcome the additional sustainability objective 8a) Protect existing green infrastructure and where possible seek enhancements which provide local benefits and contribute to the wider network.

Appendix 6 Summary of results for policies and objectives

We note the SA finds that in general the Backwell Forward plan objectives do not have a significant effect on the Sustainability Objectives, but also suggests that the effects of the Backwell Future plan could be enhanced by inserting the words “green infrastructure” into BF objectives 3 and 8 (SSO a).
We agree and trust this will be given positive consideration by the Backwell local community.

Habitats Regulations Assessment

We consider the Habitats Regulation Assessment (HRA) provides an appropriately detailed assessment of likely effects of the Backwell Neighbourhood Plan on the Mendip and North Somerset Bat Special Area of Conservation. We are satisfied that the Council’s conclusion that implementation of the Plan not likely to result in significant effect on this or other European protected sites is reasonable.

Draft Joint advice

Natural England has prepared draft joint advice regarding Neighbourhood Plans with the Environment Agency, Forestry Commission and English Heritage outlining our role in the process and signposting sources of information and advice. Link to document:

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

For any queries relating to the specific advice in this letter only please contact Amanda Grundy on 0300 060 1454. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

Amanda Grundy
Lead Adviser, Sustainable Land Use
Appendix 2
Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC

1. The characteristics of neighbourhood plans (“plan”), having regard, in particular, to
   - 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,
   - the degree to which the plan influences other plans and programmes including those in a hierarchy,
   - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
   - environmental problems relevant to the plan,
   - the relevance of the plan for the implementation of Community legislation on
     - the environment (e.g. 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
   - the probability, duration, frequency and reversibility of the effects,
   - the cumulative nature of the effects,
   - the trans boundary nature of the effects,
   - the risks to human health or the environment (e.g. due to accidents),
   - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
   - the value and vulnerability of the area likely to be affected due to:
     - special natural characteristics or cultural heritage,
     - exceeded environmental quality standards or limit values,
     - intensive land-use,
     - the effects on areas or landscapes which have a recognised national,
     - Community or international protection status.

(Source: Annex II of SEA Directive 2001/42/EC)
Appendix 3
Annex I and Annex II of EIA Directive

Annex I
1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for the permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast-iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads (1) and lines for long-distance railway traffic and of airports (2) with a basic runway length of 2 100 m or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or land fill of toxic and dangerous wastes.

(1) For the purposes of the Directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.
(2) For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

Annex II
1. Agriculture
(a) Projects for the restructuring of rural land holdings.
(b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
(c) Water-management projects for agriculture.
(d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
(e) Poultry-rearing installations.
(f) Pig-rearing installations.
(g) Salmon breeding.
(h) Reclamation of land from the sea.
2. Extractive industry
   (a) Extraction of peat.
   (b) Deep drillings with the exception of drillings for investigating the stability of the soil and in particular:
      • geothermal drilling,
      • drilling for the storage of nuclear waste material,
      • drilling for water supplies.
   (c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
   (d) Extraction of coal and lignite by underground mining. (e) Extraction of coal and lignite by open-cast mining. (f) Extraction of petroleum.
   (g) Extraction of natural gas.
   (h) Extraction of ores.
   (i) Extraction of bituminous shale.
   (j) Extraction of minerals other than metalliferous and energy-producing minerals by open-cast mining.
   (k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
   (l) Coke ovens (dry coal distillation).
   (m) Installations for the manufacture of cement.

3. Energy industry
   (a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I).
   (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables.
   (c) Surface storage of natural gas.
   (d) Underground storage of combustible gases.
   (e) Surface storage of fossil fuels.
   (f) Industrial briquetting of coal and lignite.
   (g) Installations for the production or enrichment of nuclear fuels.
   (h) Installations for the reprocessing of irradiated nuclear fuels.
   (i) Installations for the collection and processing of radioactive waste (unless included in Annex I).
   (j) Installations for hydroelectric energy production.

4. Processing of metals
   (a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I).
   (b) Installations for the production, including smelting, refining, drawing and rolling, of nonferrous metals, excluding precious metals.
   (c) Pressing, drawing and stamping of large castings.
   (d) Surface treatment and coating of metals.
   (e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
   (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
   (g) Shipyards.
   (h) Installations for the construction and repair of aircraft.
   (i) Manufacture of railway equipment.
(j) Swaging by explosives.
(k) Installations for the roasting and sintering of metallic ores.

5. Manufacture of glass

6. Chemical industry
   (a) Treatment of intermediate products and production of chemicals (unless included in Annex I).
   (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
   (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry
   (a) Manufacture of vegetable and animal oils and fats.
   (b) Packing and canning of animal and vegetable products.
   (c) Manufacture of dairy products.
   (d) Brewing and malting.
   (e) Confectionery and syrup manufacture.
   (f) Installations for the slaughter of animals.
   (g) Industrial starch manufacturing installations.
   (h) Fish-meal and fish-oil factories.
   (i) Sugar factories.

8. Textile, leather, wood and paper industries
   (a) Wool scouring, degreasing and bleaching factories.
   (b) Manufacture of fibre board, particle board and plywood.
   (c) Manufacture of pulp, paper and board.
   (d) Fibre-dyeing factories.
   (e) Cellulose-processing and production installations.
   (f) Tannery and leather-dressing factories.

9. Rubber industry
   Manufacture and treatment of elastomer-based products.

10. Infrastructure projects
    (a) Industrial-estate development projects.
    (b) Urban-development projects.
    (c) Ski-lifts and cable-cars.
    (d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I).
    (e) Canalization and flood-relief works.
    (f) Dams and other installations designed to hold water or store it on a long-term basis.
    (g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
    (h) Oil and gas pipeline installations.
    (i) Installation of long-distance aqueducts.
    (j) Yacht marinas.

11. Other projects
    (a) Holiday villages, hotel complexes.
(b) Permanent racing and test tracks for cars and motor cycles.
(c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
(d) Waste water treatment plants.
(e) Sludge-deposition sites.
(f) Storage of scrap iron.
(g) Test benches for engines, turbines or reactors.
(h) Manufacture of artificial mineral fibres.
(i) Manufacture, packing, loading or placing in cartridges of gunpowder and explosives.
(j) Knackers' yards.

12. Modifications to development projects included in Annex I and projects in Annex II undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year.
Appendix 4

Figure 2 - Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.

1. Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))
   - No to both criteria
   - Yes to either criterion

2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))
   - No

3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))
   - No to either criterion
   - Yes to both criteria

4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))
   - No
   - Yes to any criterion

5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)
   - No to both criteria
   - Yes to either criterion

6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)
   - No

7. Is the PP’s sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/72? (Art. 3.6, 3.9)
   - No to all criteria

8. Is it likely to have a significant effect on the environment? (Art. 3.5)*
   - Yes
   - No

DIRECTIVE REQUIRES SEA

DIRECTIVE DOES NOT REQUIRE SEA

*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.