

# **BAILDON NEIGHBOURHOOD DEVELOPMENT PLAN**

**Strategic Environmental Assessment and  
Habitat Regulations Assessment**

**Screening Report**

**October 2025**

**Kirkwells**

**The Planning People**



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## 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 This Screening Report accompanies the second Regulation 14 Draft Baildon Neighbourhood Development Plan<sup>1</sup> (SNDP) to determine if the SNDP requires a Strategic Environmental Assessment in accordance with the Directive. It also determines whether the Neighbourhood Plan requires 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). An 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 European Court judgment Case C-232/17 *People Over Wind and Peter Sweetman versus Coillte Teoranta* is relevant, henceforth in

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<sup>1</sup> A previous draft having been consulted upon in 2021.

this document “People Over Wind”. The implications of the judgment concern how screenings such as this take into account any impact on protected European sites. This judgment 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”.

- 1.6 The neighbourhood area is within miles of a Special Protection Area and Special Area of Conservation (Map 1) and shares a boundary with the UNESCO inscribed Saltaire World Heritage Site (Map 3). This map also shows the Buffer Zone for the Saltaire World Heritage Site extends to cover the south western half of the Baildon Neighbourhood Area.
- 1.7 Policy SC8 of the City of Bradford Core Strategy sets development plan policy for the South Pennine Moors SPA/SAC.

**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.

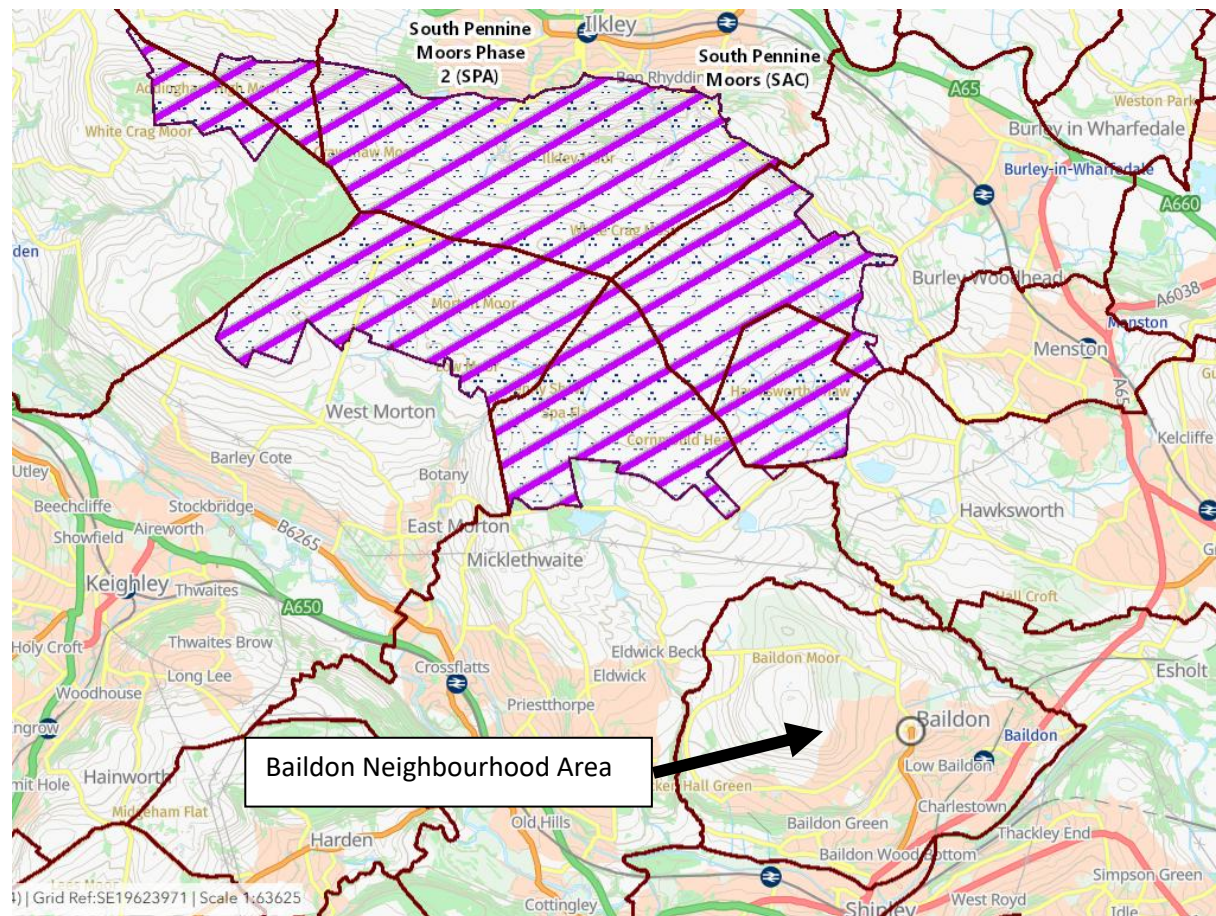
1.8 Map 2 of this document and taken from the Core Strategy illustrates the 3 Zones of Influence. The urban area of Baildon Lies in Zone B and the northern parts of the neighbourhood area, covered by Baildon Moor, In Zone B.

1.8 Policy EN3 of the City of Bradford Core Strategy (adopted 2017) includes development plan policy for Saltaire that will:

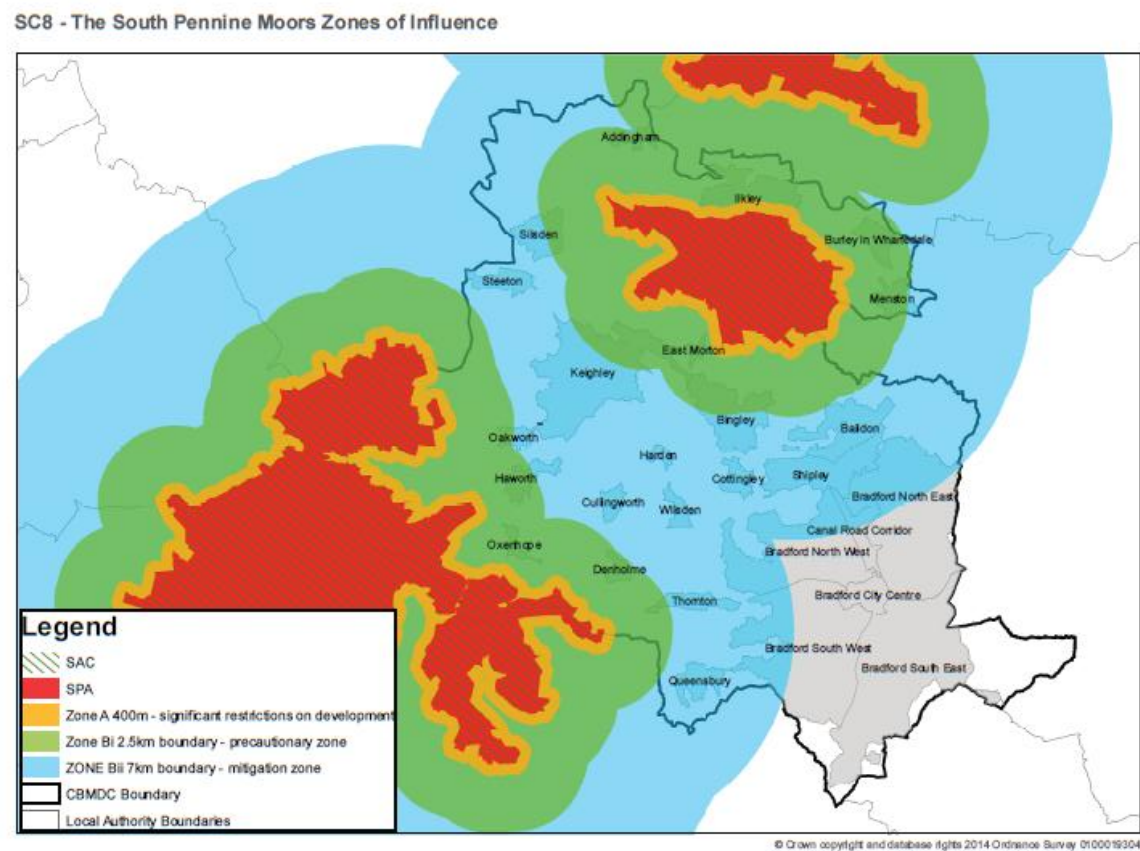
*“A. Ensure the protection, management and enhancement of the Outstanding Universal Value (OUV) of the Saltaire World Heritage Site through them implementation of the Saltaire World Heritage Site Management Plan and associated documents.*

*B. Require development proposals within the boundary of Saltaire World Heritage Site Saltaire or within its Buffer Zone to demonstrate that they will conserve those elements which contribute towards its OUV, including its setting and key views.”*

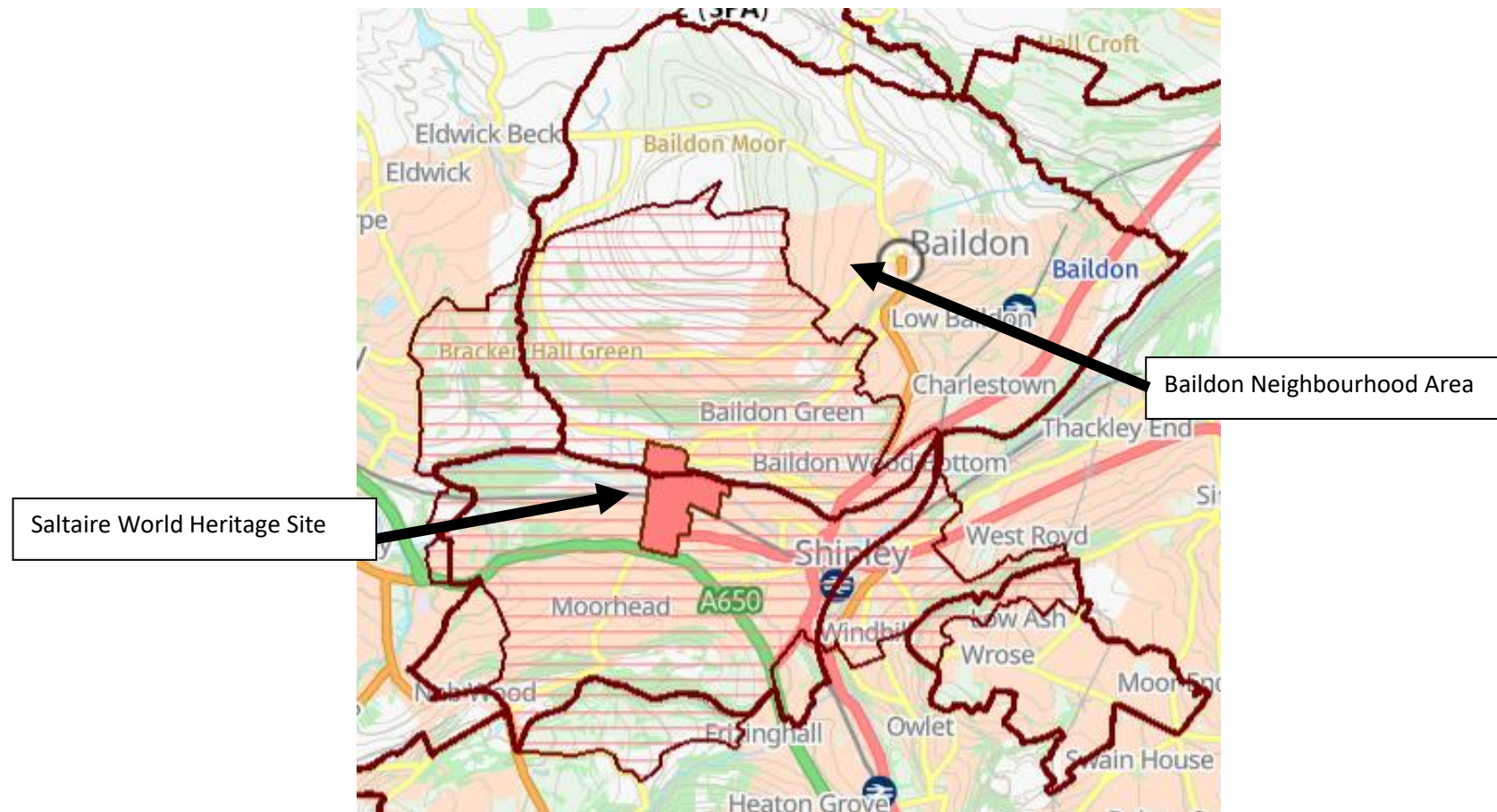
**Map 1. South Pennine Moors Special Protection Area/Special Area of Conservation (Source: Magic Maps)**



**Map 2. South Pennine Moors Zones of Influence** (Source: CBNDC Core Strategy)



**Map 3. Saltaire World Heritage Site** (Source: Magic Maps)



## 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)<sup>2</sup>. Detailed guidance on these regulations can be found in the Government publication, A Practical Guide to the Strategic Environmental Assessment Directive (ODPM 2005)<sup>3</sup>.
- 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.
- 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

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<sup>2</sup> [http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi\\_20041633\\_en.pdf](http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf)

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)

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.
- 2.6 Regulation 32 of the 2012 Regulations prescribes a further basic condition for a neighbourhood plan. This requires that the making of the neighbourhood plan does breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. This basic condition covers the implications of neighbourhood plans for designated European sites. This matter is addressed in this SEA/HRA screening.

### 3.0 Baildon Neighbourhood Development Plan

3.1 The purpose of the Baildon Neighbourhood Development Plan (BNDP) is to provide a set of statutory planning policies to guide development within the parish over the period to 2040 and has been prepared by Baildon Parish Council. The BNDP will be effective for the area covered by the parish council administrative boundary and no other area (Map 4).

3.2 The 6 objectives of the BNDP are:

Objective 1 - Housing

To meet local housing needs by providing housing that is of the right type, size, location and tenure, incorporating high quality design that reflects the character of the area.

Objective 2 - Transport

To enhance and improve transport and infrastructure, within the constraints imposed by local topography, to enhance mobility for everyone including by foot, cycle, train, bus and car.

Objective 3 – Environment and Countryside

To protect and enhance countryside, local green spaces and the natural environment.

Objective 4 - Heritage

To protect and enhance the Baildon's built environment by conserving designated and non-designated heritage assets and ensure any new buildings are well designed.

Objective 5 – Community and Recreation

To protect and enhance local community services, sports and recreation.

Objective 6 - Economy

To support a thriving village centre and local economy.

3.3 In order to deliver these objectives, the Plan contains 25 planning policies. These cover the following:

**Policy 1** seeks to meet future housing needs by securing an appropriate range and mix of new homes. The policy does not propose any residential development itself.

**Policy 2** seeks to influence the location of future housing development. The policy does not propose any residential development itself.

**Policy 3** seeks to protect the Green Belt.

**Policy 4** protects footpaths.

**Policy 5** seeks to promote walking and cycling.

**Policy 6** supports improvements to rail.

**Policy 7** supports improvements to bus transport.

**Policy 8** seeks to promote more sustainable and effective road travel.

**Policy 9** seeks to create a wetland habitat at Baildon Reservoir.

**Policy 10** sets policy to conserve and enhance the local landscape.

**Policy 11** seeks to manage development in the River Aire corridor.

**Policy 12** protects identified views and vistas.

**Policy 13** designates 23 Local Green Spaces.

**Policy 14** seeks to conserve the Conservation Areas of Baildon.

**Policy 15** identifies non-designated heritage sites for protection.

**Policy 16** protects the Shipley Glen Tramway.

**Policy 17** sets policy to manage future design including use of the Baildon Design Code.

**Policy 18** protects community facilities and public houses.

**Policy 19** supports development of a cultural hub for Baildon.

**Policy 20** protects and seeks enhancements to existing sport and recreation facilities.

**Policy 21** supports economic development in Baildon, but does not allocate sites.

**Policy 22** supports development in the village centre.

**Policy 23** seeks to manage future car parking provision.

**Policy 24** supports further development of the visitor economy.

**Policy 25** supports suitable development in 4 local shopping areas.

Map 4. Baildon Neighbourhood Plan area which is subject to the SEA/HRA screening process



3.4 It is a requirement of the Town and Country Planning Act that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Baildon lies within City of Bradford Metropolitan District Council area and must, therefore, be in general conformity with the following:

City of Bradford Core Strategy Development Plan Document (“the Core Strategy”) adopted on 18th July 2017

Saved policies in the Replacement Unitary Development Plan (RUDP) adopted on 15 October 2005.

Waste Management Development Plan (the Neighbourhood Plan cannot set planning policy on this issue).

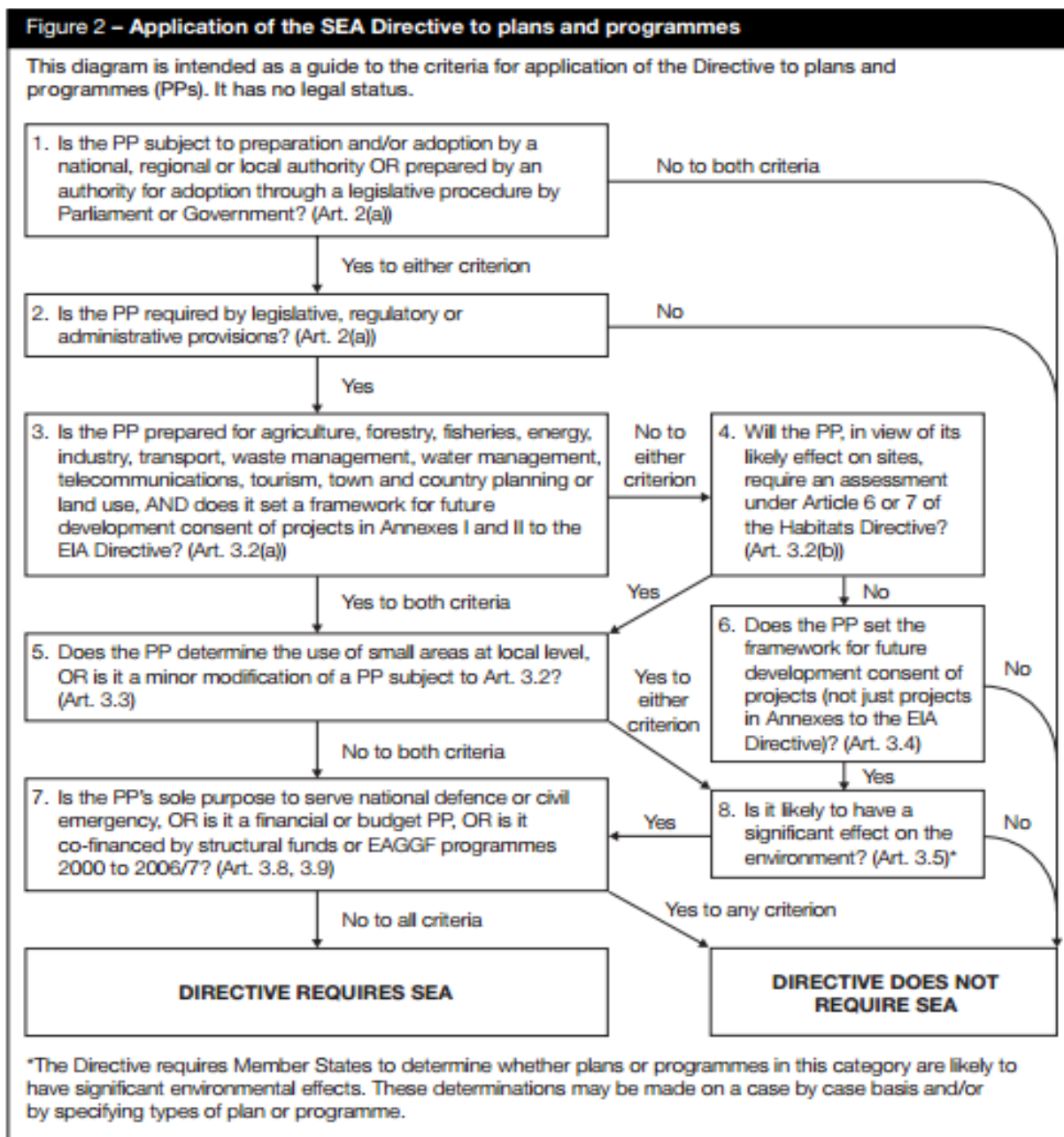
3.5 The Core Strategy was subject to a full Sustainability Appraisal which incorporated a SEA assessment, and this previously completed SEA has been taken into account in undertaking the screening assessment of the BNDP.

## **4.0 Screening Process**

4.1 It is the purpose of this report to assess whether the policies and proposals in the BNDP 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 Strategic Environmental Assessment**

| Stage                                                                                                                                                                                                                                                                                                                                | Y/N      | Reason                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Is the plan or programme (PP) 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))                                                                                                 | <b>Y</b> | 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 Baildon, is the Parish Council. The neighbourhood plan is subject to independent examination 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 Metropolitan District Council. |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))                                                                                                                                                                                                                                           | <b>N</b> | The preparation of a Neighbourhood Development Plan is discretionary. 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)) | <b>Y</b> | The BNDP has been prepared for town and country planning and land use purposes. The BNDP sets planning policies for to help manage future development in Baildon. Once 'made', the BNDP will form part of the statutory development plan for the area, and will be used when making decisions on planning applications which                                                                                                                                                      |

| Stage                                                                                                                                                                                                              | Y/N      | Reason                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                    |          | 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))                                            | <b>N</b> | The BNDP does not propose site development and is not considered to need such an assessment.                                                                                                                                                                                          |
| 5. Does the Plan determine the use of small areas at local level OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)                                                                       | <b>Y</b> | The BNDP does not seek to identify land/sites for future development.                                                                                                                                                                                                                 |
| 6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? Article 3.4)                                                                    | <b>Y</b> | A neighbourhood plan forms part of the development plan and will be used in the assessment of planning applications. It, therefore, helps to set, alongside other development plan documents, the framework of policies for helping to determine future development at a local level. |
| 7. Is the Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9) | <b>N</b> | Not applicable                                                                                                                                                                                                                                                                        |
| 8. Is it likely to have a significant effect on the environment? (Article 3.5)                                                                                                                                     | <b>?</b> | 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 Regulation 14 Draft BNDP (October 2025) 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 BNDP 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 SNDP likely to have a significant environmental effect? | Justification for Screening Assessment                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources. | No                                                             | The BNDP sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Core Strategy; this has already been subject to SEA as part of their respective Sustainability Appraisals. |
| The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.                                                                                     | ?                                                              | The BNDP must be in general conformity with the strategic policies in the development plan – the Core Strategy, Replacement Unitary Development Plan and Waste Management Plan 2. The                                                  |

| Criteria for determining the likely significance of effects                                                                                                                           | Is the SNDP likely to have a significant environmental effect? | Justification for Screening Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                       |                                                                | BNDP supports the implementation of higher tier policies by setting more detailed policy, in line with these higher-level policies, at the neighbourhood level and, as such, is not considered to have a significant influence on these higher-level 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 BNDP contributes to the achievement of sustainable development at the neighbourhood level. Policies set out in the SNDP protect assets of local environmental value, including the conservation areas, non-designated heritage assets, local open spaces and provide locally distinct planning policies to protect these environmental assets. The likelihood of significant effects on the environment is, therefore, minimised and will be managed, alongside other development plan policies. |
| Environmental problems relevant to the plan or programme.                                                                                                                             | No                                                             | It is possible that existing environmental problems may be improved or reduced 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 BNDP must be in general conformity with higher level plans that comprise the development plan for the area. These have 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. Waste Management is not a matter for neighbourhood plans.                                                                                                                |

| Criteria for determining the likely significance of effects                                                                      | Is the SNDP likely to have a significant environmental effect? | Justification for Screening Assessment                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The probability, duration, frequency and reversibility of the effects.                                                           | No                                                             | Development is likely over the plan period meaning that some environmental change will take place. However, the BNDP policies are designed to ensure that any new development proposed by others will be sustainable and any environmental impacts minimised.                                   |
| The cumulative nature of the effects.                                                                                            | ?                                                              | The neighbourhood plan's policies are unlikely to have significant cumulative impacts on the local environment – they do not allocate sites for development.                                                                                                                                    |
| The trans-boundary nature of the effects                                                                                         | No                                                             | The policies in the BNDP are unlikely to have significant environmental impacts on neighbouring areas.                                                                                                                                                                                          |
| 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 infrastructure; by protecting open spaces; and by protecting sport and recreation facilities. |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)             | No                                                             | The BNDP is concerned with development within the neighbourhood area. The neighbourhood plan covers 1,143 hectares (4.41 square miles) and has a population of just over 17,000. The plan's policies are limited to this area and no other.                                                     |
| The value and vulnerability of the area likely to be affected due to:<br>- special natural characteristics or cultural heritage; | No                                                             | The neighbourhood plan area is a mix of urban and rural in character, comprising Baildon village and surrounding countryside. As set out in this document the area includes part of the Saltaire World Heritage Site and lies within the Zone of                                                |

| Criteria for determining the likely significance of effects                                                                                                                                                                                                                | Is the SNDP likely to have a significant environmental effect? | Justification for Screening Assessment                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>- exceeded environmental quality standards or limit values;</li> <li>- intensive land-use.</li> <li>- the effects on areas or landscapes which have a recognised national, Community or International protection status.</li> </ul> |                                                                | <p>Influence of the South Pennine Moors SPA/SAC.</p> <p>The BNDP is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage – the plan does not allocate sites for development. In fact, the BNDP’s policies, in conjunction with other development plan policies, provide greater support to enhance the natural and cultural assets of the area.</p> |

5.5 Based on the SEA Screening Assessment set out in Table 2 above, the conclusion is that the BNDP 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 BNDP supports the implementation of policies in the adopted City of Bradford Core Strategy that have already been subject to SEA through the Sustainability Appraisal and assessed as having no significant environmental effects.
- The BNDP 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 BNDP is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic.
- Through its development management policies, the BNDP seeks to avoid or minimise negative environmental effects.
- The BNDP does not allocate sites for development e.g. housing and employment.

## **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 SNDP will not have an impact upon internationally designated sites and as such an assessment is not 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 Maps 1 and 2 show the relationship of Baildon with the South Pennine Moors SPA/SAC. The neighbourhood area lies within the Zones of Influence of this area.
- 6.5 The urban area of Baildon falls within Zone of Influence C where “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.” (Core Strategy, Policy SC8). The Baildon NDP does not allocate any sites for housing development.
- 6.6 To the north of the urban area lies Baildon Moor – this is within Zone of Influence B, where “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.” The Baildon NDP does not propose any development within this Zone.
- 6.7 The BNDP policies and proposals are in conformity with those in the City of Bradford Core Strategy that have been subject to Appropriate Assessment. These Assessments confirm that the Core

Strategy will not result in adverse effects on the integrity of any European site. It is therefore concluded that no further work will be required in relation to the BNDP in order to comply with the Habitat Regulations. The BNDP also meets the basic condition that the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

## **7.0 Conclusions and Recommendations of the Screening Assessments**

- 7.1 This updated report sets out the assessment of the need for the revised Regulation 14 Draft BNDP to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.

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

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

### **Habitat Regulations Assessment (HRA)**

- 7.3 In terms of the requirement for the BNDP 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.

### **People Over Wind**

- 7.4 The European Court has ruled in People Over Wind 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.” Baildon does not contain such a site, nor are there any sites of this nature adjacent to, or within a reasonable distance of the neighbourhood area that future development could be considered to impact on such sites.

# Kirkwells

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