

Appendix 1 – SA/SEA Scoping Report Consultation Responses

	Respondent	Comments	Council Response
1	Historic England	<p>General advice on Sustainability Appraisal and the historic environment is set out in Historic England’s Advice Note 8 “Sustainability Appraisal and Strategic Environmental Assessment”</p> <p>Prefer a separate objective specifically for the historic environment/ heritage assets – the natural and historic environments are both significant matters in their own right, worthy of separate consideration. There is a danger that conflating the two could mask effects on one or the other.</p> <p>Reference should be made to the significance of the historic environment/heritage assets – the significance is what is important about heritage assets and what should be conserved or enhanced (as well as the asset itself).</p> <p>Objective 5 should be accorded particular importance in any ranking, having regard to statutory requirements for listed buildings, scheduled monuments and conservation areas and the clear indications in the National Planning Policy Framework that heritage assets should be conserved and enhanced.</p> <p>Appendix 1: List and Review of Relevant Plans, Programmes and Strategies reference should be made to the 2016 Culture White Paper</p> <p>Other relevant background documents for the historic environment should ideally be specified e.g. the West Berkshire Historic Environment Record, the West Berkshire Historic Landscape Characterisation, Conservation Area Character Appraisals, any archaeological studies etc.</p> <p>We consider the baseline data for the historic environment to be largely adequate. However, on the 2017 Heritage at Risk Register there are eleven assets deemed to be at risk: three listed</p>	<p>Guidance has been accessed and will be used to inform the SA.</p> <p>They are separated in the sub-objectives with associated indicators.</p> <p>Text amended to distinguish significance.</p> <p>Noted.</p> <p>Added to Appendix 1. TBC</p> <p>These are technical documents at a level that is too detailed to be included in Appendix 1. Some hyperlinks are included the baseline text.</p> <p>Included in Table 3 in Appendix 2.</p>

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		<p>structures, four scheduled monuments, three Registered Historic Parks and Gardens and one dual designation (listed and scheduled).</p> <p>It should be noted that outside London, the Register does not include Grade II listed secular buildings. Has the Council undertaken a survey of Grade II listed buildings and/or completed Historic England's annual survey of Conservation Areas to see if any are at risk ? If not, these should be identified as gaps in the baseline.</p> <p>The historic environment baseline should describe the current and future likely state of the historic environment and be both quantitative and qualitative. What are the trends in the condition of the historic environment?</p> <p>It would be helpful to state how many structures, places and buildings of local interest are on the Council's local list and how many of the 52 conservation areas have up-to-date Character Appraisals and/or Management Plans.</p> <p>We agree, in principle, with the sustainability issue relating to the historic environment. However, we would expect a reference to heritage assets at risk within West Berkshire.</p> <p>We welcome the suggested indicators, although the reference to the HER is erroneous - the reference should be to the Heritage at Risk Register. We would also suggest adding:</p> <ul style="list-style-type: none"> • % of Conservation Areas in West Berkshire with an up-to-date character appraisal (and management plan); • the number of major development projects that enhance the significance of heritage assets or historic landscape character; • the number of major development projects that detract from the significance of heritage assets or historic landscape character; and 	<p>Text added to clarify the 'gap'.</p> <p>Text covers the current state so far as is known and gaps have been acknowledged which makes detecting 'trends' in 'future' difficult other than an anticipated development pressure.</p> <p>Text added.</p> <p>Reference added.</p> <p>Corrected.</p> <p>Indicators included.</p>

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		<p>Although a point to raise when commenting on the Local Plan Review, we mention now that Local Plan Objective F should refer to the historic environment alongside (or preferably separately from) the natural and built environment. Not all historic features are “built”. In fact, the National Planning Policy Framework specifically refers to the historic environment (distinguishing it from the built environment in paragraph 7) and even defines it. It is therefore clear that “built environment” and “historic environment” are not interchangeable terms.</p>	<p>Objective amended.</p>
2		<p>Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to your plan area;</p> <ul style="list-style-type: none"> <input type="checkbox"/> Green infrastructure strategies. <input type="checkbox"/> Biodiversity plans. <input type="checkbox"/> Rights of Way Improvement Plans. <input type="checkbox"/> River basin management plans. <input type="checkbox"/> AONB and National Park management plans. <input type="checkbox"/> Relevant landscape plans and strategies. <p>Natural England advise including baseline data (and a related indicator) on the critical loads, levels, and background levels of pollutants, and in particular nitrogen deposition and oxides of nitrogen (both associated with vehicular usage) for designated sites of National importance (Sites of Special Scientific Interest - SSSIs) and sites of European importance (Special Protection Areas - SPAs, Special Areas of Conservation - SACs and Ramsars). This information can be found on the APIS website. The protection of designated sites is covered e.g. in paras 118 and 119 of the NPPF, along with air quality which is covered in para. 124.</p>	<p>Noted and already included.</p> <p>Reference added.</p> <p>Noted.</p>

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	Natural England	<p>Please see attached Annex A for further advice on sources of local plan evidence on the natural environment.</p> <p>Water Quality is raised as part of the Climate Change and Resource Efficiency section (page 18). Natural England would like to advise that water quality also be included in the Biodiversity and Green Infrastructure section (page 19) due to designated site (specifically, the River Kennet SSSI and the River Lambourn SSSI/SAC) sensitivity to high phosphorus concentrations and their subsequent vulnerability with regard to package treatment plant and septic tank usage.</p> <p>The SA5 objective emphasises the protection of designated sites. There is a risk that in some situations, development on land of limited biodiversity value in its own right can lead to the creation of islands of biodiversity, permanently severed from other areas. We therefore suggest adding to the Sustainability Objectives indicators to ensure that current ecological networks are not compromised, and future improvements to habitat connectivity are not prejudiced. The SA6 objective emphasises the maintenance and improvement of water quality. Natural England advise that water quality of the River Kennet SSSI and the River Lambourn SSSI/SAC designated sites should be given particular consideration (and be monitored through appropriate indicators), due to their sensitivity to high phosphorus concentrations and subsequent vulnerability with regard to package treatment plant and septic tank usage. The SA6 objective also emphasises the maintenance and improvement of soil quality. We note that strategic consideration and preservation of soils has been given due consideration, but has been referred to as “high grade agricultural land” in the indicator column on page 22 of the SEA Scoping document. We advise that this be changed to “Best and Most Versatile Agricultural Land Grades 1- 3a” for the avoidance of any doubt.</p> <p>We have no comments on this [ranking of objectives], however due regard must be given to legislative framework, for instance European sites and species are afforded the highest level of importance and protection.</p>	<p>Noted.</p> <p>Vulnerability of nutrients is included in Table 4 in Appendix 2.</p> <p>It is intended that policies will support the conservation and enhancement of habitats and species and will be applied to individual sites in advance of allocation and permission.</p> <p>WFD status as assessed by the Thames RBMP is included in the indicators.</p> <p>Indicator amended.</p> <p>Noted.</p>

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		<p>As set out in Planning Practice Guidance, you should be monitoring the significant environmental effects of implementing the current local plan. This should include indicators for monitoring the effects of the plan on biodiversity (NPPF para 117).</p> <p>The natural environment metrics in the baseline information are largely driven by factors other than the plan's performance. They are thus likely to be of little value in monitoring the performance of the Plan. It is important that any monitoring indicators relate to the effects of the plan itself, not wider changes. Bespoke indicators should be chosen relating to the outcomes of development management decisions.</p> <p>Natural England considers the indicators in the SEA document to provide relevant measures for the associated objectives on the whole (although please see Q7, above). Whilst it is not Natural England's role to prescribe what indicators should be adopted, the following additional indicators could also be appropriate to include in the SEA document:</p> <p>Biodiversity:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Number of planning approvals that generated any adverse impacts on sites of acknowledged biodiversity importance (e.g. SSSIs, SPAs, SACs etc.). <input type="checkbox"/> Percentage of major developments generating overall biodiversity enhancement. <input type="checkbox"/> Hectares of biodiversity habitat delivered through strategic site allocations. <input type="checkbox"/> Natural England notes that reference has been made to veteran trees within the baseline data review, however has not been included as an indicator. Veteran trees could be included as a potential indicator alongside ancient woodland (Objective 5, page 22). <p>Landscape:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Amount of new development in AONB with commentary on likely impact. <p>Green infrastructure:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Percentage of population having access to natural greenspace within 400 metres of their home. 	<p>The chosen indicators will include reason for loss, damage or change and should identify the impact of development where relevant.</p> <p>Noted.</p>

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		<input type="checkbox"/> Hectares of accessible open space per 1000 population.	
3	Environment Agency	<p>Question 1: Suggest reference to the revised climate change allowances (2016), first published in February 2016 in 'climate change and resource efficiency' section beginning on page 101.</p> <p>Suggest On page 106 the new allowances should be discussed in relation to the 2018 Strategic Flood Risk Assessment (SFRA) assessment on the effect of climate change on the extent of river flooding.</p> <p>Mention and discuss SFRA and flood risk sequential test as part of the evidence which informs the SA.</p> <p>Include reference to The Thames River Basin Management Plan (RBMP) 2015. This sets out the baseline 2015 WFD status for the water bodies within the Thames River Basin District (including West Berkshire). As part of the no deterioration objective of the WFD, there should not be a deterioration from this baseline. The RBMP also sets out the future objective status of the water bodies. These objectives should not be compromised by proposed growth. Therefore the Local Plan needs to ensure that's its policies and site allocations are compliant with this</p> <p>Include a Water Cycle Study (WCS) within the evidence documents section. Without this assessment of water quality it may be unclear if the local plan and its proposed growth will be acceptable within the constraints of the environment. Will growth result in a WFD status deterioration? Will it compromise the ability of the water body to reach its future objective WFD status? Is growth located in the most suitable locations to ensure deterioration does not occur? It is not for the Agency to insist on a WCS but is rather up to the inspector to decide if enough evidence has been provided on the impacts.</p> <p>Page 12 includes screening under the Habitats Directive, but this</p>	<p>Reference included in Appendix 2.</p> <p>Relevance of new allowances added to Appendix 2 Flood Risk but note the SFRA due in 2018 is still in draft.</p> <p>The sequential test is embedded in the SFRA which will inform the SA as mentioned in the report.</p> <p>Reference in Appendix 1 already exists. Clarification added about status objective not being compromised by development.</p> <p>The Council does not have a WCS but this is under consideration in preparation for the Local Plan Review.</p>

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		<p>now requires updating because the Conservation of Habitats and Species Regulations 2010 (2010 No. 490) were replaced by The Conservation of Habitats and Species Regulations 2017 (SI 2017/1012), which came into force on 30 November 2017. Special Protection Areas (SPA) can be omitted as there are no SPAs in West Berkshire.</p> <p>Questions 2 & 3</p> <p>The out of date 2008/2015 SFRA is mentioned several times in the document, however the latest SFRA (currently in progress) should be used to inform the scope of the sustainability appraisal.</p> <p>From a groundwater perspective the two most important baseline data in determining (at least on a spatial basis) future development planning would be our Source Protection Zone (SPZ) mapping and Groundwater Vulnerability mapping. These are both available on our website.</p> <p>We would also highlight that a register of formally designated, contaminated sites that should be held by West Berkshire council. This is not an exhaustive list of all site potentially impacted by contamination. It would include though some principal sites, where contamination has been confirmed as a risk to human or controlled water receptors. This should also be referred to as a key baseline data.</p> <p>The baseline for water quality only really mentions nitrate from agriculture. Point source effluent is one of the biggest reasons for poor water quality. Phosphate, Ammonia and Biochemical Oxygen Demand are elements which form part of the overall WFD classification for a water body. These would likely need to be considered as housing numbers increase and effluent volume also increases. Key questions to consider include: Can effluent permits be tightened to prevent impact on WFD? Are these proposed permits within technically feasible limits? Will the necessary Sewage Treatment Work infrastructure be able to accommodate increased effluent flows?</p>	<p>Amended. Reference to SPA is for completeness with respect to the 5 km consultation zone of the Thames Basin and Heaths SPA that comes into the district.</p> <p>Noted. Reference is made in text to the need to take account of the new SFRA, due for publication in the first half of 2018.</p> <p>Additional wording entered under Water Quality to highlight these screening tools.</p> <p>Section on Contaminated Land added to Water Quality in Appendix 2. Omitted reference to the Contaminated Land Strategy has been added to Appendix 1.</p> <p>Text revised under Water Quality.</p>

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		<p>Questions 5 & 6</p> <p>The sentence at the end of page 17 beginning ‘the need to reduce impacts...’ is confusingly worded. We suggest it should be changed to: "There is a need to reduce impacts on climate change through reduced emission of greenhouse gases, consumption of natural resources and vehicular movements. In addition, more sustainable designs are required to mitigate and adapt to the physical, financial and economic impacts of a potential rise in flooding and overall temperatures."</p> <p>Diffuse pollution needs mention. The greatest issue with groundwater quality within West Berkshire is almost certainly nitrates. Almost three quarters of West Berkshire is designated as a Nitrate Vulnerable Zone, reflecting scale of the local impact. We would just suggest a simple line such as "Nitrates continue to impact significant fraction of aquifers across West Berkshire"</p> <p>The pressure from developments in relation to water quality, just refer to sewage (not specific on surface and groundwater). We are of the opinion that there should refer to wider issues (i.e. waste management). There is also no mention of contamination within the sustainability thematic topics. We would suggest something along the lines of the following: "As well as increased sewage pressures, development can pose other risks to water quality, this can could include inappropriate mobilising legacy contamination, waste management or site drainage."</p> <p>We are pleased to see that water quality appears to have been included. It identifies both the infrastructure capacity (ability of the network to accommodate higher effluent) and environmental capacity (ability of the receiving water to take the increase effluent without compromising water quality) of the receiving waters as potential issues to consider. These are two key topics that need to be considered.</p>	<p>Amended as suggested.</p> <p>Text added acknowledging diffuse pollution more explicitly and suggested wording added to section on Water Quality, Appendix 2.</p> <p>Text amended as suggested.</p> <p>Noted.</p>

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		<p>In Table 3, for the objective “To sustainably manage flood risk to people, property, and the environment” we suggest adding an additional indicator around the number of flood alleviation schemes developed to protect existing housing and infrastructure.</p> <p>The suggested indicators for Biodiversity only include statutory nature conservation sites and priority habitats and species. Other indicators that should be included are non-statutory sites such as Local Wildlife Sites and habitats and species that are not within designated sites but are of local biodiversity importance. Protected species should also be included. SACs should be included as well as specific mention of the rivers due to their importance for biodiversity as blue corridors, particularly as part of green and blue infrastructure.</p> <p>Remediation of contaminated site is only mentioned with regards to soil quality. Contamination of controlled waters (groundwater and to a lesser extent surface water), from historic uses of land is a major issue. These issues are principally resolved through the planning process. West Berkshire includes a number of sites which have had a significant legacy of groundwater contaminations (i.e. Stirling Way). The remediation of sites such that they are no longer impacting on water quality should also be included as indicator for water quality.</p> <p>In terms of water quality, Indicators appear rather reactive rather than proactive in nature. Forward planning and modelled future scenarios may be required to ensure compliance with directive objectives. This would ensure most suitable location and phasing of development.</p> <p>For the objective “to maintain and improve water quality” we suggest adding the additional indicator “Deterioration in WFD status from 2015 baseline”.</p> <p>Appendix 1 – List and review of Relevant Plans, Programmes and Strategies</p>	<p>Indicator added.</p> <p>The ‘TVERC’ indicator cover the remaining sites in a comprehensive annual report including protected and priority habitats and species.</p> <p>SAC condition added to indicator.</p> <p>Section on contaminated land added to Appendix 2.</p> <p>Indicator added.</p> <p>Noted.</p> <p>Indicator added.</p>

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		<p><u>International</u></p> <p>Strategic Plan for Biodiversity 2011-2020. The final column (Implications for Sustainability Appraisal) should include enhancing biodiversity, not just protecting and preserving.</p> <p><u>EU Directives</u></p> <p>The Birds Directive 2009 Directive 2009/147/EC – please add that Special Protection Areas (SPAs) are designated under this Directive. But also add that while there are no SPAs in West Berkshire, the south eastern corner of the District falls within the 5km zone of the Thames Basin Heath SPA.</p> <p><u>Policies and Strategies</u></p> <p>Working with the grain of nature – A Biodiversity Strategy for England (DEFRA). In the fifth column (implications for the Local Plan) the wording should be stronger and we suggest: ‘The Local Plan should include policies to protect and enhance biodiversity. Development should be refused if there are adverse impacts on biodiversity or alternatively appropriate and adequate mitigation and compensation measures must be implemented.</p> <p>We suggest that this section should include reference to our key groundwater document: - “The Environment Agency’s approach to groundwater protection, November 2017 Version 1.1”.</p> <p><u>National Legislation</u></p> <p>The Conservation of Habitats and Species Regulations (as amended) – this should make reference to The Conservation of Habitats and Species Regulations 2017 (SI 2017/1012), which came into force on 30 November 2017 and replaced the 2010 Regulations.</p>	<p>Amended in Appendix 1.</p> <p>SPA terminology added.</p> <p>Reference to TBH added.</p> <p>Text amended.</p> <p>Reference added.</p> <p>Text referring to latest regulation added.</p>

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		<p>A piece of national legislation that is missing and so should be added is The Natural Environment and Rural Communities (NERC) Act (2006) that amends the Wildlife & Countryside Act and the CROW Act. It also places a duty on public bodies including Local Planning Authorities, to have regard to conserving biodiversity. Section 41 of the NERC Act lists species and habitats of principal importance that must be taken into account when public bodies are performing any of their functions.</p> <p><u>Regional/Sub-regional</u></p> <p>Pleased to see that the Berkshire Biodiversity Strategy and specifically Biodiversity Opportunity Areas (BOAs) are included and that the SA will have objectives and indicators for the maintenance and enhancement of biodiversity.</p> <p>Replacement Minerals Local Plan for Berkshire – this should include a sentence ensuring that biodiversity is not adversely impacted or alternatively that appropriate and adequate mitigation and compensation measures must be implemented.</p> <p>Summary of Key Emerging Local Level Objectives</p> <p>Biodiversity and Green Infrastructure (GI) – this should include the importance of rivers in GI, particularly as green or blue corridors.</p> <p>Appendix 2 – Baseline information</p> <p><u>Biodiversity</u> (p.97), Table 4 – We welcome the wide-reaching nature of this section that recognises the importance of habitats outside of designated site. However, we would like to see a greater emphasis on the importance of rivers and their corridors for biodiversity and within green/blue infrastructure.</p> <p>The description of The River Lambourn SAC should include the fact that it is a chalk stream. While rivers are a habitat of principle importance, chalk streams are recognised as being of particular importance and are a priority Biodiversity Action Plan habitat.</p>	<p>Added.</p> <p>Noted.</p> <p>Reference added to Appendix 1.</p> <p>Text added.</p> <p>Text added</p>

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		<p><u>Flood risk</u> (p.105) – please include the benefits of Natural Flood Management that both alleviate flooding and benefit biodiversity.</p> <p>Appendix 4 - Glossary</p> <p><u>Defra</u> – the definition should be amended to read: ‘Department for Environment, Food and Rural Affairs.’</p> <p><u>SAC</u> – please amend the definition to read: ‘A European designation under the EC Habitats Directive that requires the establishment of a European network of important high-quality conservation sites to conserve habitats and species considered to be most in need of conservation at a European level (excluding birds). Together with Special Protection Areas (SPAs), they form a network of Natura 2000 sites. All SACs and SPAs are also designated as Sites of Special Scientific Interest (SSSI) under UK legislation.’ The last two sentences could also be included under the SPA entry in the glossary.</p> <p>General comments</p> <ul style="list-style-type: none"> • Table 1 and Table 5 are the same table- is it necessary to have these twice? • Page 27, second paragraph of ‘6. Stage A5 – Consultation’ seems to still be in a template format and needs updating. • In Appendix 1, some documents appear to be listed twice for example: <ul style="list-style-type: none"> - Securing the future: Delivering UK Sustainable Development Strategy 2011 (page 42, 43) - Future Water: The Government’s Water Strategy for England (DEFRA) 2008, 2011 (page 42, 45) 	<p>Text added</p> <p>Amended</p> <p>Amended</p> <p>Noted.</p> <p>Template amended</p> <p>Duplication removed</p>