

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 2009ⁱ and for the Allocations Plan in 2013ⁱⁱ

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)

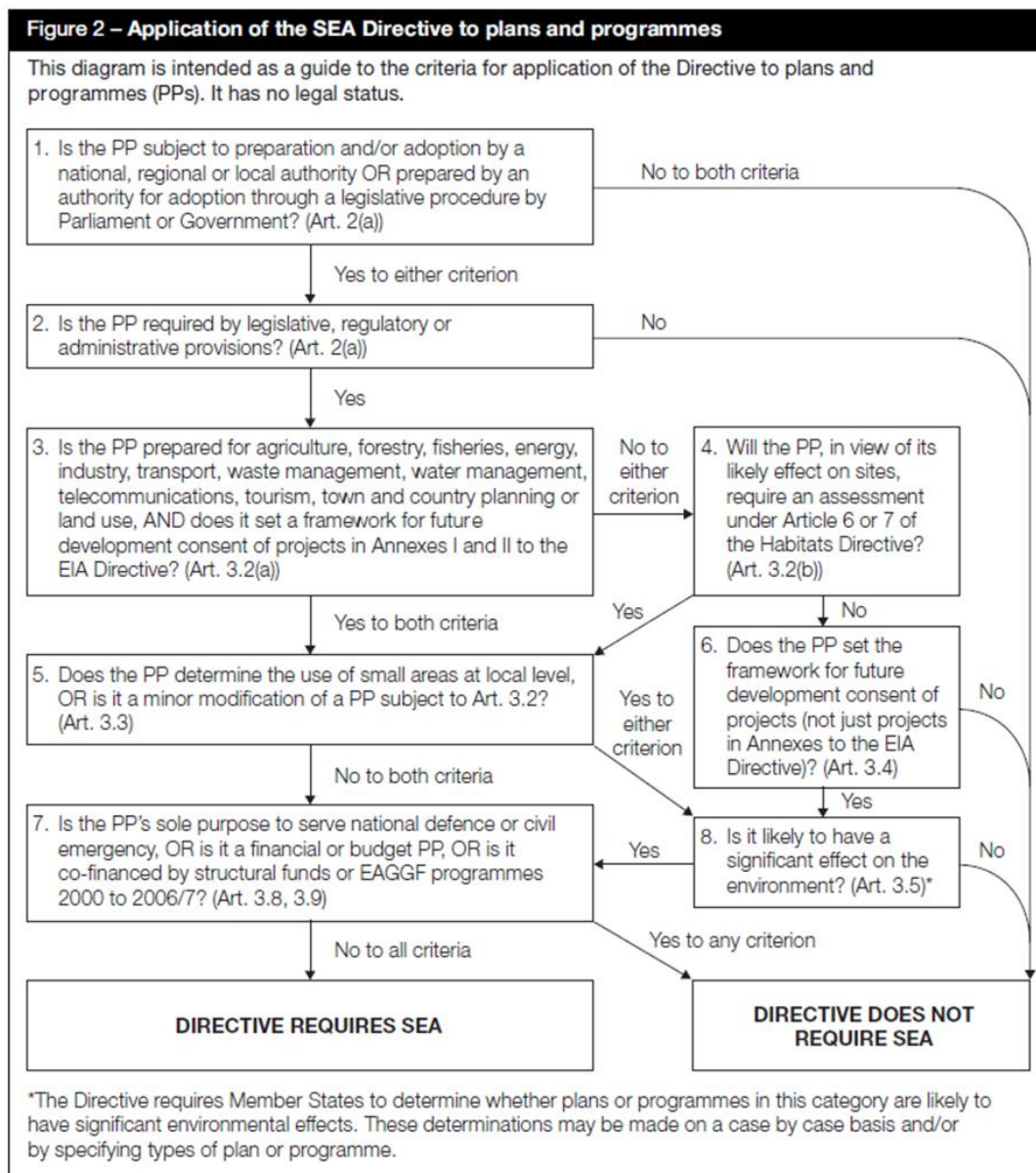
2.6 There are no European protected sites within the administrative boundary of Bolton. The Greater Manchester Ecology Unit (GMEU) as specialist ecological adviser to Bolton Council carried out a HRA screening opinion for both the Core Strategy and the Allocations Plan in 2009 and 2013. This screening 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 plansⁱⁱⁱ.

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.

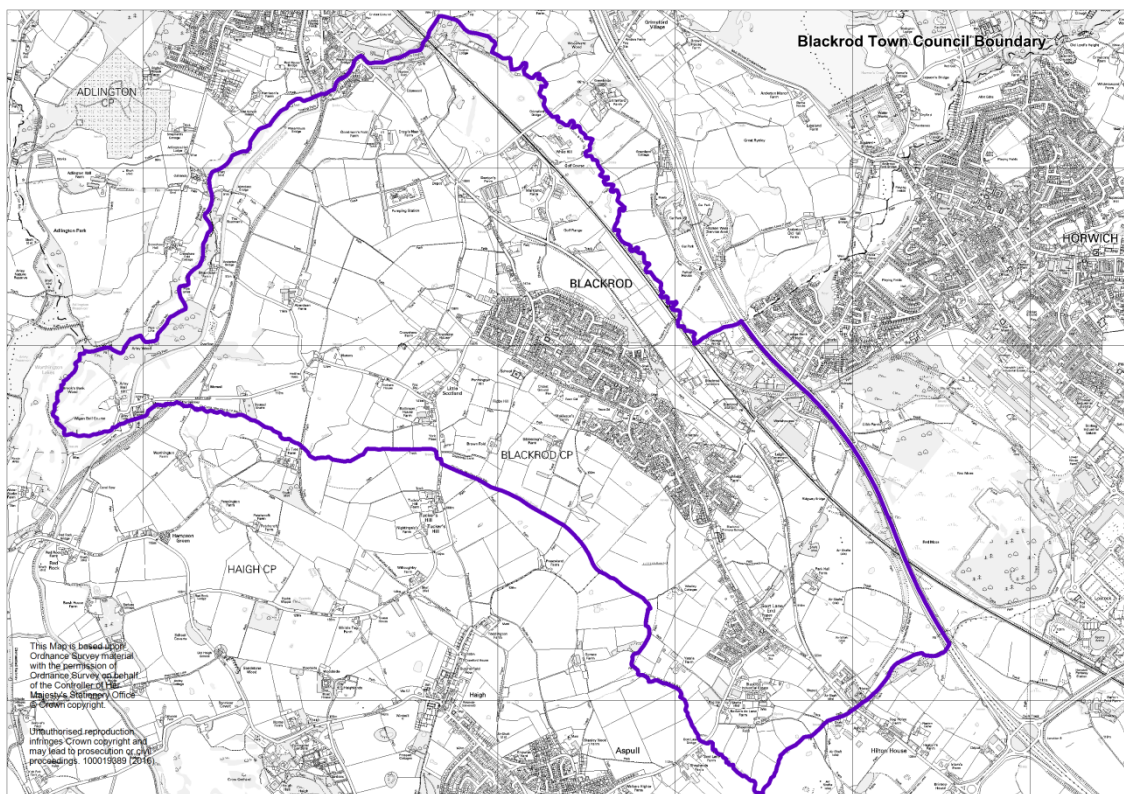
2.11 Design Statement

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

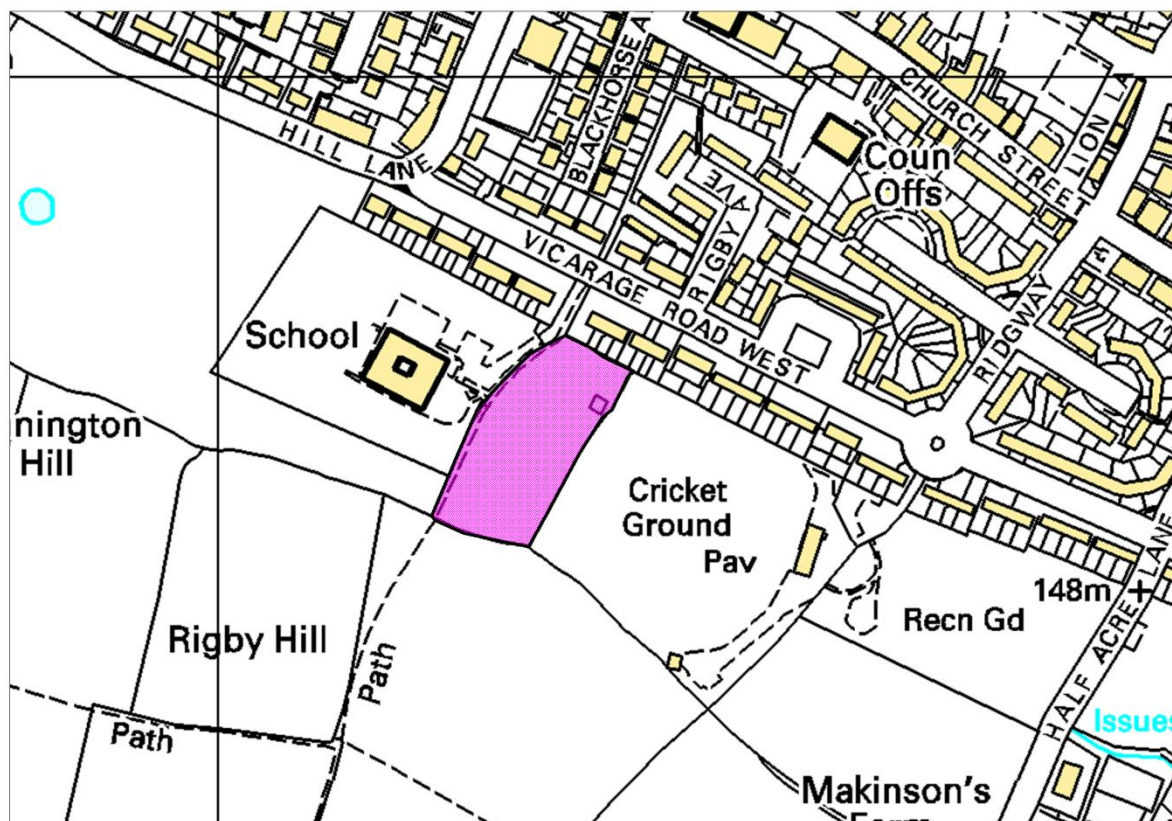
- Policy ER1 – Retain existing “core” retail facilities
- Policy ER2 – Encourage more local retail space that meets the needs of the village
- Policy ER3 – Encourage the retention/expansion of well-being support services
- Policy ER4 – Support the provision of a farmers and or craft market
- Policy ER5 – 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

Stage	Yes/No	Reason
1. Is the Plan subject to preparation and/or adoption by	Y	The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning

Stage	Yes/No	Reason
a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))		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))	Y	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))	N	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))	N	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)	Y	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)	Y	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)	N	BNDP does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	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 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
The characteristics of plans and programme, having regard, in particular, to:		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	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.	No	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.	No	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	No	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)	No	Not relevant to BNDP.
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects.	No	BNDP will allocate one small site for housing. Due to its small size (approximately 40-60 units for retirement living) it is unlikely to have a significant effect on the environment.
b) the cumulative nature of the effects	No	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	No	The majority of effects will be localised to Blackrod.
d) the risks to human health or the environment (for example, due to	No	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

Criteria (Schedule 1)	Significant environmental effect likely?	
	Yes/No	Justification
The characteristics of plans and programme, having regard, in particular, to:		
accidents)		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.	No	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.	No	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.	No	Not relevant to BNDP.
(f)(iii) the value and vulnerability of the area likely to be affected due to intensive land use.	No	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.	No	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, 3rd Floor
Bolton Town Hall
Bolton
BL1 1RJ

Our ref: PLC0462947
Your ref: E-mail-24th July 2018

Telephone: 07500 121974

30th 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 5FW
Telephone 0161 242 1416 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

Our ref: SO/2006/000212/AP-
03/IS1-L01

Your ref:

Date: 19 October 2018

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

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
www.gov.uk/natural-england

ⁱ [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)

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

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