



# Blackrod Neighbourhood Development Plan

## Statement of Conditions

Date: 9<sup>th</sup> May 2019

## Contents

1.0 Introduction.....	3
Basic Conditions.....	3
Qualifying Body.....	3
Neighbourhood Area.....	3
2.0 National planning Policy Framework .....	4
Sustainable Development .....	4
Key National Strategic Policies.....	5
3.0 Conformity with the NPPF and the Bolton Core Strategy and Allocations Local Plan .....	7
Compliance with the Bolton Core Strategy and Allocations Local Plan.....	7
4.0 European Union Obligations.....	7
Environmental Impact Assessment.....	8
Human Rights.....	8
5.0 Conclusion .....	9

## 1.0 Introduction

- 1.1 This Basic Conditions Statement has been prepared to accompany the Submission version of the Blackrod Neighbourhood Development Plan (BNDP) dated May 2019.

### Basic Conditions

- 1.2 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans (NDP's) must meet the following basic conditions:
- a. have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
  - b. contribute to the achievement of sustainable development;
  - c. be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case Bolton Council's adopted Core Strategy (adopted December 2014) and Allocations Plan Local Plan (adopted December 2014);
  - d. comply with relevant European Union (EU) obligations
  - e. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
- 1.3 These requirements are addressed within this Basic Conditions Statement by demonstrating how the BNDP conforms to the NPPF, the Bolton Local Plan Core Strategy and Allocations Plan and EU legislation, along with how the BNDP will contribute towards promoting sustainable development.

### Qualifying Body

- 1.4 This Basic Conditions report is submitted by Blackrod Town Council, which is the Qualifying Body for the BNDP, as defined by the Localism Act 2011.

### Neighbourhood Area

- 1.5 The BNDP applies to the Blackrod Town Council area which is within Bolton Metropolitan District. In accordance with Part 2 of the Regulations, Bolton Council, as the local planning authority, publicised the Neighbourhood Area application from Blackrod Town Council to designate their Parish for the purposes of producing a NDP and advertised this accordingly for the statutory period of 6 weeks.
- 1.6 The application was approved by Bolton Council on the 11<sup>th</sup> July 2016 and consequently Blackrod Town Council area was designated as a Neighbourhood Area.

1.7 Blackrod Town Council confirm that the BNDP:

- relates only to the Parish and to no other area and
- is the only NDP within the designated area

## 2.0 National planning Policy Framework

2.1 The BNDP must have appropriate regard to national policy. The following sections describe how the BNDP relates to the National Planning Policy Framework (NPPF) February 2019.

### Sustainable Development

2.2 The central theme of the NPPF is a presumption in favour of sustainable development. In this context sustainable development is broadly defined internationally as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

2.3 The NPPF uses economic, social and environmental dimensions to describe sustainable development which gives rise to the need for the planning system to perform a number of roles as follows:

- **An economic objective** - to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- **A social objective** - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations: and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **An environmental objective** - to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, making better use of natural resources, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

2.4 The NPPF says that the application of the presumption in favour of sustainable development “*has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies*”

## Key National Strategic Policies

2.5 The BNDP includes a number of policies which positively address the policies set out in the NPPF. The following sections of the NPPF are particularly relevant.

- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Supporting high quality communications
- Making effective use of land
- Achieving well-designed places
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

2.6 Table 1 provides a description of how policies in the BNDP relate to those within the NPPF.

**Table 1: Comparison of BNDP Policies with NPPF Policies**

<p>NPPF Section: Building a strong and competitive economy.</p> <p>Related BNDP Policies:</p> <p><b>Policy ER5</b> – Encourage the retention/expansion of existing employment.</p> <p><b>Policy ER6</b> – Support the retention of existing employment sites.</p> <p><b>Policy ER7</b> – Support the improvement of Blackrod Industrial Estate.</p>
<p>NPPF Section: Ensuring the vitality of town centres.</p> <p>Related BNDP Policies:</p> <p><b>Policy ER1</b> – Retain existing Core facilities.</p> <p><b>Policy ER2</b> - Encourage more local retail space that meets the needs of the village.</p> <p><b>Policy ER3</b> – Encourage the retention/expansion of well-being support services.</p> <p><b>Policy ER4</b> – Support the provision of a Farmers/Craft Market.</p>

NPPF Section: Promoting sustainable transport.

Related BNDP Policies:

**Policy TR1** – Information required to support planning applications.

**Policy TR2** – Improve the provision of Public Transport Services.

**Policy TR3** – Getting about Blackrod

**Policy TR4** – Car Parking in Blackrod – General.

**Policy TR5** - Car Parking In Blackrod – Improvements.

NPPF Section: Delivering a sufficient supply of homes.

Related BNDP Policies:

**Policy H1** – New Housing Development.

**Policy H2** – Housing Mix.

**Policy H3** – Housing for the Ageing Population.

**Policy H4** – Local Occupancy.

**Policy H5** – Site Allocations.

NPPF Section: Achieving well-designed places.

Related BNDP Policies:

**Policy DES1** – Design Principles.

**Policy PR1** – Safe and fit for purpose rights of way.

**Policy PR2** – Gateways.

NPPF Section: Promoting healthy and safe communities.

Related BNDP Policies:

**Policy CF1** – Community Facilities Infrastructure

**Policy CF2** – Retention and Improvement of Community Facilities.

NPPF Section: Meeting the challenge of climate change, flooding and coastal change.

Related BNDP Policies:

**Policy DES1** – Design Principles.

NPPF Section: Conserving and enhancing the natural environment.

Related BNDP Policies:

**Policy NE1** – Green Infrastructure.

**Policy NE2** – Trees and Hedgerows.

**Policy NE3** – Vistas and views.

NPPF Section: Conserving and enhancing the historic environment

Related BNDP Policies:

**Policy BH1** – Protection of Designated Heritage Assets (Listed Assets).

**Policy BH2** – Protection of Non-Designated Heritage Assets (Local List).

**Policy BH3** – Protection of Areas of Special Character.

2.7 Table 2 provides a matrix of the BNDP policies with the corresponding relevant paragraphs of the NPPF.

### 3.0 Conformity with the NPPF and the Bolton Core Strategy and Allocations Local Plan

3.1 The BNDP is considered to be in compliance with the NPPF objectives of sustainable development by:

- Conforming to the Bolton Core Strategy and Allocations (Local Plan).
- Protecting green space and expanding open space, including sports fields and play areas, for community use.
- Highlighting the locations of cherished views and historic sites/monuments that should not be harmed through development.
- Specifying the mix of housing types that should feature as part of any development, including the provision of housing that meets the needs of the elderly and people with disabilities.
- Reinforcing the SDC policy for prioritising people with local family or work connections for housing.
- Ensuring that the impact on services and amenities infrastructure is taken fully into account as part of any development, including access to public transport.
- Stipulating the requirement for full a flood risk assessment to be undertaken as part of any new development with the purpose of ensuring no increased risk of local flooding
- Requiring new developments to be linked by a combination of footpaths, footways and cycle paths.

#### Compliance with the Bolton Core Strategy and Allocations Local Plan

3.2 In addition to being in compliance with the policies contained within the NPPF, the BNDP is also regarded as being in general conformity with strategic policies within the Bolton Core Strategy and Allocations Local Plan.

3.3 Table 2 provides a matrix of the BNDP policies against the equivalent Core Strategy and Allocations Local Plan policies.

### 4.0 European Union Obligations

#### Strategic Environmental Assessment

4.1 An environmental screening assessment was undertaken by Bolton Council. This has confirmed that, neither, a Strategic Environmental Assessment (SEA) or a **Habitats Regulation Assessment (HRA)** is required for the BNDP.

4.2 The screening process included engagement with the statutory environmental bodies (Historic England, Natural England and the Environment Agency). All these bodies provided responses which confirm they are in agreement that the BNDP does not require an SEA. See Appendix1 for screening report.

## Environmental Impact Assessment

- 4.3 An Environmental Impact Assessment (EIA) is considered unnecessary as the Neighbourhood Plan does not propose any projects which fall under the criteria set out in either Annex I or Annex II of the EIA Directive.

## Human Rights

- 4.5 The BNDP has regard to the fundamental rights and freedoms, guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998.

**Table 2: Matrix of BNDP Policies Cross Referenced with Equivalent NPPF and Bolton Core Strategy/ Allocation Policies.**

<b>BNDP Policy</b>	<b>NPPF (2019) paragraph</b>	<b>Bolton Core Strategy / Allocations Policy Number</b>
H1	11, 15, 16, 17, 18, 20, 60, 63, 65, 66, 70 and 145.	CG2, SC1, Policy OA1 Outer Areas of Horwich and Blackrod.
H2	60, 61 and 63.	SC1, Policy OA1 Outer Areas of Horwich and Blackrod.
H3	60, 61, 63, 65 and 66.	SC1, Policy OA1 Outer Areas of Horwich and Blackrod.
H4	61, 62, 63 and 64.	SC1, Homes for Bolton Lettings Policy.
H5	59, 61, 64 and 69.	SC1, Policy OA1 Outer Areas of Horwich and Blackrod.
H6	54, 55, 56 and 57.	Policy IPC1
DES1	124, 127, 129, 130 and 131.	CG2, S1, CG3 and CG4.
TR1	91, 102, 103, 104, 105, 109, 110 and 111.	P5, S1 and IPC1.
TR2	102, 103, 104, 109 and 110.	P5 and IPC1.
TR3	91, 102, 103, 104, 105, 109, 110 and 111.	P5, S1 and IPC1.
TR4	105.	P5.
TR5	91, 92, 102, 105, 106, 110 and 111.	P5, S1 and IPC1.
NE1	96, 97, 98, 99, 100, 101, 170, 174, 175, 176 and 177.	CG1, Policy OA1 Outer Areas of Horwich and Blackrod.
NE2	170, 174, 175 and 177.	CG1, Policy OA1 Outer Areas of Horwich and Blackrod.
NE3	127 and 170.	CG1, Policy OA1 Outer Areas of Horwich and



		Blackrod.
PR1	91 and 110.	P5, CG3 and Policy OA1 Outer Areas of Horwich and Blackrod.
PR2	127.	CG3 and Policy OA1 Outer Areas of Horwich and Blackrod.
CF1	91, 92, 93, 94, 95, 96 and 97.	H1, A1 and Policy OA1 Outer Areas of Horwich and Blackrod.
CF2	91, 92, 93, 94, 95, 96 and 97.	H1, A1 and Policy OA1 Outer Areas of Horwich and Blackrod.
ER1	83 and 85.	Policy OA1 Outer Areas of Horwich and Blackrod.
ER2	83 and 85.	Policy OA1 Outer Areas of Horwich and Blackrod.
ER3	83, 91, 92 and 95.	H1, SC2 and Policy OA1 Outer Areas of Horwich and Blackrod.
ER4	83, 84 and 85.	Policy OA1 Outer Areas of Horwich and Blackrod.
ER5	80, 81, 82, 83, 84 and 85.	P1 and Policy OA1 Outer Areas of Horwich and Blackrod.
ER6	80, 81, 82, 83, 84 and 85.	P1 and Policy OA1 Outer Areas of Horwich and Blackrod.
ER7	80, 81, 82, 83, 84 and 85.	P1 and Policy OA1 Outer Areas of Horwich and Blackrod.
BH1	185, 187, 189, 190, 191, 192, 193, 194, 195, 196, 198, 199 and 202.	CG3 and Policy OA1 Outer Areas of Horwich and Blackrod.
BH2	185, 187, 189, 190, 191, 192, 193, 194, 195, 196, 198, 199 and 202.	CG3 and Policy OA1 Outer Areas of Horwich and Blackrod.
BH3	185, 187, 189, 190, 191, 192, 193, 194, 195, 196, 198, 199 and 202.	CG3 and Policy OA1 Outer Areas of Horwich and Blackrod.

## 5.0 Conclusion

5.1 The necessary requirements imposed by statute have been met:

- 1 The neighbourhood development plan (NDP) area is the parish of Blackrod. The Town Council is authorised to act in respect of this area (Town and Country Planning Act 1990 (TCPA) s61F(1) as read with the Planning and Compulsory Purchase Act 2004 (PCPA) s38C(2)(a).
- 2 The NDP specifies the period for which it is to have effect, namely 1<sup>st</sup> January 2018 to 1<sup>st</sup> January 2033, does not include provision about

development that is excluded development (as defined in TCPA s61K), and does not relate to more than one neighbourhood area (PCPA s38B(1)).

- 3 No other neighbourhood development plan has been made for the parish of Blackrod or any part of it (PCPA s38B(2)),
- 4 There is no conflict with PCPA sections 38A and 38B (TCPA Sch 4B paragraph 8(1)(b) and PCPA s38C(5)(b)).

The Plan has met the basic conditions paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, namely:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan,
- (b) The making of the Plan contributes to the achievement of sustainable development,
- (c) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (d) The making of the Plan does not breach, and is otherwise compatible with, EU obligations.

In addition, the combined effect of TCPA Sch 4B paragraphs 8(6) and 10(3)(b) and the Human Rights Act 1998 means that the Plan must be compatible with the convention rights contained in the European Convention of Human Rights and in those of its protocols that the UK has ratified.

## **Appendix 1: SEA Screening Opinion by Bolton Council.**

### **Blackrod Neighbourhood Plan**

### **Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

#### **Screening report**

#### **Statement of Reasons**

This statement has been produced to comply with Regulation 15(1) e (ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

A neighbourhood plan is required to meet a number of basic conditions, one of which being it must not breach and be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the Strategic Environmental Assessment (SEA) Regulations which transpose the EU's SEA Directive into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

Following a request from Blackrod Town Council, Bolton Council produced a Strategic Environmental Assessment (SEA) and Habitats Screening report for the Blackrod Neighbourhood Development Plan (BNDP). This is attached as Appendix 1.

The Screening opinion concluded that BNDP does not require a SEA or a HRA. The reasons for this are;

- BNDP is not likely to have a significant effect on the environment under the terms of the SEA Directive that was not covered in the Sustainability Appraisal of the Core Strategy or the Allocations Plan.
- There are no European protected sites within the within the administrative boundary of Bolton. The Greater Manchester Ecology Unit carried out a HRA Screening assessment on the Core Strategy and the Allocations plan and concluded that a HRA was not required. As part of Bolton, here are no European protected sites within the Blackrod Neighbourhood Development Plan boundary.

Bolton Council consulted with the statutory environmental bodies (Natural England, Historic England and Environment Agency) who agreed with the screening opinion that no SEA or HRA was required. Their responses are provided in Appendix 2.

## Appendix 1

# Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report of Blackrod Neighbourhood Development Plan

## 1. Introduction

1.1 Strategic environmental assessment (SEA) is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan before it is made. The purpose of the SEA is to provide a high level of protection of the environment and to promote sustainable development.

1.2 A Habitats Regulation assessment (HRA) identifies whether a plan is likely to have a significant effect on a European protected wildlife site, (Natura 2000 sites) either alone or in combination with other plans or projects. The aim of the Habitats Regulations is to protect the European sites from any harm.

1.3 The purpose of this Screening report is to determine whether the Blackrod Neighbourhood Development Plan (BNDP) requires a SEA or a HRA as required by European Directives. It concludes that, in the opinion of the Local Planning Authority neither a SEA nor a HRA are required.

## 2. Legislative background

2.1 To be 'made' a neighbourhood plan needs to be compatible with EU obligations. These obligations include the Strategic Environmental Assessment Regulations and the Habitats Regulations.

### Strategic Environmental Assessment

2.2 The Strategic Environmental Directive (European Directive 2001/42/EC) was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004.

2.3 Not all Neighbourhood Plans require a SEA but it is compulsory when submitting a neighbourhood plan to provide a screening statement setting out the reasons an SEA is not required. As a general rule of thumb SEA is more likely if a neighbourhood plan allocates sites or is likely to have significant environmental effects that have not already been addressed by the relevant local plan. In Blackrod's case, this would be the Core Strategy and the Allocations Plan.

2.4 A Sustainability Appraisal (incorporating the requirements of the Strategic Environmental Assessment Regulations) was carried out for Bolton's Core Strategy in 2009<sup>i</sup> and for the Allocations Plan in 2013<sup>ii</sup>

### Habitat Regulations Assessment

2.5 The Habitat's Regulations requires a Habitats Regulation Assessment (HRA) in accordance with Article 6 (3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended)

A HRA is required when it is deemed that likely adverse significant effects may occur on Protected European Sites (Natura 2000 sites)

2.6 There are no European protected sites within the administrative boundary of Bolton. The Greater Manchester Ecology Unit (GMEU) as specialist ecological adviser to Bolton Council carried out a HRA screening opinion for both the Core Strategy and the Allocations Plan in

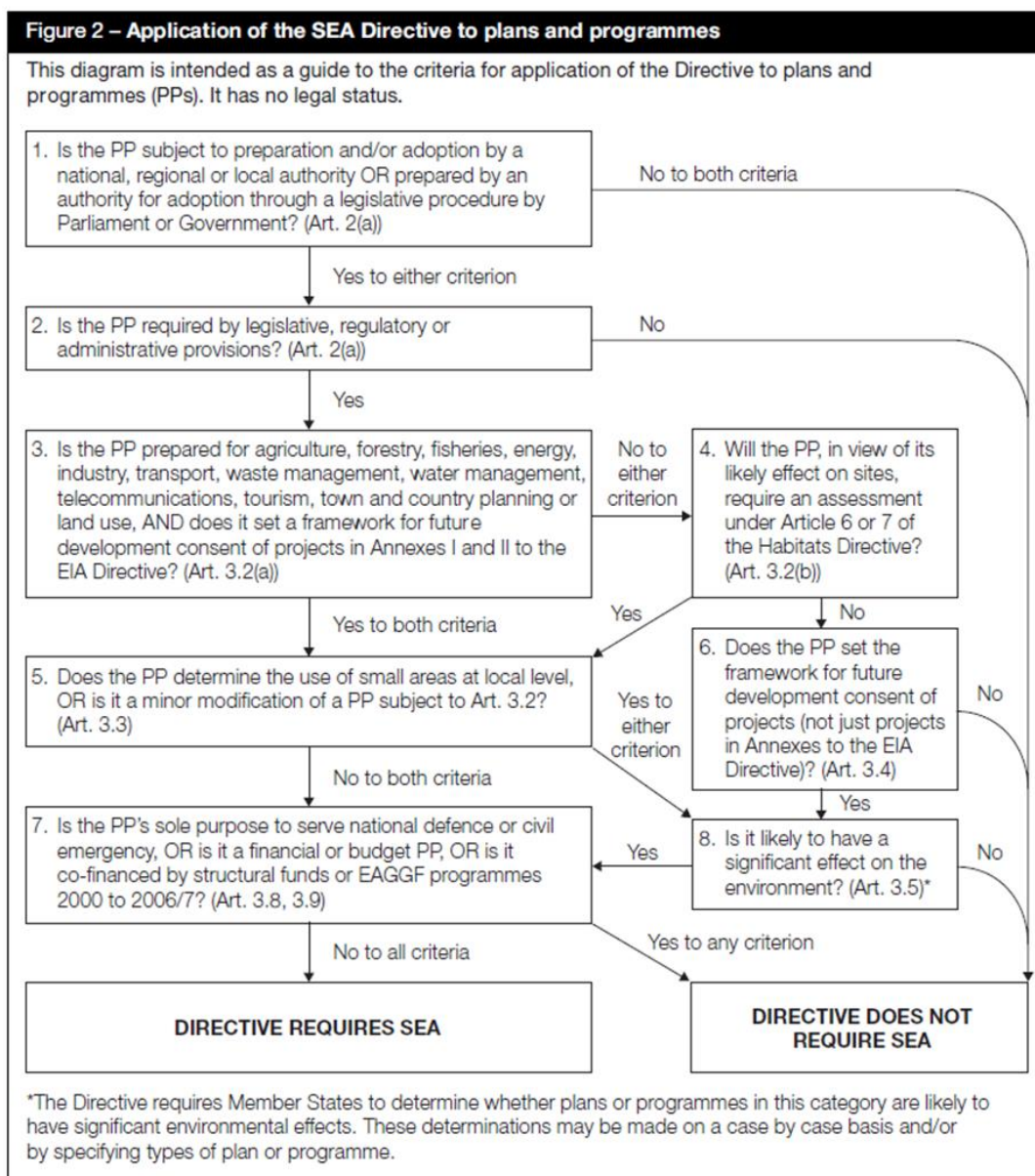
2009 and 2013. This screening considered the sources of effects arising from the plans and identified the potential pathways to the European sites. The Screening Assessment concluded that there were no likely significant effects on any European Site by the Core Strategy or the Allocations Plan.

2.7 As part of Bolton, here are no European protected sites within the Blackrod Neighbourhood Development Plan boundary. Taking into consideration the screening assessment of the Core Strategy and the Allocations plan it is concluded a HRA is not required for the BNDP.

### 3. SEA Screening process

3.1 The government’s Planning Practice guidance (PPG) sets out guidance on SEA for neighbourhood plans<sup>iii</sup>.

**Figure 1 (taken from A Practical Guide to the Strategic Environmental Assessment Directive) sets out how the SEA Directive applies to plans and programmes.**



### Applying the SEA Directive to Neighbourhood Plans

3.2 The first stage is to screen the neighbourhood plan to assess whether the plan is likely to have significant environmental effects on the environment, which have not been addressed through the sustainability appraisal of the relevant local plan. This screening report has been

prepared jointly by Blackrod Town Council and Bolton Council and will be sent to the consultation bodies (the Environment Agency, Natural England and Historic England) for a screening opinion.

If the consultation bodies determine that Blackrod Neighbourhood Development Plan will have significant effects on the environment then a full Strategic Environmental Assessment (SEA) will be required.

## **2. Blackrod Neighbourhood Plan Vision and Objectives**

2.1 The purpose of Blackrod Neighbourhood Development Plan is to provide a set of statutory planning policies to guide development within Blackrod over the next 15 years.

### **The Vision**

2.2 Blackrod will bring forward development that will support the prosperity and quality of life of its residents. To further this, the Plan will have the following objectives:

### **Objectives**

#### **2.3 Housing**

Support high quality housing and other development that meets our town's needs.

#### **2.4 Transport & Infrastructure**

Create a transportation and infrastructure framework that meets the needs of our community, both now and for the future

#### **2.5 Natural Environment**

Create a safe and healthy environment.

#### **2.6 Public Realm**

Enjoy and utilise our natural landscape and green spaces whilst protecting these for enjoyment by future generations.

#### **2.7 Community Facilities**

Improve health, social and cultural wellbeing for all residents, encouraging and providing opportunities for an active lifestyle, and ensuring high quality local facilities for existing and new residents.

#### **2.8 Economy & Employment**

Ensure that our town will have a sustainable and prosperous local economy and support local business.

#### **2.9 Retail & Town Centre**

Encourage and support wider retail opportunities ensuring town centre and existing shopping provision is maintained.

#### **2.10 Built Heritage**

Preserve and enhance our heritage assets.

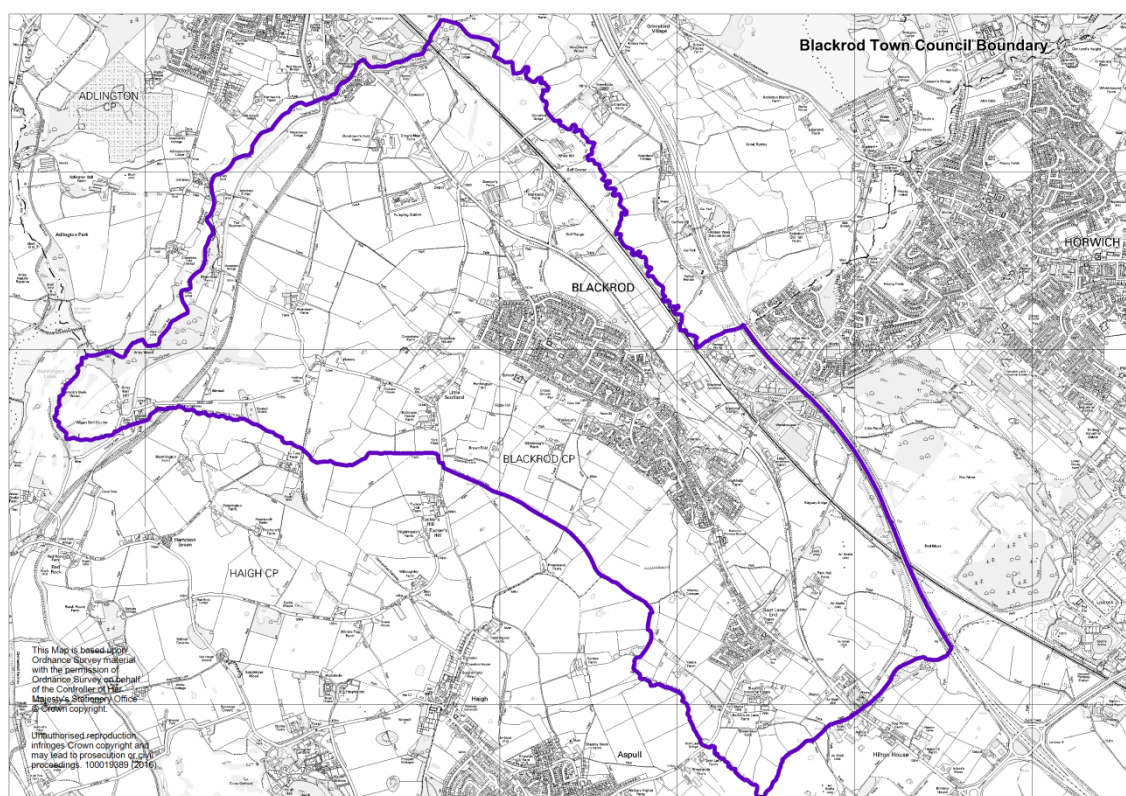
#### **2.11 Design Statement**

Secure high quality sensitive design which prioritises local distinctiveness and enriches the landscape and built environment.

### **3.Neighbourhood Area**

The Blackrod Neighbourhood Development Plan covers the whole parish of Blackrod to its boundaries. The Neighbourhood Area is shown below:

**Blackrod Neighbourhood Plan Designated Area.**



**4. Plan Policies:**

The Plan contains policies which seek to deliver the vision and objectives of the Plan. The Policies contained within the Blackrod Neighbourhood Development Plan are intended to support decision making that helps to deliver the nine key objectives which are considered central to the achievement of the vision.

**Housing & Design**

- Policy H1 – New Housing Development
- Policy H2 – Housing Mix
- Policy H3 – Housing for the Ageing Population
- Policy H4 – Local Occupancy
- Policy H5 – Site Allocations
- Policy H6 – Use of Section 106 Agreements
- Policy DES1 – Design Principles

**Transport & Infrastructure**

- Policy TR1 – Information required to support planning applications
- Policy TR2 – Improve the provision of public transport services
- Policy TR3 – Getting about Blackrod
- Policy TR4 – Car Parking in Blackrod - General
- Policy TR5 – Car parking in Blackrod – Improvements

**Natural Environment & Public Realm**

- Policy PR1 – Safe and fit for purpose rights of way
- Policy NE1 – Green Infrastructure
- Policy NE2 – Trees and Hedgerows
- Policy NE3 – Vistas and views
- Policy PR2 – Gateways



## Community Facilities

Policy CF1 – Community Facilities infrastructure

Policy CF2 – Retention and improvement of Community Facilities

## Economy, Employment and Retail & Town Centre

Policy ER1 – Retain existing “core” retail facilities

Policy ER2 – Encourage more local retail space that meets the needs of the village

Policy ER3 – Encourage the retention/expansion of well-being support services

Policy ER4 – Support the provision of a farmers and or craft market

Policy ER5 – Encourage the retention/expansion of existing employment

Policy ER6 – Support the retention of existing employment sites

Policy ER7 – Support the improvement of Scot Lane Industrial Estate

## Built Heritage

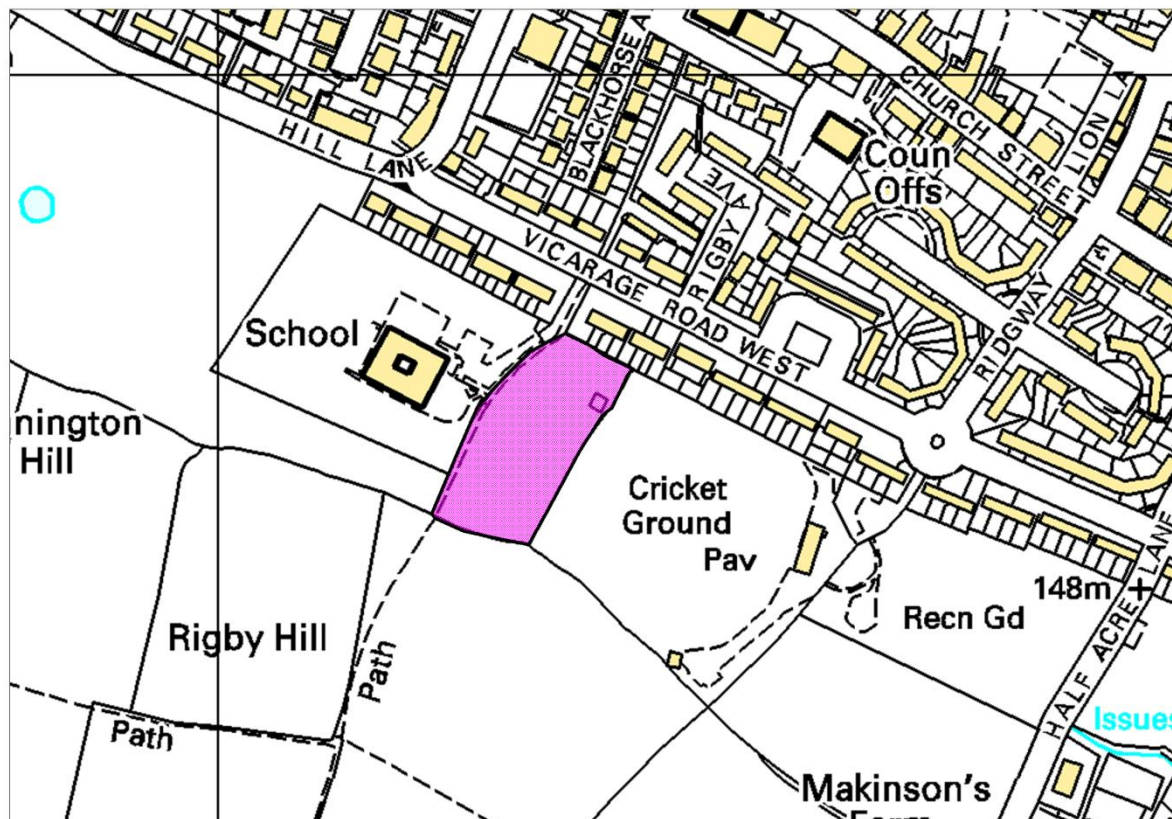
Policy BH1 – Protection of designated heritage assets (listed assets)

Policy BH2 – Protection of non-designated heritage assets (Local List)

Policy BH3 – Protection of areas of special character

## 5. Site being considered

Map 1: Site Allocations



BNDP seeks to allocate one small site for housing for retirement living with the potential for support options (approximately 40-60 units.) Due to its small size it is unlikely to have any significant environmental effects.

### Assessment

The purpose of the screening process (Stage A) is to establish whether the Blackrod Neighbourhood Development Plan requires SEA. To do this it has been assessed against a series of criteria set out in the SEA directive.

Table 1 below shows the assessment of whether the BNDP will require a full SEA.

**Table 1: Establishing the need for SEA**

<b>Stage</b>	<b>Yes/No</b>	<b>Reason</b>
1. Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))	<b>Y</b>	The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan has been prepared by Blackrod Town Council (as the 'relevant body') and will be 'made' if successful at referendum by Bolton Council as the Local Planning Authority.
2. Is the Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	<b>Y</b>	Producing a Neighbourhood Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. However, once 'made' it will form part of the statutory development plan for Bolton. It is therefore important that the screening process considers whether Blackrod Neighbourhood Development Plan is likely to have significant environmental effects, and therefore whether a Strategic Environmental Assessment is required.
3. Is the Plan 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? (Article 3.2(a))	<b>N</b>	BNDP is prepared for town and country planning, however it will not set the framework for future development consent of projects in Annexes 1 and II of the EIA Directive.
4. Will the Plan, in view of its likely effects on sites, require an assessment of future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	<b>N</b>	BNDP is unlikely to require an assessment under the Habitats Directive. A HRA screening Assessment was carried out by the Greater Manchester Ecology Unit for the Core Strategy and the Allocations Plan. This report concluded that there are no likely significant effects on any European Site from the Core Strategy or the Allocations Plan.
5. Does the Plan determine the use of small areas at local level OR is it a minor modification of a plan or proposal subject to Article 3.2?(Article 3.3)	<b>Y</b>	BNDP identifies one small site for housing for retirement living with the potential for support options. (Approximately 40-60 units.)
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)	<b>Y</b>	BNDP will form part of the Development Plan and will be used in the decision making process on planning application. Therefore it will set the framework for development at a local level.
7. Is the Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or proposal, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	<b>N</b>	BNDP does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	<b>N</b>	BNDP could potentially have an effect on the environment. Whether this is significant will depend on the proposals within the plan. The purpose of the screening assessment in Table 2 will assess whether the

Blackrod Neighbourhood Develop Plan – Statement of Conditions

Stage	Yes/No	Reason
		plan is likely to have a significant effect on the environment.

Table 1 indicates that unless BNDP is likely to have significant effects on the environment it will not require a SEA. Table 2 below considers the likelihood of the BNDP to have significant effects on the environment.

**Table 2: Assessment of the likelihood of significant effects on the environment- Consideration of likely significant effects, using criteria from Schedule 1 of the SEA Regulations for each of the SEA issues:**

Criteria (Schedule 1)	Significant environmental effect likely?	
	Yes/No	Justification
<b>The characteristics of plans and programme, having regard, in particular, to:</b>		
(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>No</b>	Blackrod Neighbourhood Development Plan will set out the framework which will be used to determine proposals for development within the neighbourhood area.  Once 'made' BNDP will become part of the Development Plan for the area. It is required to be in general conformity with the Core Strategy and the Allocations Plan; which both been subject to a Sustainability Appraisal (incorporating the requirements of the SEA directive)  The Sustainability Appraisal carried out for the Core Strategy and the Allocations Plan is considered to be sufficient for BNDP.
b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<b>No</b>	BNDP is at the bottom of the planning hierarchy and must be in general conformity with the strategic policies of the Core Strategy and the Allocations Plan.
(c) the relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	<b>No</b>	BNDP seeks to bring forward development that will support the prosperity and quality of life of its residents. The objectives of the neighbourhood plan aim to promote sustainable development. In addition the Public Realm objective is to 'Enjoy and utilise our natural landscape and green spaces whilst protecting these for enjoyment by future generations.' It is therefore considered that BNDP will have a positive impact on the environment.
(d) environmental problems relevant to the plan or programme	<b>No</b>	The neighbourhood plan does not seek to address any specific environmental problems. However the plan does seek to improve the natural environment through its policies.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)	<b>No</b>	Not relevant to BNDP.
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
(a) the probability, duration, frequency and reversibility	<b>No</b>	BNDP will allocate one small site for housing. Due to its small size (approximately 40-60 units for retirement

Criteria (Schedule 1)	Significant environmental effect likely?	
	Yes/No	Justification
<b>The characteristics of plans and programme, having regard, in particular, to:</b>		
of the effects.		living) it is unlikely to have a significant effect on the environment.
b) the cumulative nature of the effects	<b>No</b>	The allocated site is very small and consequently the cumulative effects of BNDP are unlikely to be significant effects on the environment.
(c) the transboundary nature of the effects	<b>No</b>	The majority of effects will be localised to Blackrod.
d) the risks to human health or the environment (for example, due to accidents)	<b>No</b>	There are no significant risks to human health or the environment. The plan seeks to improve human health for all residents by ensuring high quality local facilities for existing and new residents, and seeking to address traffic issues.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected.	<b>No</b>	The plan area comprises the village of Blackrod and its surrounding countryside. Blackrod has a population of approximately 5000 people. The effects of the plan are likely to be localised.
(f)(i) the value and vulnerability of the area likely to be affected due to special natural characteristics or cultural heritage.	<b>No</b>	BNDP offers an opportunity to enhance the natural area and the cultural heritage through its policies. The plan seeks to protect Blackrod's natural landscapes and green spaces. The Built Heritage policies seek to preserve and enhance Blackrod's heritage assets.
f)(ii) the value and vulnerability of the area likely to be affected due to exceeded environmental quality standards or limit values.	<b>No</b>	Not relevant to BNDP.
(f)(iii) the value and vulnerability of the area likely to be affected due to intensive land use.	<b>No</b>	Blackrod Neighbourhood Plan only includes one small housing allocation; this will not lead to intensive land use.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	<b>No</b>	Blackrod is surrounded by open countryside and a Site of Special Scientific Interest (SSSI) (Red Moss) is located close to the boundary of Blackrod Neighbourhood Development Plan. The plan seeks to preserve and enhance Blackrod's open space and to improve the quality of the urban and rural landscapes.

## Conclusions

As a result of the assessment in Table 2 it is unlikely there will be any significant environmental effects arising from the proposals in Blackrod Neighbourhood Development Plan that were not covered in the Sustainability Appraisal of the Core Strategy or the Allocations Plan. As such, it is considered that the BNDP does not require a full SEA to be undertaken.

There are no European protected sites within the Blackrod Neighbourhood Plan boundary. Taking into consideration the screening assessment of the Core Strategy and the Allocations plan it is concluded a HRA is not required.

This screening report will be sent to the Environment Agency, Natural England and Historic England) for a screening opinion.

If the issues addressed in the Neighbourhood Plan should change then a new screening process will need to be undertaken determine whether an SEA will be required.

## **Appendix 2**

### **Consultation responses to the Strategic Environmental Assessment (SEA) Screening Report of Blackrod Neighbourhood Development Plan**

#### **Historic England**



Historic England

Nicola Farrell  
Planning Strategy  
Department of Place, 3<sup>rd</sup> Floor  
Bolton Town Hall  
Bolton  
BL1 1RJ

Our ref: PL00462947  
Your ref: E-mail-24th July 2018  
Telephone: 07500 121974

30<sup>th</sup> July 2018

Dear Nicola,

Re: SEA Consultation: Blackrod Neighbourhood Plan Area.

The Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the Environmental Assessment of Plans and Programmes Regulations 2004. The draft Opinion prepared for the Forum concludes that Strategic Environmental Assessment is not required. We note that the Plan appears to propose no site allocations/policies likely to have significant environmental effects upon the historic environment and as such we conclude that in this regard Strategic Environmental Assessment is not required.

Yours sincerely

Darren Ratcliffe RIBA  
Historic Places Adviser



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5PW  
Telephone 0161 242 1436 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy  
Correspondence or information which you send us may therefore become publicly available.



**Consultation response from the Environment Agency**

Bolton Metropolitan Borough Council Planning & Engineering Services Department PO Box 29 Bolton Lancashire BL1 1RU	<b>Our ref:</b> SO/2006/000212/AP- 03/IS1-L01 <b>Your ref:</b>  <b>Date:</b> 19 October 2018
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Dear Sir/Madam

**Strategic Environmental Assessment (SEA) Screening Report of  
Blackrod Neighbourhood Development Plan**

Thank you for submitting the above SEA Screening Report to the Environment Agency. We would wish to make the following comments.

**Environment Agency position**

Although we are no longer consulted on surface water discharge rates on new developments, we would encourage the use of SUDS on all sites to attenuate flows to existing greenfield rates, including allowances as advised in the new climate change guidance for developers. We would not permit any outfall structure as part of a drainage scheme that did not adhere to these principles.

Please keep me updated on the plans progress.

Yours faithfully

**Mrs SYLVIA WHITTINGHAM**  
**Planning Advisor**

Direct dial 0203 0251059  
Direct e-mail [sylvia.whittingham@environment-agency.gov.uk](mailto:sylvia.whittingham@environment-agency.gov.uk)

## Consultation response from Natural England

**From:** Consultations (NE) <consultations@naturalengland.org.uk>

**Sent:** 09 August 2018 09:55

**To:** Farrell, Nicola

**Subject:** Blackrod Neighbourhood Plan SEA/HRA - NE response

Our Ref: 253881

Dear Nicola Farrell,

Thank you for your consultation regarding the Blackrod Neighbourhood plan, Draft screening report dated 24th July 2018.

### **Strategic Environmental Assessment (SEA) Screening**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SEA is necessary.



Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

### **Habitats Regulations Assessment (HRA) Screening**

Natural England agrees with the report's conclusions that the Blackrod Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

Kind regards,

Jacqui Salt  
Natural England  
Consultation Service  
Hornbeam House  
Crewe Business Park  
Electra Way,  
Crewe  
Cheshire, CW1 6GJ  
Enquiries line: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

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<sup>i</sup> [http://www.bolton.gov.uk/sites/DocumentCentre/Documents/Sustainability Appraisal including annexes.pdf](http://www.bolton.gov.uk/sites/DocumentCentre/Documents/Sustainability%20Appraisal%20including%20annexes.pdf)

<sup>ii</sup>

<http://www.bolton.gov.uk/sites/DocumentCentre/Documents/Allocations%20Plan%20SD09%20and%2011%20Sustainability%20Appraisal%20plus%20annex.pdf>

<sup>iii</sup> PPG paragraph 033 <http://planningguidance.comunities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>