



**South Petherton Neighbourhood Plan**

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

**March 2017**

South Petherton Neighbourhood Plan  
Strategic Environmental Assessment and Habitats Regulations Assessment Screening  
Report

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## 1. Introduction

- 1.1 One of the basic conditions is that a Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations. These obligations include the Strategic Environmental Assessment (SEA) Directive and Habitats Directive. The Habitats Directive requires that plans do not have significant effects on European sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites).
- 1.2 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which may have a significant effect on the environment. This particularly relates to plans which designate sites for development such as the District Council's Local Plan and Neighbourhood Plans produced by parish councils.
- 1.3 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on European sites.
- 1.4 South Somerset District Council (SSDC) is required to determine whether or not the contents of the South Petherton Neighbourhood Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC<sup>1</sup> and associated Environmental Assessment of Plans and Programmes Regulations 2004. If it is concluded that an SEA is required, South Petherton Neighbourhood Plan Steering Group are responsible for its production and it must form part of the material that is consulted on once the formal consultation stage is reached.
- 1.5 The policy aims and objectives of the draft South Petherton Neighbourhood Plan 2015 to 2028 are set out in Table 1 below. The draft neighbourhood plan does not propose to allocate land for housing and employment development. It does however designate four areas of Local Green Space and also identifies a number of Important Views. Appendix 1 sets out the draft neighbourhood plan policies:

**Table 1 Aims and Objectives**

<b>NATURAL ENVIRONMENT</b>		
<b>Aims</b>	<b>Objectives</b>	<b><i>Other objectives linked to this topic</i></b>
Protect and enhance our countryside and natural environment	1. Protect the land we value locally from inappropriate development and set parameters for new development to be found acceptable	<i>7. Reduce flood risk</i>
Focus future development on small, incremental expansion of the village		<i>8. Improve and extend network of local rights of way and footpaths, cycle paths and bridleways</i>
		<i>17. Ensure there is sufficient</i>

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<sup>1</sup> 'SEA Directive'

Control future development	<p>2. Designate and protect green spaces of importance to the Parish and Protect and Create Natural Habitats</p> <p>3. Protect important views (including those of Ham Hill)</p> <p>4. Limit development in the countryside</p>	<p><i>off-road parking per dwelling</i></p> <p><i>18. Protect community and social spaces and buildings from change of use</i></p>
<b>BUILT ENVIRONMENT AND HERITAGE</b>		
<b>Aims</b>	<b>Objectives</b>	<b>Other objectives linked to this topic</b>
Retain the distinctive character of the village	<p>5. Produce a Parish Design Guide to ensure quality &amp; design of new development</p> <p>6. Set up list of local heritage 'assets' to be protected</p> <p>7. Reduce flood risk</p> <p>8. Improve and extend network of local rights of way and footpaths, cycle paths and bridleways</p> <p>9. Provide footpath links to and from new development</p>	<p><i>1. Protect the land we value locally from inappropriate development and set parameters for new development to be found acceptable</i></p> <p><i>11. Ensure that new housing increase options</i></p> <p><i>12. Provide some bungalows and lifetime homes</i></p> <p><i>13. Provide dwellings suitable for single person households</i></p> <p><i>23. Provide public toilets</i></p>
Set appropriate design and space standards for new development		
Establish a more accessible (pedestrian-and cyclist friendly) environment		
<b>HOUSING</b>		
<b>Aims</b>	<b>Objectives</b>	<b>Other objectives linked to this topic</b>
Ensure new housing meets local needs and increases choice	<p>10. Establish and monitor scale and nature of local housing need</p> <p>11. Ensure that new housing increase options</p> <p>12. Provide some bungalows and lifetime homes</p> <p>13. Provide dwellings suitable for single person households</p>	<p><i>5. Produce a Parish Design Guide to ensure quality &amp; design of new development</i></p> <p><i>17. Ensure there is sufficient off-road parking per dwelling</i></p>
<b>LOCAL ECONOMY</b>		

<b>Aims</b>	<b>Objectives</b>	<b><i>Other objectives linked to this topic</i></b>
Strengthen retail/commercial function of village centre	14. Support creation of craft/artisan workshops	15. <i>Provide new parking spaces/areas to serve key locations and facilities</i>  16. <i>Increase car parking opportunities</i>
Support the growth of local business / enterprise		
<b>TRANSPORT AND TRAFFIC</b>		
<b>Aims</b>	<b>Objectives</b>	<b><i>Other objectives linked to this topic</i></b>
Reduce substantially the impact of the motor vehicle	15. Provide new parking spaces/areas to serve key locations and facilities  16. Increase car parking opportunities  17. Ensure there is sufficient off-road parking per dwelling	5. <i>Produce a Parish Design Guide to ensure quality &amp; design of new development</i>  8. <i>Improve and extend network of local rights of way and footpaths, cycle paths and bridleways</i>  9. <i>Provide footpath links to and from new development</i>
Improve parking provision		
<b>COMMUNITY FACILITIES, SPORT AND RECREATION</b>		
<b>Aims</b>	<b>Objectives</b>	<b><i>Other objectives linked to this topic</i></b>
Provide for a wide range of community facilities and services and improve leisure and recreation opportunities	18. Protect community and social spaces and buildings from change of use  19. Redevelop pavilion with sports facilities, toilets and changing rooms  20. Expand into new Rec. space when it's made available  21. Enable new leisure and recreation activity  22. Enable increase in local health and welfare services  23. Provide public toilets	2. <i>Designate and protect green spaces of importance to the Parish and Protect and Create Natural Habitats</i>  8. <i>Improve and extend network of local rights of way and footpaths, cycle paths and bridleways</i>
Increase sport and recreation facilities and opportunities at the Rec.		

Draft South Petherton Neighbourhood Plan

1.6 Chapter 2 sets out the legislative background outlining the regulations that determine the need for this screening exercise. Chapter 3 gives an overview of the screening process, whilst Chapter 4 provides a screening assessment of the likely significant environmental effects of the emerging South Petherton Neighbourhood Plan and

considers the need for a full SEA. The outcome of the screening assessment is set out in Chapter 5.

## 2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC as transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, known as the SEA Regulations (from here on referred to as “the Regulations”). Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (ODPM 2005) and the National Planning Practice Guidance.
- 2.2 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, part of the Habitats Regulations Assessment process. To achieve this, paragraph 1 of Schedule 2 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site. Paragraphs 2 to 5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and neighbourhood plans.
- 2.3 The Planning and Compulsory Purchase Act 2004 (as amended) requires Sustainability Appraisal, incorporating SEA, to be carried out for Local Plans. The National Planning Practice Guidance (NPPG)<sup>2</sup> explains that there is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal (SA) may be a useful approach for doing this and the guidance on sustainability appraisal of Local Plans should be referred to.
- 2.4 In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may fall within the scope of the Regulations and so require a strategic environmental assessment. One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).
- 2.5 Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where<sup>3</sup>:
- a neighbourhood plan allocates sites for development;
  - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
  - the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

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<sup>2</sup> NPPG Paragraph: 026 Reference ID: 11-026-20140306

<sup>3</sup> NPPG Paragraph: 027 Reference ID: 11-027-20140306

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- 2.6 To decide whether an emerging neighbourhood plan might have significant environmental effects, its potential scope should be screened at an early stage against the criteria set out in Schedule 1 the Regulations.<sup>4</sup>
- 2.7 This report focuses on screening the emerging South Petherton Neighbourhood Plan for SEA and HRA.

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<sup>4</sup> NPPG Paragraph: 029 Reference ID: 11-029-20140306

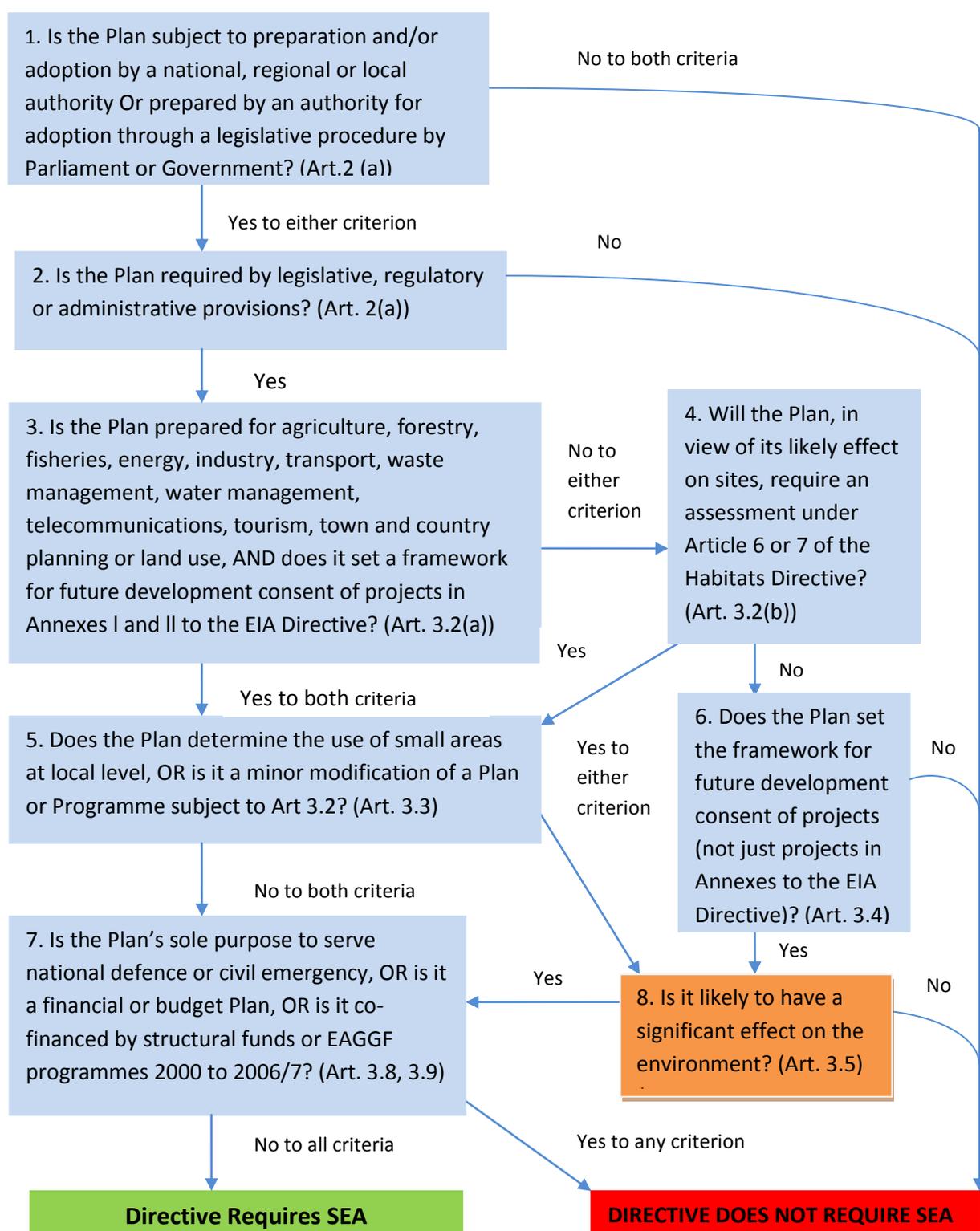
### **3. An Overview of the Screening Assessment**

- 3.1 Figure 1 below reflects 'A practical guide to the Strategic Environmental Assessment Directive' and illustrates the process for screening a neighbourhood plan to ascertain whether a full SEA is required (Article numbers relate to European Directive 2001/42/EC).
- 3.2 In order to carry out the screening process it is necessary to consider each of the criteria set out in Figure 1 - this is done in Table 1. Table 2 explicitly addresses criterion 8 (coloured orange) by considering if the Neighbourhood Plan is likely to have a significant effect on the environment. This is done by considering the Plan against the criteria for determining the likely significance of effects referred to in the Directive<sup>5</sup> - these criteria are listed in Figure 2.
- 3.3 Once the process set out in Figure 1 has been completed a screening outcome can be reached and the conclusion can be found in section 5.

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<sup>5</sup> Article 3.5 of European Directive 2001/42/EC

**Figure 1: Application of the SEA Directive to Neighbourhood Plans**



\*The Directive requires Member states to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

- 3.4 The criteria for determining the likely significance of effects referred to in the Directive<sup>6</sup> are set out in Figure 2.

**Figure 2: Criteria for Determining Likely Significance of Effects**

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

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<sup>6</sup> Article 3.5 of European Directive 2001/42/EC (these criteria are replicated in Schedule 1 of the Regulations)

#### 4. Carrying out the Assessment of South Petherton Neighbourhood Plan

- 4.1 South Petherton Neighbourhood Plan Steering Group has drafted a range of policies that support the policy objectives of the Neighbourhood Plan set out in paragraph 1.5 of this document<sup>7</sup>. The draft policies are set out in Appendix 1; they, support development within and adjacent to the Development Area<sup>8</sup>, designate areas of Local Green Space, protect development from flood risk, encourage high quality design, protect the historic environment, protect pedestrian and cycle networks, help meet the demand for affordable housing, provide a mix of house types and sizes, support the creation of small employment units, protect existing car parking capacity, support the provision of new car parking, protect and enhance community facilities, support the provision of new public conveniences and identify priorities for CIL and S.106 expenditure.
- 4.2 The only European site within South Somerset is the Somerset Levels and Moors Special Protection Area/Ramsar. One other European site<sup>9</sup> is in close proximity to the district boundary. These sites have been addressed in the Habitats Regulations Assessment which has been carried out alongside the South Somerset Local Plan.
- 4.3 Table 1 assesses whether the South Petherton Neighbourhood Plan will require a full SEA. The criteria within Table 1 are drawn from Figure 1 above which sets out how the SEA Directive should be applied. Appendix 2 contains a map showing the environmental constraints within the South Petherton Neighbourhood Area (NA). Appendix 3 includes the South Petherton inset map and key from the South Somerset Local Plan.

**Table 1: Assessment of the Need for SEA**

Assessment Criteria	Assessment	
1. Is the Plan 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>Yes</b>	Neighbourhood Plans are prepared by parish/town councils (as the “qualifying body”) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the Plan has been prepared, and subject to examination and referendum, it will be “made” by South Somerset District Council as the Local Planning Authority.  <b>GO TO ASSESSMENT CRITERION 2</b>
2. Is the Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	<b>Yes</b>	Whilst producing a Neighbourhood Plan is not a requirement and is optional, it will if ‘made’ form part of the statutory Development Plan for the District and will be used when making decisions on planning applications. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.

<sup>8</sup> Development Area remains as shown in adopted South Somerset Local Plan 2006 - 2028

<sup>9</sup> Bracket’s Coppice Special Area of Conservation, located south east of Crewkerne in Dorset.

		<b>GO TO ASSESSMENT CRITERION 3</b>
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? (Art 3.2(a))	<b>Yes</b>	<p>South Petherton Neighbourhood Plan is being prepared for town and country planning and land use purposes and will set out a framework for future development in South Petherton parish. It aims to support development for residential use to meet local needs and promote business use as well as supporting the provision of new car parking and public convenience facilities therefore this may fall under 10 (a &amp; b) of Annex II of the EIA Directive.</p> <p style="text-align: center;"><b>GO TO ASSESSMENT CRITERION 5</b></p>
4. Will the Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))		<b>NOT APPLICABLE (refer to Figure 1)</b>
5. Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan or Programme subject to Art. 3.2? (Art. 3.3)	<b>Yes</b>	<p>The South Petherton Neighbourhood Plan draft policies are set out in Appendix 1; they designate areas of Local Green Space, evidenced by the South Petherton Green Spaces Survey Report which assesses the sites against criteria set out in paragraph 77 of the NPPF and concludes that four of the twelve areas surveyed should be designated: Mere Lynchets, Dutchie's Orchard, the Recreation Ground and the Community Woodland.</p> <p>Policies also support development within and adjacent to the Development Area<sup>10</sup>, protect development from flood risk, encourage high quality design, protect the historic environment, protect pedestrian and cycle networks, help meet the demand for affordable housing, provide a mix of house types and sizes, support the creation of small employment units, protect existing car parking capacity, support the provision of new car parking, protect and enhance community facilities, support the provision of new public conveniences and identify priorities for CIL and S.106 expenditure..</p> <p style="text-align: center;"><b>GO TO ASSESSMENT CRITERION 8</b></p>

<sup>10</sup> Development Area remains as shown in adopted South Somerset Local Plan 2006 - 2028

6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		<b>NOT APPLICABLE (refer to Figure 1)</b>
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? (Art 3.8, 3.9)		<b>NOT APPLICABLE (refer to Figure 1)</b>
<b>As a result of the response to assessment criterion 5 it is necessary to consider the Neighbourhood Plan under assessment criterion 8. Table 2 below does this by using the criteria set out in Figure 2 of this document.</b>		

**Table 2: Determining the Likely Significant Effects of the draft South Petherton Neighbourhood Plan on the Environment**

Significant effect criteria	Assessment	Likely Significant Environmental effect
<b>The characteristics of the plans, having regard to:</b>		
The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The South Petherton Neighbourhood Plan intends to support housing development to meet the Local Plan requirement particularly affordable housing. Support new small and medium scale local arts and crafts businesses. Support development within and adjacent to the Development Area <sup>11</sup> , protect development from flood risk, encourage high quality design, protect the historic environment, protect pedestrian and cycle networks, help meet the demand for affordable housing, provide a mix of house types and sizes, support the creation of small employment units, protect existing car parking capacity, support the provision of new car parking, protect and enhance community facilities, support the provision of new public conveniences and identify priorities for CIL and S.106 expenditure.	No

<sup>11</sup> Development Area remains as shown in adopted South Somerset Local Plan 2006 - 2028

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	<p>The draft NP designates four areas of Local Green Space which have been assessed against the criteria set out in paragraph 77 of the NPPF.</p> <p>The Neighbourhood Plan sits within the wider framework of the National Planning Policy Framework (NPPF) and the adopted South Somerset Local Plan 2006-2028; and will therefore help to set the framework for projects that are localised in nature.</p>	
The degree to which the plan influences other plans and programmes including those in a hierarchy.	The Neighbourhood Plan should have regard to the NPPF and be in general conformity with the strategic policies of the South Somerset Local Plan 2006-2028. The Neighbourhood Plan is unlikely to significantly influence other plans and programmes.	No
The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.	A Neighbourhood Plan is required to contribute to the achievement of sustainable development and covers a parish wide geographical area. Therefore the likely significant effects on the environment are minimised as the Neighbourhood Plan should integrate environmental considerations and promote sustainable development.	No
Environmental problems relevant to the plan.	<p>The environmental impacts of the proposals within the South Petherton Neighbourhood Plan are likely to be minimal. Whilst part of the parish is located within Flood Zones 2 &amp; 3 (north and east of the settlement), any future proposals within the flood zone would be subject to a Sequential Test and site-specific flood risk assessment in accordance with the NPPF.</p> <p>The NA also has a number of heritage assets including a Conservation Area, listed buildings and an area of High Archaeological Potential, all of which the Neighbourhood Plan intends to protect.</p>	No
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g.	The Neighbourhood Plan has to be in general conformity with the Local Plan. The Local Plan has had regard to European Community legislation on the environment and therefore the NP is not directly relevant to the implementation of other European legislation. Waste management issues are addressed in	No

plans and programmes linked to waste-management or water protection).	the Somerset Waste Core Strategy.	
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
The probability, duration, frequency and reversibility of the effects.	The draft Neighbourhood Plan allows for small scale development in and around South Petherton therefore some element of environmental change will take place, however the overall impacts will be in accordance with the adopted Local Plan and unlikely to have a significant effect.	No
The cumulative nature of the effects.	The Neighbourhood Plan should not lead to significant cumulative impacts as long as the allowance for housing is in accordance with the settlement strategy of the Local Plan (SS1 and SS5). Policies drafted reflecting the aims to protect the environment should also ensure that there are no significant cumulative effects.	No
The transboundary nature of the effects.	The South Petherton NA is located within the District of South Somerset the draft policies within the Neighbourhood Plan will not have a transboundary effect.	No
The risks to human health or the environment (e.g. due to accidents).	There is limited risk to human health or the environment as result of the draft policies of the South Petherton Neighbourhood Plan.	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the Plan.	The NA covers the civil parish of South Petherton which has a usual resident population of 3,367 people (2011 Census) and covers a geographical area amounting to around 1,415 ha. The aims of the plan are locally based and are unlikely to have a significant impact on a wider geographical area or population.	No
The value and vulnerability of the area likely to be affected by the Plan due to: – Special natural	A large proportion of the existing built up area of South Petherton is within an Area of High Archaeological Potential (Local Plan Policy EQ3). A Conservation Area also covers a large proportion of the existing built settlement (Local Plan Policy EQ3). Parts of the NA are	No

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<p>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>	<p>designated as Flood Zones 2 and 3 (medium – high flood risk), to the north and north east (Local Plan Policy EQ1). Much of the NA is classed as best and most versatile agricultural land.</p> <p>There are no landscapes which have a recognised national, Community or international protection status in the South Petherton NA.</p> <p>The Neighbourhood Plan intends to protect these valued areas. The policies within the NPPF and Local Plan (identified in brackets) should ensure that any significant negative effects are adequately mitigated.</p>	
<p><b>Criterion 8 Conclusion</b></p>	<p><b>The South Petherton Neighbourhood Plan is unlikely to have a significant effect on the environment.</b></p>	

## 5. Screening Outcome

- 5.1 As a result of the findings set out in Table 1 and Table 2, it is concluded that the objectives and policies of the South Petherton Neighbourhood Plan are unlikely to have significant environmental effects; consequently a full SEA is not required.
- 5.2 The aims of the South Petherton Neighbourhood Plan are particularly supported by South Somerset Local Plan 2006-2028, EP15: Protection and provision of local shops, community facilities and services, EQ1: Addressing Climate Change in South Somerset, EQ2: Design & General Development, EQ3: Historic Environment and EQ4: Biodiversity, HG3: Provision of Affordable Housing, HG5: Achieving a mix of Market Housing TA5: Transport Impact of New development, TA6: Parking Standards and HW3: Protection of Play Spaces and Youth Provision and SS6: Infrastructure Delivery all of which have been prepared in accordance with the SEA Directive by being subject to Sustainability Appraisal.
- 5.3 Given the lack of European Sites in the vicinity of the NA, the limited wider impacts likely from the plan itself, and the protection afforded by the NPPF and Local Plan policies, this screening also concludes that South Petherton Neighbourhood Plan **will not have significant effects upon the integrity of European sites**.
- 5.4 The three statutory consultation bodies, Historic England, Natural England and the Environment Agency were consulted on 1 February 2017 to determine if they agree with the screening outcomes of this report. Their Responses are summarised Table 3 below. Full responses can be seen in Appendix 4:

**Table 3: Summary of Consultation Responses from Statutory Bodies**

Statutory Consultee	Summary of Comments
Natural England (09.03.17)	It is our advice, on the basis of the material supplied with the consultation that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are unlikely to be significant environmental effects from the proposed plan.
Environment Agency (09.03.17)	We have considered that document and can confirm that we are satisfied with the conclusions that the South Petherton Neighbourhood Plan is unlikely to have a significant effect on the environment.
Historic England (07.03.17)	I can confirm that we have no objection to the view that an SEA will not be required.

- 5.5 In light of the District Council's findings and the responses from the statutory consultees it is concluded that there is **no requirement** for a full SEA or HRA to be undertaken. This conclusion is based upon the current draft policies of the South Petherton Neighbourhood Plan.
- 5.6 This conclusion should be revisited at future stages, as SSDC must decide whether the neighbourhood plan proposal is compatible with EU obligations when it takes the decision on whether the neighbourhood plan should proceed to referendum; and when it takes the decision on whether or not to make the neighbourhood plan.

## Appendix 1: Draft South Petherton Neighbourhood Plan Policies

### **Policy NE1 – South Petherton Village Development Area**

The South Petherton Development Area is defined on Map X (and is consistent with that in the adopted Local Plan). For development to take place which is appropriate to South Petherton's role, function and character and to allow the village to absorb new development in an incremental organic way, the defined development area is the preferred location for new development. Development proposals within the development area will be supported in principle. Preferred sites will be:

- i) On previously developed land; or,
- iii) On an infill site.

### **Policy NE2 – Proposals on the Edge of the Village Development Area**

Development proposals adjacent to the South Petherton development area will only be supported where they:

- i) are contiguous (well-related) to the development boundary and are preferably infilling the settlement extent;
- ii) are preferably a small scale site which represents a direct response to demonstrable up-to-date local needs; and,
- iii) do not compromise the local landscape setting and special character of South Petherton village and have had regard to the need to protect the open landscape character of the countryside.

Proposals should maximise opportunities to create a positive transition between development and the open landscape character and setting of South Petherton as part of the proposed scheme, for example, through landscape or public open space buffers with, if necessary, planting appropriate to the local landscape setting and habitat.

The following assessments will be used as reference points to assess the impact of proposals:

- a) South Petherton Peripheral Landscape Study;
- b) South Somerset Landscape Character Assessment;
- c) South Petherton Local Visual Landscape Study; and,
- d) South Petherton Design Statement.

Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals take into account both this plan's aims and objectives and the views of the local community.

### **Policy NE3 - Local Green Space**

**Our locally valued green spaces are identified on Map X and are designated as Local Green Space. These LGS are:**

- i) XXXXX XXXXXX**
- ii) XXXXXX**
- iii) etc.**

**These areas will be protected for their local environmental and recreational value.**

**Development proposals on or likely to have an adverse impact on sites will only be supported where they:**

- iv) maintain or enhance the existing use and amenity value of the site;**
- v) enhance the access to and use of the site where also used for recreational purposes;**
- vi) have no adverse impact on the recreational use or environmental value of the site or (where unavoidable) satisfactorily mitigate such impact, for example, through replacement of the space (of the same or greater size) at a location easily accessible to the original space's users and / or the site's wildlife habitat; and,**
- vii) do not change the purpose for which the space is valued and the reason for designation; and,**
- viii) do not result in the loss of the majority of the Local Green Space.**

**Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals for change take into account both this plan's aims and objectives and the views of the local community.**

#### **Policy NE4 – Local Flood Risk**

**Where appropriate, development proposals should demonstrate that they do not increase local flood risk, with particular regard to locations of known surface water flooding identified on map X (in the following locations):**

- i) XXXXX XXXXXX**
- ii) YYYYY YYYYYY, and,**
- iii) etc.; and,**

**Where sustainable drainage systems are introduced, a management plan should be put in place for future maintenance of the system.**

#### **Policy BEH1 – High Quality Design**

**All new development should be of high quality design, complementing the local vernacular, enhancing visual amenity and minimising any adverse impacts on the built environment and neighbouring amenity.**

**For proposals to be considered high quality in the South Petherton context, they should meet the requirements of the South Petherton Design Statement.**

**To inform consideration of the appropriateness of a proposal's suitability in relation to the character of the built environment and the site's setting, applicants should provide an analysis of proposal's plot size(s), building footprint and remaining garden of the dwellings in the surrounding area.**

**Proposers of development are encouraged to apply the most up-to-date accessibility standards which are applicable to the type and location of development and to as many new dwellings as viability allows (and exceed those standards where possible).**

**Policy BEH2 – Heritage and the Historic Environment**

**The South Petherton Conservation Area is defined on Map X. Our locally valued parish heritage assets include those identified in the South Petherton Village Conservation Area Appraisal and the national list of heritage assets and are identified on Map X.**

**Other local heritage assets, as yet un-designated, are also set out on Map X and the parish council will work with Historic England to achieve formal designation. These assets are:**

- i) [name]**
- ii) [name]**
- iii) etc**

**All such assets will be protected from adverse impact arising from their development, alteration, refurbishment or demolition and from adverse impact of other development proposals.**

**Development proposals affecting un-designated but identified local heritage assets will be subject to Local Plan policy EQ3.**

**Policy BEH3 - Rights of Way and Other Public Access Non-vehicular Routes**

Priority routes in South Petherton which form part of the existing pedestrian and cycle network will be protected from loss and should be enhanced where possible. These and potential new routes which could enhance this network and accessibility to local amenities including the school, village centre, community facilities and services are identified on Map X and are:

- i) insert list
- ii) etc.

Proposals for these and other new, extended or improved rights of way and other public non-vehicular routes will be supported where they:

- iii) help to increase opportunities for recreational access to and within the countryside; or
- iv) better link existing areas of green infrastructure and Local Green Space used for recreational purposes; or,
- v) help to retain and enhance safe and easy pedestrian and cycle access to local amenities including the school, village centre, community facilities and services ; or,
- vi) help to provide and maintain a safe and suitable cycle path network to support and encourage commuting to work and recreational use, both within the parish and as part of the wider cycle route network including connection to the National Cycle Route Network route 339;  
and,
- vii) provide safe routes with appropriate lighting, where necessary, while minimising light pollution;
- viii) do not compromise local amenity;
- ix) have no adverse impact on landscape character or such impacts are satisfactorily mitigated; and,
- x) meet the most up-to-date standards of design.

Proposals for development should provide safe and easy access for pedestrians and cyclists onto the existing pedestrian and cycle network and enable good connectivity to local amenities including the school, village centre and community hospital.

### **Policy H1 – Meeting the Demand for Affordable Housing in South Petherton**

**Where the threshold for affordable housing requirements applies, development proposals will be supported where:**

- i) They contribute to meeting the local housing needs of South Petherton as defined in the most up-to-date Housing Needs Survey in terms of type, size and tenure; and,**
- ii) Are provided principally for occupancy by a person or persons (household) with a local connection who:**
  - a) Do not have access to open market housing;**
  - b) Is a resident of South Petherton parish, or has a local connection with the parish because of family ties or a need to be near their workplace.**

**In the event that an occupier who fulfils both (or either) of criterion (a) or (b) cannot be found within a reasonable period of time, then (b) will be widened:**

- 1 firstly to a person(s) with a local connection to the neighbouring parishes of Martock, Norton Sub Hamdon, Chiselborough, Merriott, Lopen, Seavington St Michael, Seavington St Mary, Shepton Beauchamp and Kingsbury Episcopi because of family ties or a need to be near their workplace;**
- 2 secondly to a person(s) with a connection to Ilminster, Crewkerne, Ilchester, Yeovil and their neighbouring parishes because of family ties or a need to be near their workplace; and,**
- 3 thirdly to a person(s) with a connection to the wider South Somerset District.**

**Dwelling completions will be monitored during the plan period to understand progress against Local Plan dwelling requirements and South Petherton’s defined local needs to inform planning proposals and their consideration.**

### **Policy H2 – Retaining Affordable Housing in Perpetuity**

**Affordable housing should be provided in perpetuity, (in accordance with the most up-to-date Government policy), for example, through a Community Land Trust or other community housing scheme which retains stock for the benefit of the local community at an accessible cost. Community housing schemes which provide and retain local affordable housing for the benefit of local people in need will be supported.**

### **Policy H3 – Housing Type and Size**

To help ensure a locally appropriate supply of dwelling types and sizes, development proposals which demonstrate how they meet the local needs, demand and demographic profile of South Petherton will be supported. Developers are encouraged to provide dwelling types in the following approximate proportions across tenures to help deliver a balance in supply to meet local demand, where feasible, viable and unless it can be demonstrated that other up-to-date evidence indicates alternative proportions:

- i) X% single floor 1 or 2 bedroom dwellings;
- ii) XX% two floor 1 or 2 bedroom dwellings;
- iii) XX% 3 or 4 bedroom dwellings;
- iv) X% 5 bedroom dwellings.

Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals for take into account both this plan's aims and objectives and the views of the local community.

### **Policy LE1 - Small Employment Starter / Incubator Units to Support Local Arts**

Development proposals for the creation of workshops to support small and medium sized local arts and crafts businesses will be supported where they have no adverse impact on:

- i) the character of the built environment;
- ii) the character of the natural environment and setting;
- iii) residential amenity;
- iv) traffic generation;
- v) noise; and,
- vi) light pollution.

Where proposals are within the defined South Petherton development area, they will need to demonstrate that they will not exacerbate existing parking capacity issues and provide sufficient off-street parking for the anticipated number employees and visitors using the units in line with the most up-to-date Highways Authority standards.

#### **Policy TT1 – Protecting Car Parking Capacity**

**The following car parks (identified on Map X) are important assets to the local community and essential to the functionality and economic vitality of South Petherton village:**

- i) The Recreation Ground;**
- ii) Prigg Lane;**
- iii) St James' Street; and,**
- iv) Over Stratton Village Hall.**

**Their use as car parking areas and their parking capacity will be safeguarded. Any loss of public parking spaces serving the village centre or community facilities should be replaced by equal or greater capacity and in a location which has easy pedestrian access to the village centre.**

#### **Policy TT2 – Creating New Additional Off-street Car Parking Capacity**

**The following areas within South Petherton village identified on Map X are identified as areas which could help to provide a solution (in whole or in part) to car parking capacity problems:**

- i) Silver Street;**
- ii) Telephone Exchange; and,**
- iii) adjacent to the Medical Centre; and,**
- iv) South Street.**

**The preferred use for these areas, should proposals for a change in their land use come forward, will be for the provision of additional public off-street parking.**

### **Policy TT3 – Parking in Residential Development**

**New residential development should provide adequate off-road parking for residents and visitors with roads being of sufficient width and an appropriate layout to ensure easy two-way vehicular access, without compromising the safety of pedestrians or cyclists.**

**Proposals for development of 10 or more dwellings will be supported where they demonstrate, through a Transport Impact Assessment or Planning Statement, how they comply with standards set out by the Highways Authority in its most up-to-date standing advice. Developments of less than 10 dwellings should also comply with standards and should demonstrate that these standards are met through plans submitted as part of the application.**

**Proposals are encouraged to exceed this standard where viable:**

- i) to help ensure that existing parking problems in South Petherton are not exacerbated;**
- ii) to provide the opportunity to maintain good and safe accessibility on local roads;**
- iii) to take realistic account of vehicle ownership (and use of commercial / business vehicles) per household in the Parish; and,**
- iv) ensuring that their layout provides easy access for residents and their visitors, to service vehicles (for example refuse vehicles) and to emergency service vehicles.**

### **Policy COM1 – Protecting and Enhancing Community Facilities**

**Existing community facilities will be protected for such use and their loss will not normally be supported. Our particularly locally valued community amenities and facilities are identified on Map X and are:**

- i) XXXXXXXX (valued for XXXXX purpose / reason);**
- ii) XXXX XXXX (valued for XXXXX purpose / reason);**
- iii) Xxxxxxxx (valued for XXXXX purpose / reason)....**

**Development proposals for new, replacement, extended and/or improved community facilities and open space will be supported where:**

- vii) the proposal would not have significant adverse impact on the amenity of nearby residents; and,**
- viii) the proposal would not have significant adverse impacts on the surrounding local environment (with regard to biodiversity, wildlife habitat and landscape character); and,**
- ix) the proposal would not have unacceptable impacts on the local road network (with regard to additional traffic volume / congestion, demand for parking, and pollution levels); and,**
- x) the proposed use will be dedicated to community use in perpetuity; and,**
- xi) easily accessible to residents.**

**Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals take into account both this plan's aims and objectives, the needs of users and the views of the local community.**

### **Policy COM2 – Public Conveniences**

**Development proposals for new public conveniences will be supported where they have no adverse impact on residential amenity or amenity in the village centre through noise, odour or lighting.**

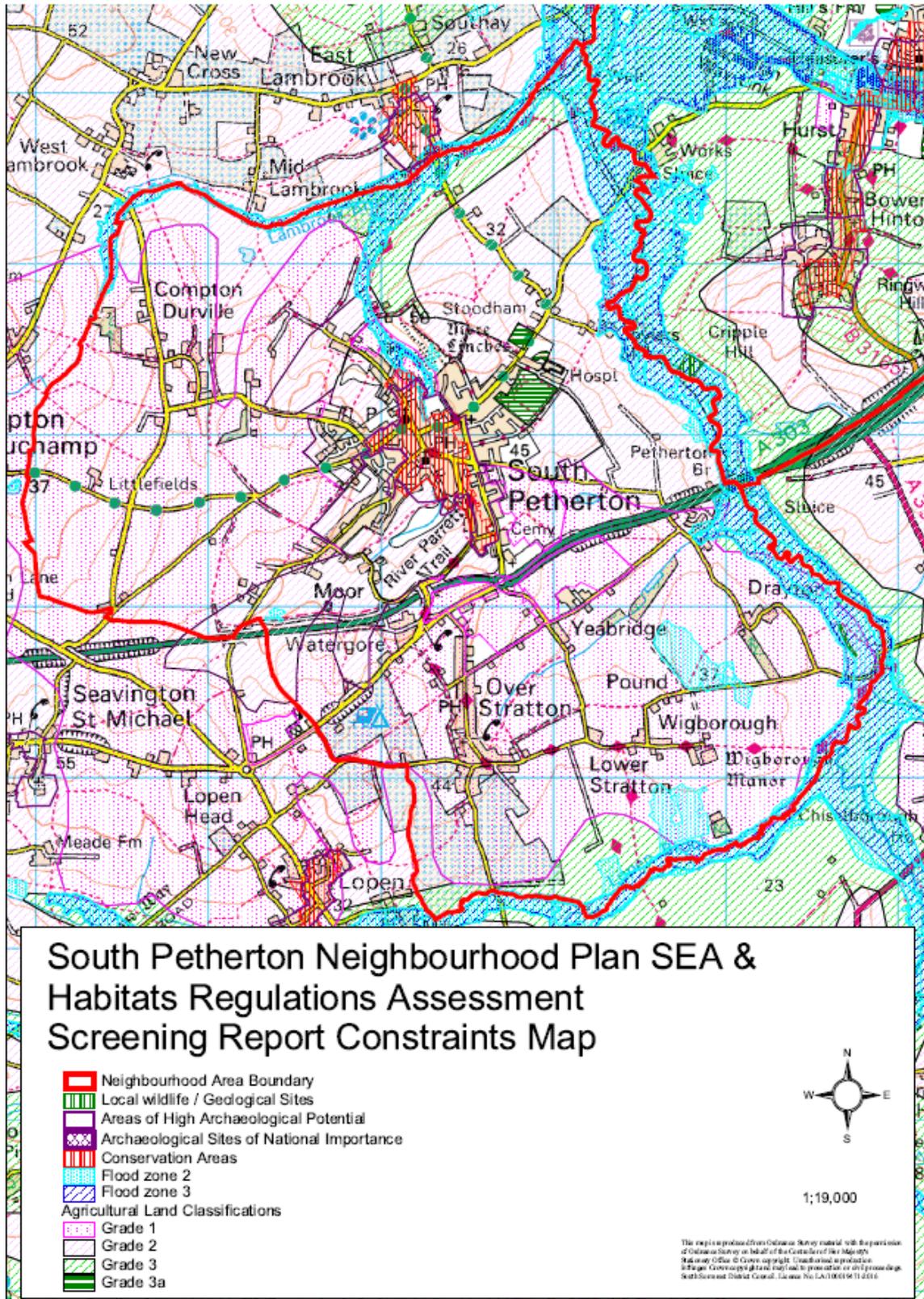
### **Policy D1 – Priority Projects and Action**

**Developer contributions which are generated from section 106 planning obligations or the Community Infrastructure Levy (CIL) should contribute (subject to conditions), in no particular order, towards the following local priority community projects:**

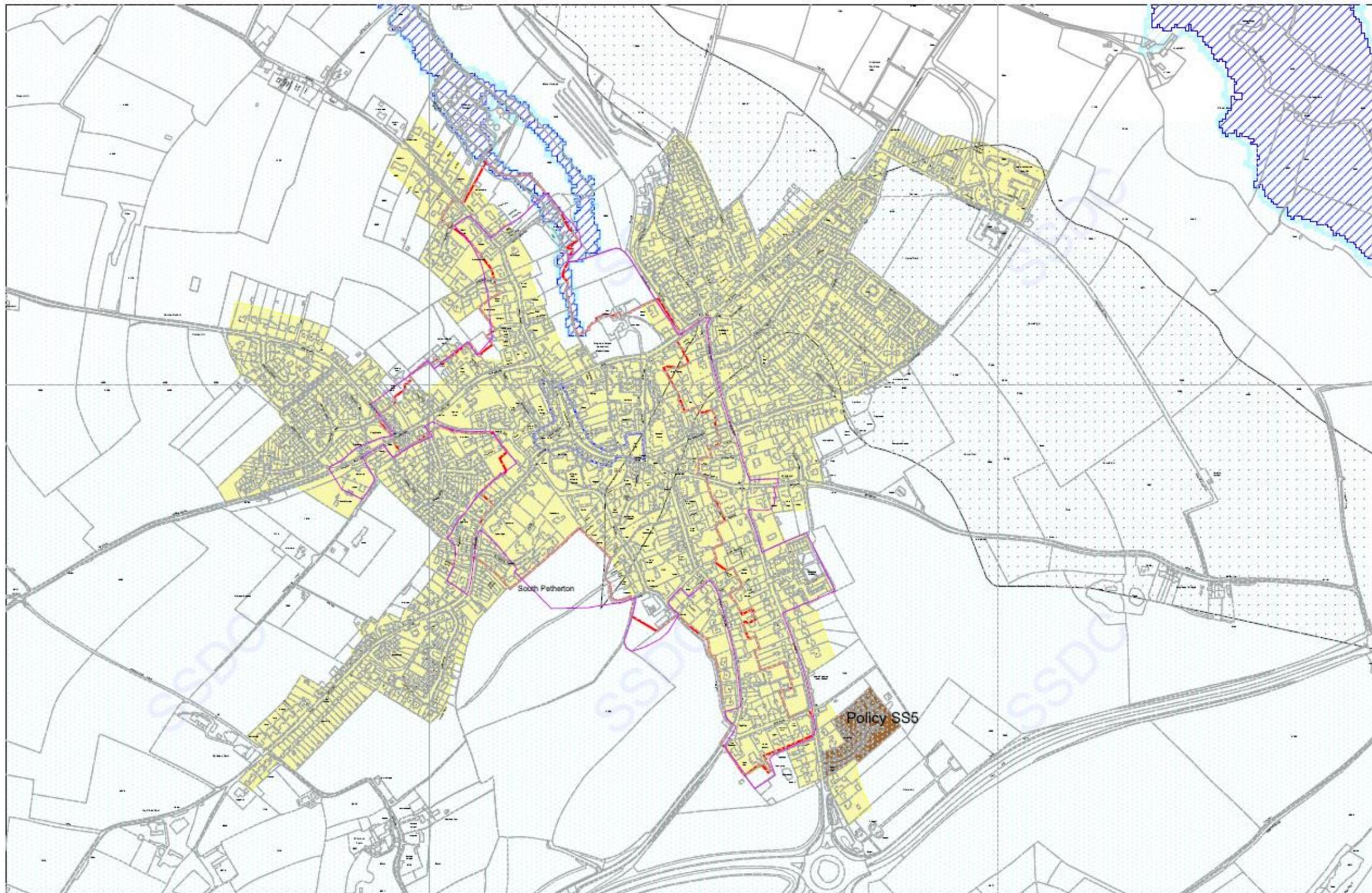
- i) expansion and modernising of the youth club facilities / building;**
- ii) an extension to the community hall;**
- iii) the provision of additional public car parking capacity in the village centre, with potential explored for additional capacity at the following locations (and others as yet unnamed which may become available during the plan period):**
  - a) Silver Street;**
  - b) Telephone Exchange;**
  - c) Adjacent to the Medical Centre; and,**
  - d) South Street;**
- iv) delivering priorities to enhance the pedestrian and cycle network;**
- v) implementing the transport and traffic objectives set out in this plan, such as:**
  - a. the installation of electric vehicle charging points; and,**
  - b. improving accessibility to and connectivity with the hospital;**
- vi) redevelopment or replacement of the sports pavilion and changing facilities which meets the needs of its users and potential users;**
- vii) extension of the Recreation Field to provide additional sports pitches and new open space;**
- viii) change of use of the Bank building (should it become available) for use as a community facility or hub; and,**
- ix) the provision of additional public conveniences in the village centre.**

**Other priority projects may be identified during the lifetime of this plan and so this list will be periodically reviewed and updated alongside this plan.**

**Appendix 2 – Constraints Map**

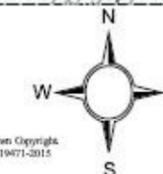


Appendix 3 - South Somerset Local Plan - Inset Map for South Petherton and Key



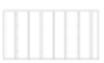
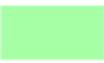
South Somerset Local Plan 2006 - 2028  
South Petherton - Inset Map 12 (Adopted 2015)

1:6,000



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**South Somerset Local Plan 2006 – 2028 Key (Adopted 2015)**

	Plan Area Boundary		Flood Zone 2, EQ1	<b>Historic and Built Environment</b>		High Street (Chard), PMT1, PMT2	
	Inset Boundary (Area Wide Map)		Flood Zone 3, EQ1		Conservation Areas, EQ3		Back Plots (Chard), PMT1, PMT2
	Not SSDC Area		Flood Zone 3a, EQ1		Historic Parks & Gardens Listed Battlefields, EQ3		East End (Chard), PMT1, PMT2
	Local Plan Strategy		Source Protection Zones EQ7		Archaeological Sites of National Importance, EQ3		Green Heart (Chard), PMT1, PMT2
	Development Area, SS1, SS3, SS5		Hazardous Installations, ME9		Area of High Archaeological Potential, EQ3		Indicative Road Links between development areas
	Direction of Growth, SS3, SS5, YV2, PMT1, PMT2, PMT3, PMT4, LMT1, LMT2, LMT3		Henstridge Airfield Masterplan Boundary, EP6		Yeovil		Formal / Informal Recreation
	Countryside and Environment		Town Centres		Yeovil Airfield Flight Safety Zone YV4		Housing – Development Site (Carried forward saved proposals and strategic growth allocation for Chard), SS5, PMT1, PMT2
	Area of Outstanding Natural Beauty, EQ2, EQ4		Town Centres, EP2, EP9, EP11, EP12		Indicative location Of Urban Village, YV3		Employment – Development Sites (Carried forward saved proposals) SS3
	Wildlife / Geology – Local, EQ2, EQ4, EQ5		Primary Shopping Area, EP11		Air Quality Management Area, EQ7		Buffer Zones
	Wildlife / Geology – National, EQ2, EQ4, EQ5		Primary Shopping Frontage, EP13		Transport		Education
	Wildlife / Geology – International, EQ2, EQ4, EQ5		Town Centre Inset		Road (Crewkerne)		Community Facilities
	Mineral Safeguarding Area, Somerset Minerals Plan, SMP9				A358/A30 Convent Signals		
					Transport Interchange Yeovil / Chard, TA3		

## Appendix 4: Responses from Statutory Consultees

Ms Jo Wilkins  
South Somerset District Council  
The Council Offices  
Brympton Way  
Yeovil  
Somerset  
BA20 2HT

Our ref: WX/2006/000321/OR-  
06/IS1-L01  
Your ref: SEA  
Date: 09 March 2017

Dear Ms Wilkins

### South Petherton Neighbourhood Plan SEA Screening Opinion - February 2017

Thank you for consulting the Environment Agency on the above mentioned screening opinion.

We have considered that document and can confirm that we are satisfied with the conclusions that the South Petherton Neighbourhood Plan is unlikely to have a significant effect on the environment.

We have considered the draft policies in the document and can offer the following comments:

#### Flood Risk

We support that this references the local flood risk outside of the flood map for planning. It is important to capture the relevant surface water and any groundwater flooding, as any headwaters less than 5km<sup>2</sup> do not fall within the flood map for planning. Therefore, they may wish to use your Authority's SFRA and the published surface water flood map as the starting point for establishing areas of surface water flooding. The neighbourhood should note that it will be for the LPA and / or Lead Local Flood Authority (Somerset County Council) to comment on any future flood risk outside of the flood map for planning.

#### Local Green Space and Public Access.

Any opportunity to enhance the condition of the local riverine environment should be explored. As access to high quality river frontage can improve the biodiversity of the area, as well as the local environment for the benefit of residents. It would also help towards achieving favourable status of watercourse under the Water Framework Directive.

Yours sincerely

**MICHAEL HOLM**

Planning Advisor - Sustainable Places

Direct dial 02030 259358

Direct e-mail [swx.sp@environment-agency.gov.uk](mailto:swx.sp@environment-agency.gov.uk)

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

End

South Petherton Neighbourhood Plan  
Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Date: 09 March 2017  
Our ref: 207569



Ms J Wilkins  
South Somerset District Council

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ  
T 0300 060 3900

Dear Ms Wilkins

**Planning consultation:** South Petherton Neighbourhood Plan Draft SEA and HRA Screening

Thank you for your consultation on the above dated 01 February 2017.

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.

**Screening Request:**

**Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are unlikely to be significant environmental effects from the proposed plan.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights triggers that may require the production of an SEA, for instance where:

- A neighbourhood plan allocates sites for development
- The neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan

The draft Neighbourhood Plan designates four areas for Local Green Space and no other areas for other forms of development. We have checked our records and based on the information provided, we can confirm that in our view the plan will not have significant effects on sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and

South Petherton Neighbourhood Plan  
Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

**Habitats Regulations Assessment**

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations. In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. This will be particularly important if a neighbourhood plan is to progress before a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

Based on the information supplied in the HRA screening report, we agree with the conclusion that the plan is unlikely to result in significant impacts on a European site and therefore an HRA is not required.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA and HRA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Oliver Lowe (contact details below). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto: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

Oliver Lowe  
Somerset, Avon and Wiltshire Sustainable Development Team  
Tel: 02080266836  
Email: [Oliver.Lowe@naturalengland.org.uk](mailto:Oliver.Lowe@naturalengland.org.uk)

South Petherton Neighbourhood Plan  
Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Dear Jo

Thank you for your consultation on the SEA Screening for the emerging South Petherton Neighbourhood Plan.

I can confirm that we have no objection to the view that an SEA will not be required.

Kind regards

David

David Stuart | Historic Places Adviser South West

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

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

We have launched four new, paid-for Enhanced Advisory Services, providing enhancements to our existing free planning and listing services. For more information on the new Enhanced Advisory Services as well as our free services go to our website: [HistoricEngland.org.uk/EAS](https://HistoricEngland.org.uk/EAS)

