

West Lavington Neighbourhood Plan (First Review)



**SEA & HRA
Screening
Request
April 2023**

West
Lavington
Parish
Council

Our Place: Our Plan
A Plan for West Lavington and Littleton Panell

West Lavington Neighbourhood Plan (First Review) 2017-2036

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A Plan for West Lavington and Littleton Panell*

SEA & HRA Screening Request April 2023

The First Review of the West Lavington Neighbourhood Plan produced as a Modification Proposal in accordance with the Neighbourhood Planning Regulations 2012

The Neighbourhood Plan Steering Group for the First Review on behalf of West Lavington Parish Council:

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The Parish Council received professional planning support from NEIGHBOURHOOD-PLAN.CO.UK during the production of this Neighbourhood Plan.



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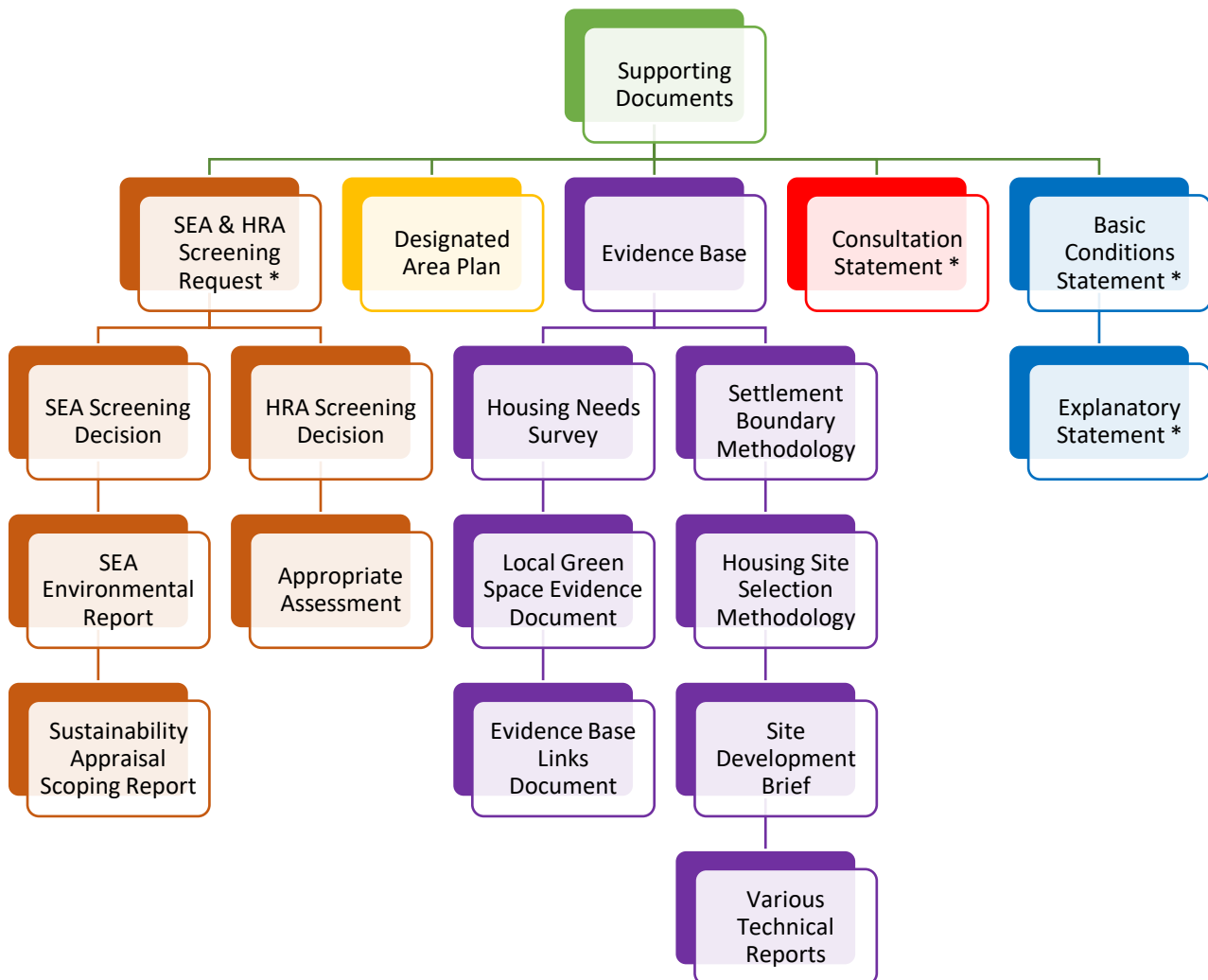
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The Neighbourhood Plan (First Review) * Annexe 1 - Character Appraisal *



*Note - the documents marked * have been updated or are new documents as part of the First Review to take account of the Modification Proposal; the other documents which supported the original version of the Neighbourhood Plan remain valid and do not need to be updated*

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Introduction

1. Every Neighbourhood Plan needs to consider the need for a Sustainability Appraisal (incorporating a Strategic Environmental Assessment) for the Neighbourhood Plan. SA is a mechanism for considering and communicating the impacts of an emerging plan, and potential alternatives in terms of key sustainability issues. The aim of SA is to inform and influence the plan-making process with a view to avoiding and mitigating negative impacts. Through this approach, the SA where it is undertaken for the Neighbourhood Plan seeks to maximise the Neighbourhood Plan's contribution to sustainable development. The early stages of the original Neighbourhood Plan production were informed by an SA Scoping Report.
2. Part of the Neighbourhood Plan process is to ascertain if a Strategic Environment Assessment (SEA) is needed, and to clarify any environmental impacts the plan may have.
3. The Sustainability Appraisal Scoping Report produced in February 2015 at the beginning of the process of the existing Neighbourhood Plan helped to inform how the neighbourhood plan could maximise its contribution to sustainable development.
4. A Neighbourhood Plan must also comply with the Habitat Regulations which aim to protect and improve Europe's most important habitats and species.
5. There is a need to assess the likelihood of proposals or policies within a Neighbourhood Plan having a significant effect on the 'National Sites Network' consisting of areas designated as Special Areas of Conservation (SAC) or Special Protection Areas (SPAs). Consideration of the internationally designated Ramsar sites is also necessary; many Ramsar sites are also SACs or SPAs. The Neighbourhood Plan Area does contain part of the 'National Sites Network' namely the Salisbury Plain SPA and the Salisbury Plain SAC.
6. A Strategic Environmental Assessment and A Habitat Regulations Assessment (HRA) incorporating an Appropriate Assessment (AA) were produced by Wiltshire Council for the original Neighbourhood Plan.



SEA and HRA on the Existing Neighbourhood Plan

7. The West Lavington Neighbourhood Plan Strategic Environmental Assessment - Environmental Report dated February 2019 concluded that: *"The SEA assessment of the plan and its' policies has found that significant environmental benefits are likely overall, with strong policies that will provide protection and enhancement for the built and natural environment. The plan will also sufficiently meet its housing needs and provide a significant level of affordable housing. The provision of housing, protection of community and educational facilities and policies to protect the natural and built environment will also help to improve the health and wellbeing of local residents."*

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8. The West Lavington Neighbourhood Plan Habitats Regulations Assessment (HRA) dated February 2019 concluded that: *“I consider that no changes are required to the West Lavington NDP in order to conclude, beyond reasonable scientific doubt, that there would be no adverse effects on the Salisbury Plain SPA, alone or in- combination with other plans and projects.”*
9. It is necessary to consider now whether the West Lavington Neighbourhood Plan First Review requires a new SEA and HRA incorporating an AA or whether the conclusions of the existing documents remain valid. The First Review of the West Lavington Neighbourhood Plan in legal terms is produced as a ‘Modification Proposal’ in accordance with the Neighbourhood Planning Regulations 2012¹. What that means is it modifies and updates the existing Neighbourhood Plan. The First Review of the Neighbourhood Plan now looks to extend the plan period from 2026 through to 2036, which requires various matters to be updated and the First Review adds a Character Appraisal for the two villages into the Neighbourhood Plan as an Annexe.

The Modifications Proposal

10. As the West Lavington Neighbourhood Plan First Review is technically a ‘modification proposal’ then for consultation under Regulation 14 and for submission under Regulation 15, it is necessary to produce ‘a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify’. We have produced a short separate statement to accompany the Neighbourhood Plan as part of the overall document suite, called ‘Explanatory Statement’.
11. The West Lavington Neighbourhood Plan First Review will replace in entirety the current West Lavington Neighbourhood Plan that was made in 2019.
12. In summary the modifications made to the current West Lavington Neighbourhood Plan to form the West Lavington Neighbourhood Plan First Review are:

General Updates

- General updating of references, links and data where available for example to account for website link changes;
- The current Neighbourhood Plan was examined against the 2012 version of the NPPF; therefore it has been necessary to do some general updating of references to NPPF paragraph numbers to account for the 2021 version alongside the updating of Planning Practice Guidance references where appropriate;
- General text updated to refer to the First Review;
- Maps renumbered;
- The Employment Section 9 has been updated to refer to the latest use classes;
- Section 13 on the Natural Environment has been updated to refer to the designation of Special Areas of Conservation and Special Protection Areas (SACs & SPAs) post leaving the EU;
- The Monitoring and Review section has been updated to reflect the First Review;
- Glossary has been updated where necessary to reflect changes in the NPPF Glossary

Plan Period

- Plan period end amended from 2026 to 2036 to take account of emerging Local Plan Review and consequential new emerging strategic housing requirement;

¹ <https://www.legislation.gov.uk/uksi/2012/637/contents>

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- Section 7 on Housing has been updated to reflect the emerging strategic housing requirement and the indicative housing figure from Wiltshire Council given to the Parish Council to plan for the period 2016 to 2036;

Policy Amendments

- Character appraisal produced and added to the Neighbourhood Plan to underpin a number of policies and to introduce a number of design guidelines;
 - Policy BE2 (Design of New Development and Local Distinctiveness) has been amended to refer to the character appraisal including features identified in the character appraisal (open spaces, topographical features, character of lanes, road gateways); together with the addition of design advice on residential extensions; extensions to other buildings; and outbuildings;
 - New Policy BE3 (Views and Vistas) has been added to refer to the important public views and vistas identified in the character appraisal;
 - New Policy BE4 (Boundary Treatment, Trees and Public Realm) has been added to refer to the important walls, hedges and trees identified in the character appraisal; the policy also refers to four sites identified as opportunities for enhancement in the character appraisal;
 - Policy BE5 (Highway Impact) and Policy BE6 (Heritage Assets) were renumbered from previously being BE3 and BE4 to account for the two new policies inserted
 - Policy BE6 (Heritage Assets) has been reworded to reflect the 2021 NPPF and the policy has been widened in scope through the identification of a list as ‘Locally Important Buildings’ thereby being non-designated heritage assets. The Conservation Area Statement identifies ‘significant unlisted buildings and walls’; these are considered to constitute Non-Designated Heritage Assets; in addition other buildings have been identified through the Character Appraisal process to be worthy of being identified as Non-Designated Heritage Assets;
 - Policy NE2 (Setting of West Lavington Parish) has been amended through the inclusion of eight specific areas that contribute to the setting of the Parish that have been identified through the character appraisal process.
13. Having regard to the advice in Planning Practice Guidance² it is the view of West Lavington Parish Council that the ‘modifications’ fall within the scope of *“Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.”* (Planning Practice Guidance Reference ID; 41-106-20190509)
14. As the current West Lavington Neighbourhood Plan had already planned for housing growth and had allocated a significant site, the alteration to the plan period does not require additional housing land to be identified. Therefore, the change of plan period does not change the amount of housing identified from that in the current Neighbourhood Plan.
15. The general updates are predominantly factual and do not materially change the content of the Neighbourhood Plan.
16. The policy amendments principally arise from the production of the character appraisal which now informs and underpins a number of policies. Although this is a substantial document, the character appraisal draws on two dated documents namely the West Lavington and Littleton Panell Conservation Area Statement that was adopted in January 2003 by the former Kennet District Council; and the West Lavington and Littleton Panell Village Design Statement that was adopted by the former Kennet District Council as Supplementary Planning Guidance in September 2004. As such the character appraisal

² <https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>

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contents are not completely new and build upon the previous policies in the current Neighbourhood Plan including the current Policies BE2 (Design of New Development and Local Distinctiveness); BE4 (Heritage Assets) and NE2 (Setting of West Lavington Parish). The Parish Council is of the view that this is similar to the Planning Practice Guidance example of adding a Design code, so falls within the scope of a material modification that does not change the nature of the Neighbourhood Plan.

Conclusion

17. In terms of SEA the Neighbourhood Plan First Review is considered to have an even further strengthened policy suite that would continue to result in significant environmental benefits overall; with continued strong policies that will provide protection and enhancement for the built and natural environment. The plan will continue to sufficiently meet its housing needs and provide a significant level of affordable housing. The provision of housing, protection of community and educational facilities and policies to protect the natural and built environment will continue to help to improve the health and wellbeing of local residents.
18. Having regard to all matters and the reasoning set above, the Parish Council as the qualifying body is of the view that the modifications are not so significant or substantial as to change the nature of the plan.
19. Accordingly, it is the view of the Parish Council that the conclusions of the West Lavington Neighbourhood Plan Strategic Environmental Assessment - Environmental Report dated February 2019 are considered to remain valid and are not materially affected by the modifications in the First Review.
20. Given the nature of the modifications in the First Review there is considered to be no adverse effects on the Salisbury Plain SPA or Salisbury Plain SAC, alone or in- combination with other plans and projects. The conclusions of the West Lavington Neighbourhood Plan Habitats Regulations Assessment (HRA) dated February 2019 are therefore considered by the Parish Council to remain valid and not be materially affected by the modifications in the First Review.
21. For West Lavington, it is the responsibility of Wiltshire Council to determine whether an updated SEA and HRA incorporating an AA is required for the First Review of the Neighbourhood Plan. To make this decision Wiltshire Council are required to consult with three statutory consultation bodies: Natural England, Environment Agency and Historic England.



Appendix One: Proposed Neighbourhood Plan Policies

The Table below has assessed how the emerging proposed policies in terms of how they will deliver sustainable development in the economic, social and environmental aspects of sustainability. It shows how the proposed policies are attributing to sustainability by using the following indicators against the economic, social and environmental factors on a scale -

** = very positive * = positive - = neutral x = negative and xx = very negative

	Economic Factors	Social Factors	Environmental Factors
Built Environment			
Policy BE1 - Settlement Boundary	*	**	**
Policy BE2 - Design of New Development and Local Distinctiveness	*	**	**
Policy BE3 - Views and Vistas	*	**	**
Policy BE4 - Boundary Treatment, Trees and Public Realm	*	**	**
Policy BE5 - Highway Impact	*	*	*
Policy BE6 - Protection of Heritage Assets	*	**	**
Housing			
Policy H1 - New Housing	*	**	-
Economy			
Policy E1 - Retention of Employment Land and Buildings	**	*	-
Policy E2 - Employment Development	**	*	-
Community Facilities			
Policy CF1 - Community Facilities	-	**	*
Policy CF2 - Educational Facilities	*	**	*
Natural Environment			
Policy NE1 - Local Green Space	-	**	**
Policy NE2 - Setting of West Lavington Parish	*	**	**

The list below identifies a simple summary of what the proposed Neighbourhood Plan policies are intended to address:

Policy BE1 - Settlement Boundary

The settlement boundary of West Lavington and Littleton Panell serve the purpose of containing the growth of the settlements, protecting the countryside from encroachment and preventing coalescence. Within the settlement boundary the policy will support small-scale development which does not adversely affect the character of the settlement. The policy will strictly control development outside the settlement boundary.

Policy BE2 - Design of New Development and Local Distinctiveness

This policy will seek new development to demonstrate good quality design that reinforces local distinctiveness, including the impact on open areas, topographical features, character of lanes,

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road gateways and public realm; together with securing protection of the character and appearance of the two villages identified in the character appraisal.

Policy BE3 - Views and Vistas

This policy will seek to protect the important public views and vistas identified in the character appraisal.

Policy BE4 - Boundary Treatment, Trees and Public Realm

This policy will seek to protect important walls, hedges and trees identified in the character appraisal; the policy also refers to four sites identified as opportunities for enhancement in the character appraisal.

Policy BE5 - Highway Impact

This policy will require new development to not negatively impact on the highway network and incorporate adequate parking and refuse provision.

Policy BE6 - Protection of Heritage Assets

This policy will look at the impact of development proposals on designated and non-designated heritage assets and their settings, including Listed Buildings, the Conservation Area and areas of archaeological interest. The policy has been widened in scope through the identification of a list as 'Locally Important Buildings' thereby being non-designated heritage assets.

Policy H1 - New Housing

This policy will set out a framework for windfall housing development. It will also set out proposals for residential development on the housing allocation Site H1(A) - Land South of Lavington Lane, West Lavington. It will establish the principles for housing on this site.

Policy E1 - Retention of Employment Land and Buildings

This policy will look to protect the existing established employment sites and premises sites in the two villages from change of use to alternative uses.

Policy E2 - Employment Development

This policy will support in principle the intensification, refurbishment or redevelopment of existing commercial or agricultural buildings within the settlement boundary for the purposes of new business development providing that there are no negative impacts on the local environment.

Policy CF1 - Community Facilities

This policy will support the improvement and expansion of community facilities or the provision of new community facilities. It will also resist the loss of community facilities.

Policy CF2 - Educational Facilities

This policy will safeguard the existing educational sites in the Parish for educational use, it will also support in principle the expansion of educational provision on these sites.

Policy NE1 - Local Green Space

This policy will designate certain areas as Local Green Space. This will be where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.

Policy NE2 - Setting of West Lavington Parish

This policy will support proposals that protect and enhance the natural features that are a key component of the landscape and provide habitat for West Lavington's diverse wildlife populations. It will also protect the river corridors of North Brook and Semington Brook, and the ecological value of International, National and Local designated wildlife sites. It also protects eight specific areas that contribute to the setting of the Parish that have been identified through the character

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appraisal process. The policy will also prevent coalescence of West Lavington and Littleton Panell to neighbouring settlements.



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West Lavington Neighbourhood Plan is led by a Steering Group made up of local volunteers and Parish Councillors supported by West Lavington Parish Council

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