

31st January 2014

Economic Development and Planning
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Re: Freshford and Limpley Stoke Neighbourhood Plan

Habitats Regulations Screening Assessment

I have reviewed the latest draft of the emerging Freshford and Limpley Stoke Neighbourhood Plan for potential impacts upon the network of European protected sites known as Natura 2000 (see attached). The attached 'Habitats Regulations Assessment' (HRA) is made on behalf of Wiltshire Council as joint competent authority for the plan, and is in accordance with relevant statutory requirements and best practice.

I note that the plan no longer allocates land at Freshford Mill and the current policies are now largely qualitative criteria to assess development proposals against, most of which are clearly intended to protect the built and natural environment. As such, all of the policies have now been screened out from further assessment at the current time, and no amendments or additions to the document are recommended. As BNES is also joint competent authority for the plan, it may also wish to review the conclusions of this HRA or carry out its own. Also, please note that HRA is an iterative process and future iterations of the plan should also be screened if the policies change significantly.

It is worth noting that the Neighbour Planning Area is in close proximity to the Bradford and Bath Bats SAC, and the village is known to support some of the designated bat populations, particularly at Freshford Mill. Wiltshire Council has produced planning guidance and it would be worth drawing attention to this document¹ within the plan. I understand that BNES are also in the process of developing a similar guidance document for the SAC and it may also be worth drawing attention to that document. [Technical guidance](#) has now been produced to support the NPPF and this provides some clarity on how the LGS designation may be applied.

Local Green Spaces

I'm pleased to see that the group has explored the opportunity to designate a Local Green Space (LGS) within the plan. This is a relatively new designation introduced through the NPPF, and broadly requires two elements to be determined through a local neighbourhood plan. Firstly the NPPF sets out criteria to which must be met by any proposed LGS

¹ Wiltshire Bats SAC Planning Guidance – A [draft](#) of this document is in the Examination in Public document library. The final version will be published on the website in 2014.

(Para.77). A qualifying LGS may then be afforded policy protection consistent with Green Belt policy, although this is to be determined locally (Para. 78).

The plan does not currently demonstrate how the criteria in Para 77 will be met and I would advise that this is clearly set out in the supporting text (Section 6). Please note that evidence will be required in the Examination in Public to demonstrate how these criteria have been met. Secondly, the plan doesn't stipulate how the land is to be protected (in line with Green Belt policy); given that the plan area is already in a Green Belt, not to mention an AONB / Village Green / Conservation Area the group should consider what public benefits it seeks to gain by designating the LGS. The NPPF technical guidance indicates that the LGS designation shouldn't be used where it overlaps with other designations unless there would be some demonstrable local benefit, which should be made clear in the plan.

The NPPF and technical guidance is admittedly still not entirely clear how the LGS designation may be applied, and Wiltshire Council is intending to insert a policy into the Wiltshire Core Strategy to provide clarity on this issue for local groups. I'd be happy to discuss this issue further with the group if they would like support.

Yours sincerely,

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