

OXENHOPE NEIGHBOURHOOD PLAN

OXENHOPE VILLAGE COUNCIL

STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING
DETERMINATION

Under Regulation 9 & 11 of the Environmental Assessment of Plans and Programmes
Regulations 2004

FEBRUARY 2020



CONTENTS

1. SEA Determination Statement
2. Appendix 1: SEA & HRA Screening Report for ONP
Appendix 2: Consultation responses from Historic England, Natural England and the Environment Agency

Abbreviations

CBMDC -	City of Bradford Metropolitan Borough Council
HRA -	Habitat Regulations Assessment
LPA -	Local Planning Authority
NPPF -	National Planning Policy Framework
NPPG -	National Planning Policy Guidance
OVC -	Oxenhope Village Council
ONP -	Oxenhope Neighbourhood Plan
SPA -	Special Area of Conservation
SEA -	Strategic Environmental Assessment
SPA -	Special Protection Area
SSSI -	Site of Special Scientific Interest

1. DETERMINATION STATEMENT

1.1 Introduction

This statement provides the determination (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)) that the draft Oxenhope Neighbourhood Plan (ONP) is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment.

This statement also includes the reasons for this determination (in line with Regulation 11 of the SEA Regulations).

This statement also determines that the making of the draft ONP is unlikely to result in any significant effects on any European sites and therefore the ONP does not require a Habitat Regulation Assessment.

The statement also intends to demonstrate that the ONP is compatible with certain European Union obligations as required by the basic conditions, specifically:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment; and
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

This determination has been made on 12 February 2020. Within 28 days of this determination, Oxenhope Village Council will publish this determination statement in accordance with its regulatory requirements (as per Regulation 11 of the SEA Regulations). Statutory consultees will be sent a copy of this statement and copies of the statement will be available for inspection on Bradford Council's website www.Bradford.gov.uk and on the Village Council's website www.oxenhopevillagecouncil.gov.uk

Officers at CBMDC have been consulted and kept informed of the work that has been undertaken on both the SEA & HRA screening for the ONP. It is expected that CBMDC will agree with the contents of this report.

1. DETERMINATION STATEMENT

1.2 Determination Statement

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening opinion was prepared on behalf of Oxenhope Village Council for the draft Oxenhope Neighbourhood Plan. This opinion, included in the appendix to this statement was made available to the statutory environmental bodies (Natural England, Historic England and Environment Agency) for comment starting on 4th June 2019. Consultation responses were received from all three bodies. Their conclusions are summarised below and detailed responses are included as Appendix 2.

Natural England

Strategic Environmental Assessment & Habitat Regulations Assessment

- It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscape and protected species, geology and soils) are concerned, that there ***are unlikely to be significant environmental effects from the proposed plan.... We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.***

Historic England

Strategic Environmental Assessment

- On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations (Annex II of 'SEA' Directive), Historic England ***concur with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Oxenhope Neighbourhood Plan.***

Environment Agency

Strategic Environmental Assessment

We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest. **Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.**

In summary, it is determined that the Oxenhope Neighbourhood Plan would not have a significant effect on the environment because:

- It does not allocate land for development
- As detailed in the SEA screening report, the policies were found to have either minor or no impacts on the environmental criteria set out in Schedule 1 of the Environmental Assessment Regulations.

The HRA screening concludes that the Neighborhood Plan is not predicted to have any likely significant effects on any European site, either alone or in combination with other plans and projects. Based on the screening opinion prepared by Oxenhope Village Council in April 2019 and having considered the consultation responses from the statutory environmental bodies, Oxenhope Village Council determine that the Oxenhope Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a strategic environmental assessment. This screening determination is applicable to the pre-submission version of the Oxenhope Neighbourhood Plan.

APPENDIX

1. SEA & HRA SCREENING OPINION
2. CONSULTEE RESPONSES

APPENDIX 1 - SEA & HRA SCREENING OPINION

1. INTRODUCTION

This report sets out the screening assessment for the Oxenhope Neighbourhood Plan (ONP). The purpose of screening is to establish if the ONP will require a full Strategic Environmental Assessment (SEA) and/or a Habitat Regulation Assessment (HRA). Sections 6 and 8 shows the conclusions of the screening assessment.

An SEA is a process for evaluating the environmental effects of a plan before it is made. The SEA screening determines whether the plan is likely to have significant environmental effects. If likely significant environmental effects are identified, an environmental report must be produced.

A Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. A HRA is required when it is deemed that likely negative significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. The HRA screening will determine whether significant effects on a European site are likely.

This report explains the legislative background to SEA and HRA screening, provides details of the draft ONP before undertaking a SEA and HRA screening exercise and providing conclusions.

Integreat Plus has prepared this screening report on behalf of the Oxenhope Parish Council (OPC) who is the qualifying body for the ONP. Bradford City Council has a responsibility to advise the ONP if there is a need for formal SEA/HRA of the draft plan. 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 (this includes the SEA Directive).

For the purposes of this assessment the draft version of the plan which was sent to the Local Authority in March 2019 has been screened. This version of the plan is an informal second draft and is considered to be an appropriate stage to undertake the screening assessments as the general scope and content of the plan has emerged.

2. LEGISLATIVE BACKGROUND

STRATEGIC ENVIRONMENTAL ASSESSMENT

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).

2. LEGISLATIVE BACKGROUND

STRATEGIC ENVIRONMENTAL ASSESSMENT

The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's), but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations.

In February 2015 amendments to the Neighbourhood Plan Regulations came into force. Regulation 2(4) of these amendments adds additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environment assessment is not required. The amendment to the Regulations is to ensure that the public can make informed representations and that independent examiners have sufficient information before them to determine whether a neighbourhood plan is likely to have significant environmental effects.

The legislation advises that draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a 'screening' assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. The regulations state that before an authority makes a determination on a plan it should:

- a) Take into account the criteria for determining the likely significance of effects on the environment specified in schedule 1 of the Regulations.
- b) Consult the environmental consultation bodies.

The National Planning Practice Guidance (NPPG) provides further guidance on SEA screening. It advises that whether a neighbourhood plan proposal requires a Strategic Environmental Assessment, and (if so) the level of detail needed, will depend on what is proposed. A SEA may be required, for example, where:

- A neighbourhood plan allocates sites for development.
- The neighbourhood area contains sensitive natural or heritage assets that may be affected by proposals in the plan.
- The neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Where it is determined that the plan is unlikely to have significant environmental effects, and accordingly, does not require an environmental assessment, the authority is required to prepare a statement for its reasons for the determination. If likely significant environmental effects are identified then an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.

APPENDIX 1 - SEA & HRA SCREENING OPINION

2. LEGISLATIVE BACKGROUND

HABITATS REGULATIONS ASSESSMENT

Habitats Regulations Assessment (HRA) has its origins in European law under the Habitats Directive. This has been translated into UK law via The Conservation of Habitats and Species Regulations 2010.

Article 6 (3) of the EU Habitats Directive and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) require that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.

The NPPG advises that it is required to determine whether significant effects on a European site can be ruled on the basis of objective information. If the conclusion of the screening is that the plan is likely to have a significant effect on a European site then an appropriate assessment of the implications of the plan for the site, in view of the site's conservation objectives, must be undertaken. If a plan is one which has been determined to require an appropriate assessment under the Habitats directive then it will normally also require a SEA.

3. OXENHOPE NEIGHBOURHOOD PLAN

Whether a Neighbourhood Plan requires an SEA or HRA depends on what is being proposed in the plan. The draft ONP includes locally specific policies and guidance for the plan area but importantly does not allocate any sites for development.

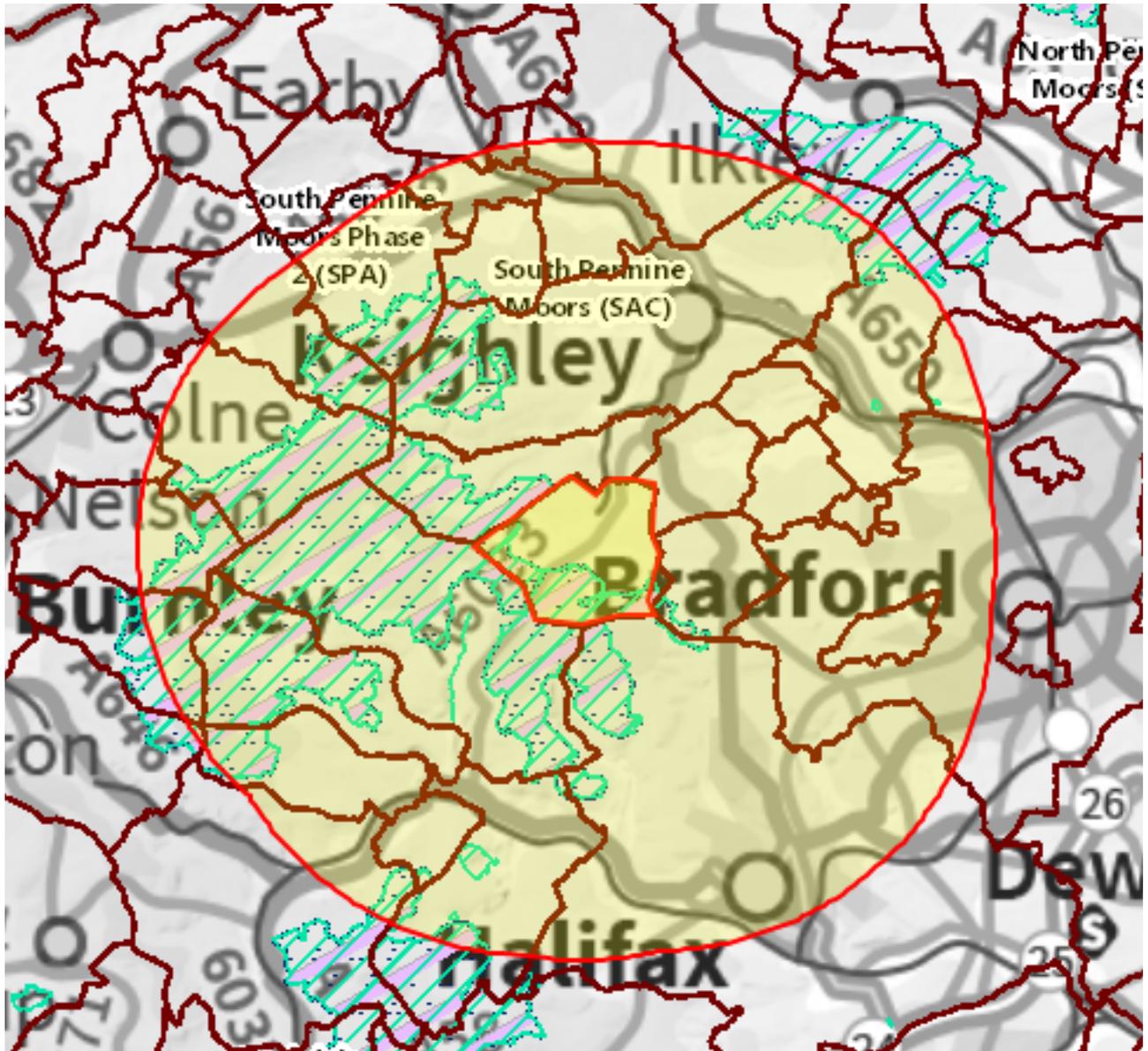
This section of the report sets out the context of the ONP and details the characteristics of the Plan Area.

The ONP Area is a small rural community situated 8 miles west of Bradford City centre. The parish of Oxenhope is made up of several smaller settlements that have developed over time, each with its own distinctive character and identity. Much of the plan area is designated green belt with most of the land currently used for agriculture. There are 4 conservation areas within the plan area and 44 listed buildings or structures. Oxenhope is allocated around 100 houses in the latest round of housing allocations from CBMDC. Oxenhope has a population of around 2,000 people. The village has limited employment opportunities with the majority of workers commuting to nearby towns and cities for work.

Within the plan area itself is South Pennine Moors (SSSI, SPA, SAC) and within a 10km buffer is also South Pennine Moors Phase 2 SPA and a selection of smaller designations such as Crimsworth Dean SSSI, Bingley South Bog SSSI, Trench Meadows SSSI, Broadhead Clough SSSI and Withens Clough SSSI.

3. OXENHOPE NEIGHBOURHOOD PLAN

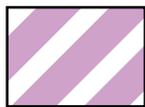
The ONP boundary with 10km buffer, layers showing SSSI, SPA, SAC



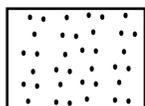
Sites of Special Scientific Interest (SSSI)



10km buffer



Special Area of Conservation (SAC)



Special Protection Area (SPA)



Oxenhope Neighbourhood Plan Boundary

APPENDIX 1 - SEA & HRA SCREENING OPINION

3. OXENHOPE NEIGHBOURHOOD PLAN

VISION

“Oxenhope will continue to develop and thrive as a community of settlements, each retaining their own rich heritage and identity. These settlements will continue to be separated by open green spaces and wildlife corridors which protect its distinctive rural character and the relationship between settlement edges and the countryside.

New developments will remain consistent in character, scale and density with the traditional and existing housing stock and local built environment. The village continues to encourage small-scale commercial enterprise without compromising its unique character or the wellbeing, quality of life and interests of its many residents.

Oxenhope will provide new opportunities for living, working and recreation for its many residents and visitors and aims to be a sustainable community for future generations.”

AIMS & OBJECTIVES

1. Preserve and enhance the natural environment including access and management
2. Preserve and enhance historic, cultural and heritage assets
3. Preserve and enhance local green spaces
4. Protect and enhance community services and facilities
5. Reduce traffic, congestion and parking issues, where possible
6. Ensure new housing development is in keeping with the local vernacular, including scale and density and contributes to retaining distinct village settlements
7. Encourage small scale commercial development and support new and existing businesses
8. Encourage and support recreational and leisure activities and opportunities
9. Deliver the right house types in the right places to meet local needs
10. Improve movement and wayfinding around the village including pedestrian and cycle movement
11. Encourage and support key economic sectors such as tourism and agriculture
12. Positively contribute to the wellbeing and quality of life for local people and visitors

APPENDIX 1 - SEA & HRA SCREENING OPINION

3. OXENHOPE NEIGHBOURHOOD PLAN

POLICIES

GENERAL POLICIES

General Policy 1 – High Quality Design

Policy encouraging development to be of high quality and refer to design guidance contained in the plan.

General Policy 2 – Heritage

Policy promoting retention of heritage and historic assets and encouraging new development in close proximity to be undertaken sensitively, limiting any potential impact on heritage asset(s).

General Policy 3 – Sustainable Urban Drainage

Policy encouraging use of SUDs where necessary.

General Policy 4 – Protect existing community facilities

Policy promoting protection and retention of community facilities. Preference for continued community uses, alternative uses accepted if it can be demonstrated community use is no longer viable.

General Policy 5 – Community Infrastructure Levy (CIL)

Policy stating how CIL money would be spent locally. (Footpath maintenance, biodiversity & landscape improvements).

General Policy 6 – Broadband

Policy encouraging high-speed broadband connections in new developments where possible.

General Policy 7 – Renewable & green energy

Policy supporting and encouraging renewable and green energy technologies providing they cause no negative visual impact on its setting.

General Policy 8 - Design & Development in Conservation Areas

Policy providing guidance to design and development in Conservation Areas

APPENDIX 1 - SEA & HRA SCREENING OPINION

3. OXENHOPE NEIGHBOURHOOD PLAN

POLICIES

HOUSING POLICIES

Housing Policy 1 – Lifetime homes & building for life

Policy encouraging applicants to build to both lifetime homes and building for life standards.

Housing Policy 2 – Building performance

Policy encouraging new homes to be built to the highest standards in sustainable design and building performance.

Housing Policy 3 – Homeworking

Policy encouraging new dwellings to include space to support the provision of homeworking.

Housing Policy 4 – Green infrastructure

Policy encouraging the inclusion of green corridors / wildlife buffers in new housing developments to encourage wildlife and biodiversity.

ECONOMIC DEVELOPMENT POLICIES

Local Economic Development Policy 1 – Retention of building for economic use

Policy promoting retention of Pawson's Mill site as a space for economic activity.

Local Economic Development Policy 2 – Retention of building for retail use

Policy promoting of retention of CO-OP store for continued retail use.

Local Economic Development Policy 3 – Sustainable tourism

Policy supporting recreational, leisure or tourism related enterprise providing suitable off-street parking is provided, and the proposals do not negatively impact wildlife, biodiversity, ecology or visual amenity and steps have been taken to mitigate any potential harm.

Local Economic Development Policy 4 – Keighley & Worth Valley Railway

Policy supporting proposals that enhance tourism and community related opportunities at KWVR.

Local Economic Development Policy 5 – Business space

Policy supporting small-scale business space aimed at new, micro and small businesses in appropriate location providing suitable off-street parking is provided, and the proposals do not negatively impact wildlife, biodiversity, ecology or visual amenity and steps have been taken to mitigate any potential harm.

Local Economic Development Policy 6 – Agricultural expansion / diversification

Policy supporting agricultural expansion / diversification providing it supports sustainable economic development, it does not negatively impact visual amenity of village, and a transport assessment is provided demonstrating impact of HGVs on road network.

APPENDIX 1 - SEA & HRA SCREENING OPINION

3. LOCAL GREEN SPACE POLICY

Local Green Space Policy 1 – Local Green Spaces

Policy designating 6 local green spaces for their contribution to character and local amenity.

MOVEMENT & TRANSPORT POLICY 1 – RESIDENTIAL CAR PARKING

Movement & Transport Policy 1 – Residential car parking

Policy encouraging new developments to meet CBMDC parking standards, encouragement for visitor parking spaces, suggested minimum internal dimension of garages and length of driveways and requirement to refer to design guidance on garaging, driveways and parking.

Movement & Transport Policy 2 – Footpaths and cycle network

Policy encouraging new developments to link with existing pedestrian and cycle network, and where possible, enhance the network.

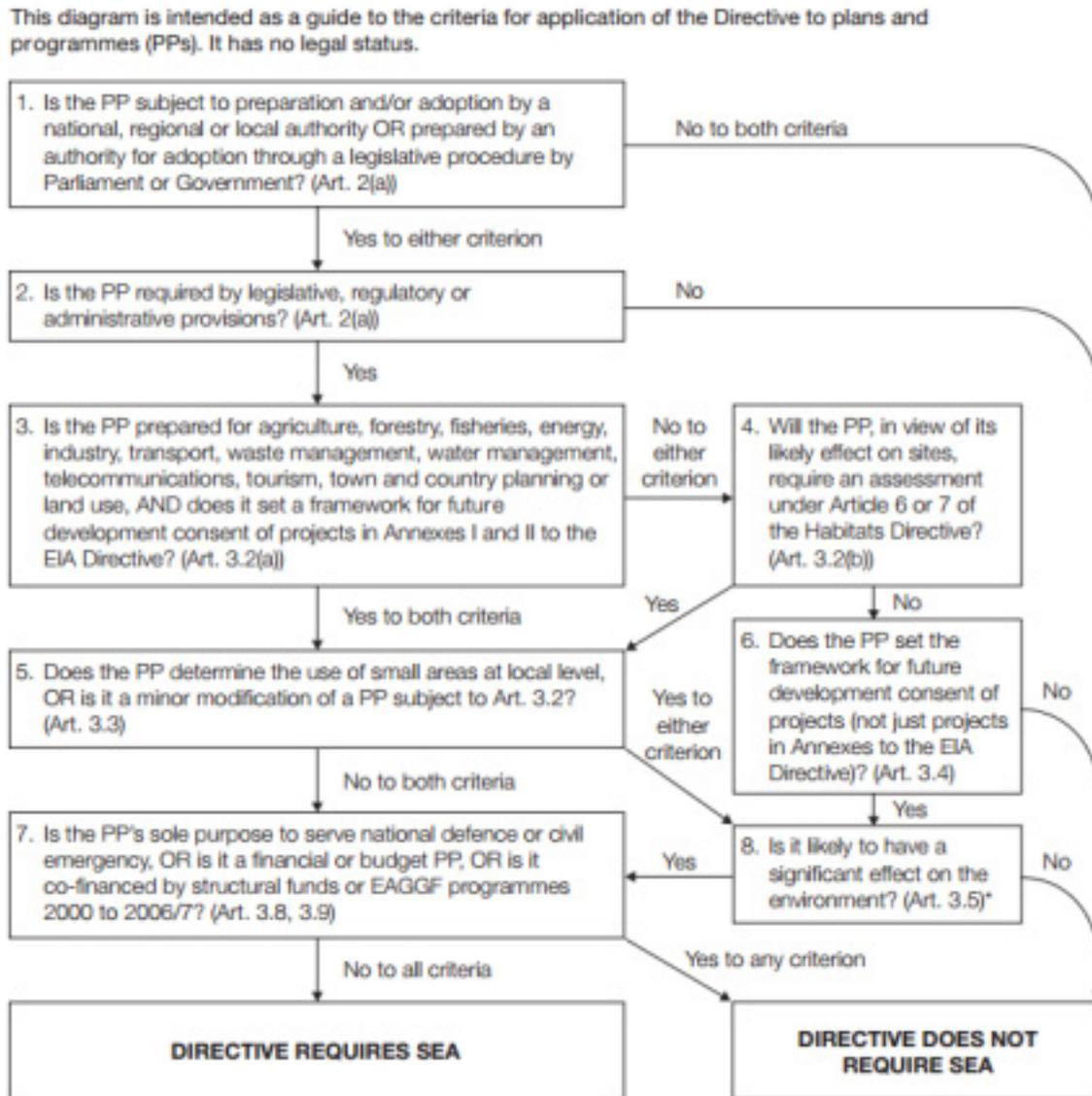
Movement & Transport Policy 3 – Non-residential parking

Policy encouraging applicants for non-residential uses to provide suitable parking provision and transport statement.

APPENDIX 1 - SEA & HRA SCREENING OPINION

4. STRATEGIC ENVIRONMENTAL ASSESSMENT

The flowchart below illustrates the process for screening a planning document to ascertain whether a full SEA is required:



*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.

APPENDIX 1 - SEA & HRA SCREENING OPINION

4. STRATEGIC ENVIRONMENTAL ASSESSMENT

Table 1:
Application of the SEA Directive to the Oxenhope Neighbourhood Plan

STAGE	YES/NO	REASON
1. Is the Plan subject to preparation and/or adoption by a national, regional or local authority or prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))	Yes	Neighbourhood Plans are prepared by a qualifying body (Parish Council) under the Town and Country Planning Act 1990 (as amended). This Neighbourhood Plan is prepared by Oxenhope Parish Council (as the “relevant body”) and will be ‘made’ by City of Bradford Metropolitan District Council as the Local Authority, if successful at referendum. The preparation of Neighbourhood Plans is subject to The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012.
2. Is the Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	No	Communities have the right to produce a Neighbourhood Plan. However, communities are not required by legislative, regulatory or administrative purposes to produce a Neighbourhood Plan. However, if ‘made’, the Oxenhope Neighbourhood Plan would form part of the statutory development plan; it is therefore considered necessary to answer the following questions to determine further if SEA is required.
3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste 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))	Yes	A Neighbourhood Plan can include these policy areas and could provide, at a Neighbourhood Area level, the framework for development that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are ‘excluded’ development for Neighbourhood Plans, as set out in Section 61(k) of the Town and Country Planning Act 1990 (as amended). It is not anticipated that the Oxenhope Neighbourhood Plan would be the tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.
4. Will the Plan, in view of its likely effects on sites, require an assessment of future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	The screening section for the HRA is included later in this report.

4. STRATEGIC ENVIRONMENTAL ASSESSMENT

Table 1:

Application of the SEA Directive to the Oxenhope Neighbourhood Plan

STAGE	YES/NO	REASON
5. Does the Plan determine the use of small areas at local level or is it a minor modification of a plan or proposal subject to Article 3.2? (Article 3.3)	Yes	Once made the ONP will be part of the land use framework for the area and will help determine the use of small areas at the local level.
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)	Yes	The ONP will form part of the statutory Development Plan and will be used in the determination of planning applications in the Neighbourhood Area. Therefore, it sets the framework for future developments at a local level within the context of the Bradford Core Strategy and the NPPF. The plan gives support to certain types of development and projects within the plan area but these conform to the strategic aims of the Core Strategy.
7. Is the Plan's sole purpose to serve the national defence or civil emergency, or is it a financial or budget plan or proposal, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	No	The Oxenhope Neighbourhood Plan does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	<p>The Neighbourhood Plan does not propose any significant development but instead provides guidance on how local people would like to see the area developed. The plan contains both policies and design guidance which seek to protect and enhance natural and historic assets. The plan promotes the safeguarding of wildlife and biodiversity and encourages the creation of wildlife corridors and green buffers. It supports green and renewable energy technologies and promotes sustainable transport methods. The plan supports local economic development that is of appropriate in terms of siting, location and type.</p> <p>It is therefore considered unlikely the plan will have a significant effect on the environment.</p>

4. STRATEGIC ENVIRONMENTAL ASSESSMENT

The criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below in Figure 2.

FIGURE 2 - CRITERIA FOR DETERMINING LIKELY SIGNIFICANT 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 trans-boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, community or international protection status.

APPENDIX 1 - SEA & HRA SCREENING OPINION

**4. Table 2:
Assessment of the likelihood of significant effects on the environment**

Criteria (Schedule 1)	
The characteristics of plans and programmes, having regard, in particular, to:	
<p>(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>Alongside the Local Plan (currently the Replacement Unitary Development Plan 2005 alongside the Core Strategy adopted in 2017), the ONP will provide a statutory development plan for the area. This mean planning applications will be determined against its policies and design guidance. The policies can be categorised into the following themes:</p> <p>Protection & enhancement policies Natural and historic environment, green infrastructure, local green spaces, footpaths and cycle ways, community facilities and services, local employment sites and businesses</p> <p>Design & development policies Ensuring high quality design, parking and street design guidance, housing type and mix, design guidance for conservation areas, SUDS, green and renewable technologies</p> <p>Aspirational & encouragement policies Broadband, homeworking spaces, small-scale business space, lifetime homes and building for life standards.</p>
<p>(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>The Oxenhope Neighbourhood Plan dovetails the Bradford Core Strategy and the NPPF and is in-line with the strategic context of both documents. It adds fine-grain, locally specific policies which complement and add value to higher-level plans. It is unlikely to influence other Plans and programmes as this Plan is at the bottom of the planning hierarchy.</p>
<p>(c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The Plan promotes sustainable development, defined as “meeting the needs of the present generation without compromising the ability of future generations to meet their own needs.” It has an emphasis on protecting the natural environment, wildlife, biodiversity, promoting better flood and water management and protecting heritage and historic assets. It promotes greater use of existing buildings. These are included in both policy and design guidance. Before the plan is made it will go through the basic conditions test, this includes a requirement to contribute towards sustainable development.</p>

APPENDIX 1 - SEA & HRA SCREENING OPINION

4. Table 2: Assessment of the likelihood of significant effects on the environment

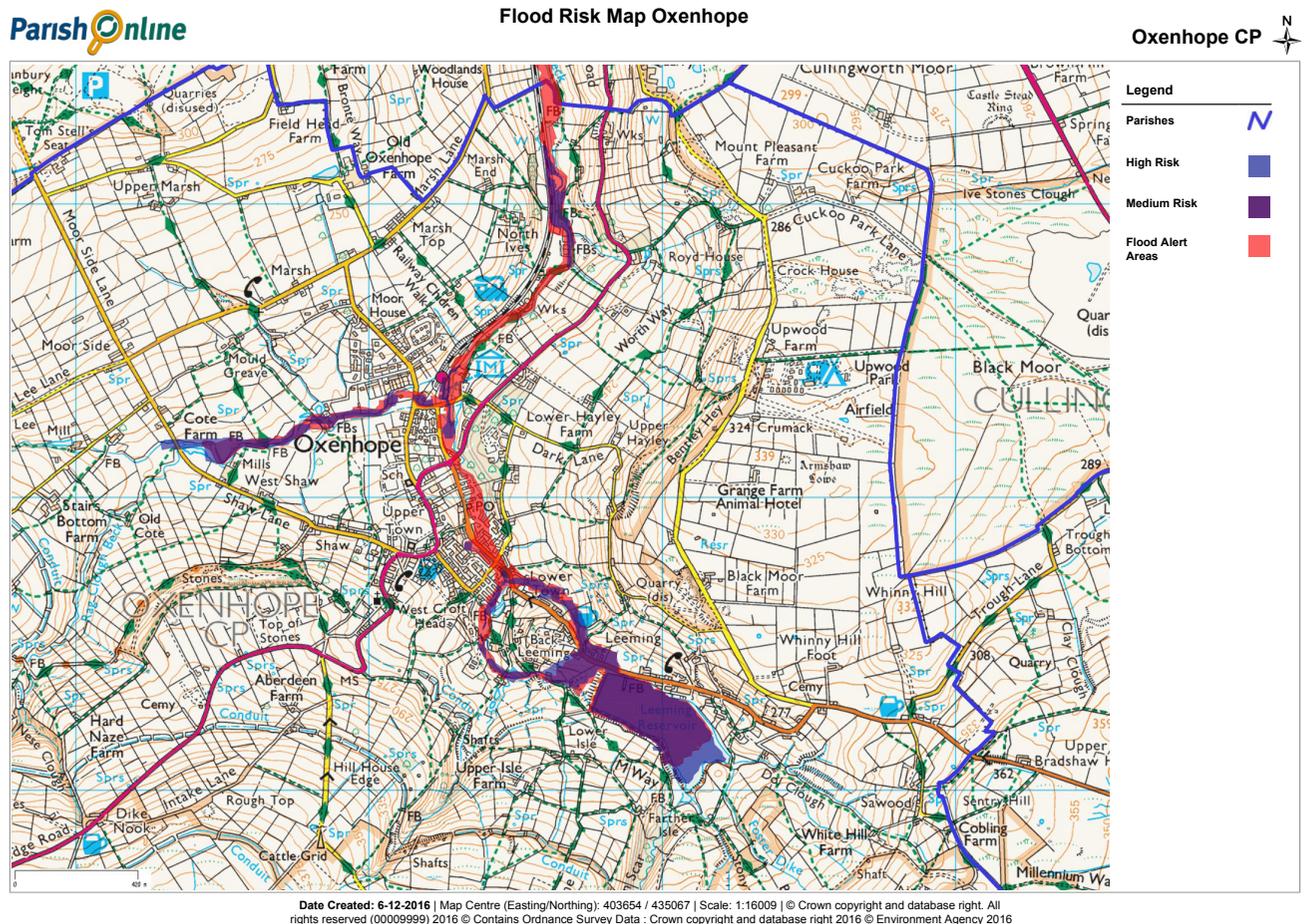
Criteria (Schedule 1)	
The characteristics of plans and programmes, having regard, in particular, to:	

<p>(d) Environmental problems relevant to the plan;</p>	<p>There are several environmental designations within the plan area.</p> <p>Biodiversity: 2 sites of international nature conservation importance, i.e. South Pennine Moors SAC and SPA (incorporating South Pennine Moors SSSI – NB large part of area within SSSI Impact Risk Zone). The South Pennine Moors SPA/SAC covers an area of moorland of 65,024 hectares in northern England. Parts of the South Pennine Moors fall within the ONP boundary. SPA citation – an upland of international importance providing habitat for an important assemblage of breeding moorland and moorland fringe birds. SAC citation - hosts the following habitats listed in Annex I: • Blanket bogs* • European dry heaths • Northern Atlantic wet heaths with Erica tetralix. (Wet heathland with cross-leaved heath) • Old sessile oak woods with Ilex and Blechnum in the British Isles. (Western acidic oak woodland) • Transition mires and quaking bogs.</p> <p>Fauna: South Pennine Moors SPA supports nationally important breeding populations of 2 Annex 1 bird species – merlin & golden plover. Supports, in summer, diverse assemblage of breeding migratory birds of moorland and moorland fringe habitats, including golden plover, lapwing, dunlin, snipe, curlew, redshank, common sandpiper, short-eared owl, whinchat, wheatear, ring ouzel and twite. Supports southernmost assemblage in Britain of breeding merlin, red grouse, golden plover, dunlin, short-eared owl and twite.</p> <p>Flora: SPA/SAC flora characteristic of upland heathland (dry and wet), blanket bog (including uncommon cloudberry), old sessile oak woods and transition mires and quaking bogs.</p> <p>Water: Leeming Water, Moorhouse Beck, Hoyle Skye and Bridgehouse Beck are the main water courses in Oxenhope. The ONP area is in the River Worth Catchment area. The lower-lying parts of the village along the water courses are designated flood risk zones with a medium and low risk of flooding. There are also flood alert areas along Leeming Water.</p>
--	---

APPENDIX 1 - SEA & HRA SCREENING OPINION

4. Table 2: Assessment of the likelihood of significant effects on the environment

Criteria (Schedule 1)	
The characteristics of plans and programmes, having regard, in particular, to:	
(e) 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)	There are no conflicts between the ONP and statutory plans linked to waste, water etc.



**4. Table 2:
Assessment of the likelihood of significant effects on the environment**

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
(a) The probability, duration, frequency and reversibility of the effects	The plan does not allocate any sites for development. It does contain several policies and design guidance which seek to protect and enhance the natural and historic environment, including heritage assets, wildlife and biodiversity. It is unlikely the ONP will lead to any environmental effects that have not already been raised and addressed by the Core Strategy. The policies which do promote or encourage any form of development
(b) The cumulative nature of the effects	The cumulative effects of proposals within the NP are unlikely to be significant on the local environment. The effects of the NP need to be considered alongside the Bradford Core Strategy. The NP is required to be in general conformity with the emerging Bradford Local Plan. It is not considered that the NP introduces significant additional effects over and above those already considered in the SA/SEA for the Local Plan. Notably the NP does not propose more development than the Local Plan for the area. It is therefore unlikely the culmination of the plans will have an effect.
(c) The transboundary nature of the effects	The proposals within the NP are unlikely to have a significant impact beyond the Neighbourhood Area boundary.
(d) The risks to human health or the environment (e.g. due to accidents)	None identified
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	The NP is concerned with development within the Oxenhope Neighbourhood Area. The potential for environmental impacts are likely to be local, limited and minimal. CBMDC have allocated around 120 houses over the next 15 years. The population of Oxenhope is currently around 2,000 people. The plan area is 1,744.6 hectares.
(f) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> • special natural characteristics or cultural heritage, • exceeded environmental quality standards or limit values, • intensive land-use 	The NP is unlikely to adversely affect the value and vulnerability of the area in relation to its special natural characteristics or cultural heritage. The policies within the plan seek to provide greater protection to the character of the area. The NP does not allocate any sites for development. The South Pennine SPA/SAC are highly valued and protected as European sites.
(g) The effects on areas or landscapes which have a recognised national, Community or international protection status	It is not considered that the draft policies in the NP will adversely affect areas or landscapes which have a recognised national, community or international protection status. There are no AONBs within the plan area.

APPENDIX 1 - SEA & HRA SCREENING OPINION

5. ASSESSMENT OF ONP POLICIES

GENERAL POLICIES

This section of the plan contains general policies for the ONP area. In summary it aims to: promote higher quality design (GP1), encourage retention and sensitive enhancement of heritage assets (GP2), encourage inclusion of SuDS (GP3), encourage retention of community facilities (GP4), aspirations for use of CIL funds (GP5), enhanced broadband (GP6), promotion of renewable energy provision, providing there is no undue visual impact, (GP7), guidance for design and development in Conservation Areas (GP8).

HOUSING POLICIES

This section of the plan relates to housing. Encouraging new developments to be built to Building for Life and Lifetime Homes standards (H1), encouragement to build to high levels of building performance (H2), encouragement for space for homeworking (H3), requirement for new developments to include and link with green infrastructure (H4).

LOCAL ECONOMIC DEVELOPMENT POLICIES

Policy promoting retention of building for economic use (ED1), policy promoting retention of building for retail use (ED2), policy supporting development of tourism related enterprise providing there is adequate parking and proposals demonstrate no negative impact on environment (ED3), policy supporting expansion/diversification of Keighley & Worth Valley Railway (ED4). Policy supporting small-scale business space providing there is adequate parking and no negative impact of environment (ED5), policy supporting agricultural expansion/diversification providing no negative impact on road network and environment (ED6).

LOCAL GREEN SPACE POLICY

Policy designating 6 green spaces within the plan area due to their importance locally as they contribute to character and amenity

MOVEMENT & TRANSPORT POLICIES

Policy encouraging residential parking to be well designed, meeting minimum standards and encouraging principles set out in design guidance to be followed (MT1), policy requiring new developments connect with and where necessary improve pedestrian and cycle infrastructure (MT2), policy requiring non-residential development to provide adequate off-street parking for staff and customers (MT3).

APPENDIX 1 - SEA & HRA SCREENING OPINION

6. SEA SCREENING CONCLUSION

In conclusion, as a result of the assessment carried out in Table 2 above and the more detailed consideration of the draft policies, it is considered that it is unlikely that any significant environmental effects will arise as a result of the Oxenhope Neighbourhood Plan. Consequently, the assessment within Table 1 concludes (subject to HRA screening outcome), that an SEA is not required when judged against the application of the SEA Directive criteria. This section will be updated once the screening opinions from statutory consultees has been received.

Notably, the draft neighbourhood plan does not propose any allocations. No sensitive natural or heritage assets will be significantly affected by proposals within the plan as they seek to protect and, where possible, enhance them. The plan contains several policies which seek to protect and in places enhance the natural environment including access to and management of. The plan supports both renewable and green energy and promotes sustainable transport methods. The neighbourhood plan's policies seek to guide development within the Neighbourhood Area and are required to be in general conformity with those within the Local Plan. It is unlikely that there will be any significant additional environmental effects that have not already been considered and dealt with through a SEA/SA of the Local Plan.

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

The HRA involves an assessment of any plan or project to establish if it has potential implications for European wildlife sites. The HRA will consider if the proposals in the neighbourhood plan have the potential to harm the habitats or species for which European wildlife sites are designated. European wildlife sites are:

- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
- Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC).

This section of the report:

- Identifies the European sites within 10km of the plan area
- Summarises the reasons for designation and conservation objectives for each of the sites which have an impact risk zone stretching into the plan area
- Screens the NDP for its potential to impact upon European sites
- Assesses the potential for in-combination effects from other projects and plans in the area

EUROPEAN SITE WITHIN 10KM OF THE NDP AREA

There are two European sites within a 10km radius of the Oxenhope Neighbourhood Plan area. These are:

- South Pennine Moors Phase 2 SPA
- South Pennine Moors SAC

The South Pennine Moors SPA/SAC covers an area of moorland of 65,024 hectares in northern England stretching at its southern point from just north of Matlock in Derbyshire all the way north to Ilkley in West Yorkshire. Part of the South Pennine Moors fall within the ONP boundary.

A map illustrating the proximity between ONP area the above sites is contained in 3.3 of the document.

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

REASONS FOR DESIGNATION & CONSERVATION OBJECTIVES OF EUROPEAN SITES WITHIN 10KM RADIUS OF ONP

The South Pennine Moors Phase 2 Special Protection Area (SPA)

The site qualifies under Article 4.1 of the EC Directive on the Conservation of Wild Birds by supporting nationally important breeding population of two species listed in Annex I:

- Merlin (*Falco columarius*)
- Golden Plover (*Pluvialis apricaria*)

The site qualifies under Article 4.2 by supporting a diverse assemblage of breeding migratory birds of moorland and moorland fringe habitats including golden plover, lapwing, dunlin, snipe, curlew, redshank, common sandpiper, short eared owl, whinchat, wheatear, ring ouzel and twite.

The Conservation Objectives for the South Pennine Moors Phase 2 Special Protection Area (SPA) are published by Natural England. They are:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:-

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

The South Pennine Moors Special Area of Conservation (SAC)

The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- Blanket bogs
- European dry heaths
- Northern Atlantic wet heaths with *Erica tetralix*.
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles.
- Transition mires and quaking bogs.

The Conservation Objectives for the South Pennine Moors SAC are published by Natural England. They are:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:-

- The extent and distribution of the qualifying natural habitats
- The structure and function (including typical species) of the qualifying natural habitats, and,
- The supporting processes on which the qualifying natural habitats rely

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

What possible impacts on the European Sites should be considered as part of the HRA screening on the NP?

The appropriate assessment (2015) undertaken for the Bradford District Core Strategy provides useful context to the HRA screening for the ONP. This led to the identification of a range of likely significant effects on the South Pennine Moorlands that could result from the Core Strategy for Bradford District.

Impact pathways considered for likely significant effects on the European sites as part of the HRA work for the Core Strategy were:

- Loss of supporting habitats (directly or indirectly);
- Increased water demand;
- Impacts on water quality;
- Increased emissions to air;
- Collision mortality risk and displacement due to wind turbine developments;
- Recreational impacts, including walkers, dogs, trampling and erosion; and
- A range of urbanisation impacts, including fly-tipping, invasive species, wildfire and increased predation

The findings of the Core Strategy appropriate assessment were that:

- Adverse effects resulting from wind turbine development, increased water demand or impacts on water quality are not considered likely for any of the European sites.
- Loss of supporting habitats and urbanisation impacts are assessed as likely to affect the South Pennine Moors SAC/SPA, however, they are considered to be adequately avoided and mitigated by the policy response in Core Strategy Policy SC8.
- Recreational impacts are assessed as potentially affecting any of the four sites, however, they are considered to be adequately avoided and mitigated by the Core Strategy policy response.
- The distribution and magnitude of impacts differs between the four designated areas. Evidence is presented to indicate that, if left unmitigated, impacts are likely to be greater in relation to the South Pennine Moors due to their relative proximity to locations for future development and high levels of accessibility, a key influence on the numbers of people visiting the sites and associated impacts

The possible impacts identified as part of the HRA work on the Core Strategy have been taken into account to identify the following impact pathways to be considered for likely significant effects on the European sites as a result of the NP.

- Loss of supporting habitats and urbanisation impacts on the South Pennine Moors SAC/SPA
- Recreational impacts arising from an increase in the number of people visiting the sites

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

ASSESSMENT OF THE LIKELY EFFECTS OF THE NEIGHBOURHOOD PLAN

Some of the policies in the draft ONP are aimed at shaping how development comes forward and do not themselves guide where development comes forward or lead to additional development coming forward. Such policies need not be considered for their impact on European site and can be ruled out at an early stage of screening.

The table below lists every proposed policy in the draft ONP, provides a summary of what it seeks to achieve and identifies whether or not it is a policy that can be ruled out of the HRA screening assessment. The screening report will then focus on those policies of the ONP which have not been ruled out.

Table 3. Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	Policy intention	Impact on HRA	Can policy be ruled out for any impact on European sites?
GP1 - High quality design	Promote best in design and placemaking in response to existing built environment and character	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
GP2 - Heritage	Policy promoting retention, preservation and sensitive reuse of identified heritage assets	As above	Yes
GP3 - SUDs	Policy encouraging new developments to include sustainable drainage systems with reference to examples set out in design guidance	As above	Yes
GP4 - Community facilities	Policy supporting retention of existing community buildings for continued community use	This policy protects existing facilities. It does not guide where development can come forward or lead to additional development coming forward.	Yes

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

Table 3. Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	Policy intention	Impact on HRA	Can policy be ruled out for any impact on European sites?
GP5 - CIL and footpaths	Policy stating CIL monies received will spent on maintaining and enhancing footpaths	Policy could possibly lead to impact on European sites as some footpaths are located within SAC/ SPA	No
GP6 - Broadband	Policy encouraging high speed broadband connections	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place	Yes
GP7 - Renewable energy	Policy supporting domestic renewable energy and low-carbon technologies providing its design and siting does not negatively impact visual amenity of location	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place	Yes
GP8 - Design & development in conservation area	Policy encouraging sensitive development in conservation areas	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes

7. HRA SCREENING

Table 3. Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	Policy intention	Impact on HRA	Can policy be ruled out for any impact on European sites?
H1 - Lifetime Homes & Building for Life	Policy encouraging homes built to lifetime homes and building for life standards	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
H2 - Building performance	Policy encouraging new developments to be built to the highest standards of building performance using low-carbon technologies	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
H3 - Home working	Encourage provision of space for homeworking in new housing development	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
H4 - Green infrastructure	Encourages development of wildlife corridors and green buffers as part of new housing developments	Policy does not lead to additional development. Potentially positive impacts on HRA may arise	Yes
ED1 - Retention of building for economic use	Policy seeks to retain existing employment site for continued economic uses	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
ED2 - Retention of existing retail store	Policy seeks to retain existing retail site for continued retail use	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes

7. HRA SCREENING

Table 3. Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	Policy intention	Impact on HRA	Can policy be ruled out for any impact on European sites?
ED3 Sustainable tourism	Support for development or expansion of tourism / recreational enterprise with conditions	Potential to impact on European sites depending on scale, nature and location of proposals	No
ED4 Keighley Worth Valley Railway	Support for expansion / diversification of Railway	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
ED5 Business space	Support for new small-scale business space in appropriate locations or reuse of existing buildings for business use	Potential to impact on European sites depending on scale, nature and location of proposals	No
ED6 Agricultural expansion or diversification	Support for expansion or diversification of existing agricultural businesses	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
LGS1 Local Green Space	Policy seeks to designate 6 sites within plan area as Local Green Spaces	The policy protects open space. This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place	Yes
TM1 Residential parking	Encourage new housing developments to provide adequate parking and garaging provision	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes

7. HRA SCREENING

Table 3. Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	Policy intention	Impact on HRA	Can policy be ruled out for any impact on European sites?
TM2 Pedestrian and cycle network	Encourage new developments to link with existing footpath provision and where necessary improve network	Potential to impact on HRA depending on location of initial development	No
TM3 Non-residential parking	Encourage new commercial development to ensure proposals lead to no additional on-street parking	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

The adopted Core Strategy and the HRA of the Core Strategy

As part of the assessment of the ONP, it is important to consider the Core Strategy and the findings of the HRA work into the Core Strategy. Adopted Core strategy policy H01 provides dwelling targets for the District. Policy H02 states that the dwellings target set out in Policy H01 will be met through:

- Housing completions since April 2004
- Existing commitments with planning permission
- Unimplemented but deliverable and developable sites allocated for residential development in the RUDP
- Safeguarded land identified in the RUDP
- Additional new deliverable and developable sites allocated for housing development within the emerging Local Plan DPDs (Allocations DPD, Bradford City Centre AAP, Shipley & Canal Road AAP and Neighbourhood Plans)

The appropriate assessment took into account the broad spatial strategy of the Core Strategy when identifying impacts. Specifically, it took into account (see page 37 of the AA of the Core Strategy):

At least 42,100 dwellings and 135ha of employment land between 2013 and 2030;

The Regional City of Bradford (with Shipley and Lower Baildon) being the prime focus for a wide range of developments, with the principal towns of Ilkley, Keighley and Bingley being the main local focus for housing, shopping, leisure, education, health and cultural activities and facilities. The Local Growth Centres of Burley in Wharfedale, Menston, Queensbury, Silsden, Steeton with Eastburn and Thornton are identified as making a significant contribution to meeting the district's needs for housing, employment and supporting community facilities, with a range of local service centres providing for smaller scale developments; Growth areas including Bradford City Centre and the Shipley & Canal Road Corridor, an urban extension (at Holme Wood), local green belt deletions and a focus on previously developed land;

A wide variety of infrastructure, ancillary and supporting development to achieve regeneration and build sustainable communities; and

A zoned approach to managing and mitigating the effects of development around the South Pennine Moors Phase 2 SPA and South Pennine Moors SAC.

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

The appropriate assessment assumes the spatial distribution of development as shown below:

Policy HO3: Distribution of Housing Development

A. In accordance with the vision and spatial principles set out in this Plan, the forthcoming Allocations, Bradford City Centre and Shipley & Canal Road DPD's will allocate sufficient land to meet the residual housing requirement of at least 42,100 for the District between April 2013 and April 2030. This requirement will be apportioned as follows:

- 3,500 (8.3% of the District total) within the Bradford City Centre Area AAP;
- 3,100 (7.4% of the District total) within the Shipley & Canal Road Corridor AAP;
- 35,500 (84.3% of the District total) within the Allocations DPD.

B. The Apportionments between the different settlements of the District will be as follows:

The Regional City of Bradford (27,750) Divided as follows:

■ Bradford City Centre	3,500	■ Bradford NE	4,400
■ Canal Road	3,100	■ Bradford SW	5,500
■ Shipley	750	■ Bradford NW	4,500
■ Bradford SE	6,000		

The Principal Towns (6,900) Divided as follows:

■ Ilkley	1,000	■ Bingley	1,400
■ Keighley	4,500		

Local Growth Centres (4,900) Divided as follows:

■ Burley in Wharfedale	700	■ Menston	600
■ Queensbury	1,000	■ Steeton With Eastburn	700
■ Silsden	1,200	■ Thornton	700

Local Service Centres (2,550) Divided as follows:

■ Addingham	200	■ East Morton	100
■ Baildon	350	■ Harden	100
■ Haworth	400	■ Cottingley	200
■ Cullingworth	350	■ Oakworth	200
■ Denholme	350	■ Oxenhope	100
■ Wilsden	200		

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

A further key Core Strategy policy which is of direct relevance to the NP is Policy SC8:

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.*

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

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.

Policy EN2: Biodiversity and Geodiversity of the Core Strategy would also be applicable to all development proposals coming forward in the plan area. This includes the requirement:

The North and South Pennine Moors SPAs and SACs

A. Any development that would be likely to have a significant effect on a European Site either alone or in combination with other plans or projects will be subject to assessment under the Habitat Regulations at project application stage. If it cannot be ascertained that there will be no adverse effects on site integrity then the project will have to be refused unless the derogation tests of Article 6(4) Habitats Directive can be met.

Assessment of ONP policies in regards to HRA

Table 4 below focuses on the NP policies which could influence where development takes place or actually trigger development themselves. These policies are therefore screened below in order to assess whether the policy has no negative effect on European Sites, no likely significant effect or a likely significant effect.

Possible impacts on South Pennine Moors Phase 2 SPA / SAC					
ONP Policy	1. Loss of supporting habitats and urbanisation impacts on the South Pennine Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
GP5 CIL & Foot-paths	<p>This policy prioritises CIL monies for the maintenance and where necessary the enhancement of footpaths.</p> <p>The footpath network extends throughout the ONP area including the within the SAC/SPA. The maintenance of existing footpaths within the SAC/SPA is unlikely to lead to the loss of supporting habitats and urbanisation impacts on the SAC/SPA.</p>	<p>Although it is feasible that an improved or better maintained footpath network could lead to additional recreational use it is could also reduce this impact by promoting alternative routes to existing ones.</p>		X	

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

Possible impacts on South Pennine Moors Phase 2 SPA / SAC					
ONP Policy	1. Loss of supporting habitats and urbanisation impacts on the South Pennine Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
ED3 - Sustainable Tourism	<p>This policy seeks to promote tourism and recreational opportunities providing there are no undue adverse effects on South Pennine Moors and that the siting and design does not amount to visual harm on the landscape.</p> <p>Such proposals would need to comply with other policies in the Core Strategy which has been subject to appropriate assessment including Policy SC8 Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence and Policy EN2 Biodiversity and Geodiversity.</p> <p>There is a possibility such proposal could be located within zone of influence category B or C.</p> <p>If in zone of influence category C, Policy SC8 of the Core Strategy would apply to proposals in zone b and c. This states: This policy is not specific to any particular location. Any impact of specific proposals will be assessed at the planning application stage via assessment against Policy SC8 and EN2 of the Core Strategy. The policy itself is therefore unlikely to lead to any negative effect on the SAC/SPA.</p>	<p>Core Strategy Policy PN1 which promotes: sustainable tourism that respects the Bronte heritage of Haworth and Thornton, the Bronte Parsonage Museum and the importance of the Keighley and Worth Valley Steam Railway. Core Strategy Policy PN1 also seeks to protect the ecological integrity, the wilderness appeal and wide open skylines of the South Pennine Moors from adverse impacts, and, enhance the value and connectivity of upland fringe habitats. For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence, and mitigate the impact of increasing visitor numbers.</p> <p>This is a generic policy that doesn't specify size or location. Policies SC8 and EN2 of the Core Strategy would apply to proposals.</p> <p>The NP policy is not specific to any location. Any impact on European sites of specific proposals will be assessed at the planning application against Policy EN2</p>		X	

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

Possible impacts on South Pennine Moors Phase 2 SPA / SAC					
ONP Policy	1. Loss of supporting habitats and urbanisation impacts on the South Pennine Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
ED4 - Keighley and Worth Valley Railway	<p>This policy supports proposals that seek to improve and enhance KWWR and its facilities for tourism or community related activities.</p> <p>At its closest the Oxenhope Station is 1.7km from the South Pennine Moors SPA/ SAC. This mean any proposal would be subject to Policy CS8 as the site is within Zone of influence category B.</p> <p>Any impact of specific proposals will be assessed at the planning application stage via assessment against Policy SC8 and EN2 of the Core Strategy. The policy itself is therefore unlikely to lead to any negative effect on the SAC/SPA.</p>	<p>Core Strategy Policy PN1 which promotes: sustainable tourism that respects the Bronte heritage of Haworth and Thornton, the Bronte Parsonage Museum and the importance of the Keighley and Worth Valley Steam Railway.</p> <p>Improvements to the KWWR is likely to result in an increase in visitors although this may be limited to the railway itself rather than the South Pennine Moors. It is very possible to lead to an increase in visitor numbers but the amount would not be expected to be great.</p> <p>Policies SC8 and EN2 of the Core Strategy would apply to proposals.</p>		X	
ED5 - Business space	<p>This policy supports the creation of small-scale spaces for economic activity and promotes the reuse of redundant agricultural buildings for this purpose. The policy identifies potential issues around the siting and its relationship with the South Pennine Moors.</p> <p>Existing policies in the Core Strategy would cover this issue and any proposals would be subject to assessment against Policy SC8 and EN2 of the Core Strategy.</p> <p>The policy itself is therefore unlikely to lead to any negative effect on the SAC/SPA.</p>	<p>The types of business included in this policy (workshop, artisinal, creative or digital) are unlikely to lead to an increase in tourism or visitors. This policy is unlikely to lead to an increase in the number of people visiting the sites</p>		X	

APPENDIX 1 - SEA & HRA SCREENING OPINION

7. HRA SCREENING

ASSESSMENT OF THE LIKELY EFFECTS OF THE NEIGHBOURHOOD PLAN

Does the ONP propose new development or allocate sites for development?

No. The neighbourhood plan is required to be in general conformity with the policies set out within the adopted Bradford Local Plan which set the broad parameters for future development within Bradford. The Local Plan and Site Allocations Plan have been subject to HRAs. The plan gives support for certain development which is in line with the Bradford Local Plan.

c) Are there any other projects or plans that together with the ONP could impact on the integrity of a European site, the 'in combination' impact?

There is one relevant plan level appropriate assessment that has been carried out. This is the Habitats Regulations Assessment for the Bradford District Core Strategy published in November 2015. This concluded that, taking into account the range of avoidance and mitigation measures incorporated into the strategic plan, the Core Strategy will not result in adverse effects on the ecological integrity of the North Pennine Moors SAC and SPA, South Pennine Moors SAC and South Pennine Moors Phase 2 SPA.

Of key relevance here is that the neighbourhood plan is being brought forward within the wider strategic context provided by the adopted Core Strategy which has already been subjected to appropriate assessment. The neighbourhood plan provides additional detail with regards the shaping development coming forward within the plan area but it does not trigger development in addition to that already envisaged.

In combination effects from other projects and plans in the area can therefore be ruled out.

APPENDIX 1 - SEA & HRA SCREENING OPINION

8. HRA SCREENING CONCLUSION

It is considered that none of the policies in the ONP are likely to have a significant effect on European Sites, whether alone or in combination with other projects and programmes. The Plan does not specifically allocate land for development and does not promote more land for development than the Local Plan. Furthermore, the policies within the plan are required to be in general conformity with those of the Local Plan (inc Biodiversity policies) which has been subject to HRA assessment.

Screening opinions have been received from the 3 statutory consultees and have been included in section 9 of this report.

APPENDIX 2 - CONSULTEE RESPONSES

Response from Natural England

Date: 11 June 2019
Our ref: 284628
Your ref: Oxenhope NP



jamie.wilde@integreatplus.com

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Jamie,

Oxenhope NP SEA/HRA screening report

Thank you for your consultation on the above dated and received by Natural England on 04 June 2019.

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 (SEA) / Habitats Regulation Assessment (HRA)

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

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three 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 neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive 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.

APPENDIX 2 - CONSULTEE RESPONSES

Response from Historic England



Historic England

YORKSHIRE

Mr. Jamie Wilde,
Integreat Plus,
Unit 25,
53 Mowbray Street,
Kelham Island,
Sheffield,
S3 8EN

Our ref: PL00589862
Your ref:
01904 601 879
Telephone 0755 719 0988
Mobile

25 June 2019

Dear Mr. Wilde,

Oxenhope Neighbourhood Development Plan Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your consultation, seeking a Screening Opinion for the Oxenhope Neighbourhood Plan.

For the purposes of this consultation, Historic England will confine its advice to the question, “Is it likely to have a significant effect on the environment?” in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the Oxenhope Neighbourhood Plan.

The Draft Neighbourhood Plan indicates that within the plan area there is a wide range and number of designated cultural heritage assets. There are also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive], Historic England concurs with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Oxenhope Neighbourhood Plan.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the Oxenhope Neighbourhood Plan.

To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

APPENDIX 2 - CONSULTEE RESPONSES

Response from Environment Agency

Subject: Oxenhope Neighbourhood Plan

Thank you for consulting the Environment Agency regarding the above mentioned proposed draft plan. We have reviewed the information submitted and we wish to make the following comments

Strategic Environmental Assessment

We note that the Council has a responsibility to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. You are seeking our views in order to inform the Council's decision on this matter.

We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest.

Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.

Draft Plan

We have no objections to the draft plan, we support the green spaces policies.

We are pleased to see you have thought about the environment, including Flood Risk, Biodiversity net gain and Protection of species of both land & water.

Following are other environmental issues you could look at putting into your plan.

Flood Risk

I note that the area has a risk of flooding (within Flood Zone 2.3) around the watercourses

We would like to see flood risk policies and that minimising the impact of flooding. This is a key sustainability issue and will be exacerbated in the future due to climate change.

In terms of both policy and site selection, flood risk should be a major consideration in your plan. In drafting your flood risk policy, you should:

- Emphasise that inappropriate development will not be considered acceptable in areas of high flood risk.
- Highlight, where necessary, the need to undertake the sequential and exception tests.
- Promote a sequential approach to development layout, to ensure the highest vulnerability development is located in areas at lowest flood risk.
- Address the potential impacts of climate change on flood risk.
- Describe what is expected of developers in terms of surface water run-off rates (for both brownfield and Greenfield sites) and sustainable drainage systems.
- Where possible, expect development to result in a betterment to the existing flood risk situation.
- Ensure that new development does not increase flood risk to others

A sequential approach to flood risk will also need to be taken when allocating sites.

New development proposals should be encouraged to contribute either financially or through physical works to reduce the flood risk to the wider village. This would require a clear understanding of what the flood risk reduction strategy is. This should be reflected in this section/policy.

Surface Water

The Lead Local Flood Authority is now the responsible authority for commenting on the surface water drainage arrangements. We therefore recommend you consult your LLFA regarding the proposed management of surface water within the Plan.

Water quality

Proper management is important to protect water quality, both for groundwater and surface water resources.

APPENDIX 2 - CONSULTEE RESPONSES

Response from Environment Agency

Drainage misconnections can occur in new developments, redevelopments, extensions or through refurbishment. Developers must ensure that they do not connect any foul drainage (including sinks, showers, washing machine/dishwasher outlets and toilets) to a surface water sewer, as this can send polluted water into watercourses. Similarly, developers should ensure that they do not connect surface water drainage (e.g. roof gutter downpipes) into foul sewers as this can cause overloading of the foul sewer during heavy rainfall.

Polluted surface water flows from areas like car parks or service yards should always have sufficient pollution prevention measures in place to ensure the protection of groundwater and watercourses from specific pollutants like petrol (hydrocarbons) and suspended solids. Developers should follow appropriate pollution prevention guidance when designing formal drainage for large areas of hardstanding.

Ideally, applicants should introduce more 'surface' or 'green' drainage solutions to aid improvements in water quality, such as swales along hardstanding boundaries, or a more advanced reed bed system for larger sites. These solutions are easier to access and maintain than engineered solutions like petrol/oil interceptors, which require regular maintenance to ensure they operate correctly.

We would welcome a policy which requires a net gain in biodiversity through all development,

River restoration

We would welcome the inclusion of a specific river policy, addressing the following:

- Minimum of 8 metre (m) buffer zones for all watercourses measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. A 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.
- Development proposals to help achieve and deliver WFD objectives. Examples of the types of improvements that we may expect developers to make are: removal of obstructions (e.g. weirs), de-culverting, regrading banks to a more natural profile, improving in-channel habitat, reduce levels of shade (e.g. tree thinning) to allow aquatic vegetation to establish, etc. Proposals which fail to take opportunities to restore and improve rivers should be refused. If this is not possible, then financial or land contributions towards the restoration of rivers should be required.
- River corridors are very sensitive to lighting and rivers and their 8m buffer zones (as a minimum) should remain/be designed to be intrinsically dark i.e. Lux levels of 0-2.

It may be useful to include ownership information details for landowners, applicants or developers who have a watercourse running through or adjacent to their site. Many people believe that the Environment Agency own 'main rivers' which is not the case. Whilst we hold permissive powers to carry out maintenance on main rivers, the site owner is the 'riparian owner' of the stretch of watercourse running through their site (whole channel) or adjacent to their site (up to the centre line of the channel) – and this includes culverted watercourses. Our 'Living on the Edge' publication provides important guidance for riverside owners.

Applicants should remove watercourses from existing culverts where this is feasible. This will help to reduce flood risk from blocked or collapsed culverts, and open channels are significantly easier for the landowner to maintain. Culverts that cause blockages of the watercourse are the responsibility of the owner to repair. Additionally, we will usually object to planning applications that propose new culverts.

Your plan policy should also provide details of 'buffer zones' that are left adjacent to watercourses. We will always ask developers to maintain an undeveloped, Naturalised, 8 metre buffer zone adjacent to main rivers. We ask that applicants do not include any structures such as fencing or footpaths within the buffer zone as this could increase flood risk - through the inclusion of close-board fencing for example. Any works or structures that applicants intend within 8m of a main river will require a flood defence consent from us, which is separate from and in addition to any planning permission granted.

Sustainable construction

You could also help your community save money through sustainable construction. Neighbourhood planning is an opportunity for communities to encouraging efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.

We hope this response helps you develop your plan.

Claire Dennison
Sustainable Places Planning Advisor