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Date: 3rd November 2020

Dear Cllr Revell,

I write in response to your Regulation 14 Consultation on the draft Broseley Neighbourhood Plan.

Unfortunately given current work commitments primarily resulting from the recent consultation on the Regulation 18: Pre-Submission Draft of the Shropshire Local Plan, we have not had the opportunity to extensively review the Regulation 14 draft of the Broseley Neighbourhood Plan. However, as you are aware, we previously provided informal feedback on an early draft of the Broseley Neighbourhood Plan and consider these comments remain relevant (attached as an Appendix).

Within this earlier correspondence we indicated that as the statutory body, Shropshire Council is responsible for undertaking Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening of the draft Broseley Neighbourhood Plan and that we would undertake this screening once we had a full understanding of the proposals within the draft Broseley Neighbourhood Plan at the Regulation 14 stage.

SEA Screening Opinion

This letter provides a 'screening' opinion on whether the draft Broseley Neighbourhood Plan falls within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004, and therefore whether a Strategic Environmental Assessment (SEA) is required. In providing this 'screening' opinion, the Council has had regard to the contents of the draft policies proposed within the draft Broseley Neighbourhood Plan, as well as the extent of the environmental assessment already undertaken as part of Shropshire Council's emerging Local Plan Review (currently undergoing Regulation 18 consultation).

NPPG provides guidance on the requirements of Neighbourhood Plans in relation to meeting Environmental Assessment requirements. Specifically the guidance states "*In some limited circumstances, where a [neighbourhood plan](#) is likely to have significant environmental effects, it may require a strategic environmental assessment.*" The requirements of the Screening opinion are established in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. A basic condition for Neighbourhood Plans is that they are compatible with European Union obligations, including the SEA Directive, and this has been taken into account in this 'screening' opinion.

The Shropshire Core Strategy (2011), SAMDev Plan (2015) and the emerging Local Plan Review have been subject to Sustainability Appraisal (SA) which has incorporated the requirements of the SEA Directive. The emerging Local Plan Review, covering the plan period 2016-2038, provides strategic policies and identifies Broseley as a Key Centre within the settlement framework. For Broseley it provides a settlement strategy (Draft Policy S4) which identifies the overall scale of housing and employment for the town over the plan period (2016-2038) and the extent of the development boundary. The Draft Local Plan does not propose to allocate any sites for residential development or employment, as this role is being taken by the emerging Neighbourhood Plan in agreement with the Broseley Neighbourhood Advisory Group (NPAG).

It is important to consider the nature and scope of the draft Broseley Neighbourhood Plan. In doing so it is acknowledged:

- The end of the plan period is consistent with the emerging Local Plan Review;
- Given the advanced stage of the Neighbourhood Plan process, Shropshire Council has not proposed to allocate any land for employment or residential development. When adopted (or 'made') the Neighbourhood Plan will establish the long-term delivery strategy for the town. It is therefore only considered necessary for the Shropshire Local Plan to provide the overall strategy over the plan period by establishing the localised housing and employment guidelines as well as establishing a development boundary for the settlement. Should the Neighbourhood Plan propose site allocations and alterations to the development boundary the Policies Map will be amended to reflect these changes.

In taking these considerations into account, and having assessed the broad scope and content of the proposed draft policies, it is considered an SEA (Strategic Environmental Assessment) **would** be required for the Broseley Neighbourhood Plan, except for those elements of the Neighbourhood Plan which relate to the level of growth being proposed for residential and employment development (assuming these remain consistent with that proposed in the emerging Shropshire Local Plan Policy S4).

Therefore, and for clarity, Shropshire Council does not screen out the need for SEA to be carried out on the draft Broseley Neighbourhood Plan.

In order to provide support on this issue, Shropshire Council advise the NPAG has three options in order to satisfy the obligations of the SEA Directive:

1. Utilise the Sustainability Appraisal (SA) carried out by Shropshire Council for carrying out the site assessment process for Broseley. This is at: <https://shropshire.gov.uk/media/15555/appendix-e-broseley-place-plan-area-site-assessments.pdf> Shropshire Council's SA process has been designed to incorporate the requirements of the SEA Directive and this has been subject to consultation with the three main environmental bodies – Environment Agency, Natural England and English Heritage. The NPAG will need to ensure that the Shropshire SA covers all the sites they are considering. If not, it should be relatively straight forward to assess any extra sites using our scoring system.
2. Use our Sustainability Appraisal methodology to carry out their own assessment of sites. Our methodology is set out in our SA Scoping Report <https://shropshire.gov.uk/media/7274/sa-scoping-report.pdf> but note that Shropshire Council have amended some elements as our own SA has progressed. These changes are documented in chapter 9 of our SA Report for the Regulation 18 consultation (the Environmental Report) at: <https://shropshire.gov.uk/media/15538/sustainability-appraisal-environmental-report-regulation-18-pre-submission-draft-of-the-shropshire-local-plan.pdf>. For your information, we consulted on our SA Scoping Report in autumn 2016 and finalised it in early 2017 after comments from statutory consultees and the public. We have used the methodology from our Scoping Report for our assessment of all LPR policies and sites throughout all stages of the Plan to date.
3. Develop your own SEA methodology and apply that as part of their site assessment process.

Please note this Screening Opinion has not been subject to consultation with statutory consultees. Furthermore, should the scope or content of the draft Broseley Neighbourhood Plan change, the Council reserves the right to reconsider this 'screening' opinion.

HRA Screening Opinion

HRA Screening will also be required, however we will arrange for this after the consultation period has concluded.

Please note that this is an officer response and we reserve the right to make further comments on the draft Broseley Neighbourhood Plan following completion of the SEA, HRA Screening and any further associated assessments.

Yours sincerely

Daniel Corden
Planning Policy Team
Shropshire Council