

North Somerset Council

**Strategic Environmental Assessment (SEA)
And
Habitats Regulation Assessment (HRA)
Screening Report**

Yatton Neighbourhood Plan

November 2017



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Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment Screening Report

Yatton Neighbourhood Plan

1. Introduction - purpose of this report

- 1.1. The National Planning Practice Guidance (NPPG) states that one of the basic conditions that will be tested at examination stage is to see if the Neighbourhood Plan is compatible with the European Union obligations (including under the Strategic Environmental Assessment Directive).
- 1.2. As the Neighbourhood Plan will become a statutory development plan document, there is a legal requirement to assess the policies and proposals in the Neighbourhood Plan against the requirements of European Union Directive 2001/42/EC; also known as the “Strategic Environmental Assessment (SEA) Directive”. The objective for SEA is: “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, and environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.” (SEA Directive, Article 1). A full SEA is only required if the plan proposals are likely to have significant environmental effects. This screening report assesses the likelihood of this.
- 1.3. The Habitats Regulation Regulations (2010) requires an assessment of land use planning proposals associated with neighbourhood plans. The assessment process examines the likely significant effects of the different spatial options on the integrity of the European wildlife sites of nature conservation importance within, close to or connected to the plan area. European wildlife sites are areas of international nature conservation importance that are protected for the benefit of the habitats and species they support. This assessment is known as a Habitat Regulation Assessment (HRA). For the purposes of the HRA, international designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC), and Ramsar wetland sites.
- 1.4. A Strategic Environmental Assessment (SEA) will only be required for a Neighbourhood Plan if it is likely to cause significant environment effects. Neighbourhood Plans that are located near to a European wildlife site may also trigger the Habitats Directive depending on how complex the proposed policies are. The Duty to Cooperate requires the Local Planning Authority (alongside Natural England, Environment Agency, and English Heritage) to advise and assist on SEA and HRA requirements. This involves the Local Planning Authority undertaking a screening assessment of the emerging Neighbourhood Plan proposals at an early stage to ascertain whether they will trigger any EU directives or Habitat directives and thus to avoid the community and local authority undertaking unnecessary work. This screening report is in two parts. Section 3 sets out whether or not the contents of the Yatton

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. Section 4 looks at whether a full HRA is required.

2. Scope of the Yatton Neighbourhood Plan

2.1. The Yatton NP is being prepared by the Yatton Neighbourhood Plan steering group on behalf of Yatton Parish Council and this screening report has been undertaken by North Somerset Council on the submitted version of the plan.

2.1. The Yatton Neighbourhood Plan does not attempt to wholly replace North Somerset Councils Local Plan policies (Replacement Local Plan and emerging Sites and Policies Plans). It seeks to add local context to the existing policy framework. Where silent on an issue it is the existing adopted planning policies which will be used in consideration of development proposals

2.2. The Plan specifically considers the following:

- Highways and transport, safety, vehicular parking, public footpaths, public transport;
- Policies to protect the natural environment, hedgerows and trees and Local Green Spaces ;
- Re-use of an existing employment site for residential use;
- Environmental improvements to the central core of the High Street

The objectives of the plan are:-

Business Objectives

BO 1. To maintain a thriving local economy by supporting businesses based in Yatton.

BO 2. To promote the Pages Court area and the area around Yatton News by combining them in a clearly visually defined village centre.

Environment Objectives

EO 1. To protect the rural character of Yatton by enhancing:

- a. Local wildlife habitats and biodiversity;
- b. Valued landscapes including trees and hedgerows;
- c. The “dark skies” over Yatton.

EO 2. To enhance access to the surrounding countryside, green spaces, public spaces, and sports and leisure facilities.

EO 3. To ensure that the provision of open space for sports and recreational facilities is maintained at an appropriate level to meet the existing and future needs of the community.

Housing Objectives

HO 1. To maintain a mixed housing stock that includes affordable homes so that future generations can choose to stay in Yatton.

HO 2. To avoid any increase in the risk of flooding in Yatton as a result of new housing developments.

Transport Objective

TO 1. To make journeys to, from and within Yatton safer and more sustainable

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 Yatton Neighbourhood Plan and the Core Strategy and that there are no significant changes introduced by the Yatton Plan. **It can therefore be concluded that the implementation of the Yatton 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 3.

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 1 Application of SEA Directive to Yatton Neighbourhood Plan

Application of SEA Directive to Yatton Neighbourhood Plan		
Stage	Y/N	Reason
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))	Y	The preparation of and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is prepared by Yatton Parish Council (as the "relevant body") and will be made by NSC as the local authority. The preparation of NPs is subject to The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Communities have a right to be able to produce a Neighbourhood Plan, however communities are not required by legislative, regulatory or administrative purposes to produce a Neighbourhood Plan. This plan however if adopted would form part of the statutory development plan, therefore it is considered necessary to answer the following questions to determine further if an SEA is required.
3. Is the PP prepared for agriculture, forestry, fisheries,	N	The Yatton NP is prepared to set out a framework for town and country planning and

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))		the future development of a number of land uses within the parish of Yatton including, although it does not anticipate being the tool to manage development of the scale and nature envisaged by Annex I and Annex II (see appendix 3 to this report for list).
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))	N	The HRA screening assessment is undertaken at Section 4 of this report (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). It concludes that no Appropriate Assessment is required as the implementation of the plan is not likely to have any significant adverse effects on protected species or their habitats (Also appendix 1, 2 and 3).
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)	Y	Determines the use of small areas at a local level including housing, employment, retail and local green space.
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)	Y	The NP is to be used for determining future planning applications.
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)	N	n/a
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	No likely significant effects upon the environment have been identified. The amount and locations of development proposed will not give rise to significant impact. A screening exercise has identified that an Appropriate Assessment was not required (see section 4 of this report). No development is proposed in locations which would have a significant adverse effect on heritage assets or landscape or biodiversity interests, or in areas of flood risk.

3.3 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the draft NP would trigger the need for a full assessment.

Table 2 Criteria for determining the likely significant effects referred to in Article 3 (5) of Directive 2001/42/EC and assessment of these

Criteria in Annex II of the SEA Directive	Response	Is there a significant effect
(1) Characteristics of the plan and programmes, having regard, in particular to:-		

a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The Plan will set a framework for development proposals within the Yatton Neighbourhood Area of a level which conforms with the North Somerset Core Strategy. This is as a service village where limited development will take place. The plan does not allocate new development sites but advocates the re-use of an existing employment site to residential use, designates seven new areas of Local Green Space and contains policies for protection of local wildlife, trees, hedgerows, sustainable drainage, promoting a new cycleway and improving road safety for all users	No
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The Neighbourhood Plan is subordinate to the Core Strategy and will sit alongside the Sites and Policies (Development Management) Plan. It does not set the framework for lower order plans or programmes.	No
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The Neighbourhood plan is required to contribute to the achievement of sustainable development. The Plan itself contains policies to promote sustainable development and protection of important environmental assets.	No
Environmental problems relevant to the plan or programme	There are not considered to be any significant environmental problems which are specific to the area. The Yatton Neighbourhood Plan may include policies to provide additional environmental protection such as foul and surface water drainage highway safety sustainable drainage, renewable and low carbon energy generation.	No
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)	The implementation of community legislation is unlikely to be significantly compromised by the Yatton Neighbourhood Plan.	No
(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular to:-		
a) The probability, duration, frequency, and reversibility of the effects.	In light of the scale and nature of the proposals it is considered very unlikely that significant effects will result. The plan policies and proposals support only small scale development with the exception of a potential change of use of a site from employment to residential use. It is improbable therefore that	No

	there will be any significant effects on the environment. Any small scale impacts will be the subject of mitigation.	
b) The cumulative nature of the effects.	The North Somerset Council proposes nearly 700 new houses within the emerging Site Allocations Plan. The Yatton NP identifies the potential redevelopment of an existing employment site upon its closure to a proposed residential use. Any planning proposals for the site, can be subject to relevant impact studies to identify appropriate levels of development and so avoid significant cumulative effects of housing or other development in conjunction with proposed development levels at Yatton. Proposals can be adjusted accordingly and there are unlikely to be significant environmental effects.	No
c) The trans boundary nature of the effects.	Any trans boundary impacts beyond the Yatton Neighbourhood Plan area are unlikely to be significant given the nature and scale of the proposals within the plan. Any residential use of the existing employment site will be subject to relevant impact studies as necessary to determine the appropriate level of development.	No
d) The risks to human health or the environment (e.g. due to accidents).	The Yatton Neighbourhood plan is unlikely to introduce significant risks to human health in light of the nature and scale of proposals.	No
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely)	The scale of development proposed in the Neighbourhood Plan is small and therefore the potential for environmental effects is also likely to be small and localised. It is unlikely that the effects of the proposals within the Plan will be large scale and extensive in themselves in the context of the SEA. See also c) and d) above.	No
f) The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage	The neighbourhood plan offers the opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered. Where the plan is silent on an issue then Sites and Policies (Development Management) Plan Part 1, or Core Strategy will prevail, which contain policies for the protection of the natural and built environment including cultural heritage. Specifically: <ul style="list-style-type: none"> • The HRA screening assessment at section 4 of this report concludes there are unlikely to be significant effects on bats or their habitat (bat SAC). • There are a number of nationally or locally protected areas or buildings falling partly within the neighbourhood area (SSSI, SNCI, listed buildings) however none of the plan policies or proposals will have a direct influence on these designated areas or buildings. 	No
ii) Exceeded environmental quality	The Yatton NP is unlikely to result in the exceedance of environmental quality standards, such as those relating to air, water	No

standards or limit values	and soil quality, due to the nature and scale of the development.	
iii) Intensive land use	The Plan is unlikely to bring forward development of an extent which would result in significant intensification of local land use.	No
g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no areas of landscape designation within the Yatton neighbourhood area	No

4. HRA screening

- 4.1. The screening exercise considered whether significant effects would be likely regarding one of the four European Sites within North Somerset, namely the North Somerset and Mendip Bats SAC. The other three Sites are the Severn Estuary European Marine Site (SAC, SPA and Ramsar), Mendip Limestone Grasslands SAC and Avon Gorge Woodlands SAC. These were considered too remote from the area affected by the policies within the Yatton Neighbourhood Plan.
- 4.2. There are European Sites outside North Somerset. However it was assessed that there would not be likely significant effects on these due also to the distance involved.
- 4.3. Consistent with the regulations, the screening exercise has taken account of whether significant effects are likely from the Yatton Neighbourhood Plan alone, and also whether in-combination effects are likely (taking account of other plans and projects in combination with it).
- 4.4 A description of the Mendip Bats SAC, its qualifying features and conservation objectives and a map showing the location of all the European Sites is included in Appendix 2. The 5km consultation zone around the Bat SAC extends across Yatton Parish including the whole of the Yatton Neighbourhood Area within it. There is also a maternity roost at Brockley Hall stables which is within 2.2 km of an area of the village which could potentially be affected by proposals within the Yatton Neighbourhood Area.
- 4.4. The North Somerset Core Strategy was adopted in April 2012 and was subject to a high level HRA assessment. The Yatton Neighbourhood Plan is in conformity with the strategic policy approach of the Core Strategy, in terms of nature and location of development and therefore broadly complies with the HRA undertaken at that time.
- 4.5. The Yatton Neighbourhood Plan looks at a much more local level than the Core Strategy and therefore it is necessary to consider whether any policies or proposals arising from the Plan differ materially from the Core Strategy. Policy CS4 of Core Strategy seeks to protect, connect and enhance important habitats, particularly designated sites, ancient woodlands and veteran trees. Policy DM8 of the Sites and

Policies Part 1 Development Management Policies provides a comprehensive framework for ensuring that nature conservation implications of development, particularly for protected species and their habitats, are fully considered and detailed HRA's of sites undertaken as necessary as part of the planning application process.. The Yatton Neighbourhood plan does not seek to replicate this policy

4.6. Paragraph 2.2 above sets out the scope of the Yatton Neighbourhood Plan. Considering the existing policy context and scope of the plan, the only Yatton Plan policy which could potentially have a significant impact is HP2 which proposes the residential use redevelopment of a vacant employment site.

4.7. The screening assessment of each policy is shown below in table 4 with an explanation of the categorisation of effects in table 3.

Table 3 Category for assessing likely effects - North Somerset and Mendip Bats SAC

Category	Sub category	Description
1. No negative effect	A	Policy will not lead to development in that it relates to design or other qualitative criteria, or it is not a land-use planning policy.
	B	Policy intended to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European Site.
	C	Policy is similar to existing Local Plan policy which has been assessed as having no negative effects by a HRA.
2. No significant effect	N/A	No significant effect either along or in combination with other plans or projects, because effects are trivial or minimal.
3. Likely significant effect alone	N/A	Policy could indirectly affect a European Site, because it provides for, or steers, a quantity or type of development that may be very close to it, or ecologically, hydrologically or physically connected to it, or it may increase disturbance as a result of increased recreational pressure.
4. Likely significant effect in combination	N/A	The policy alone would not be likely to have significant effects but its effects are combined with the effects of other policies or proposals provided for or coordinated by the relevant plans or projects the cumulative effects would be likely to be significant.

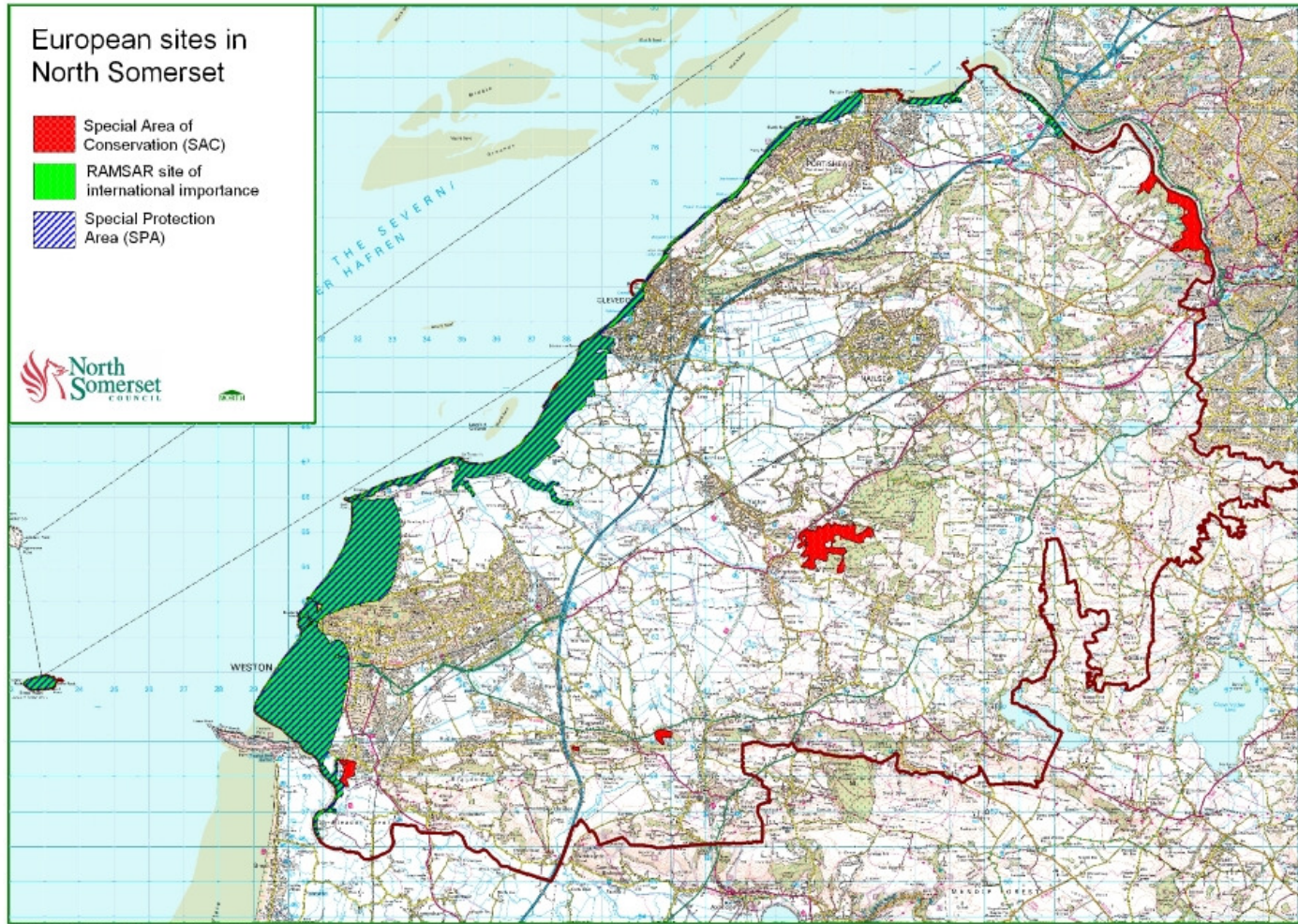
Table 4**Assessment of likely significant effects on North Somerset and Mendip bat SAC, including the Brockley Stables Maternity roost through implementation of the Yatton Neighbourhood Plan**

Plan policies and proposals		Effect
BP1	Convenient access to businesses	A
BP2	Environmental improvement to High Street	A
EP1	Improved access	A
EP2	Local Green Space	B
EP3	New planting	B
EP4	Dark skies	B
HP1	Strategic Gap	B
HP2	Titan Ladders	
HP3	Affordable housing	B
HP4	Sustainable Urban Drainage	B
TP1	Safe travel	B
TP2	Pedestrians and cyclists	B
TP3	Mitigate through traffic	B

5. Conclusions - Screening Outcome

As a result of the assessment above it can be concluded that there are unlikely to be any significant environmental effects arising from the Yatton NP. As such the Plan does not require a full SEA to be undertaken. Equally it is unlikely that there will be any significant effect on protected species or their habitats and therefore a full HRA is not required. These assessments have been undertaken at draft plan stage and therefore if any changes are made to the plan post consultation then these should be considered and a revised screening completed as necessary.

Appendix 1



Appendix 2

North Somerset and Mendip Bats SAC

North Somerset and Mendip Bats Special Area of Conservation (SAC) comprises seven component SSSIs located approximately 5km to the north west of the Mendip Hills and immediately south of the Mendip Hills. This SAC (561.19ha) comprises a number of component areas.

The Cheddar complex and Wookey Hole areas support a wide range of semi-natural habitats including *Tilio-Acerion* forest and semi-natural dry grasslands, which support a large number of rare plants. Kings and Urchin's Wood has a large block of *Tilio-Acerion* forest which has developed over limestone which out crops in parts of the site and forms a steep scarp to the south-east.

The limestone caves of the Mendips in this area provide a range of hibernation sites for horseshoe bat species. The SAC represents 3% of the UK greater horseshoe bat population, comprising an exceptional range of sites used by the population, including two maternity sites in lowland North Somerset and a variety of cave and mine hibernation sites in the Mendip Hills.

Qualifying Interests:

North Somerset and Mendip Bats SAC was primarily selected as a SAC for:

1. Its ***semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia)*** for which this is considered to be one of the best areas in the UK. *Festuco-Brometalia* grasslands are found on thin, well-drained, lime-rich soils associated with chalk and limestone. Often maintained by grazing, a large number of rare plants are associated with this habitat, including the *Annex II* species *Gentianella anglica* (early gentian). The invertebrate fauna is also noteworthy and includes rarities such as the Adonis blue *Lysandra bellargus* and silver-spotted skipper *Hesperia comma*.
2. ***Tilio-Acerion forests of slopes, screes and ravines*** for which this is considered to be one of the best areas in the UK. *Tilio-Acerion* forests are woods of ash *Fraxinus excelsior*, wych elm *Ulmus glabra* and lime (mainly small-leaved lime *Tilia cordata* but more rarely large-leaved lime *T.platyphyllos*). Introduced sycamore *Acer pseudoplatanus* is often present and is a common part of the community in mainland Europe, where it is native.
3. ***Natural caves that are not routinely exploited for tourism***, and which host specialist or endemic cave-dwelling species (cavernicoles) or support important populations of *Annex II* species. Cavernicoles in the UK include bacteria, algae, fungi and various groups of invertebrates (e.g. insects, spiders and crustaceans). Some caves are important hibernation sites for bat species, including all four *Annex II* species found in the UK.

Annex II species present on the site:

Lesser Horseshoe Bat (*Rhinolophus hipposideros*) and Greater Horseshoe Bat (*Rhinolophus ferrumequinum*) are *Annex II* species present as a qualifying feature here, but not a primary reason for site selection. They still need to be considered however, when assessing the qualifying interests and conservation objectives of the site.

Conservation Objectives:

The Conservation Objectives for the North Somerset and Mendip Bats SAC are focussed on the component SSSIs, which within North Somerset are:

- Banwell Caves

- Banwell Ochre Caves
- Brockley Hall Stables
- Kings Wood and Urchin Wood
-

The conservation objectives are to maintain in favourable condition the *Rhinolophus ferrumequinum* (Greater Horseshoe Bat), for which this is considered one of the best areas in the UK, and the *Rhinolophus hipposideros* (Lesser Horseshoe Bat).

Additional Information:

There are significant management problems associated with both the grassland and woodland elements of the SAC. Low levels of grazing have led to scrub invasion and the development of secondary woodland. The woodland has been badly managed in the past and requires a considerable amount of restoration.

Appendix 3

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 4

Application of the SEA directive to the Yatton Neighbourhood Plan

