

Wiltshire Council

Strategic Environmental Assessment

**Final screening determination for the Joint Melksham
Neighbourhood Plan**

July 2020

Wiltshire Council

The logo for Wiltshire Council, featuring the text "Wiltshire Council" in a bold, green, sans-serif font. Below the text is a decorative green wavy line that spans the width of the text.

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1. Introduction

- 1.1 This document provides a revised screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the Draft Joint Melksham Neighbourhood Plan (JMNP). A determination had previously been consulted on between 31st January 2020 and 6th March 2020, however Plan proposals have changed, hence this revised determination.
- 1.2 Wiltshire Council, as the 'Responsible Authority'¹ under the SEA Regulations², is responsible for undertaking this screening process of the Draft JMNP. It will determine if the Plan is likely to have significant environmental effects, and hence whether SEA is required.
- 1.3 This process has been carried out in accordance with the requirements of European Directive 2001/42/EC³, often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

2. Legislative requirements

- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.
- 2.2 Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:
 1. '*...are prepared for...town and country planning or land use (Reg. 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment*' (Reg. 5, para. (2)(b)
 2. '*in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC)*' (Reg. 5, para. (3)
 3. '*set the framework for future development consent of projects*⁴ (Reg. 5, para. (4)(b) **and** '*are determined to be likely to have significant environmental effects as determined under regulation 9(1)*' (Reg. 5, para. (4)(c)
- 2.3 An environmental assessment need not be carried out for:
 - a) '*plans which determine the use of a small area*⁵ *at local level*' (Reg. 5, para. (6)(a);
 - or b) '*plans which are a minor modification*⁶ *to a plan or programme*' (Reg. 5, para.

¹ The organisation which adopts the neighbourhood plan (this is described in Wiltshire Council's guide *Neighbourhood planning – a guide for Wiltshire's parish and town councils* (June 2012) as 'makes the plan').

² The Environmental Assessment of Plans and Programmes Regulations 2004

³ European Directive 2001/42/EC "*on the assessment of the effects of certain plans and programmes on the environment*"

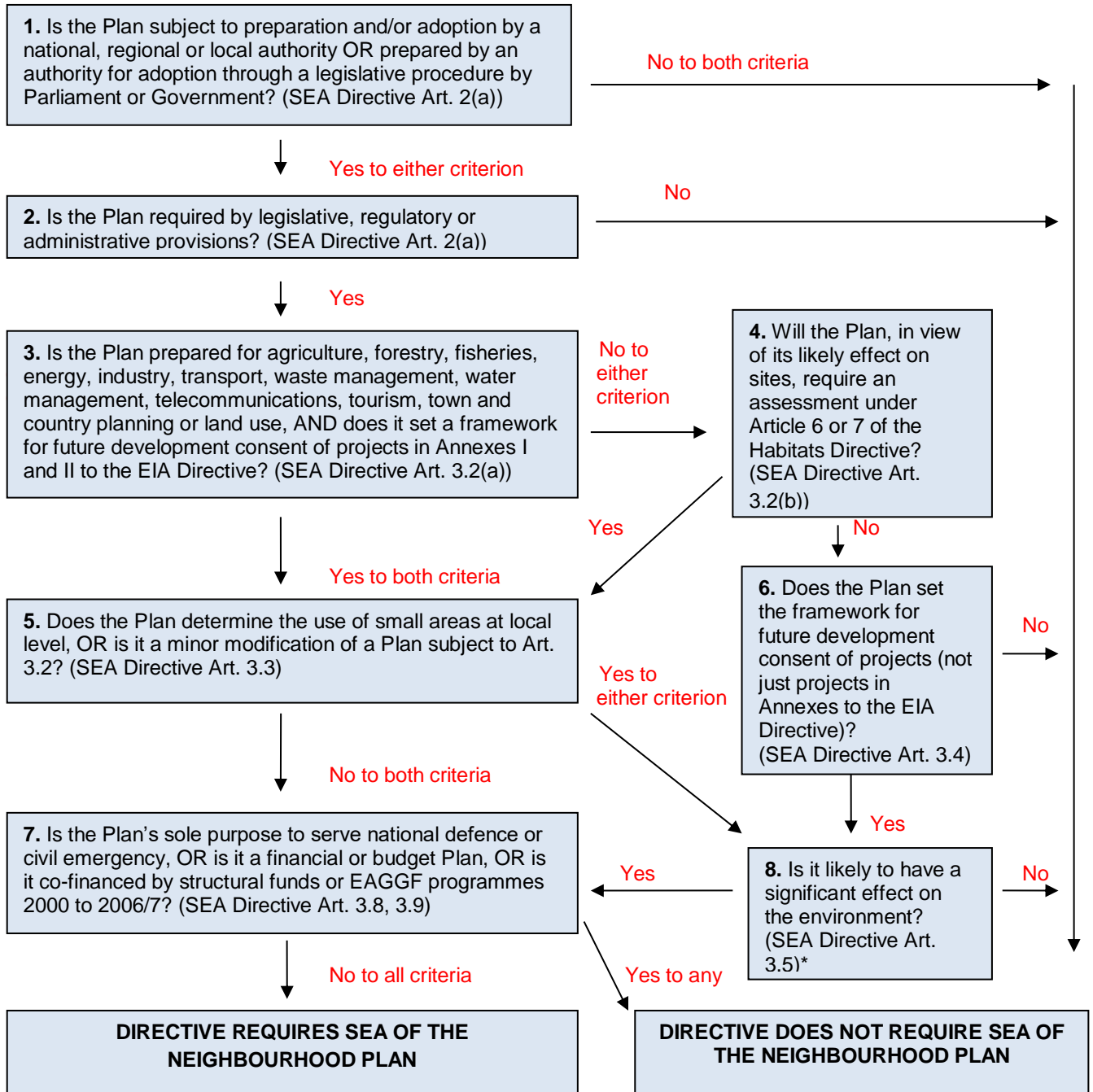
⁴ European Commission guidance states that plans and programmes which set the framework for future development consent of projects would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. Development consent is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1(2) of the EIA Directive).

⁵ European Commission guidance suggests that plans which determine the use of small areas at local level might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"

⁶ 'Minor modifications' should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

(6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

2.4 The diagram⁷ below shows the SEA Directive's requirements and its application to neighbourhood plans:



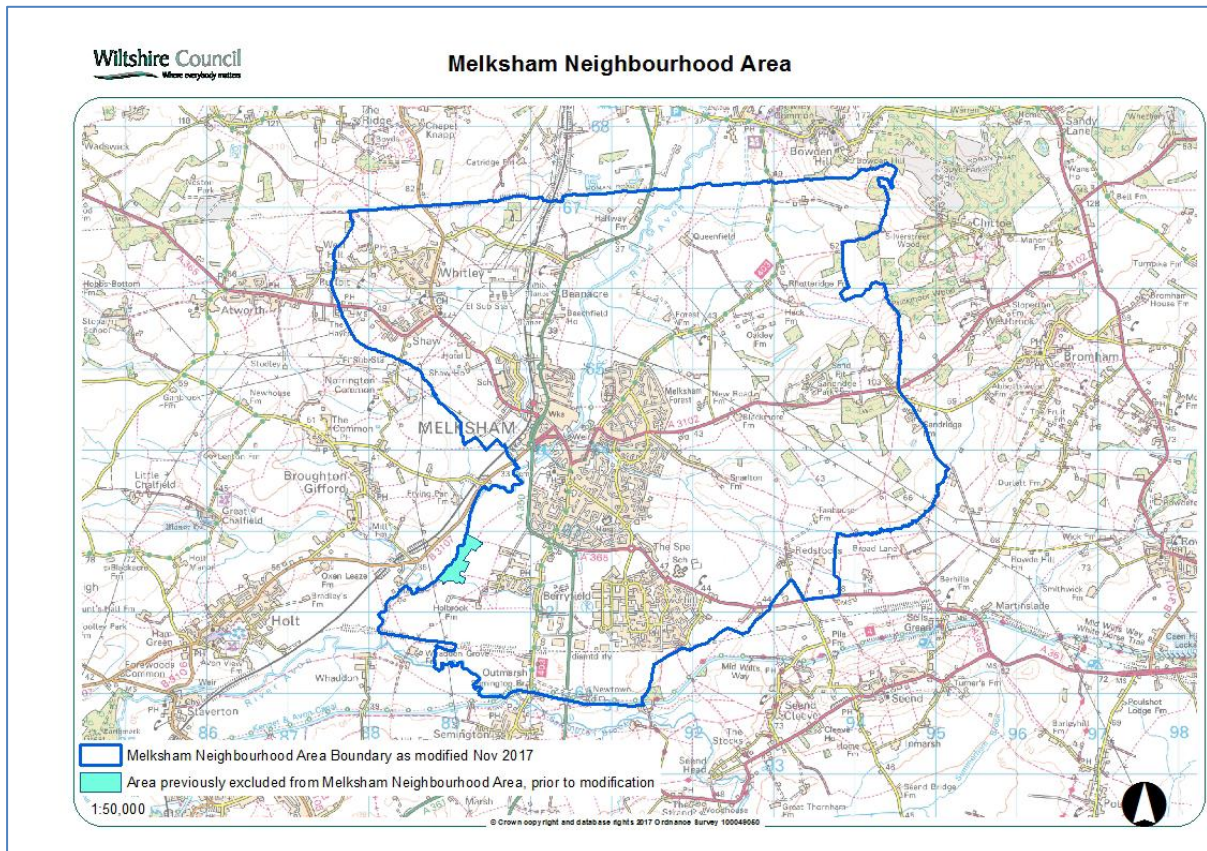
* Plans falling in this category (No.8) will be screened to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in Wiltshire.

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

⁷ Taken from *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005)

3. The Joint Melksham Neighbourhood Plan

- 3.1 Melksham Town Council and Melksham Without Parish Council are preparing a neighbourhood plan under the provisions of the Localism Act 2011.
- 3.2 The designation of the Melksham Neighbourhood Area was originally made on 14th July 2014. Following a change to the Melksham Without parish boundary under the Reorganisation of Community Governance Order 2016, an amended neighbourhood area was designated on 8th November 2017 (see below). For the designation notice, see <http://www.wiltshire.gov.uk/planning-neighbourhood-latest-news>



- 3.3 The latest 'Reg 14' draft of the neighbourhood plan accompanies this screening decision. It sets out the proposed policies of the Plan, including details of the Plan's one proposed housing site allocation for approximately 18 dwellings at Middle Farm, Corsham Road, Whitley.

4. SEA Screening assessment

- 4.1 Wiltshire Council, as the 'Responsible Authority', considers that the Draft Joint Melksham Neighbourhood Plan (JMNP) falls within the scope of the SEA Regulations on the basis that it is a plan that:
 - a) is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2);
 - b) is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4); and

c) will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

4.2 A determination under Regulation 9 is therefore required as to whether the JMNP is likely to have significant effects on the environment.

4.3 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations includes two sets of characteristics for determining the likely significance of effects on the environment. These relate to i) the characteristics of the Plan and ii) the characteristics of the effects and of the area likely to be affected by the Plan. In making a determination, Wiltshire Council will take into account the criteria specified in Schedule I of the Regulations as follows:

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

(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;

(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;

(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;

(d) environmental problems relevant to the plan or programme; and

(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

(a) the probability, duration, frequency and reversibility of the effects;

(b) the cumulative nature of the effects;

(c) the transboundary nature of the effects;

(d) the risks to human health or the environment (for example, due to accidents);

(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);

(f) the value and vulnerability of the area likely to be affected due to—

(i) special natural characteristics or cultural heritage;

(ii) exceeded environmental quality standards or limit values; or

(iii) intensive land-use; and

(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

The screening assessment of the draft Joint Melksham Neighbourhood Plan is set out below:

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
1. The characteristics of plans , having regard, in particular, to:		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The neighbourhood plan covers the area of two parishes only. Whilst the Plan does set a framework for projects at the local level, it is not considered that the Plan sets a framework for a significant degree of projects or other activities. The Plan is in general conformity with the higher-level Wiltshire Core Strategy which is considered to set a framework for significant projects and activities, and which has been assessed through Strategic Environmental Assessment (SEA).
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The neighbourhood plan is produced by the local community to influence development at the local level. A neighbourhood plan must be in general conformity with Local Plans and national planning guidance. It does not significantly influence other plans or programmes.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The neighbourhood plan is a land-use plan that promotes sustainable development, in general conformity with the Local Plan and national planning guidance, but it is not a Plan specifically relating to the integration of environmental considerations, although environmental considerations are considered in the Plan.
(d) environmental problems relevant to the plan	No	There are no specific environmental problems relevant to the plan. Habitats Regulations screening has concluded that this plan is not likely to have adverse effects on the integrity of any European Sites and that an Appropriate Assessment will not be required.
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The neighbourhood plan is not relevant as a plan for implementing community legislation.
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	No	<p>Likely environmental effects are not considered to be significant judging by the proposals in the draft Plan.</p> <p>The one element of the Plan considered most likely to have significant effects is the small housing site allocation at Middle Farm, Whitley, for approximately 18 dwellings. The site is in intensive arable use. The site has hedgerows along most of the field boundary but few mature trees and no trees within the site itself. This site is not within or near to any local, national or international landscape, biodiversity or heritage designations. There is no conservation area in Whitley. The site is entirely within Flood Zone 1. There is modern housing development adjacent to the site to the south and west. The PRoW along the northern boundary will be required to be retained and enhanced. No significant effects are considered likely.</p> <p>Considering nearby listed buildings in proximity to the site, the Grade II listed 209 Corsham Road is approx. 120m from the site boundary and there are modern houses and bungalows in between, along Corsham Road. No significant effects are considered likely.</p> <p>The only other relevant assets are the Grade II listed Whitley House and barn to the rear of Whitley House which are situated approx. 110m from the developable area of the site. The northern third of the site which is closest to these buildings is allocated for community open space and the western boundary is required to provide a landscaped buffer at least 15m wide. With regards this site, the Council's conservation officer has stated '<i>Whilst a higher status house with a nice garden setting, Whitley House is based on an earlier dwelling and there is no indication that the rural location or a wider designed setting is of special significance. With a sensitive layout which tries to take on board the historic settlement pattern I don't see why the 18 shouldn't be achievable.</i>' No significant effects are considered likely.</p> <p>In respect of environmental and cultural protection and enhancement, the proposed policy for this site allocation requires the development of the site to:</p> <ul style="list-style-type: none"> <i>ii. incorporate habitat creation that achieves an overall net enhancement to biodiversity on site;</i> <i>iii. be accompanied by an approved landscape conservation scheme that retains and secures the sustained management of existing hedgerow boundaries, provides new hedgerow and tree planting on the eastern and northern boundary of the site, and provides a 15m minimum landscaped buffer along the western boundary</i> <i>iv. be of an appropriate layout, form, appearance and materials that protects the amenity of existing neighbouring residents, reinforces and enhances the historic form and character of Whitley and conserves the rural setting of the site;</i> <i>vi. include appropriate mitigation measures to prevent an increase in flood risk within the site or elsewhere.</i> <i>vii. retain and enhance the existing public right of way along the site northern boundary</i> <i>viii. incorporate accessible public green space to the north of the site, north of Top Lane.</i>
(b) the cumulative nature of the effects	No	No cumulative effects are considered likely to be significant.
(c) the transboundary nature of the effects	No	No transboundary effects with other EU countries are considered likely to be significant.

(d) the risks to human health or the environment (for example, due to accidents)	No	There are no significant environmental effects considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	Significant environmental effects due to the geographic size of the area and population size are not considered likely.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	No	Significant environmental effects due to exceeded environmental quality standards, limit values or intensive land-use are not considered likely. See 2(a) above for discussion of proposed Middle Farm housing site allocation and that no significant effects are considered likely from this allocation.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	Significant effects on areas or landscapes which have a recognised national, Community or international protection status are not considered likely. See 2(a) above for discussion of proposed Middle Farm housing site allocation and that no significant effects are considered likely from this allocation. The Council's ecology team have confirmed through Habitats Regs screening that this Plan is not likely to have adverse effects on the integrity of any European Sites and an Appropriate Assessment is not required.

5. SEA Screening decision

- 5.1 Regulation 9 of the SEA Regulations requires that the Responsible Authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall —
- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
 - (b) consult the consultation bodies.
- 5.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.
- 5.3 Wiltshire Council considers that the proposed Joint Melksham Neighbourhood Plan is **unlikely to have significant environmental effects** and accordingly **does not require a Strategic Environmental Assessment**. This decision is made for the following key reasons:
- The neighbourhood plan proposals are in general conformity with the Wiltshire Core Strategy (adopted 20th January 2015) which has been subject to SEA and HRA assessments.
 - The neighbourhood plan is proposing policies that will give added protection and enhancement to environmental and cultural features within the parishes, in addition to protection already contained within local and national planning policy.
 - The neighbourhood plan is allocating one site for development, within the village of Whitley, in accordance with Core Policy 2 of the Core Strategy. Significant environmental effects on special natural characteristics, cultural heritage or areas or landscapes which have a recognised national, Community or international protection status are not considered likely from this allocation. Development proposals in the rest of the neighbourhood area will only be permitted in accordance with WCS Core Policy 2 and other policies of the development plan.
 - Habitats Regulations screening has concluded that this Plan is not likely to have adverse effects on the integrity of any European Sites and that an Appropriate Assessment will not be required.
- 5.4 This screening decision was sent to Natural England, the Environment Agency and Historic England (the 'consultation bodies'⁸), requesting comments within a 5-week period from 29th April 2020 to 3rd June 2020. Responses were received from each organisation, confirming that they agreed with the Council's decision. Responses are included in Appendix A.
- 5.5 This SEA screening has been undertaken on the June 2020 'Regulation 14' draft of the Joint Melksham Neighbourhood Plan. If this draft Plan is subsequently amended significantly i.e. changes that substantially alter the draft plan e.g. adding, amending or removing site allocations and/or policies, and/or are likely to give rise to significant environmental effects, or the HRA screening decision is revised, this SEA screening must be reviewed. In this instance, the Qualifying Body should request a revised SEA screening assessment from Wiltshire Council.

⁸ Regulation 9 (2) (b) Environmental Assessment of Plans and Programmes Regulations 2004

Appendix A - Consultation responses from the 'Consultation Bodies'

Natural England

Date: 27 May 2020
Our ref: 317701
Your ref: SEA screening

David Way
Senior Planning Officer
Wiltshire Council
Economic Development and
Planning
Bythesea Road
Trowbridge
BA14 8JN

BY EMAIL ONLY

Dear Mr Way,

Draft Joint Melksham Neighbourhood Plan - Revised SEA screening decision

Thank you for your consultation on the above dated 29 April 2020 which was received by Natural England on the same date.

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 (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.

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

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA 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 new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Victoria Kirkham
Consultations Team

Historic England

From: Stuart, David

To: Way, David

Subject: Draft Joint Melksham Neighbourhood Plan - Revised SEA screening decision

Date/time: 02 June 2020 11:33:22

Dear David

Thank you for your consultation on the revised SEA Screening Opinion for the emerging Melksham Neighbourhood Plan.

I do not have access to previous documents due to remote working and having looked on the Plan's website the previous version which detailed policy 7 does not appear to be there. However, from what I can deduce the original Whitley farm site (site 17) has been replaced by the Middle Farm site (site 12).

I also note on the website a report on the Whitley Farm site prepared by a heritage consultant in February 2020. The timing of this suggests that it was not produced as a response to our previous advice but is nonetheless useful evidence and may have provided the basis for the change in site allocation.

There appears to be no corresponding heritage consultant report for the Middle Farm site now promoted. Admittedly the proximity of relevant heritage assets might preclude the need for such an exercise and as indicated previously we are certainly happy to accept the judgement of your authority's Conservation Officer as to the in-principle suitability of the site as an allocation and its potential for the nature and scale of any development which might be proposed. Their written advice can be deemed legitimate evidence with which to substantiate the policy.

No report of this nature has been provided and I can find no copy on the Plan's website. It would therefore be useful to address this. But reference to such advice is made within the revised Screening Report which quotes the Conservation Officer as stating that no significant effects (upon heritage assets) are likely and that they see no reason why 18 units shouldn't be achievable.

On the basis of the change in proposed site allocation and the Conservation Officer's comments I can confirm that we have no objection to the view that a full SEA is not required. I can also re-affirm that on this basis there are also now no residual issues associated with the Plan upon which we are likely to wish to comment in the future.

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

Environment Agency – Original response

Our ref: WX/2009/110257/OR-83/PO1-L01

Date: 01 June 2020

David Way
Sustainability Appraisal Officer
Wiltshire Council
Planning Policy
County Hall Bythesea Road
Trowbridge
Wiltshire
BA14 8JD

Dear David,

Draft Joint Melksham Neighbourhood Plan - Revised SEA screening decision

Thank you for consulting us on the Draft Joint Melksham Neighbourhood Plan and Revised SEA screening decision. We are a statutory consultee in the Strategic Environmental Assessment (SEA) process and aim to reduce flood risk and protect and enhance the water environment. For clarity I have provided separate comments on each document.

Key comments:

1. We wish to revise our position to the SEA screening decision. We do not agree with the current decision and advise that a **SEA is required**.
2. We have concerns regarding *Draft Policy 12: Green Infrastructure* and we require further clarification regarding this policy and *Figure 11: Green Infrastructure Key Assets and Priorities*.
3. In the absence of the requirement for an SEA, we have concerns regarding the inclusion of the Melksham Canal Link Project as a key aspiration of the plan.

I have provided additional details on these key points below, as well as further advice on other sections of the SEA screening and current draft plan.

Revised SEA screening decision

After review of the accompanying Draft Joint Melksham Neighbourhood Plan 2020 - 2026 Regulation 14 Consultation Draft, April 2020 (Version: April SEA) we wish to revise our position to the SEA screening decision. We advise that a **SEA is required** for the following reasons.

Based on the revised draft plan, the Wilts & Berks canal restoration is being proposed as a key aspiration in the plan area's Green Infrastructure Policy and is being prioritised as part of the plan. We believe that through delivering this objective there is the potential for significant environmental impacts on the local environment and water quality.

We note that the proposed canal link is not mentioned within the SEA screening decision notice. We believe this should be considered, and any reasons for determining that this will not have any significant environmental impacts, should be clearly noted.

In addition to the canal link there are other aspirations, objectives or supporting statements within the plan that make reference to other projects which may have significant environmental impacts. Specifically the plans support a new Melksham by-pass, which could have implications for flood risk, water quality and biodiversity, and the town centre regeneration priority which may be impacted by areas that are at high risk of flooding. It might be that these projects are to be managed under an independent process, however they are not mentioned in the SEA Screening Decision, and we feel these should at least be considered as part of the screening process. If these aspects have been considered and determined to not pose any significant impacts, then the reasons should be clearly noted in the decision.

We are in agreement with the conclusion regarding the allocated site at Middle Farm, Corsham Road, Whitley which we agree does not pose raise any significant environmental concerns within our remit.

Draft Joint Melksham Neighbourhood Plan 2020

2.7 Sustainable Development and Climate Change

We are pleased to see the plan aims to address the increasing pressures of climate change and meet national sustainability goals.

In addition to the existing policy mentioned, we recommend the authors include and reference the aims of the government's [25 year Environment plan](#).

4.2.1 Sustainable Design and Construction

Draft Policy 1: Sustainable Design and Construction

Within this section we would like to see the plan make ambitious recommendations/ requirements for water efficiency.

We recommend a standard of water usage of no more than 110 litres per person per day is included for new residential development, and all new non-residential development of 1000 squares metres gross floor area or more should meet the BREEAM 'excellent' standards for water consumption.

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures, especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area as well as helping to mitigate the effects of climate change. Therefore, water efficient technology, fixtures and fittings should be included in new developments.

4.2.2 Flood Risk and Natural Flood Management

Draft Policy 2: Flood Risk and Natural Flood Management

This policy currently only aims to address surface water (pluvial) flooding. The subsequent reasons section suggests flood risk can be managed through the National Planning Policy

Framework (NPPF) policies and Wiltshire Core Strategy: Policy 67. Given the nature of flood risk within the area, especially within Melksham Town centre itself and the proposed town centre regeneration plans, we suggest this could be a missed opportunity for the Melksham Neighbourhood plan to strengthen local flood risk policy, build on the existing guidance and help steer development away from areas at highest risk of fluvial flooding.

We note that in the 'reasons for the policy' section it has not been specified that Core Policy 67 will be used to address **fluvial** flood risk, but rather this is left for the reader to assume. We recommend further clarification is included, to help advise readers who may not be familiar with different sources of flooding, on how flood risk from rivers, and from surface water sources is differentiated and addressed within the policy.

The Wiltshire Core Strategy states that any development proposed in flood zones 2 or 3 will need to be accompanied by "*clear evidence that no lower risk alternative sites are available*". We recommend the Melksham Neighbourhood Plan uses this opportunity to help guide developers on what suitable evidence might be and what development types would/would not be considered suitable in these areas, such as promoting green/open space whilst avoiding higher vulnerability uses. This is particularly pertinent as the current Wiltshire Core Policy on flood risk relies heavily on national flood risk policy and the Sequential Test rather than providing a local approach.

We are pleased to see the inclusion of surface water management policies to help mitigate flood risk and the impact of climate change.

4.3.2 Housing Development

Draft Policy 6: Housing in Defined Settlements

The policy states:

*"We will support proposals for small 'windfall' housing development within the settlements of the Plan area, where they conform with the policies of the **Development Plan** and where they."*

It is not clear from this what is meant by the 'development plan' in this context. If there is a specific document that is being used as the criteria to support windfall development this should be referenced by name.

4.3.3 Allocation of Land at Middle Farm, Corsham Road, Whitley

We agree that the allocated site at Middle Farm, Corsham Road, Whitley does not raise any significant environmental concerns within our remit.

4.5.1 Green Infrastructure

Draft Policy 12: Green Infrastructure

We are pleased to see that green infrastructure is being considered as part of the plan.

We note that Policy 12 makes reference directly to *Figure 11: Green Infrastructure Key Assets and Priorities: Strategy Diagram* as the existing and future priorities of the plan which will be supported. This is a significant part of the plan and we feel this requires considerable expansion, including sections detailing in writing what the key assets and priorities are along with a

description of any proposals. We also suggest this is expanded to include blue infrastructure, as rivers and watercourses also provide considerable corridors for wildlife and recreation.

In addition to the above, Figure 11 requires updating, as the version contained in the draft document is illegible. We cannot determine from the version provided what the existing key assets and priorities are. **At a minimum this will need to be updated before we are able to provide full comments on the key assets and proposed priorities.**

In addition we are not able to determine from this section which infrastructure is existing and which is being proposed as future priorities. **This will also need to be clarified.**

4.5.2 Biodiversity

Draft Policy 13: Biodiversity

We are pleased to see Biodiversity Net Gain is being incorporated into the plan and are in full support this section.

Melksham Canal Link Project (page 60)

As stated in our response to the SEA Screening Decision (above), the revised draft plan includes the Melksham Canal Link Project as a key aspiration in the plan's Green Infrastructure Policy, and is stated as being prioritised as part of the draft plan.

The draft information section on the Canal Link Project, directly mentions we have previously raised objections to the current planning proposal, however it does not mention that these relate to significant concerns regarding impacts on the River Avon, in particular relating to water resources, ecology and the requirements of the Water Framework Directive.

A substantial reason for our request for the requirement of an SEA, is based on the prioritisation of the canal link project. We are concerned that this project and others supported by the draft plan, such as the by-pass, may overlook the protection of habitats, wildlife and water resources.

Further EA Advice

We note that as part of the plan, the Melksham by-pass scheme and Town centre Masterplan/Vision are in the early stages of development. Given the environmental constraints in these areas, we believe it would be beneficial for us to be involved in the formative stages of these proposals. Further engagement will provide you with the opportunity to discuss and gain our views on potential issues/options and result in a better quality and more environmentally sensitive outcomes. Please get in touch with me directly at swx.sp@environment-agency.gov.uk or on the number below to discuss our involvement in more detail.

Yours sincerely,

Matthew Pearce
Planning Advisor

Tel – 02077 140992

Email – swx.sp@environment-agency.gov.uk

Environment Agency – revised response

From: Pearce, Matt

To: Way, David

Subject: RE: Draft Joint Melksham Neighbourhood Plan - Revised SEA screening decision

Date: 03 July 2020 16:46:36

Hello David,

My apologies for the delay getting back to you. Based on your additional comments and your reassurance that the environmental impacts of the major projects supported by the plan will be addressed through other means, **we are able to revise our position, removing our requirement for an SEA.**

I was still a bit concerned with the wording for 'Draft Policy 12: Green Infrastructure' and the reference to supporting the priorities in Figure 11, however on close inspection I can see the policy is aiming to support GI along and between these key assets and priorities rather than supporting their delivery directly.

As our other comments regarding the plan itself currently still stand and I intend to reissue a revised formal response to the Melksham NP June consultation, along with our revised position regarding the SEA. I hope this is ok, but let me know if you require something else.

Best regards,

Matt

Matthew Pearce

Planning Advisor – Wessex Sustainable Places

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

External: 0207 714 0992