



BRISTOL
2015 EUROPEAN GREEN CAPITAL

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Our ref	
Your ref	
Date	03/02/2015

Dear Ms Beth,

Old Market Quarter Neighbourhood Development Plan – SEA and HRA Determination

To assist production of the Old Market Quarter Neighbourhood Development Plan, Bristol City Council undertook a Strategic Environmental Assessment screening exercise. This was intended to determine whether or not the Neighbourhood Development Plan (NDP) would require a Strategic Environmental Assessment.

SEA Screening Opinion – Bristol City Council

A pre-submission version of the NDP, received in November 2014 by Bristol City Council, was used to consider the likely environmental effects. To ensure legal compliance and a robust screening opinion Bristol City Council considered the likely effects of the NDP against the criteria in Schedule I, of the Environmental Assessment of Plans and Programmes Regulations 2004. The consideration of likely effects against the Schedule I criteria are available to view in **Appendix I (pages 4 to 9)**.

Following analysis of likely significant effects, Bristol City Council considered that the NDP was unlikely to have any significant effects on the environment. And therefore, determined that Strategic Environmental Assessment, of the Old Market Neighbourhood Development Plan, was not required.

As required by Regulation 9(2)(a) of the Environmental Assessment of Plans and Programmes Regulations 2004 the screening opinion and determination was then

sent to English Heritage, Natural England and the Environment Agency, to arrive at a determination in consultation with the statutory consultees. This was sent on 28 November 2014 and is available to view in **Appendix I**.

SEA Screening Opinion

All three statutory consultees agreed with Bristol City Councils screening opinion, that the Old Market Quarter Neighbourhood Development Plan was unlikely to give rise to significant environmental effects and therefore would not require Strategic Environmental Assessment.

The response of English Heritage, Natural England and the Environment Agency can be viewed in **appendix II**.

Habitat Regulation Assessment Screening Opinion

Natural England utilised the information within the analysis of likely significant effects to also determine that the NDP would be unlikely to give rise to significant environmental effects on European Designated Sites and can therefore be screened out from any requirement for further assessment under the Habitat Regulations. This determination is also available to view in **Appendix II**.

Determination

The Old Market Quarter Neighbourhood Development Plan is unlikely to give rise to significant environmental effects which would require Strategic Environmental Assessment, or have significant effects on European Designated Sites that would require consideration under the Habitats Directive. This determination has been arrived at in agreement with relevant statutory consultees.

For the purpose of demonstrating that the NDP is unlikely to have significant effects on the environment; as required by regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015), **Appendix I (pages 4 to 9)** of this document could be considered to form the statement of reasons.

Regards,

Carl McClure

Planning Policy Officer
Strategic City Planning Team

Enclosed

Appendix I – 28 November 2014, BCC screening letter and appendix (Likely Effects)

Appendix II – Response of Natural England, Environment Agency and English Heritage to BCC screening opinion.

APPENDIX I

OLD MARKET QUARTER NEIGHBOURHOOD DEVELOPMENT PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT – SCREENING OPINION AND DETERMINATION

November 2014

1. Purpose of Screening Opinion

In accordance the Environmental Assessment of Plans and Programmes Regulations 2004 this screening opinion has been produced by Bristol City Council.

The screening opinion is intended to determine whether or not the Old Market Quarter Neighbourhood Development Plan (NDP) is likely to have significant environmental effects and require strategic environmental assessment (SEA).

As required by Regulation 9(2)(a) of the Environmental Assessment of Plans and Programmes Regulations 2004, this screening opinion has been sent to English Heritage, Natural England and the Environment Agency to arrive at a determination in consultation with the statutory consultees.

2. Likely Effects

In order to assist a robust determination Bristol City Council considered the likely effects of the NDP against the criteria in Schedule I, of the Environmental Assessment of Plans and Programmes Regulations 2004.

The pre-submission version of the NDP, received in November 2014 by Bristol City Council, was used to consider the likely environmental effects.

In considering the likely significance of the effects baseline data and information within the Bristol Central Area Plan Sustainability Appraisal has been utilised to consider the environmental context and baseline within Old Market Neighbourhood Quarter. The Bristol Central Area Plan sustainability appraisal appendices document, which contains the relevant baseline information, can be viewed online under the 'Publication Version' heading at: www.bristol.gov.uk/page/planning-and-building-regulations/bristol-central-area-plan

In addition to this information the most current and available data for certain environmental issues were considered as the basis for the screening opinion.

Flood Risk

A number of studies have taken place to determine the extent and vulnerability of different parts of the city to flood risk. The primary studies of relevance to the Old Market Quarter utilised for the screening opinion were;

- Central Area Flood Risk Assessment (CAFRA) – (Final Issue November 2012)
- Strategic Flood Risk Assessment - Level 1 SFRA – (Final Report March 2009) provides the citywide context.
- Surface Water Management Plan 2014

The Surface Water Management Plan used hydraulic modelling software to predict the flood risk posed to the entire city from surface water and sewer flooding. This data was not intended to assess individual sites. However, the study identified a

number of High Risk Area across the city are potentially at greater risk of flooding. None of these areas are within the NDP area.

Heritage and material assets

The Bristol Historic and Environmental Records contain regularly maintained and updated information on;

- Conservation Area boundaries
- Article 4 directions
- Registered Parks and Gardens both nationally and locally Designated
- Scheduled Monuments,
- Listed Buildings

The record also has information on undesignated assets, such as known archaeology or unlisted above ground assets.

Nature Conservation

- International designations; Special Protection Areas, Special Areas of Conservation and Ramsar Sites
- National Designations; Sites of Special Scientific Interest (SSSI)
- The Bristol Wildlife Network, consisting of Sites of Nature Conservation Interest and Wildlife Corridors. Taken from the Bristol City Council, online mapping tool; <http://www.bristol.gov.uk/page/explore-bristol-city-centre>

3. Bristol City Council - Screening Determination

The consideration of likely effects, against the criteria in Schedule I, is set out in Appendix 1 of this screening opinion.

From the analysis of likely significance of effects (contained within appendix I) Bristol City Council considers that the NDP is unlikely to have any significant environmental effects.

Therefore Strategic Environmental Assessment, of the Old Market Neighbourhood Development Plan, is not required.

Old Market Quarter Neighbourhood Plan - SEA Screening Opinion and Determination

Appendix I – Likely Effects

<p>SEA DIRECTIVE CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS</p>	<p>RESPONSE IN RELATION TO: OLD MARKET QUARTER NEIGHBOURHOOD PLAN</p>
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>The Old Market Neighbourhood Plan would if adopted form part of the Statutory Development Plan. It therefore would contribute to the framework for future development consents of projects.</p> <p>The plan sits within a wider framework, set by National Planning Policy Framework and Bristol Local Plan documents, the Core Strategy, Site Allocations and Development Management Policies and emerging Bristol Central Area Plan.</p> <p>The framework set by this draft Neighbourhood Plan is for localised projects and activities, with limited effects and resource implications.</p>
<p>The degree to which the plan or programme influences other plans and programmes including those in the hierarchy.</p>	<p>The plan adds local level detail to assist in determining planning applications within the plan boundary and does not influence higher level plans. The plan will become a material consideration in the determination of applications for planning permission.</p> <p>The policies and development sites within the plan are considered to be in conformity with the wider framework and strategic direction of the Bristol Core Strategy, Site Allocations and Development Management Policies Local Plan and emerging Bristol Central Area Plan.</p> <p>These Local Plan documents have been subject to Sustainability Appraisal incorporating Strategic Environmental Assessment.</p>
<p>The relevance of the plan or programme for the integration of environmental consideration in particular with a view to promoting sustainable development</p>	<p>The Old Market Neighbourhood Plan demonstrates the neighbourhood forum’s vision through local level policy, which complements Local Plan policies, to shape and direct high quality sustainable development in the plan area.</p> <p>The Local Plan policies have been subject to Sustainability Appraisal incorporating Strategic Environmental Assessment.</p>

	<p>In relation to open space and biodiversity the plan through Policy E1 Trees, E2 Wildlife and E3 Open Space reflect the approach to maintaining and enhancing Open Space, Trees, Green Infrastructure and Nature Conservation. This includes the Bristol Wildlife Network contained in; Core Strategy Policy BCS9; Site Allocations Policies DM15 (Trees), DM17(Trees and Open Space) and DM19 Nature Conservation.</p> <p>The plan contains Policy B1 Protection of Historic Buildings. This is considered to add a local level of detail to safeguard and enhance material and cultural assets within the plan area. The policy is in conformity with the aims of Core Strategy policy BCS22 ‘Heritage Assets’ (including listed buildings and conservation areas) and Site Allocations and Development Management Policies Local Plan Policy DM31 ‘Heritage Assets’.</p> <p>Proposed development sites are not within existing or predicted flood risk zones.</p> <p>Policies T1 to T4, within the plan ‘Getting around better’ are focussed upon improving walking, cycling and sustainable travel within the plan area and its connectivity to the city centre.</p>
<p>Environmental problems relevant to the plan or programme</p>	<p>The plan will assist in addressing wider problems relevant to the inner city location suffering from traffic congestion, close proximity to major road infrastructure and an area which contains a wide variety of built environment quality and form.</p>
<p>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).</p>	<p>The plan is not considered to be directly responsible or related to implementing community legislation on the environment.</p>
<p>The probability, duration, frequency and reversibility of the effects</p>	<p>Due to its scope and coverage the plan is not considered to create any effects of significance.</p>
<p>The cumulative nature of the effects</p>	<p>Due to its scope and coverage the plan is not considered to create any effects of significance.</p>
<p>The trans boundary nature of the effects</p>	<p>The plan covers a relatively small area in Bristol. It is</p>

	not considered to create any trans-boundary issues.
The risks to human health or the environment (e.g due to accidents)	The plan is not considered to create any significant risks to human health or the environment.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	<p>The neighbourhood plan relates to a specific and contained area of central Bristol covering 76.5 hectares. The plan area had a population of 4,620 in the 2011 census.</p> <p>Effects arising from policy and sites set out in the plan are considered to have very localised effects. Such as on immediately adjacent buildings, building users or localised areas within the Old Market neighbourhood.</p> <p>The magnitude and spatial extent of any potential effects are very limited and not considered to be of significance to warrant Strategic Environmental Assessment.</p>
<p>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 uses.</p> <p>And;</p> <p>The effects on areas or landscapes, which have a recognised national, Community or international protection status.</p>	<p>There are no international or national nature conservation designations within the plan boundary, adjoining the plan boundary or in the vicinity of the plan area. The one local nature conservation consideration, the Wildlife Corridor at The Dings Park, is not in or adjacent any proposed development sites.</p> <p>The Old Market Neighbourhood Plan policies E1 and E2 may create positive effects on extending the local wildlife network, but any effects will be dependent upon incremental opportunities being taken. The plan is not considered to have potential significant effects on nature conservation assets.</p> <p>The latest flood risk data covering the plan area suggest only a small area is at risk of a 1 in 100 year flood, in the forecasted period to 2100 (with climate change modelling).</p> <p>No allocations or changes are proposed by the plan within this forecast flood zone 3 area. Therefore it is not considered that the plan will have effects on human health and related flood risk issues.</p> <p>The plan area includes; 4 Grade II* buildings; 73</p>

	<p>Grade II listed buildings or heritage assets, and the Old Market Conservation Area. There are no Grade I listed buildings within the plan area.</p> <p>The plan also includes a large number of undesignated heritage assets as indicated in the Old Market Conservation Area, character appraisal and the Central Area Context Study.</p> <p>The plan contains proposals for a number of development sites. Whilst this may create effects, no proposals are suggested on the sites which contain listed buildings. No sites are proposed for development directly adjacent Grade II* listed buildings. Only four development sites are proposed adjacent to Grade II listed buildings. To mitigate potential for negative effects development sites C8.1, C8.2, C14.8 and C14.11 have specific site policies that refer to the adjacent listed buildings and contain detailed design guidance.</p> <p>In addition all future planning applications in the plan area would remain subject to the legislation covering Listed Buildings and Conservation Areas '(Planning (Listed Building and Conservation Areas) Act 1990)'. </p> <p>Where relevant the site specific policies in the plan also contain a comprehensive and detailed approach to unlisted buildings of merit. The site specific policies require all site allocations containing these buildings to integrate and enhance these assets.</p> <p>In addition to the consideration of relevant listed and unlisted buildings in individual site policies, the plan contains overarching policy B1. This adds a local level of detail, to that contained in Core Strategy BCS22 and Site Allocations policy DM31 'Heritage Assets', to reflect the particular considerations within the Old Market Conservation Area and approach to appropriate development near listed and unlisted assets.</p> <p>The plan through its policies, careful and considered approach to development sites and associated site policies is considered to create a robust and positive approach to the consideration of heritage and cultural assets of value and vulnerability within the</p>
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	<p>plan area. It is therefore not considered that the proposed development sites create potential for significant effects.</p> <p>It is not considered that the plan creates the potential for significant negative effects on historic, cultural or material assets that would warrant SEA.</p> <p>Any effects on heritage and material assets are likely to be positive in nature and reflect the approach set out in the National Planning Policy Framework and build upon the policy approach set out in Core Strategy policy BCS22 and Site Allocations Policy DM31, both of which have been subject to Sustainability Appraisal incorporating Strategic Environmental Assessment.</p>
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APPENDIX II

OLD MARKET QUARTER NEIGHBOURHOOD DEVELOPMENT PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT – SCREENING OPINION AND DETERMINATION

RESPONSES BY STATUTORY CONSULTees

Date: 22 December 2014
Our ref: 138607
Your ref: -



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Dear Mr McClure

Old Market Neighbourhood Plan - Strategic Environmental Assessment (SEA) Screening Report

Thank you for your consultation on the above dated 28 November 2014 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.

We have considered the screening assessment of the Old Market Neighbourhood Plan against the requirements of the criteria set out in the SEA Directive.

Based on the information provided we are satisfied that the Old Market Neighbourhood Plan is unlikely to give rise to significant environmental effects and that the Council's conclusion that a Strategic Environmental Assessment is not required appears reasonable.

Habitats Regulations Assessment

The Plan area does not contain, nor is it in close proximity to, any European designated sites - the nearest being the Avon Gorge Woodlands Special Area of Conservation (SAC), which is approximately 3km distant, while the Severn Estuary European Site is located approximately 8km from the Plan area.

While Natural England recognises that distance is not in itself always a determining factor in terms of potential effects of plans, projects and programmes on ecological receptors; in this case we are satisfied that the distance of the Plan area from the nearest European site, coupled with its position within an existing urban setting and in light of the findings of the SEA screening, it is reasonable to conclude that the Old Market Neighbourhood Plan is unlikely to give rise to significant environmental effects on European Sites and can therefore be screened out from any requirement for further assessment

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

For any queries relating to the specific advice in this letter only please contact Amanda Grundy on 07900 608311. For any new consultations, or to provide further information on this consultation



please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

Amanda Grundy
Somerset, Avon & Wiltshire Team

Mr Carl McClure
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Pollution Control
Brunel House St. Georges Road
Bristol
Avon
BS1 5UY

Our ref: WX/2006/000199/SE-
03/SC1-L01
Your ref:
Date: 28 January 2015

Dear Mr McClure

Old Market Quarter Neighbourhood Plan / SA/SEA Screening

Thank you for consulting the Environment Agency on the above Neighbourhood plan and SEA screening, received 8 January 2015.

In respect of the Strategic Environmental Assessment (SEA) screening opinion, we concur with the assessment that an SEA is not required.

The Agency welcomes the aspirations of the plan, particularly with regards the protection and provision of open space and the reference to flood risk along the river corridor.

We would suggest the plan is augmented with specific reference to policy provisions within the adopted core strategy in respect of contaminated land (BCS 23), flood risk management (BCS 16) and Green Infrastructure (BCS 9).

I trust the above is of assistance. Please do not hesitate to contact me, should you have any queries.

Yours sincerely

Mark Willitts
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From: Stuart, David
Sent: 06 January 2015 13:14
To: Sarah O'Driscoll
Cc: Carl McClure; Janet Bush
Subject: RE: NEIGHBOURHOOD PLANS

Hi Sarah

I have now been able to go through all your helpful updates below and I can respond to them as follows

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Old Market

We commented on the preliminary draft Plan this time last year and were generally content. I think you were going to engage in follow up liaison to address various issues which you had identified and presumably these will have been accommodated in an updated version (that circulated with the recent SEA consultation appears to be the original).

I can confirm that we have no objection to the conclusion arrived at by the Council that an SEA will not be required.

[Redacted]

[Redacted]



Thanks again

David

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