

Wiltshire Council

Strategic Environmental Assessment

**Revised Screening Determination for the Market Lavington
Neighbourhood Plan - Final**

September 2018

Contents	Page
1. Introduction	3
2. Legislative requirements	4
3. The Market Lavington Neighbourhood Plan	6
4. SEA Screening assessment	6
5. SEA Screening decision	13
Appendix A – Consultation responses from statutory consultation bodies on original SEA screening opinion (August 2017)	
Appendix B – Map showing location of proposed housing site allocations	
Appendix C - Consultation responses from statutory consultation bodies on revised SEA screening opinion (August 2018)	

1. Introduction

- 1.1 This document provides a revised screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the Market Lavington Neighbourhood Plan. The first SEA screening determination was published in February 2018; the three SEA statutory consultation bodies were consulted and all agreed with the Council's conclusion that an SEA is not required (refer to responses in Appendix A).
- 1.2 Since February 2018, Market Lavington Parish Council (the Qualifying Body) have revised their Plan and therefore the SEA screening needs reviewing. The key changes that are considered to materially affect this SEA screening are the revisions to housing site allocations within the Plan. The original housing site allocations subject to SEA screening are as follows:
- **Site 3: Land to south of Spin Hill next to Canada Rise – 22 dwellings**
 - **Site 4: The Long Field, south of The Spring – 23 dwellings**
 - **Site 5: Lavington School unused fields – 20 dwellings**
 - **Site 9: Southcliffe – 23 dwellings**
- 1.3 The revised housing site allocations are very similar, but Site 3: Land to south of Spin Hill next to Canada Rise has been replaced with Site 2: North of Spin Hill, and some dwelling numbers have been reduced on some sites. See Appendix B for map showing location of sites. The revised housing site allocations are therefore as follows:
- **NEW ALLOCATION - Site 2: North of Spin Hill – 30 dwellings**
 - **Site 4: The Long Field, south of The Spring – 20 dwellings**
 - **Site 5: Lavington School unused fields – 15 dwellings**
 - **Site 9: Southcliffe – 23 dwellings**
- 1.4 The original screening was accompanied by the Draft Plan, a Site Assessment Report by AECOM, various heritage and archaeological evidence¹ relating to 'The Spring' site and a flood risk assessment² of 'The Spring'. The revised Draft Plan and Site Assessment Report accompany this revised SEA screening.
- 1.5 Wiltshire Council, as the 'Responsible Authority'³ under the SEA Regulations⁴, is responsible for undertaking this revised screening process of the Market Lavington Neighbourhood Plan. It will determine if the Plan is likely to have significant environmental effects, and hence whether SEA is required.
- 1.6 This process has been carried out in accordance with the requirements of European Directive 2001/42/EC⁵, often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

¹ HPS Professional Archaeological Services, Absolute Archaeology, Pro Vision Planning & Design

² Cole Easdon Consultants

³ The organisation which adopts the neighbourhood plan (this is described in Wiltshire Council's guide *Neighbourhood planning – a guide for Wiltshire's parish and town councils* (June 2012) as 'makes the plan').

⁴ The Environmental Assessment of Plans and Programmes Regulations 2004

⁵ European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment"

2. Legislative requirements

2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.

2.2 Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Reg. 5, para. (2)(b)*

2. *in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Reg. 5, para. (3)*

3. *set the framework for future development consent of projects⁶ (Reg. 5, para. (4)(b)*

4. *are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Reg. 5, para. (4)(c)*

An environmental assessment need not be carried out for:

a) *plans which determine the use of a small area⁷ at local level (Regulation 5, para.*

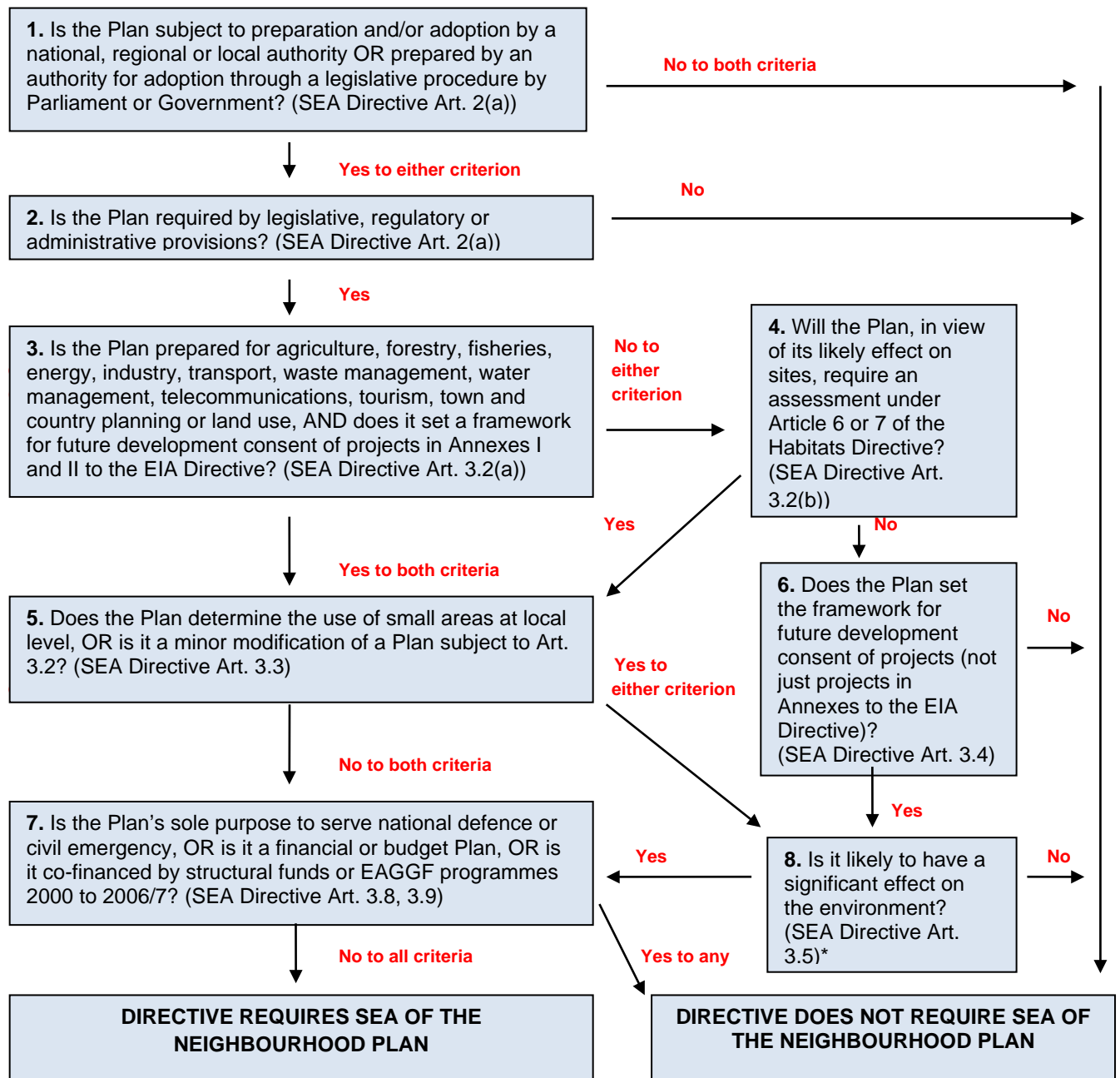
(6)(a); or b) plans which are a minor modification⁸ to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

⁶ European Commission guidance states that plans and programmes which set the framework for future development consent of projects would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. Development consent is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1(2) of the EIA Directive).

⁷ European Commission guidance suggests that plans which determine the use of small areas at local level might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"

⁸ 'Minor modifications' should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

2.3 The diagram⁹ below shows the SEA Directive's requirements and its application to neighbourhood plans:



* Plans falling in this category (No.8) will be screened by Wiltshire Council to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in Wiltshire.

NB This diagram is intended as a guide to the criteria for application of the Directive to neighbourhood plans. It has no legal status.

⁹ Taken from *A Practical Guide to the Strategic Environmental Assessment Directive* ODPM, 2005)

3. The Market Lavington Neighbourhood Plan

- 3.1 The parish of Market Lavington is preparing a neighbourhood plan under the provisions of the Localism Act 2011.
- 3.2 The designation of the Market Lavington Neighbourhood Area was made on 2nd March 2015. For the designation notice see <http://www.wiltshire.gov.uk/planning-neighbourhood-latest-news>
- 3.3 The location of the four housing site allocations proposed in the draft Plan are shown in Appendix B of this report.

4. SEA Screening assessment

- 4.1 Wiltshire Council, as the 'Responsible Authority', considers that the Market Lavington Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:
 - a)** is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2);
 - b)** is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4); and
 - c)** will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).
- 4.2 A determination under Regulation 9 is therefore required as to whether the Market Lavington Neighbourhood Plan is likely to have significant effects on the environment.
- 4.3 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations includes two sets of characteristics for determining the likely significance of effects on the environment. These relate to i) the characteristics of the Market Lavington neighbourhood plan and ii) the characteristics of the effects and of the area likely to be affected by the Market Lavington Neighbourhood Plan. In making a determination, Wiltshire Council will take into account the criteria specified in Schedule I of the Regulations as follows:

1. The characteristics of the plans and programmes, having regard in particular to:

- (a)** the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
- (b)** the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- (c)** the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d)** environmental problems relevant to the plan or programme; and
- (e)** the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

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;
- (b)** the cumulative nature of the effects;
- (c)** the transboundary nature of the effects;
- (d)** the risks to human health or the environment (for example, due to accidents);
- (e)** the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (f)** the value and vulnerability of the area likely to be affected due to—
 - (i)** special natural characteristics or cultural heritage;
 - (ii)** exceeded environmental quality standards or limit values; or
 - (iii)** intensive land-use; and
- (g)** the effects on areas or landscapes which have a recognised national, Community or international protection status.

The screening assessment of the Market Lavington Neighbourhood Plan is set out below:

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
1. The characteristics of plans, having regard, in particular, to:		
(a) 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	No	The neighbourhood plan covers the parish area only. It sets a new policy framework for projects in the parish only, not over a wider area, and it is considered to be in general conformity with policies of the adopted Wiltshire Core Strategy and national planning policies.
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The neighbourhood plan is produced by the local community to influence development at the local parish level. A neighbourhood plan must be in general conformity with Local Plans and national planning guidance.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The neighbourhood plan is a land-use plan that promotes sustainable development, in general conformity with the Local Plan and national planning guidance. One of the Basic Conditions for any neighbourhood plan is that it contributes to the achievement of sustainable development. However, it is not a Plan specifically for the integration of environmental considerations. The Plan is not required to contain policies that relate to environmental considerations as these are already contained within strategic and national level policies. However, the Plan (section 5) gives an overview of the historic importance of the parish and sensitive areas for landscape, biodiversity, flood risk, air quality and land/soil resources, and is proposing a number of important green spaces as Local Green Spaces (Policy 5) which will receive added protection through the planning system.
(d) environmental problems relevant to the plan	No	There are no specific environmental problems relevant to this neighbourhood area.

<p>(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</p>	<p>No</p>	<p>The neighbourhood plan is not relevant as a plan for implementing community legislation.</p>
<p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>		
<p>(a) the probability, duration, frequency and reversibility of the effects</p>	<p>No</p>	<p>Environmental effects are not considered to be significant judging by the proposals in the neighbourhood plan. With regards the attached assessment of the 4 proposed housing sites, all sites are considered likely to have minor constraints. The key findings are as follows:</p> <p>Site 2: North of Spin Hill. Greenfield site in arable use. Modern residential development adjacent to the east and south of the site. Flood Zone 1. No heritage assets within or in the vicinity of this site. Market Lavington Conservation Area approx. 900m away. Nearest listed building approx. 750m away. Over 5km from AONB. No landscape or ecological designations within or adjacent to site but some potential for adverse effects on landscape and rural character of area.</p> <p>Development would hold a prominent position in the surrounding landscape, and will affect views from surrounding houses. However, screening may be possible through tree planting and other landscaping measures. PRow MLAV9 runs along the eastern boundary of the site. The proposed policy in the Plan states that the site has been reduced in size to 1Ha to <i>'allow homes to be sited 70m from the nearest high voltage power line and to reduce possible landscape impacts, which is an important consideration'</i>. And that the <i>'existing footpath network should be preserved/enhanced.'</i></p> <p>In response to the consultation comments from David Stuart of Historic England re this site (see Appendix C) on the revised SEA screening, Wiltshire Council conservation officer Helen Garside commented on 7/9/18 that <i>'we have no concerns from the point of view of the built historic environment as development of the site should have no adverse impact on built heritage assets.'</i> The Wiltshire Assistant County Archaeologist Martin Brown confirmed that <i>'all sites proposed have been checked and have no show-stoppers from the heritage perspective.'</i></p>

		<p><i>Site 2: North of Spin Hill – 30 dwellings....has been checked against the HER and there are no identified heritage assets present, but its location site and scale would lead to recommendations for evaluation pre-determination.'</i></p> <p>Site 4: The Long Field, south of The Spring. Dwelling numbers reduced from 23 to 20 dwellings. Site considered to have minor constraints. Flood Zone 1, although site may be susceptible to surface water flooding, with a varying degree of risk across the site. This risk is considered able to be mitigated through technical solutions.</p> <p>No heritage assets within or adjoining. The Conservation Area is within approx. 85m of the eastern boundary – there is existing modern residential development and a Community Hall in between to the east and modern residential development adjoining the site to the north and west. The nearest listed building is approx 170m to the east with modern dwellings in between. Mitigation can include locating new dwellings further to the west of the site, away from the CA with substantial landscaping in between. No landscape or ecological designations within or adjacent to site.</p> <p>Site 5: Lavington School unused fields. Dwelling numbers reduced from 20 to 15 dwellings Site considered to have minor constraints. Flood Zone 1. No heritage assets within or adjoining site. Conservation Area 330m to the east. Canada Woods County Wildlife Site is situated adjacent to the northern boundary but no direct loss and the northern part of this site can be kept as open space to reduce effects on the CWS. No landscape designations affecting the site.</p> <p>Site 9: Southcliffe. No significant environmental constraints or landscape impacts predicted. Mixture of Greenfield and Brownfield site. Flood Zone 1. No heritage assets within or adjoining. Significant amount of modern development between the site and the Conservation Area. No landscape or ecological designations within or adjacent to site.</p> <p>Effects of developing all four sites are considered to be reversible, short/medium term mainly connected to construction stage with potential for mitigation through landscaping.</p> <p>HRA screening – the HRA screening dated 10/9/18 has concluded that the Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is currently considered necessary by Wiltshire Council as competent authority.</p>
(b) the cumulative nature of the effects	No	No cumulative effects are considered likely to be significant.
(c) the transboundary nature of the effects	No	No transboundary effects with other EU countries are considered likely to be significant.

(d) the risks to human health or the environment (for example, due to accidents)	No	There are no significant environmental effects considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The neighbourhood plan covers a mainly rural parish which includes the Local Service Centre of Market Lavington. Significant environmental effects due to the geographic size of the area and population size are not considered likely.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	No	<p>The neighbourhood area contains European and national level biodiversity designations. The southern part of the neighbourhood area, on Salisbury Plain, is designated as SSSI, SAC and SPA. The proposed housing site allocations are unlikely to have significant environmental effects on these either directly or indirectly as they are modest in size and located adjoining the existing built edge of the village.</p> <p>HRA screening – the HRA screening dated 10/9/18 has concluded that the Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is currently considered necessary by Wiltshire Council as competent authority.</p> <p>There are no national or local landscape designations in the neighbourhood area.</p> <p>Site assessment has shown that the location of the proposed four housing allocations is unlikely to have significant effects on heritage assets. The site (Site 4) that is closest to the Conservation Area and to a listed building has modern residential development and a Community Centre between the site and heritage assets and development can be located to the west of the site to avoid harm to their setting.</p> <p>All sites are in Flood Zone 1 although, in common with much of Market Lavington, some sites may be susceptible to surface water flooding, with a varying degree of risk across the sites. This risk is considered able to be mitigated through technical solutions.</p> <p>Environmental quality standards or limit values are not likely to be exceeded and land-use is not likely to be intensified as a result of this neighbourhood plan.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	<p>The neighbourhood area contains a conservation area in the centre of Market Lavington and a number of listed buildings. In the south of the neighbourhood area, on Salisbury Plain, there are SSSI, SAC and SPA designations. The neighbourhood area is not affected by the North Wessex Downs AONB.</p> <p>The proposed housing site allocations are unlikely to have significant environmental effects on the SSSI, SAC or SPA designations on Salisbury Plain either directly or indirectly, given the modest size of the sites and their location adjoining the existing built edge of the village.</p> <p>Three of the four proposed housing site allocations are a considerable distance from the nearest heritage designations.</p> <p>With regards to site 4, the conservation area is approximately 85m from the eastern boundary with modern residential development and a Community Centre in between. The nearest listed building is approx 170m to the east. It will be possible to mitigate effects on the setting of these assets by locating development to the west of the site</p>

		<p>and leaving the eastern part as open space with landscaping options. HRA screening – the HRA screening dated 10/9/18 has concluded that the Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is currently considered necessary by Wiltshire Council as competent authority.</p>
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5. SEA Screening decision

5.1 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall —

- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
- (b) consult the consultation bodies.

5.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

5.3 Wiltshire Council considers that the proposed Market Lavington Neighbourhood Plan is **unlikely to have significant environmental effects** and accordingly **does not require a Strategic Environmental Assessment**. This decision is made for the following key reasons:

1. The neighbourhood plan proposals are considered to be in general conformity with the Wiltshire Core Strategy which has been subject to SEA and HRA assessments. The Core Strategy was adopted on 20th January 2015.
2. The neighbourhood plan is proposing a modest amount of development on four different sites that have been assessed as having likely minor environmental constraints. Dwelling numbers on Sites 4 and 5 have been reduced which is likely to reduce the significance of adverse effects on those sites.
3. All sites are within Flood Zone 1.
4. There are no local or national landscape designations affecting the neighbourhood area.
5. Three of the four proposed housing site allocations are a considerable distance from the nearest heritage designations. With regards to site 4, the Conservation Area is approximately 85m from the eastern boundary with modern dwellings in between. The nearest listed building is approx 170m to the east. It will be possible to mitigate effects on the setting of these assets by locating development to the west of the site and leaving the eastern part as open space with landscaping.
6. The proposed housing site allocations are unlikely to have significant environmental effects on the SSSI, SAC or SPA designations on Salisbury Plain either directly or indirectly, given the modest size of the sites and their location adjoining the existing built edge of the village.
7. The three SEA statutory consultation bodies responded to the original SEA screening opinion, agreeing with the Council that no SEA is required. Since that time, Site 3 has been removed from the draft Plan and replaced with Site 2. Site 2 has been assessed as not likely to have significant environmental effects due to the size and location of the site, with any adverse effects of developing the site capable of being mitigated.
8. In relation to the new site allocation in the Plan (Site 2: North of Spin Hill for 30 dwellings), in response to the consultation comments from David Stuart of Historic England (see Appendix C) on the revised SEA screening, Wiltshire Council

conservation officer Helen Garside commented on 7/9/18 that *'we have no concerns from the point of view of the built historic environment as development of the site should have no adverse impact on built heritage assets.'*

9. The HRA screening dated 10/9/18 has concluded that the Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is currently considered necessary by Wiltshire Council as competent authority.

10. The Wiltshire Assistant County Archaeologist Martin Brown confirmed on 10th September 2018 that *'all sites proposed have been checked and have no show-stoppers from the heritage perspective. Site 2: North of Spin Hill – 30 dwellings....has been checked against the HER and there are no identified heritage assets present, but its location site and scale would lead to recommendations for evaluation pre-determination.'*

5.4 This screening decision was sent to Natural England, the Environment Agency and Historic England, requesting comments within a 5-week period up to 5th September 2018. Their responses are presented in Appendix C.

Appendix A - Consultation responses from statutory consultation bodies on original SEA screening opinion (August 2017)

Historic England

From: Stuart, David

To: Market Lavington PC

Cc: Way, David

Subject: Market Lavington Neighbourhood Plan

Date: 19 February 2018 16:11:32

Dear Carol,

Many thanks for the additional information on the site allocations proposed for the Market Lavington Neighbourhood Plan.

In our response to the SEA Screening consultation last year we indicated that we would be content with a statement from Wiltshire Council's conservation officer to confirm that they were happy with the sites proposed. This was in part due to this being what we saw as the simplest and quickest way of addressing those issues which we raised but also to emphasise that our role is not to substitute for or duplicate the role of local planning authorities in assuring themselves of the appropriateness of heritage evidence for neighbourhood plans and their compliance with overarching policy for the protection and enhancement of the historic environment.

It is not clear whether this exercise has been undertaken but regardless we appreciate the additional efforts which your community has gone to in commissioning follow-up work from specialist heritage consultants.

Of the four original sites, we note that the Lavington School Fields site has been dropped leaving Spin Hill, Southcliffe, and Longfield/The Spring. The Wessex Archaeology report of January 2018 confirms the relevant heritage assets to be taken into consideration and the manner in which their significance should inform the sites' suitability for selection and their respective potential for development. It demonstrates that the sites can be allocated for development in principle but identifies that detailed assessment, landscape considerations and design work will determine the nature and quantum which each site is able to accommodate without causing harm to those heritage assets.

In response, proposed Planning Policy 2: Housing Sites has been modified with reduced and now indicative dwelling numbers for each site and accompanying criteria and imperatives to ensure that the detailed design exercises do not cause harm to the setting of those identified heritage assets as well as the wider historic character of the area. It is explicitly acknowledged that eventual numbers may as a consequence need to be lower than those indicative numbers.

As a result of this additional evidence and the proposed modified policy which it has influenced I can confirm that we now have no objection to any view that an SEA will not be required for the Plan. I can also confirm that we have no other outstanding issues associated with the Plan and would therefore not expect to offer comments at the Regulation 14 stage or thereafter.

We would therefore like to take this opportunity to congratulate your community on its progress to date and wish it well in the making of its Plan.

I should add that our position does not prejudice any decision Wiltshire Council may take to satisfy itself independently of the veracity of the above!

Kind regards

David

David Stuart | Historic Places Adviser South West

Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

Historic England | 29 Queen Square | Bristol | BS1 4ND

<https://historicengland.org.uk/southwest>

Environment Agency

Mr David Way

Wiltshire Council

Planning Policy

County Hall Bythesea Road

Trowbridge

Wiltshire

BA14 8JD

Our ref: WX/2009/110257/OR-49/IS1-L01

Your ref: Market Lavington NP

Date: 22 September 2017

Dear Mr Way

Market Lavington Neighbourhood Plan – SEA Screening

Thank you for consulting the Environment Agency on the above screening determination. We have reviewed the following documents:

- SEA Screening Determination, dated August 2017
- Market Lavington Neighbourhood Development Plan 2017-2026, Neighbourhood Plan Document Screening Draft
- Letter from Dean Frosconi of Cole Easdon, dated 22 August 2017, ref DF/sc/4320mlfrl, relating to flood risk.

We concur with the statement that the Plan does not require an SEA.

However, we wish to point out that the table on page 10-12 of the SEA screening decision could be considered incomplete based on the content of the letter from Cole Easdon. It is stated several times that all sites are in Flood Zone 1. However, the Flood Zones relate to fluvial flooding only and fluvial flooding is not the only potential source of flooding. It is important that other sources of flooding are also considered, e.g. surface water flooding and groundwater flooding, and referred to. Please seek comments relating to non-fluvial flood risk from the Lead Local Flood Authority as this is their remit.

Yours sincerely

Ms Ellie Challans

Sustainable Places - Planning Advisor

Direct dial 02030 259311

E-mail swx.sp@environment-agency.gov.uk

Environment Agency Rivers House, Sunrise Business Park, Higher Shaftesbury Road,,
Blandford, Dorset, DT11 8ST. Customer services line: 03708 506 506
www.gov.uk/environment-agency

Natural England

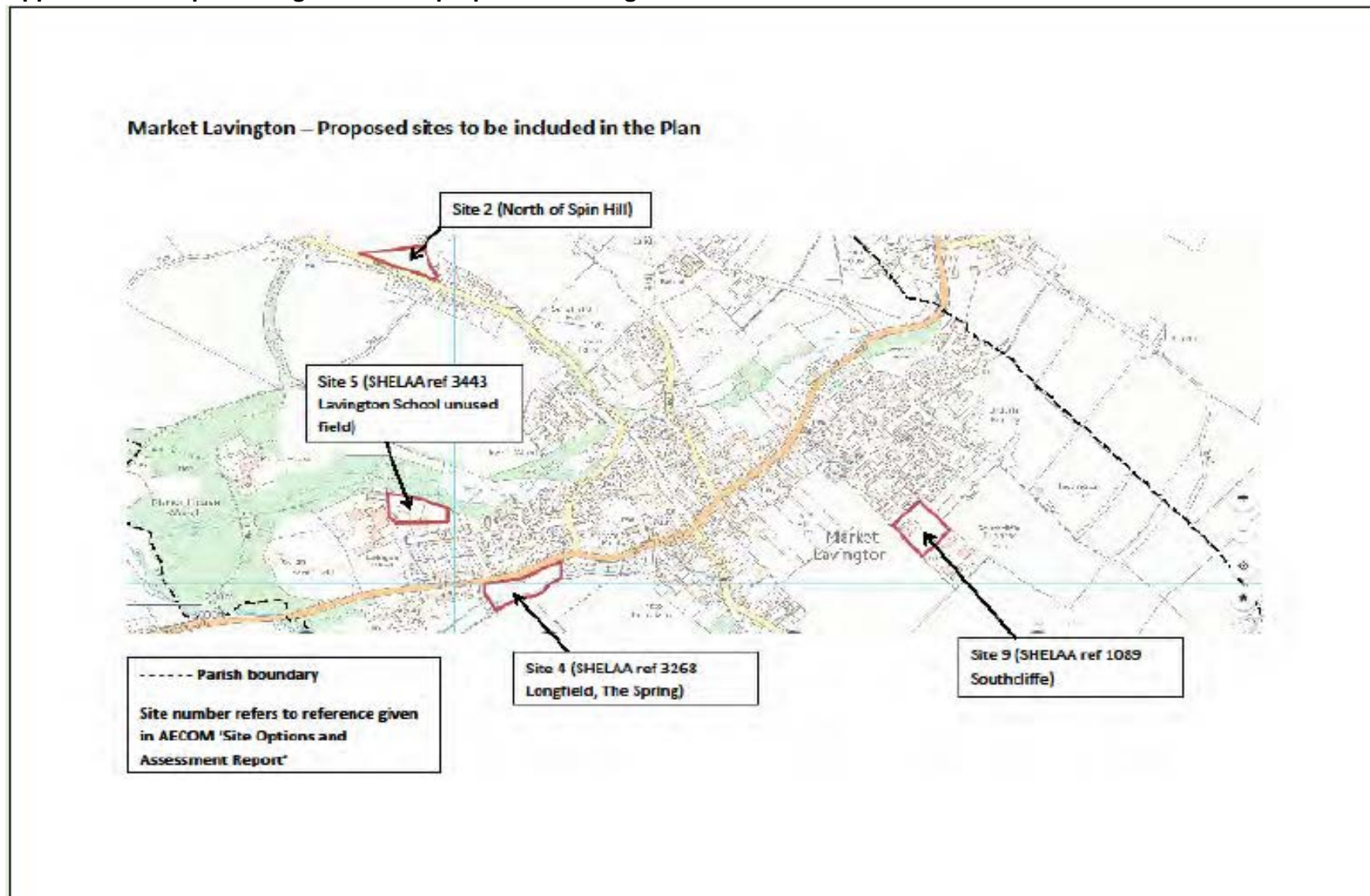
From: Routh, Charles (NE) [charles.routh@naturalengland.org.uk]
Sent: 29 August 2017 13:35
To: Way, David
Subject: RE: Market Lavington Neighbourhood Plan - SEA screening
(Wiltshire). NE ref: 224359

Dear David,

Further to your email below, **Natural England concurs with the conclusion of the SEA screening report, namely that a SEA is not required.**

Charles Routh
Lead Advisor, Planning & Licencing, Somerset, Avon and Wiltshire Area Team, Natural
England. 07990 773630

Appendix B – Map showing location of proposed housing site allocations



Appendix C - Consultation responses from statutory consultation bodies on revised SEA screening opinion (August 2018)

Historic England

From: *Stuart, David*

To: *David Way*

Cc: *Kilmister, Michael <Michael.Kilmister@wiltshire.gov.uk>; Sullivan, Kate <Kate.Sullivan@wiltshire.gov.uk>; Market Lavington PC (marketlavpc@gmail.com)*

Subject: *Revised SEA screening decision on Market Lavington Neighbourhood Plan*

Date: *Thu 06/09/2018 17:01*

Dear David

Thank you for your consultation on the revised SEA Screening for the Market Lavington Neighbourhood Plan. Apologies for not responding before now.

The main issue and the one we shall concentrate on is the new inclusion of land North of Spin Hill. This has not been the subject of consideration previously and so needs to be assessed in terms of its in principal suitability based on its role in defining the significance of relevant heritage assets and how, if that principle is acceptable, that significance should then inform the nature of any development.

There seems to be no specific evidence within the revised version of the Plan and the AECOM site assessment report from 2016 has not been updated. This contains no heritage evidence on the site as it was not fully assessed and dropped due to uncertainty over its availability. The Wessex Archaeology Sites Assessment report of January this year, upon which our last advice was based, did not include the site in question as it was not being proposed at that time.

So there appears to be no heritage evidence to substantiate the inclusion of the land North of Spin Hill.

The revised SEA Screening Report however refers the absence of heritage assets within or near the vicinity of the site, with the Conservation Area approx. 900m away and the nearest Listed Building approx. 750m away. As we have said before, though there may indeed be no harmful impact on these designated heritage assets, distance in itself is not necessarily a measure of the potential for impact. So while we do not necessarily dispute these assertions we are unsure of the evidence upon which they have been based.

As a consequence we are concerned that the evidence made available may not support the conclusion of the Screening Report that an SEA is not required.

We are at the same time conscious of the advanced stage of the Plan's preparation and the desirability of avoiding the community from procuring additional evidence for an exercise which it no doubt thought it had concluded. We are therefore happy to defer to our previously recommended expedient of obtaining the views of your conservation officer

colleagues as to the suitability of the proposed site from a heritage impact perspective for development as proposed.

Presupposing the land to the North of Spin Hill is then given a clean bill of health we would be happy to confirm that we have no objection to the view that an SEA is not required.

Kind regards

David

David Stuart | Historic Places Adviser South West

Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

Historic England | 29 Queen Square | Bristol | BS1 4ND

<https://historicengland.org.uk/southwest>

Environment Agency

From: Challans, Ellie <ellie.challans@environment-agency.gov.uk>

To: David Way

Subject: Revised SEA screening decision on Market Lavington Neighbourhood Plan

Date: Fri 03/08/2018 14:34

Dear David

Thank you for re-consulting the Environment Agency on the above SEA. We have no concerns about the proposed changes and would concur with your opinion that the Plan does not require a SEA (from perspective of EA remit).

Many thanks, Ellie

Ms Ellie Challans

Planning Advisor – Wessex Sustainable Places – Environment Agency

02030 2 59311

Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road,
Blandford, Dorset, DT11 8ST

Natural England

From: Routh, Charles (NE) [charles.routh@naturalengland.org.uk]

Sent: Fri 10/08/2018 14:28

To: Way, David

Subject: RE: Revised SEA screening decision on Market Lavington Neighbourhood Plan.
NE Ref: 254247

Dear David, I can confirm that the changes in the plan do not alter our previous advice that, in terms of the natural environment, we concur with your conclusions that a SEA is not required.

Charles Routh

Lead Advisor, Planning & Licencing, Somerset, Avon and Wiltshire Area Team, Natural England. 07990 773630