

**STEETON with EASTBURN
AND
SILSDEN NEIGHBOURHOOD
DEVELOPMENT PLAN**

**Strategic Environmental Assessment and
Habitat Regulations Assessment
Screening Report**

January 2019

Kirkwells

The Planning People

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Appendix 1 Consultation Responses

1.0 Introduction

- 1.1 Strategic Environmental Assessment (SEA) is a systematic and comprehensive process for evaluating the environmental effects of a plan or programme in order to ensure that the environmental implications of decisions are taken into account before any such decisions are made. The need for the environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC, known as the SEA Directive.
- 1.2 Under this Directive, Neighbourhood Plans may require SEA but this is very much dependent upon the content of the Plan. For plans which "determine the use of small areas at local level" or are "minor modifications" to existing plans, the Directive only requires SEA where they are likely to have significant environmental effects. The expressions "small area" and "local level" are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan. Screening is needed to determine whether such plans are likely to have significant environmental effects.
- 1.3 Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans and to be used in a screening exercise. The findings of the exercise must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.
- 1.4 An initial Screening Report was produced to assess whether the contents of the Informal Consultation Draft Steeton with Eastburn and Silsden Neighbourhood Plan published in February 2016 required a Strategic Environmental Assessment in accordance with the Directive. It also determined whether the Neighbourhood Plan required a Habitats Regulations 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 likely that there will be significant adverse effects on

protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project.

- 1.5 The Draft Neighbourhood Plan published in February 2016 has now been revised in the light of the representations submitted and a final Draft Plan published for public consultation. A number of changes have been made to the first draft plan, including some in response to comments from the Consultation Bodies (see Appendix 1), and a further screening exercise has therefore been undertaken. CBMDC made comments on the original submitted screening in November 2017. As a result of these technical amendments this updated screening has been prepared for the January 2019 submission NDP.

2.0 Legislative Background

Strategic Environmental Assessment

- 2.1 The SEA Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)¹. Detailed guidance on these regulations can be found in the Government publication, A Practical Guide to the Strategic Environmental Assessment Directive (ODPM 2005)².
- 2.2 The Planning and Compulsory Purchase Act 2004 requires local authorities to produce Sustainability Appraisals (SAs) for all Development Plan Documents in order to meet the requirement of the SEA Directive and it is considered best practice to incorporate the requirements of this Directive into a Sustainability Appraisal (National Planning Policy Framework, paragraph 165). As a neighbourhood plan is not a Development Plan Document, it does not legally require a Sustainability Appraisal. However, there are instances where a SEA would need to be undertaken in order to meet the requirements of the SEA Regulations, for example, where:

- A neighbourhood plan allocates sites for development

¹ http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practic_alguidesea.pdf

- The neighbourhood area contains sensitive natural or heritage assets that may be affected by the policies and 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.

2.3 Consequently, to establish whether the neighbourhood plan might give rise to significant environmental effects, it is necessary to screen the plan (see Section 5).

Habitats Regulations Assessment.

2.4 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. In relation to this, paragraph 1 sets out a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site. Paragraph 4 indicates that a qualifying body which submits a proposal for a neighbourhood plan must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an assessment is required.

2.5 The legislation requires that, where there is a risk of a significant effect on a European site, either individually or in combination with other plans or projects then the plan should progress from HRA screening to an Appropriate Assessment.

People over Wind

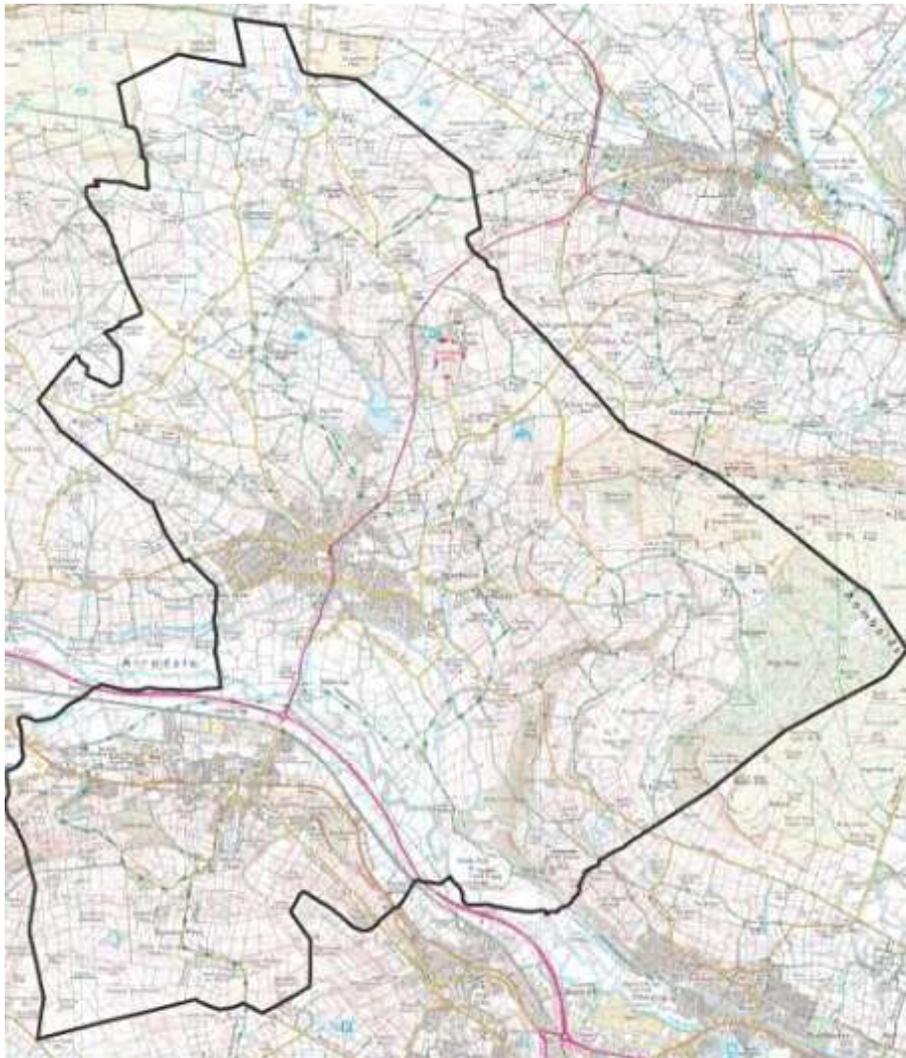
2.6 A recent European Court judgment has been handed down Case C-232/17 *People Over Wind and Peter Sweetman versus Coillte Teoranta*, henceforth “People Over Wind”. This concerns how screenings such as this take into account any impact on protected European sites. In this case, the relevant site being the South Pennine Moors Special Protection Area (SPA)/Special area of Conservation (SAC).

- 1.6 This judgement has ruled that “it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on the site”.

3.0 Steeton with Eastburn and Silsden Neighbourhood Plan

- 3.1 The purpose of the Steeton with Eastburn and Silsden Neighbourhood Plan is to provide a set of statutory planning policies to guide development within the parish over the period to 2030 and has been prepared by a steering group on behalf of the qualifying bodies, Steeton with Eastburn and Silsden Parish Councils.

Map showing the Steeton with Eastburn and Silsden Neighbourhood Plan area which is subject to the SEA screening process



- 3.2 The objectives of the Steeton with Eastburn and Silsden Neighbourhood Plan are:
1. To promote sustainable housing development
 2. To conserve and enhance the area's built heritage
 3. To conserve and enhance the area's natural environment
 4. To protect and promote a vibrant countryside
 5. To ensure all new development includes suitable infrastructure to address its needs and any new impact it may have on the wider community
 6. To protect and enhance the vitality and viability of local centres and shopping areas
 7. To support economic growth and local employment opportunities
 8. To support improvements to the transport network that meet the needs of all users
 9. To protect and enhance existing community and recreation facilities
 10. To support the growth and development of tourism
- 3.3 In order to deliver these objectives, the Plan sets out a number of neighbourhood area-wide policies. These indicate how new development proposals will be assessed in order to ensure that future growth is sustainable and does not have a detrimental impact upon the area. Policies also provide protection to important environments and built and natural assets, including local non-designated heritage assets, landscape character, green and blue infrastructure and local green spaces. Silsden local centre and Steeton and Eastburn neighbourhood centres are supported as are community facilities. Local employment sites are protected and new tourism development is supported. Opportunities to improve local transport are promoted, including routes for walkers and cyclists.
- 3.4 It is a requirement of the Localism Act 2011 that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Steeton with Eastburn and Silsden lie within the City of Bradford Metropolitan District and must therefore be in general conformity with the 'saved' policies of the Bradford Replacement

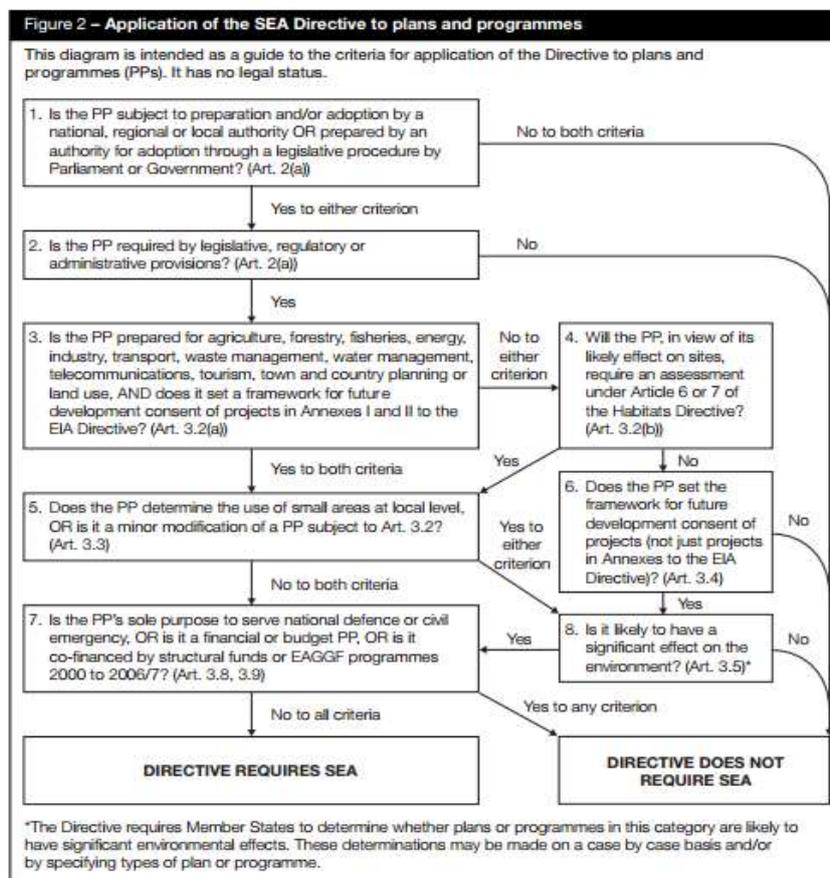
Unitary Development Plan 2005 and the adopted Bradford Local Plan Core Strategy. These plans have been subject to full Sustainability Appraisals which included SEA assessments and the Local Plan Core Strategy has also been assessed for its impact in terms of the Habitats Regulations. These previously completed Assessments have been taken into account in undertaking this screening assessment of the Steeton with Eastburn and Silsden Neighbourhood Development Plan.

4.0 Screening Process

4.1 It is the purpose of this report to assess whether the policies and proposals in the Steeton with Eastburn and Silsden Neighbourhood Plan are likely to have 'significant environmental effects'. This screening assessment has been undertaken in two parts:

- The first part assesses whether the neighbourhood plan requires SEA in accordance with the flow chart set out below
- The second part considers whether the neighbourhood plan is likely to have a significant effect on the environment, using criteria set out in Schedule 1 of the EU SEA Directive and the Environmental Assessment of Plans and Programme Regulations 2004 (see section 2)

4.2 Government guidance, as set out in 'A Practical Guide to the Strategic Environmental Assessment Directive', identifies the following approach to be taken in determining whether SEA is required:



4.3 This process has been followed and the findings are set out in the table below:

Table 1: Establishing the Need for SEA

| Stage | Y/N | Reason |
|---|-----|--|
| 1. Is the 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 | Neighbourhood plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which, in the case of Steeton with Eastburn and Silsden, is the Town and Parish Council. It is subject to examination |

| Stage | Y/N | Reason |
|--|----------|--|
| | | and referendum. If the Plan receives 50% or more 'yes' votes at referendum, it will be 'made' by the local planning authority City of Bradford MBC) |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | N | The preparation of a Neighbourhood Development Plan is optional. However, once 'made', it will form part of the statutory Development Plan for the area and will be used in the determination of planning applications. It is therefore considered necessary to answer the following questions to determine further if a SEA is required. |
| 3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a)) | Y | The Neighbourhood Plan has been prepared for town and country planning and land use and sets out a framework for future development in Steeton with Eastburn and Silsden. Once 'made', it would form part of the statutory development plan, and will be used when making decisions on planning applications which could include development which may fall under Annex I and II of the EIA directive. |
| 4. Will the Plan, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b)) | ? | The Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. However, this requires individual assessment of a |

| Stage | Y/N | Reason |
|--|----------|--|
| | | Plan (see section 6) |
| 5. Does the Plan determine the use of small areas at local OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3) | Y | The Neighbourhood Plan determines the use of small sites at the local (neighbourhood) level |
| 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 | A neighbourhood plan forms part of the Development Plan and will be used in the assessment of planning applications. It, therefore, sets the framework for future developments 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 PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9) | N | Not applicable |
| 8. Is it likely to have a significant effect on the environment? (Article 3.5) | ? | A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan. An individual screening assessment of the Neighbourhood Plan is required (see section 5) |

5.0 Screening Assessment

- 5.1 The results of the preceding assessment indicate that, depending upon the content of a neighbourhood plan, a Strategic Environmental Assessment may be required. For this reason, neighbourhood plans should be assessed individually in order to determine their likely significant effects on the environment.
- 5.2 The criteria for determining the likely significant effects referred to in Article 3 (5) of Directive 2001/42/EC are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. The proposals within individual Neighbourhood Plans will need to be assessed against these criteria:
1. The characteristics of plans and programmes, having regard, in particular, to
 - 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 degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - 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)
 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 national 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.

5.3 The policies set out in the Submission Draft Steeton with Eastburn and Silsden Neighbourhood Plan (November 2017) have been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

5.4 The table below sets out the assessment of policies in the Submission Draft Steeton with Eastburn and Silsden Neighbourhood Plan in relation to the criteria outlined earlier:

Table 2: Assessment of the Likelihood of Significant Effects on the Environment

| Criteria for determining the likely significance of effects | Is the Steeton with Eastburn and Silsden NP likely to have a significant environmental effect? | Justification for Screening Assessment |
|--|--|--|
| <p>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.</p> | <p>No</p> | <p>The Steeton with Eastburn and Silsden Neighbourhood Plan sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Bradford Replacement Unitary Development Plan which have already been subject to SEA as part of the Sustainability Appraisal. It also reflects the contents of the adopted Bradford Local Plan Core Strategy which again has been subject to Sustainability Appraisal. The neighbourhood plan does not allocate any new sites for development but protects local employment sites. This approach is in conformity with Policy EC4: Sustainable Economic Growth of the Bradford Local Plan Core Strategy and 'saved' policies of the Replacement Bradford Unitary Development Plan, which have been assessed for significant environmental effects through Sustainability Appraisal. The neighbourhood plan also supports the development, for housing, of non-allocated sites within the existing urban areas of Steeton, Silsden and Eastburn subject to this meeting a number of criteria, including those which seek to protect and enhance the distinctive local built heritage and local landscape character. Again, this approach is in conformity with</p> |

| Criteria for determining the likely significance of effects | Is the Steeton with Eastburn and Silsden NP likely to have a significant environmental effect? | Justification for Screening Assessment |
|--|--|---|
| | | the Bradford Local Plan Core Strategy and 'saved' policies of the Replacement Bradford Unitary Development Plan. |
| The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | No | The Steeton with Eastburn and Silsden Neighbourhood Plan must be in conformity with the City of Bradford Development Plan. It therefore supports the implementation of higher tier policies at the neighbourhood level and, as such, is not considered to have a significant influence on other plans and programmes. |
| The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development. | No | The Steeton with Eastburn and Silsden Neighbourhood Plan contributes to the achievement of sustainable development at the neighbourhood level. Policies set out in the Plan protect assets of local environmental value and provide locally distinct planning policies to protect them. It designates a number of local green spaces and protects local non-designated biodiversity and geodiversity assets. The likelihood of significant effects on the environment is, therefore, minimised. |
| Environmental problems relevant to the plan or programme. | No | Because of the scale of development proposed in the neighbourhood plan, environmental impacts are likely to be small. Environmental concerns relevant to the Plan include drainage and flooding issues e.g. the Beck near St John's Street in |

| Criteria for determining the likely significance of effects | Is the Steeton with Eastburn and Silsden NP likely to have a significant environmental effect? | Justification for Screening Assessment |
|---|--|---|
| | | Silsden and the development threat to the Green Belt and surrounding countryside. The Leeds-Liverpool Canal is considered to be an under-used and neglected asset and further investment is needed in the Park. These, and other existing environmental problems, have informed the objectives of the neighbourhood plan and therefore may be addressed through the implementation of the Plan's policies |
| 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 | The Steeton with Eastburn and Silsden Neighbourhood Plan must be in conformity with higher level plans that comprise the City of Bradford Development Plan. This has had regard to European Community legislation on the environment. Consequently, the policies of the neighbourhood plan are not considered to be relevant to the implementation of EC legislation. |
| The probability, duration, frequency and reversibility of the effects. | No | Some development will take place over the Plan period meaning that some environmental change will take place. However, the Plan policies, in particular, those relating to design and the protection of landscape and local built heritage and non-designated biodiversity and geodiversity assets, green spaces and green infrastructure are designed to ensure that any new development |

| Criteria for determining the likely significance of effects | Is the Steeton with Eastburn and Silsden NP likely to have a significant environmental effect? | Justification for Screening Assessment |
|--|--|--|
| | | will be sustainable and any environmental impacts minimised. |
| The cumulative nature of the effects. | No | The neighbourhood plan's policies are unlikely to have significant cumulative impacts on the local environment |
| The trans-boundary nature of the effects | No | The policies in the Steeton with Eastburn and Silsden Neighbourhood Plan are unlikely to have significant environmental impacts on neighbouring areas. There may some positive impacts on adjoining areas through, for example, the protection of the local landscape and green and blue infrastructure, notably the Leeds-Liverpool Canal and wildlife corridors. |
| The risks to human health or the environment (e.g. due to accidents). | No | No significant risks to human health or the environment as a result of the Plan's policies have been identified. In fact, the Plan is likely to improve human health by improving access to green spaces, sport and recreation facilities and the wider countryside. |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | No | The Steeton with Eastburn and Silsden Neighbourhood Plan is concerned with development within the neighbourhood area. The geographical area covered by the Plan is 3,708 hectares and it has a population of 12,643. The potential for environmental impacts is likely to be limited and minimal |
| The value and | No | The neighbourhood plan area has |

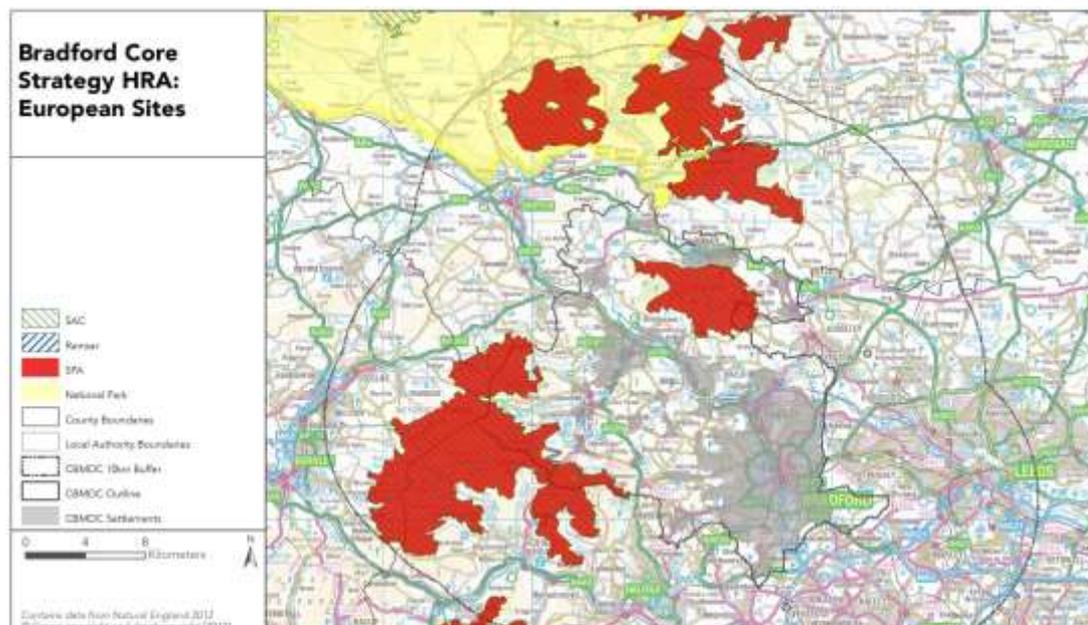
| Criteria for determining the likely significance of effects | Is the Steeton with Eastburn and Silsden NP likely to have a significant environmental effect? | Justification for Screening Assessment |
|--|--|---|
| <p>vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - 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. | | <p>a high quality natural and built heritage. Its natural heritage assets include the South Pennine Moors Site of Special Scientific Interest, the Doubler Stones Site of Ecological or Geological Importance, Sites of Geological Interest at Throstle Nest, Silsden and Steeton Reservoir and Sites of Local Nature Conservation Importance along the Leeds-Liverpool Canal, Doubler Stones, Silsden, Throstle Nest, Silsden and Steeton Reservoir. Part of an eastern section of the South Pennine Moors Phase 2 Special Protection Area/Special Area of Conservation, a site of international importance lies within eastern part of the neighbourhood plan area. There are 88 Listed Buildings in the area and 24 Scheduled Monuments in the neighbourhood plan area. There are also two Conservation Areas, Steeton and Silsden.</p> <p>The Steeton with Eastburn and Silsden Neighbourhood Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. In fact, under policies SWES4, SWES5 and SWES6 it actually provides greater support to enhance the locally important natural and cultural assets of the area.</p> |

- 5.5 On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Steeton with, Eastburn and Silsden Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.
- 5.6 The main reasons for this conclusion are:
- The Steeton with Eastburn and Silsden Neighbourhood Plan supports the implementation of policies in the adopted Bradford Replacement Unitary Development Plan and the adopted Bradford Local Plan Core Strategy which have already been subject to SEA through the Sustainability Appraisals and assessed as having no significant environmental effects. There are no new site allocations in the neighbourhood plan.
 - The Steeton with Eastburn and Silsden Neighbourhood Plan is a lower tier plan in the hierarchy of planning documents for the area, and therefore has limited influence on other plans or programmes
 - The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic
 - Through its policies, the Steeton with Eastburn and Silsden Neighbourhood Plan seeks to avoid or minimise negative environmental effects through the policies of the NDP, but does not propose development of itself.

6.0 HRA Screening

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. This assessment must determine whether a plan would adversely affect, or is likely to affect, the integrity of a site(s) in terms of its nature conservation objectives.
- 6.2 Under Criterion 4 of Table 1: Assessing the Need for SEA, it was concluded that the Neighbourhood Plan may have an impact upon internationally designated sites and as such a 'case by case' assessment is required.
- 6.3 The HRA process is generally divided into three stages. The initial stage of the process is the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan (see earlier) and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
- 6.4 Part of the following Natura 2000 site lies partly within Steeton with Eastburn and Silsden neighbourhood plan area:

South Pennine Moors Special Protection Area/Special Area of Conservation Phase 2:



South Pennine Moors Phase 2 Special Protection Area (SPA)

- 6.5 The South Pennine Moors were designated as SPA in two phases in 1996 and 1997 and were further extended in 2000. It covers extensive expanses of semi-natural moorland habitat including upland heath and blanket mire.
- 6.6 The SPA is of European importance for several upland breeding bird species, including birds of prey and waders, notably the following species listed in Annex 1 of the Directive:
- Merlin (at least 4.3% of the breeding population of Great Britain)
 - Golden plover
- 6.7 It also supports internationally important breeding populations of regularly occurring migratory species, including common sandpiper, twite, common snipe, curlew, wheatear, whinchat, redshank, ring ouzel, short eared owl, dulin and lapwing.

- 6.8 Both merlin and golden plover feed upon farmland or in-bye land on the edge of the moors that is outside of the SPA boundary. This is considered important to the long term conservation of the SPA population of these birds.

South Pennine Moors Special Area of Conservation (SAC)

- 6.9 The South Pennine Moors SAC was selected for its representation of three Annex 1 habitat types (European dry heaths, blanket bogs, and old sessile oak woodlands) while a further two were subsequently identified as being present as qualifying features within the SAC (Northern Atlantic wet heaths, and Transition mires and quaking bogs).
- 6.10 The adopted Bradford Local Plan Core Strategy has been subject to Habitats Regulations Assessment, the most recent being that undertaken in relation to the Core Strategy Proposed Modifications³.
- 6.11 In terms of the Special Protection Area, this Assessment concluded that the recreational impacts and urban edge effects from housing proposed in the Core Strategy risks reducing Annex 1 and migratory bird populations, habitat viability and range within the South Pennine Moors Phase 2 SPA. The release of greenfield sites for development (of any type) could result in a loss of supporting habitat for SPA birds, particularly within around 2.5km of the SPA boundary.
- 6.12 However, it is considered that the Core Strategy establishes a reasonable and pragmatic strategic approach to reducing the risk of adverse effects in Policy SC8, which enables the HRA to demonstrate that adverse effects are capable of being avoided and/or mitigated. Work to continue towards implementing these measures will be undertaken during preparation of the Allocations DPD to ensure that:
- (a) Delivery and funding mechanisms are established through a Supplementary Planning Document to ensure that additional recreational sites are brought forward to divert

³ <https://www.bradford.gov.uk/NR/rdonlyres/5B161A14-EA96-44EC-A25F-E525096AA3E8/0/HabitatsRegulationsAssessmentNovember2015.pdf>

- recreational pressures away from the European sites, coupled with strategic access management and monitoring measures; and
- (b) Greenfield sites to be released for development (of any type) do not include areas of important supporting habitat regularly used by foraging SPA birds, and that a sufficiently robust network of offsite foraging habitats continues to exist.
- 6.13 Taking into account the strategic approach to reducing and managing the identified risks, and the potential for more detailed assessment in a lower tier plan (the Allocations DPD), it can be concluded that the Local Plan Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors Phase 2 SPA as a result of these impacts.
- 6.14 Traffic-related atmospheric pollution could affect the extent, structure and composition of the habitats of Annex 1 and migratory bird species. There is currently insufficient data to make a fuller assessment. It is envisaged that more detailed traffic modelling will be undertaken during the pre-allocations testing stage which will precede development of the Allocations DPD, to ensure that traffic growth resulting from new development does not add significantly to levels of traffic and atmospheric pollution on roads within 200m of the European sites.
- 6.15 In relation to the South Pennine Moors Special Area of Conservation, the Assessment concludes that there is a risk of loss of Annex 1 habitat extent, structure and function due to increased recreational use and consequent erosion and trampling, an increased threat of fire and risks from the consequences of fly-tipping and invasion of alien species, as well as changes induced by deposition of atmospheric pollutants.
- 6.16 However, it is considered that the Core Strategy establishes a reasonable and pragmatic strategic approach to reducing the risk of adverse effects in Policy SC8, which enables the HRA to demonstrate that adverse effects are capable of being avoided and/or mitigated. Taking into account the strategic approach to reducing and managing the identified risks, and the potential for more detailed assessment in a lower tier plan (the Allocations DPD),

it can be concluded that the Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors SAC as a result of these impacts.

- 6.17 Strategic Core Policy SC8: Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and Their Zone of Influence is clearly critical to the assessment of the impact of risks to the South Pennine Moors SPA/SAC. As set out in the adopted LPCS this states that:

Strategic Core Policy (SC8): Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence

In this Policy:

Zone A is land up to 400m from the South Pennine Moors Special Protection Area (“SPA”) and South Pennine Moors Special Area of Conservation (“SAC”) boundary;

Zone B is land up to 2.5km from the SPA and SAC boundary; and

Zone C is land up to 7km from the SPA and SAC boundary.

Subject to the derogation tests of Article 6(4) of the Habitats Directive, in all Zones development will not be permitted where it would be likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects), which cannot be effectively mitigated, upon the integrity of the SPA or the SAC.

In conducting the above assessment the following approach will apply:

In Zone A no development involving a net increase in dwellings would be permitted unless, as an exception, the development and/or its use would not have an adverse effect upon the integrity of the SPA or SAC.

In Zone B it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA.

In Zone C, in respect of residential developments that result in a net increase of one or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated. The mitigation may be:

(i) such that the developer elects to offer, either on-site and / or deliverable outside the boundary of the development site, such as the provision of accessible natural greenspace and/or other appropriate measures; or

(ii) in the form of a financial contribution from the developer to:

- 1. The provision of additional natural greenspace and appropriate facilities to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace.**
- 2. The implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors**
- 3. A programme of habitat management and manipulation and subsequent monitoring and review of measures.**

To mitigate impacts on the SPA and SAC due to the increase in population, an SPD will set out a mechanism for the calculation of the financial contributions, by reference to development types, the level of predicted recreational impact on the SPA or SAC, and the measures upon which such contributions will be spent.

- 6.18 The Habitat Regulations Assessment concludes that, taking into account the range of avoidance and mitigation measures incorporated into this strategic plan, it can be concluded that the Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors SAC and South Pennine Moors Phase 2 SPA. The Core Strategy can therefore be considered compliant with the Habitats Regulations in respect of these sites.
- 6.19 The Steeton with Eastburn and Silsden Neighbourhood Plan is in conformity with the Core Strategy and does not seek to allocate new sites for development. These will be brought forward through the Bradford Allocations DPD using the assessment of the impact of risks to the South Pennine Moors SPA/SAC outlined in paragraph 6.17.

- 6.20 Although no new allocations are put forward, the neighbourhood plan does, however, support the development of housing on non-allocated sites within the existing urban areas in accordance with the adopted Bradford Local Plan Core Strategy Sub-Area Policy AD1: Airedale. Development of such sites would be assessed against the policies in the adopted LPCS. The NDP also protects existing employment areas in accordance with LPCS Policy EC4.
- 6.21 It can therefore be concluded that, as the policies in the Steeton with Eastburn and Silsden Neighbourhood Plan are in general conformity with those in the adopted Bradford Local Plan Core Strategy and no new site allocations are being brought forward, no further work is necessary in terms of meeting the requirements of the Habitats Regulations Assessment.

7.0 Conclusions and Recommendations of the Screening Assessments

- 7.1 This report sets out the assessment of the need for the Steeton with Eastburn and Silsden Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.
- 7.2 The assessment of both of these requirements has been undertaken on the Consultation Draft Neighbourhood Plan which was published in January 2017. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan. None of the changes made subsequently are considered to result in the need for a new screening of the submission plan.

Strategic Environmental Assessment (SEA)

- 7.3 In relation to the requirement for the Steeton with Eastburn and Silsden Neighbourhood Plan to be subject to Strategic Environmental Assessment, it is concluded in the assessment undertaken in Section 5 of this report that the Plan in its current form is unlikely to have significant environmental effects and therefore SEA will not be required.

Habitat Regulations Assessment (HRA)

- 7.4 In terms of the requirement for the Steeton with Eastburn and Silsden Neighbourhood Plan to be subject to Habitat Regulations Assessment, the appraisal set out in Section 6 of this report concludes that no further work will be required in order to comply with the Habitat Regulations.

APPENDIX 1

Responses from:

Historic England

Natural England

Environment Agency

Note: CBMDC's response is included in the submitted Consultation Statement



Historic England

YORKSHIRE

Mr. Michael Wellock,
Kirkwells,
Lancashire Digital Technology Centre,
Bancroft Road,
Burnely,
Lancashire,
BB10 2TP

Our ref: Y/HP/NP/WY/BRD/SES/CTB
Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

02 May 2016

Dear Mr. Wellock,
**Steeton, Eastburn and Silsden Neighbourhood Development Plan
Strategic Environmental Assessment**

We write in response to your e-mailed letter of Tuesday 1 April 2016.

We welcome your suggestion that the Neighbourhood Plan be amended to correctly identify the heritage assets within the Plan area, and that subject to ensuring no repetition of existing policies, this will include non-designated heritage assets of archaeological value.

If the draft Neighbourhood Plan is amended, to take into account the above, and it can be demonstrated that the impact of the Plan upon them is not significant, then clearly, an SEA would not be required.

With regards to policy SWES1, we acknowledge that it is in conformity with the strategic planning policies which you cite, which have themselves been the subjects of a Sustainability Appraisal. As such this obviates the need for an SEA, and we thank you for drawing our attention to this.

To sum up, on receipt of a revised draft Neighbourhood Plan, responding to the issues we have raised, together with a revised draft Screening Opinion, we will review our advice, and should be able to advise an SEA is not required.

Yours sincerely,

Craig Broadwith
Historic Places Adviser
E-mail: Craig.Broadwith@HistoricEngland.org.uk



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



Dear Mr Broadwith

I am writing with reference to your letter of 22 March to Ms Sanderson, Parish Clerk to Steeton-with-Eastburn Parish Council in connection with the SEA Screening Report.

I understand that you have concerns that the policies and proposals in the Steeton, Eastburn and Silsden Informal Consultation Draft Neighbourhood Plan are likely to have significant effects upon the historic environment and therefore require SEA. However, I would be grateful if you would clarify your comments as it seems to me that it may be possible to overcome your concerns by making change to the neighbourhood plan itself.

You note that the draft document does not cite all the designated heritage assets in the area and it does not refer to the scheduled monuments in the document or the Leeds-Liverpool Canal Conservation Area. Would this concern be overcome if reference to these heritage assets is mentioned in the Plan?

Your letter also indicates that non-designated heritage assets of archaeological value, as well as the wider historic landscape, should also be considered in the draft document. Again, would mention of these in the draft plan overcome your objection? That said, these assets are already protected by the adopted development plan for Bradford (policies BH19, NE2, NE3 and NE3A) and government advice is that neighbourhood plans should not repeat policies set out in higher level plans. These policies have already been subject to SEA through Sustainability Appraisal.

Your final point relates to Policy SWES1 which applies to development on unallocated sites. This policy is in conformity with a number of strategic planning policies that have already been subject to Sustainability Appraisal – UDP3, UR4 and D1 and it therefore falls into the category of a policy that has already been considered and dealt with through a Sustainability Appraisal. If you consider that this is not the case, would deletion of this policy address your concerns?

I would therefore welcome your comments in relation to the above points and particularly whether your objection to the conclusion that no SEA is required could be overcome by the inclusion of more detail in the Plan and deletion of Policy SWES1.

Many thanks for your time

Regards

Margaret Whewell



Historic England

YORKSHIRE

Ms. Rosie Sanderson,
Clerk to the Parish Council,
Steeton-with-Eastburn Parish Council,
35 Kings Mills Lane,
Settle,
North Yorkshire,
BD24 9FD

Our ref: Y/HP/NP/WY/BRD/SES/CTB

Your ref:

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22 March 2016

Dear Ms. Sanderson,
**Steeton, Eastburn and Silsden Informal Consultation Draft Neighbourhood
Development Plan
Strategic Environmental Assessment**

We write in response to your letter of Tuesday 16 February 2016, and the enclosed Informal Consultation Draft Neighbourhood Development Plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied in the draft document.

The Informal Consultation Draft Neighbourhood Development Plan indicates that there are a range of designated historic environment assets within the plan area. However, we note that the draft document does not cite all the designated heritage assets within the area, as indicated in the attached Schedules of Heritage Assets. These include 27 Scheduled Monuments, mainly comprising of cup marked and carved prehistoric rocks, which although referred to in Appendix 1, are incorrectly cited as Listed Buildings, and are not referred in the draft document. The stretch of the Leeds to Liverpool Canal Conservation Area which passes through the Neighbourhood Plan Area is also not referred to in the draft document. We note that features of local historic, architectural interest have been identified, and are covered by Policy SWES4. However, non-designated heritage assets of archaeological value, as well as the wider historic landscape should also be considered in the draft document.

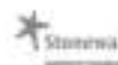
Given the likely significant effects (both positive and negative) upon the historic environment, elements of which have not been considered in the draft document, as cited above, and policy SWES1 relating to development upon unallocated (and therefore unassessed) sites, Historic England considers that a Strategic Environmental Assessment will be required.



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Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Date: 24 March 2016
Our ref: 179557

Rosie Sanderson

Rosie@steeton-with-eastburnparishcouncil.gov.uk

BY EMAIL ONLY



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Dear David

Planning consultation: Steeton, Eastburn and Silsden neighbourhood plan

Thank you for your consultation on the above dated 16 February 2016 which was received by Natural England on 23 February 2016.

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

The Steeton, Eastburn and Silsden Neighbourhood Plan

Local designated sites

Throstle Nest, Addingham Edge Milstone Quarry and Doubler Stones Local Geological Sites, and Low Wood Local Wildlife Site (LWS) are located within the neighbourhood plan boundary. Leeds-Liverpool Canal, Brown Bank Marsh and Steeton Reservoir Sites of Ecological/Geological Importance (SEGI) are also within the neighbourhood plan boundary. You should ensure you have sufficient information to fully understand the impact of the plan on these sites. Yorkshire Wildlife Trust may be able to provide further information in relation to these sites. Local environmental record centres also hold a range of information on the natural environment. A list of local records centre is available at: <http://www.nbn-nlbr.org.uk/nlbr.php>. The neighbourhood plan should always seek to avoid environmental impacts by directing development away from the most sensitive areas with mitigation considered only when this is not possible.

BAP (Biodiversity Action Plan) Priority Habitat

Natural England note that there is BAP Priority Habitat within the boundary of the neighbourhood plan. The value of these areas and their contribution to the ecological network of locally protected sites should be considered when locating new development. The neighbourhood plan should, in accordance with paragraph 117 of the National Planning Policy Framework (NPPF), encourage the preservation, enhancement and creation of priority habitats where these opportunities exist.

Green Infrastructure

The neighbourhood plan is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into the neighbourhood plan. Evidence and advice on green infrastructure,



including the economic benefits of GI can be found on the Natural England [Green Infrastructure web pages](#).

Protected species

You should consider whether your plan has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

[Natural England Standing Advice](#)

Soil and Agricultural Land Quality

The Neighbourhood Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our well-being and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.

Opportunities for enhancing the natural environment

Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.

Habitats Regulations Assessment

Natural England agree with the conclusions that no further work will be required to comply with the Habitat Regulations.

Strategic Environmental Assessment (SEA)

Natural England is satisfied that the screening assessment considers relevant environmental issues and therefore the neighbourhood plan does not need to be subject to SEA. The neighbourhood plan should always seek to avoid environmental impacts by directing development away from the most sensitive areas with mitigation considered only when this is not possible.

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

For any queries relating to the specific advice in this letter only please contact Elisa Neame on 02082256852. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely,

Elisa Neame
Yorkshire & Northern Lincolnshire Area Team

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Dennison, Claire <claire.dennison@environment-agency.gov.uk>

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to Michael

Michael

Thank you for consulting the Environment Agency regarding the above mentioned Neighbourhood Plan SEA. We have reviewed the information submitted and wish to make the following comments.

Strategic Environmental Assessment

We would like to highlight that it is the role of the Council to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. Our role, as a statutory consultee, is to provide guidance on the significance of any potential environmental effects.

We have considered this against those environmental characteristics of the area that fall within our remit and area of interest. We consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.

We have no further comments to make in this instance.

If you have any further questions, please do not hesitate to contact me.

Kind Regards

Claire Dennison
Sustainable Places Planning Advisor

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Kirkwells

The Planning People

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