

# Semington Neighbourhood Plan

## Site Allocation Topic Paper | June 2024

### 1. Introduction

Policy Sem10 of the Semington Neighbourhood Plan (SNP) proposes the allocation of one site in the village:

#### **POLICY SEM 10: Land to the west of Turnpike Close (the Auction Field)**

- 1. Land to the west of Turnpike Close, (known locally as the Auction Field) as defined on Map 13, is allocated for the development of a village shop (use class F2(a)).**
- 2. To enable the provision of the village shop, up to 40 dwellings will be supported on the site. The housing proposal should:**
  - a. Meet local needs, as identified in the Semington Parish Housing Needs Survey (2021), the Swindon and Wiltshire SHMA 2017, and any subsequent updates, this should include at least 30% (or higher in line with Wiltshire Local Plan) affordable homes;**
  - b. Include a site-specific flood risk assessment. All proposed development will need to pass the sequential test from all sources of flooding. When preparing flood risk assessments, local flood risk sources must be considered, not only information available from the Environment Agency,**
  - c. Meet the requirements of the Semington Character and Design Statement in terms of the design, layout, form, heights and materials. The development should reflect the existing low-medium density character of the wider area; and,**
  - d. Not be occupied until the village shop is constructed and capable of occupation for its intended use (secured by planning condition).**
- 3. The development proposal must be informed by robust and meaningful community engagement, in accordance with the Semington Pre-Application Engagement Protocol. The overall development of the site should be informed by the site design principles and concept masterplanning framework set out in the Semington Design Codes and Masterplanning Report and include the following key features (secured by planning condition where appropriate):**
  - a. High quality open space, including recreation areas;**
  - b. Retention of trees and hedgerows with the provision of new areas of landscaping to provide an appropriate buffer from the A361 and existing development;**
  - c. Pedestrian and cycle linkages through the site particularly linking into the existing Public Right of Way network and to facilitate access to key facilities in the village (including the new village shop) via the east and northern site boundaries; and,**

- a. **Safe vehicular access and the provision of sufficient car and cycle parking which is appropriately sited within the development.**
4. **In line with Policy SEM12, a Sustainable Energy Statement should be submitted to demonstrate measures to adapt to climate change impacts**
5. **Compliance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 through adherence to the TBMS (2020, or latest iteration) must be demonstrated through a project level Habitats Regulations Assessment with regards to potential impacts on the Bath and Bradford on Avon Special Bats Special Area of Conservation as set out in policy SEM 1.**

This topic paper sets out an overview of the process and evidence behind the allocation. All evidence base assessments / reports / papers are available on the Parish Council website in the Neighbourhood Plan section and are submitted together with the SNP to Wiltshire Council for further stages of consultation, examination etc.

## **2. Site Identification and Assessment**

Following a Local Call for Sites in May 2022, a Site Options and Appraisal was carried out by Aecom and a final Report was issued in February 2023.

15 sites were assessed for their suitability for residential development. The report concludes that one site is suitable for allocation in the Neighbourhood Plan. This site is:

- 724 / Site 4 – Semington Turnpike (allocation in policy Sem10)

A further eight sites were potentially suitable for allocation in the Neighbourhood Plan, subject to the mitigation of identified constraints. The remaining six sites were considered unsuitable for residential development.

Information from the Landowner's agents for the allocated site of policy Sem10 is included with the evidence base to the Neighbourhood Plan.

## **3. Community Consultation April 2023**

Using the Site Options and Appraisal Report, available and suitable / potentially suitable sites were presented to the community for feedback on if any sites should be allocated in the SNP, and if so which. This was together with evidence on landscape sensitivity which was a key factor in thinking about location of any allocated site in the parish.

The results were clear-cut, with unanimous support for the Plan to include policies to protect sensitive landscapes and to designate green spaces. Perhaps more surprising was the strong support for allocating a site for housing to enable the Plan to give greater protection from speculative development. Of the four sites identified, there was a clear preference for the site at the Turnpike (site 4 in the Aecom Report). Responses to other sites were largely negative.

A report of the consultation is included in the Consultation Statement which accompanies the SNP.

#### **4. Habitats Regulation Assessment (HRA) / Strategic Environmental Assessment (SEA)**

Following the April consultation, landowners were contacted again to confirm the availability of their site. In June 2023, the Parish Council sent a draft of the SNP to Wiltshire Council for environmental screening – a necessary step to ensure the SNP complies with Basic Conditions as it will be tested against at examination.

In September 2023, Wiltshire Council issued a Screening Decision on a draft of the Semington Plan. Due to the proximity of Semington to the Bath and Bradford on Avon Bats SAC and the site allocation Draft Policy 10 (formerly 9) which allocates 40 houses on a greenfield site. Considering the judgement of the European Court of Justice (People Over Wind, Peter Sweetman v Coillte Teoranta) which ruled that it is not permissible to take account of mitigation measures intended to reduce or avoid any harmful effects of a plan or project on a European site at the screening stage, it has been determined by Wiltshire Council, the ‘competent authority’ under the Habitats Regulations, that the neighbourhood plan will require a full Appropriate Assessment (AA) due to the potential for impacts on the Bath and Bradford on Avon Bats SAC.

Regulation 5 of the SEA Regulations requires an environmental assessment of plans which ‘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)).’ Planning Practice Guidance (PPG) para 047 states that ‘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 Strategic Environmental Assessment.’ In light of this, it is considered that the draft SNP is likely to have significant environmental effects and therefore a SEA was required.

An AA has been undertaken on the Regulation 14 pre-submission draft, and a SEA Environmental Report has been prepared.

The HRA and SEA process have informed the Plan drafting process, and all policies have been revised where necessary to ensure Habitats Regulations and Environmental impacts are fully considered and taken account of in the SNP.

The SEA and AA all accompany the SNP and are available on the Parish Council website.

#### **5. Regulation 14 Pre-Submission Consultation**

All responses are detailed in the Consultation Statement.

The support from the community for allocation of the site was also demonstrated with the Regulation 14 consultation feedback (nearly 80% of community respondents supported. Lowest level of support for any policy but still high).

Wiltshire Council gave detailed and constructive feedback which has been taken on board in the policy redraft and to inform the Design Codes and Masterplan Report (see below).

*The landowner agent's response was supportive. "The contents and scope of the consultation documents are very welcomed. We would be pleased to work collaboratively and collectively to help achieve the objectives and delivery of the village shop. We will continue our review and look to scope options to reflect the draft policy objectives. We would be pleased to meet with the Parish either before the end of the consultation period or indeed after and once the community feedback has been understood."*

## **6. Viability**

A 'Scoping Opinion on Viability' on the allocation site in policy Sem10 has been prepared (Bailey Venning Associates March 2024). The Opinion concludes delivery of the site is viable (based on assumptions used in the report)

The Viability Opinion is available on the Parish Council website.

## **7. Masterplan Report**

More engagement with the landowner took place as part of a process to prepare an indicative Masterplan to support the allocation of the site. This was prepared by Aecom (June 2024). The Masterplan Report is available on the Parish Council website.

As part of this engagement, the agent of the landowner has confirmed that delivery of a northern pedestrian link is possible and has confirmed the following words in respect of pedestrian connectivity "The allocation will facilitate pedestrian connectivity by delivering a pedestrian route to the northern boundary of the site".