

**Somerset Council**  
County Hall, Taunton  
Somerset, TA1 4DY



# Taunton Waterways Strategy and Guidance

## Strategic Environmental Assessment and Habitat Regulations Assessment

### Screening Report

August 2024

**Somerset Council**  
County Hall, Taunton  
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# Taunton Waterways Strategy and Guidance SEA/HRA Screening Report

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# 1. Introduction, Context and Summary

- 1.1 Following the designation of Taunton as a Garden Town in 2017, a Vision For Our Garden Town was adopted by Somerset West and Taunton Council in 2019. This Vision places Taunton's waterways at the heart of the town and regeneration, seeks to make the most of them and rediscover the historic connection between the town and surrounding landscape. It is reflective of the Council's commitment to improve the quality of existing and new developments, strengthen connections between the town and the countryside through a network of green spaces, deliver a more prosperous Taunton, becoming greener and more resilient. The River Tone, its tributary waterways within the town and the Taunton and Bridgwater Canal are key elements to meet the Taunton Garden Town Vision.
- 1.2 The primary aim of the Taunton Waterways Strategy and Guidance is to maximise the positive placemaking, environmental and community outcomes that can be achieved from every investment made in the waterways, their management and waterside development. It:
  - o Develops a Strategic Plan: Provides a clear, overarching strategy and supporting guidance to direct investment in Taunton Waterways.
  - o Informs Planning Decisions: Assists in making informed decisions and guides developers for future projects adjacent to the river and canal corridor.
  - o Establishes a Management Framework: Understand the current management requirements and develops a sustainable management regime for the waterways.
  - o Enhances Waterways for Taunton: Starts a coordinated improvement of the waterways for the benefit of the town as a whole, aligning with the Taunton Garden Town Vision.
- 1.3 The Taunton Waterways Strategy and Guidance builds on several prior studies and reports which have emphasised the significance of the River Tone to the town. This prior work identified character areas, constraints and issues and proposing a long list of projects based on different themes. The current work updates and extends that undertaken previously by providing a clear, overarching strategy with supporting planning guidance for specific brownfield town centre sites.
- 1.4 The strategy identifies various future projects and frameworks categorised into three areas:
  - a. Strategic Frameworks: Frameworks will organise, rationalise, and justify investment in individual projects, enabling the collective benefits to be maximised. The strategy suggests detailed frameworks categorised by priority. One of the most significant is the development of a linear water park concept.
  - b. Combined Projects: These projects are in key areas of opportunity. There are multiple potential individual projects, requiring planning and

coordination to achieve a wider range of long-lasting outcomes. The strategy identifies one top priority project (at Longrun Meadow), two medium priority projects (at Goodland Gardens and Mill Stream and French Weir), and one low priority project (at Firepool Weir).

- c. Standalone projects: These are specific projects which could achieve positive outcomes and be delivered in isolation without compromising other investments. A number of quick win projects are identified which are simpler to developed.

- 1.5 The project area extends along the River Tone and its tributaries from Silk Mills in the west to the M5 Motorway in the east and also includes the part of the Bridgwater and Taunton Canal.
- 1.6 The strategy identifies and proposes potential projects, but their planning will be conducted separately, subject to planning policy and the planning process.
- 1.7 The Taunton Waterways Strategy has been formed through a collaborative process with key technical stakeholders, and it has been clear throughout that in order to achieve the desirable outcomes from the project, it will be necessary to maintain that constructive, collective approach.
- 1.8 It is now intended to go to public consultation over a six-week period prior to the finalisation and adoption of the Strategy and Guidance as a material consideration for planning decision making purposes.
- 1.9 The purpose of this Report is to determine whether the Taunton Waterways Strategy and Guidance should be subject to:
- a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations); and /or
  - a Habitat Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 1.10 Under the above pieces of legislation, a SEA is required for all plans which may have a significant effect on the environment; and a HRA is required when it is deemed that the implementation of the plan is likely to cause significant negative effects upon protected European Sites.
- 1.11 **The conclusion of the Screening assessment is that the Taunton Waterways Strategy and Guidance does not require a full SEA or HRA to be conducted.**
- 1.12 This Screening Report has been subject to consultation with the three statutory consultees designated in the regulations (Historic England, Environment Agency and Natural England) for their views. Based on the comments received, no updates or amendments were deemed necessary.

<b>Natural England Comments:</b>	Natural England has no Objections with the Authority conclusion that the need for further environmental assessment for the Taunton Waterways Strategy and Guidance is not required.
<b>Environment Agency Comments:</b>	The Environment Agency have no specific comments to make and agree with the Authority decision that a SEA and HRA are not required for the Taunton Waterways Strategy.
<b>Historic England Comments:</b>	Historic England endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment.

## 2. SEA Screening

2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC (SEA Directive), transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).

2.2 The objective of SEA is *"to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans.... with a view to promoting sustainable development"* EU Directive 2001/42/EC (Article 1).

2.3 Under Article 2(a) of the SEA Directive, a plan or programme requires an SEA to be conducted where they are:

- *"subject to preparation and/or adoption by an authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and*
- *required by legislative, regulatory, or administrative provisions."*

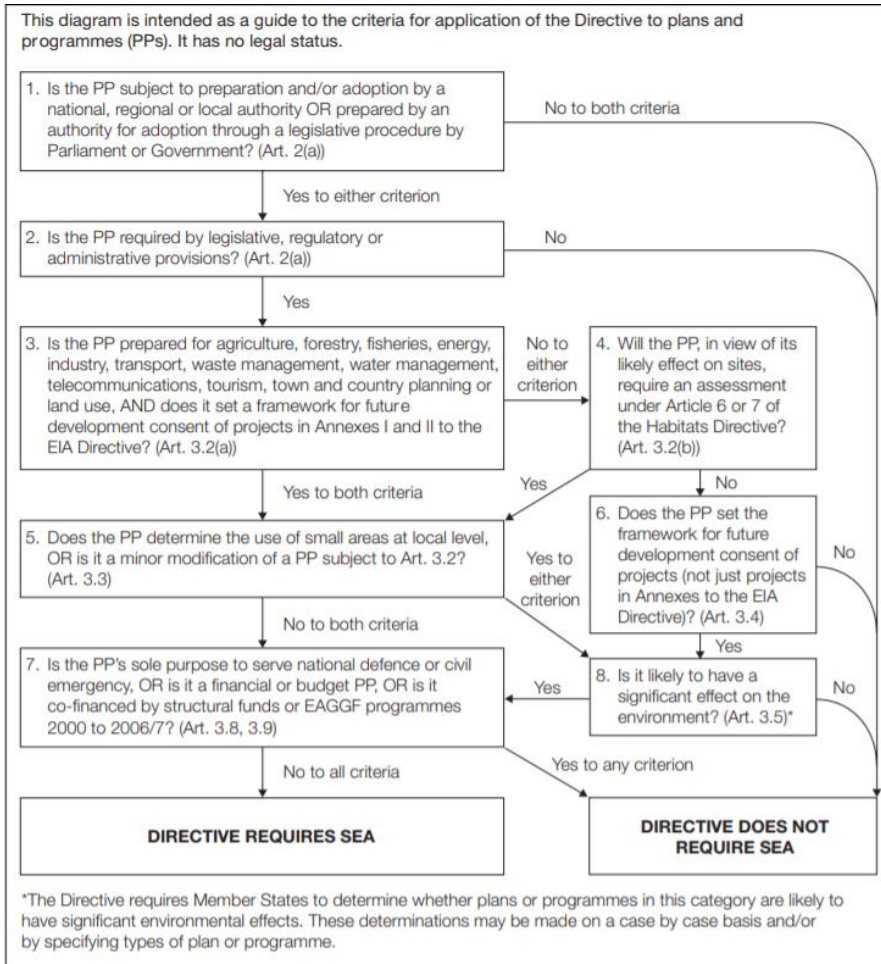
According to the ODPM guidance, "administrative provisions" are *"likely to be that they are publicly available, prepared in a formal way, probably involving consultation with interested parties. The administrative provision must have sufficient formality such that it counts as a "provision" and it must also use language that plainly requires rather than just encourages a plan or programme to be prepared"*.

2.4 The national Planning Practice Guidance states that "In exceptional circumstances a Strategic Environmental Assessment may be required when producing a Supplementary Planning Document" (Paragraph: 008 Reference ID: 61-008-20190315). The Taunton Waterways Strategy and Guidance are not intended to be adopted as SPD. However, other plans and projects may still require SEA, the Council is legally obliged to advise on whether it is their opinion that an SEA is required or not.

2.5 In order to determine whether or not an SEA is required, a "screening" exercise has been undertaken by the Council. The screening evaluates the contents of the Taunton Waterways Strategy and Guidance against the criteria set out in the SEA Directive. These criteria are presented over the page in Figure 1.

2.6 Should the screening conclude that the Taunton Waterways Strategy and Guidance is applicable and will have a "significant impact on the environment", then a full SEA will be required. Should the conclusion be that an SEA is not required, then any future significant variations or additions to the Strategy and Guidance will need to be subject to further screening.

Figure 1 – Application of the SEA Directive to plans and programmes



### The Taunton Waterways Strategy and Guidance

- 2.7 The purpose of the Taunton Waterways Strategy and Guidance is to provide an overarching framework for the future development of the town's waterways.
- 2.8 The Strategy and Guidance outlines the approach for transforming and developing the town's waterways to align with the Garden Town Vision. It also aims to assist in the future development of brownfield sites adjacent to the river and to establish a sustainable management framework for the waterways.
- 2.9 The Taunton Waterways Strategy and Guidance does not set policy or requirements by itself, the relevant policies for the future projects are outlined in

Commented [JC1]: Omri, I'd suggest referencing that policy is set out in the Development Plan, the most significant parts for this being the Core Strategy and Taunton Town Centre Area Action Plan. The strategy also aligns with the Vision for the Garden Town adopted in 2019.



the Core Strategy and Taunton Town Centre Area Action Plan. As a corporate document, it will guide future projects aimed at enhancing the waterways to achieve the Garden Town objectives, but operate within the existing policy framework.

- 2.10 The main outputs from this work include:
- A Management and Maintenance Plan which has been developed in consultation with technical stakeholders;
  - Identification of strategic goals for the strategy to deliver;
  - Definition of prioritised investments;
  - Provision of site-specific design guidance (for certain allocated brownfield sites);
- 2.11 **The Management and Maintenance Plan (MMP)** has been developed in consultation with the Lead Local Flood Authority (LLFA), Environment Agency, and the Canal and River Trust. It provides an overarching high-level overview of the maintenance and management of the waterways through Taunton, along with broader aspirations for the future maintenance and management of these systems over the next 30 years.
- 2.12 The Taunton Waterways Strategy and Guidance identified **potential projects** along and adjacent to the waterways corridor, categorised into three main groups and prioritised:
- 2.13 Strategic Frameworks: To organise, rationalise, and justify investment in a host of individual projects, enabling the maximisation of collective benefits. Eight are recommended:
- a. Top priority:
    - Linear water park concept
    - Governance arrangements
    - Town tributaries framework
  - b. Medium priority:
    - Community framework
    - Waterways connectivity framework
    - Public realm audit
    - Waterways biodiversity framework (if not covered by the emerging LNRS)
    - Waterways lighting framework
- 2.14 Combined Projects: Key areas of opportunity in which investment should be discussed, debated, and planned collectively to prevent future potential from being compromised and to achieve the widest range of long-lasting outcomes.
- a. Top priority:
    - Longrun Meadow storage
  - b. Medium priority:
    - Goodland Garden and Mill Stream
    - French Weir
  - c. Low priority:
    - Firepool Wier

- 2.15 Standalone Projects: Projects that could achieve positive outcomes and be delivered in isolation without compromising other investments. A number of quick win projects are identified. These potential projects have also been prioritised.
- 2.16 The Taunton Waterways Strategy and Guidance introduces **design principles to guide development** along and adjacent to the waterways corridor, particularly focusing on the town centre brownfield sites alongside the River Tone allocated for redevelopment within the Taunton Town Centre Area Action Plan. The development sites in question are centred around Tangier and Wood Street.
- 2.17 The design principles aim to provide guidance for applicants, designers, developers, and the Local Planning Authority to ensure that waterside development in Taunton maximizes its contribution to the enhancement of the waterways' ecological, recreational, and visual value.
- 2.18 The intention is that the Strategy and Guidance will be adopted as a Council document and a material planning consideration in the preparation of pre-application advice, assessing planning applications and any other development management purposes. It includes no policies and does not allocate any land for development. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The purpose of this document is to guide the enhancement of the waterways corridor. Any detailed or site-specific project that comes forward will be subject to the planning process and requirements.

Commented [JC2]: updated to mirror the committee report

### **The SEA Screening Assessment**

- 2.19 Table 1 below contains the criteria from Figure 1, above. It identifies whether the Council considers the answer to each criterion to be Yes or No (Y or N), and gives the reason for this conclusion.

Stage	Y/N	Reason
1. Is the Plan or Programme (PP) subject to preparation and/or adoption by a national, regional or local authority <b>OR</b> prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The Taunton Waterways Strategy and Guidance has been prepared and is intended to be approved by Somerset Council as a material planning consideration. There is no legislative procedure covering the adoption/approval of material considerations.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The Waterways Strategy and Guidance is not formally required by any legislative, regulatory, or administrative provisions. The Council decided to develop this document to support the Garden Town Vision and its objectives. The guidance will be publicly available, presented in a clear and

	<p>accessible format, and will involve consultation with interested parties.</p> <p>The document has been produced to help provide a clear framework for the enhancement of the town waterways, the project does not set policy or requirements and should not be considered as a formal requirement.</p>
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- 2.20 As a result of the above, the conclusion of the SEA Screening is that the SEA Directive does not require The Taunton Waterways Strategy and Guidance to be subject to full SEA.
- 2.21 However, taking a more critical view of criterion 2, based on a more rigorous interpretation of the term of “administrative provisions” further criteria have been considered to show the outcome of the assessment should the answer to criterion 2 be considered by some to be “yes”.

Stage	Y/N	Reason
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, <b>AND</b> does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	<p>The Taunton Waterways Strategy and Guidance identifies potential projects within the sectors of water management, tourism, transport, energy, recreation, and ecology. While the strategy outlines potential enhancements to the river corridor, it does not provide a detailed framework for future development consent. Instead, it serves as a high-level overview of potential projects, each of which will require a separate and more in-depth assessment, including SEA and HRA, if necessary.</p> <p>The strategy's guidance section focuses on riverfront sites allocated in the Taunton Town Centre Action Plan, which has already undergone assessment. Any future development on these sites will be subject to existing policies and potentially require additional SEA/HRA evaluation.</p> <p>Therefore, while the Taunton Waterways Strategy and Guidance</p>

**Commented [STP3]:** Not sure about this one - as a material planning consideration, it will contain criteria or conditions which guide the way we decide on an application. See para 3.23 here: [SEA Guidance \(unece.org\)](http://SEA Guidance (unece.org))

		highlights potential future projects in sectors such as water management, tourism, transport, energy, recreation, and ecology, its influence on the planning and consent framework for these projects is minimal. Each project will still need to undergo the necessary assessments and approvals under existing frameworks, ensuring compliance with the EIA Directive Annexes I and II.
4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	N	See section 3 of this Screening Report in relation to HRA Screening.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art 3.3)	N	<p>The Taunton Waterways Strategy and Guidance does not determine the use of small areas at a local level. Instead, it provides overarching frameworks and identifies potential projects aimed at enhancing the waterways corridor. If these projects move forward, they will undergo the standard planning process, including compliance with relevant planning policies and environmental assessments. Each project's specific uses and environmental impacts will be assessed in greater detail during this process.</p> <p>Given its nature, the Strategy more accurately outlines guidance rather than prescribing specific land uses, thereby aligning it with the provisions for of existing plans. It does <del>that do</del> not directly establish land-use decisions but may influence future development.</p>
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	N	The Taunton Waterways Strategy and Guidance outlines potential projects that support the Garden Town Vision, focusing on the enhancement and management of the waterways corridor. The strategy in itself does not establish new policies or allocate specific sites for development.

Commented [JC4]: Omri- I've amended this paragraph.

Commented [STP5]: Not sure... as a material planning consideration, it will contain criteria or conditions which guide the way we decide on an application. See para 3.23 here: [SEA Guidance \(unece.org\)](https://www.unece.org/sea/guidance)

		While the Strategy identifies potential projects, it does not in itself set the framework for the future development consent of these projects. The framework for development consent will be established through other specific and more detailed proposals and/or statutory planning documents, which will be subject to their own SEA/HRA processes. Therefore, the Strategy should be considered as providing guidance rather than as setting a framework for development consent under Article 3.4 of the SEA Directive.
7. Is the PP's sole purpose to serve national defence or civil emergency, or is it a financial or budget Plan, or is it co-financed by structural funds or European Agricultural Guidance and Guarantee Fund (EAGGF) programmes 2000 to 2006/7?	N	None of these criteria apply to The Taunton Waterways Strategy and Guidance.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See screening assessment for environmental effects in Table 2 of this report, below.

2.22 The Taunton Waterways Strategy and Guidance is not considered to have significant effect on the environment and therefore Somerset Council has determined that a SEA is not required. However, for thorough observation, please refer to Table 2 which assesses whether the Waterways Strategy and Guidance <sup>1(20)2(20)</sup>.

Table 2 – Environmental impact screening assessment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the strategy likely to have a significant environmental effect?	Justification for Screening Assessment
The characteristics of plans and programmes:		

<sup>1</sup> [eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN)

<sup>2</sup> [Microsoft Word - 040630SEA final draft.doc \(legislation.gov.uk\)](#)

<p>a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</p>	<p>N</p>	<p>The Taunton Waterways Strategy and Guidance outlines the frameworks, improvements, and site-specific projects required to enhance the waterways corridor in order to meet the Garden Town objectives. If any of these potential projects come forward, they will be subject to local and national legislation and requirements. Therefore, it does not technically establish a framework for decision-making.</p> <p>The project also provides design guidelines to inform future developments. These guidelines can be considered during masterplan creation, pre-application consultations, and planning application assessment. However, they do not impose mandatory policies or requirements and any final decisions will be determined through the planning process.</p> <p>No resources in relation to The Taunton Waterways Strategy and Guidance are allocated.</p>
<p>b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>N</p>	<p>The Taunton Waterways Strategy and Guidance may influence future development adjacent to the waterways corridor through the design guidance. It may also lead to more detailed, site-specific projects to enhance the waterways corridor. Each of these projects may potentially need to be subject to SEA or EIA, depending on their scale and nature.</p> <p>The Waterways Strategy and Guidance may also influence future policy development (e.g., Local Plan, Design Code, wider town centre plans). However, a new, more detailed development plan policy will supersede this strategy and require its own assessment. The Waterways Strategy and Guidance aims to inform the development of other plans and programs.</p>

		<p>Consequently, the Waterways Strategy and Guidance has limited influence in this context. Potential environmental impacts will be thoroughly assessed through subsequent project-level EIA and plan-level SA/SEA processes.</p>
<p>c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>Y</p>	<p>The Waterways Strategy and Guidance is intended to help ensure the future development of the waterways corridor considering ecological aspects along with placemaking, recreational uses and active transport. It seeks to coordinate a sustained improvement in the waterways corridor in Taunton that will benefit the wider town and provides guidance for planned housing growth on brownfield town centre sites</p> <p>Climate and ecological challenges have been at the core of the Taunton Waterways Strategy, with the potential to direct the design of the waterways corridor to positively impact and support the Council's climate and ecological ambitions.</p> <p>In particular, the strategy recognises the waterways as an enormous linear ecological asset offering strategic opportunities for positive biodiversity benefits. There is recognition of the role of the Local Nature Recovery Strategy (LNRS) and the recommendation of a Waterways Biodiversity Framework if the emerging LNRS is not to incorporate a specific waterways section. If required, the Framework would provide a detailed action plan and targets for coordinated biodiversity enhancement throughout the linear water park as well as the identification of areas for the creation of strategic waterside biodiversity offsetting. Enhancing local biodiversity and acting as carbon sinks, these enhancements would help mitigate the impacts of climate change.</p> <p>The scope of the waterways corridor to provide an active travel resource is also</p>

		<p>recognised. There is a report recommendation for a Waterways Connectivity Framework aimed at promoting non-motorised transportation options, such as walking and cycling paths along the waterways, which encourage active lifestyles. Additionally, providing recreational amenities such as parks and green spaces along the waterways encourages outdoor recreation and connection with nature, fostering a sense of appreciation for biodiversity.</p> <p>The strategy also identifies opportunities to utilise the river for renewable energy and heating through hydropower and water source heat pumps in specific locations.</p>
<p>d) environmental problems relevant to the plan or programme;</p>	<p>N</p>	<p>The Plan identifies and suggests potential projects but does not include specific design details for any project. While the identification of potential projects does not inherently cause environmental problems, there are potential environmental concerns that could arise if these projects are not designed and implemented with appropriate environmental considerations.</p> <p>Potential environmental issues include:</p> <p>Water Pollution: New developments and constructions adjacent to waterways corridors could increase levels of pollutants, such as phosphates, which may degrade water quality and harm aquatic ecosystems.</p> <p>Habitat Destruction: Projects near waterways corridors may lead to the loss of critical habitats, including wetlands and riparian areas, which are vital for maintaining biodiversity and ecosystem services.</p> <p>Noise and Light Pollution: Construction and development activities near waterways corridors can introduce noise and artificial lighting that may disturb</p>

**Commented [JC6]:** I think we've got to recognise flooding, water management, phosphates and water quality, biodiversity and climate change here as being relevant to the Strategy, but will not in itself have a significant effect upon them.



		<p>wildlife, disrupt natural behaviors, and impact reproductive success.</p> <p>It is important to note that any of the identified projects, when they move forward, will be subject to the planning process, including compliance with relevant planning policies and SEA and HRA requirements. These processes are designed to mitigate potential environmental impacts.</p> <p>Therefore, it is not anticipated that the Waterways Strategy and Guidance in itself will lead to significant environmental effects. Any potential issues are expected to be addressed during the detailed planning and assessment stages for each specific project.</p>
<p>e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</p>	<p>N</p>	<p>The Waterways Strategy and Guidance identifies potential projects to enhance the waterways corridor and maximize the positive placemaking, environmental, and community outcomes that can be achieved from every future investment. It will not have a direct impact on the implementation of community legislation on the environment.</p> <p>It is envisaged that the Waterways Strategy and Guidance will help achieve many of the Garden Town objectives, including improving access to nature, providing recreational opportunities along the waterways, managing floods through natural processes such as incorporating Sustainable Drainage Systems (SuDS), offering more renewable energy, enabling placemaking, and supporting carbon sequestration.</p> <p>It is important to note that any future project recommended under this program and further developed will need to satisfy the requirements of community legislation in relation to waste management and water protection, will be subject to existing planning policies and will need to demonstrate how they respond to these</p>

		<p>policies. While not anticipating significant direct environmental effects, the strategy is aligned with broader environmental objectives and can indirectly support the implementation of community legislation through its focus on sustainable development and ecology enhancement.</p>
<p><b>Characteristics of the effects and of the area likely to be affected:</b></p>		
<p>a) the probability, duration, frequency and reversibility of the effects;</p>	<p>N</p>	<p>The Waterways Strategy and Guidance sets out an aspiration for the enhancement of the waterways corridors by providing recommendations for future projects, as well as maintenance and management objectives. In general, the Waterways Strategy and Guidance aims to support Taunton Garden Town objectives and align with the town's climate and ecological ambitions. While the Strategy and Guidance identifies a range of specific projects, there is no certainty that these projects will be implemented.</p> <p>The probability of implementing the identified projects will depend on factors including funding availability and planning permissions. The duration and frequency of potential impacts will vary depending on the nature of the project.</p> <p>As outlined above, the Strategy and Guidance itself is not anticipated to give rise to environmental problems. Any potential impacts associated with suggested projects will be assessed and, where necessary, mitigated at the project level through detailed environmental assessments and planning processes.</p>
<p>b) the cumulative nature of the effects;</p>	<p>N</p>	<p>Development within or adjacent to the waterways corridor can result in cumulative effects on water quality, biodiversity, landscape, air quality, and carbon emissions among others. The Waterways Strategy and Guidance aims to mitigate these impacts by ensuring future developments align with the council's environmental ambitions. Therefore, the project in itself should ensure positive effects relating to environmental impact.</p>

		<p>While the identification of potential projects to improve the waterways corridor is essential, it's important to recognize that the subsequent planning and implementation of these projects could directly or indirectly contribute to cumulative effects. However, it is considered that the degree of influence of this Plan is limited in this regard and that subsequent projects will be subject to SEA/SA requirements. These assessments will help manage and mitigate any potential cumulative impacts, ensuring that each project adheres to the necessary environmental standards and contributes positively to the overall objectives of the Waterways Strategy.</p>
c) the transboundary nature of the effects;	N	<p>The Waterways Strategy and Guidance is not anticipated to directly cause significant transboundary environmental effects. However, it identifies a range of potential future projects that could, if not designed properly, impact areas outside the plan's scope, particularly downstream.</p> <p>Potential transboundary effects might include changes in water quality, which could impact the Somerset Levels and Moors Special Protection Area (SPA) and Ramsar European Sites. However, any project identified within this strategy will be subject to the relevant planning policies and will undergo its own SEA/HRA assessment. These assessments will specifically consider and address any potential transboundary effects to ensure compliance with environmental regulations.</p> <p>It is worth noting that improved ecology is one of the main desired outcomes of these projects, and the strategy emphasizes ecological enhancement of the waterways corridor. Therefore, it is expected that the strategy will lead to a positive ecological improvements both within and beyond the project boundary.</p>

Commented [JC7]: Omri, does reference to transboundary bring in Tone catchment wide issues?

<p>d) the risks to human health or the environment (for example, due to accidents);</p>	<p>N</p>	<p>There are no anticipated effects of The Waterways Strategy and Guidance on human health or the environment. The project identifies site-specific projects or actions required to enhance the waterways corridor. It seeks to coordinate a sustained improvement in the waterways corridor in Taunton that will benefit the wider town and provides guidance for future planning adjacent to the waterways.</p>
<p>e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>N</p>	<p>Taunton Population according to 2021 census is 61,674. The project area extends from Silk Mills to the west of Taunton to the M5 motorway / Ruishton to the east. It incorporates the River Tone and its Taunton tributaries together with part of the Bridgwater and Taunton Canal. The project proposes specific projects and frameworks to enhance the waterways corridor.</p>
<p>f) the value and vulnerability of the area likely to be affected due to –</p> <ul style="list-style-type: none"> <li>i) special natural characteristics or cultural heritage;</li> <li>ii) exceeded environmental quality standards or limit values; or</li> <li>iii) intensive land-use; and</li> </ul>	<p>N</p>	<p>The waterways corridor, including the River Tone, its tributaries, and part of the Bridgwater and Taunton Canal, is considered to be of high value for its natural characteristics. Adjacent to the waterways corridor are several sensitive nature reserves including Hankridge and Children's Wood Nature Reserve.</p> <p>The Waterways Strategy and Guidance will not lead to significant effects on the value or vulnerability of the area, the waterways corridor, or the adjacent nature reserves mentioned above. The project primarily outlines future projects and frameworks required to enhance the waterways corridor. The plan itself does not influence or have any implications for the location of development.</p> <p>The River Tone catchment area significantly impacts the Somerset Levels and Moors Special Protection Area (SPA) and Ramsar European Sites, which are currently in an unfavorable condition due to elevated phosphate levels. Any new developments or projects adjacent to or within the waterways corridor may</p>

**Commented [JC8]:** Please reference the population of Taunton

**Commented [JC9]:** Please reference the strategy affecting part of the River Tone catchment within which (and upstream of) is located the Somerset Levels and Moors SPA/RAMSAR site which is in an unfavourable condition as a result of phosphates. However the Strategy and projects proposed are not expected to add to nutrients/phosphates affecting the SPA/RAMSAR site etc

		contribute to exceeding environmental quality standards for phosphate loading. However, the Strategy itself is not expected to increase nutrient or phosphate levels affecting the SPA/Ramsar site. Each site-specific project arising from this Strategy will undergo a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) and will be examined separately.
g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	N	<p>The Waterways Strategy and Guidance merely identifies potential projects and provides recommendations for future developments. No direct effects arise from these alone. The key determinant of any effects is the individual projects themselves, which are beyond the scope of this Plan and may come forward in the future.</p> <p>Watercourses are particularly vulnerable to pollution and contamination, potentially causing significant environmental effects both locally and downstream. The River Tone and its tributaries flow through the Somerset Levels and Moors Special Protection Area (SPA) and Ramsar European Sites, having a substantial impact on these areas. Any project or framework arising from this strategy must take this into account and be subject to the relevant policies and assessments.</p>

Commented [JC10]: Same as f) above

**SEA Screening Conclusion**

**2.23 It has been concluded that The Waterways Strategy and Guidance does not require Strategic Environmental Assessment.**

### 3. HRA Screening

- 3.1 The basis for Habitat Regulations Assessment legislation is the European Habitats Directive 92/43/EEC (Habitats Directive), transposed into English law by the Conservation of Habitats and Species Regulations 2017 (as amended)).
- 3.2 The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context. Habitats Regulations Assessment (HRA) is a systematic process through which plans or projects are assessed for likely impact on the integrity of European Sites. European Sites, (also referred to as Natura 2000 sites), consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 3.3 There are 12 European sites within the Somerset Council, as set out in Table 3 below:

Table 3 – European Sites within Somerset Council

European Sites
Exmoor and Quantock Oak Woodlands SAC
Hestercombe House SAC
Holme and Clean Moor SAC
Quants SAC
Severn Estuary SPA/SAC/Ramsar
Somerset Levels and Moors SPA/Ramsar
Exmoor Heaths SAC
North Somerset and Mendip Bats SAC
Mells Valley SAC
Exmoor and Quantock Oakwood's SAC
Mendip Woodlands SAC
Mendip Limestone Grasslands SAC

- 3.4 Article 6(3) of the Habitats Directive states that:

*“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives”.*

- 3.5 Under the Habitat Regulations, the Council is considered to be a “competent authority”. Regulation 63(1) of the Habitat Regulations states that:

*“A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which –*

- a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- b) is not directly connected with or necessary to the management of that site,*

*must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.”*

- 3.6 The first stage of the HRA process is to establish whether a “*significant effect*” is likely. This is referred to as screening. If the screening assessment concludes that a significant effect is not likely, then no further action is required. If the screening assessment identifies potential effects and deems them to be significant, then further “*Appropriate Assessment*” is required.
- 3.7 In order to establish whether The Waterways Strategy and Guidance is likely to have any significant effects upon the European Sites, this Screening assessment considers The Waterways Strategy and Guidance in relation to four steps based around the Screening methodology set out in the Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission 2001) as set out in Table 4, below:

Table 4 – Screening steps and responses

Question	Y/N	Reason
1. Is the PP directly connected with, or necessary to the management of a European site for nature conservation?	N	The Plan in itself is not directly connected with and does not influence or set policy necessary to the management of any European Site.
2. Are there any other PPs that could in combination with this PP have potential to have significant effects upon a European Site?	N	<p>The Waterways Strategy and Guidance outlines potential frameworks, projects, and actions aimed at enhancing the river corridor and provides guidance for future developments along the waterways. The project’s main objective is to maximize positive placemaking, environmental, and community outcomes from investments in waterways, their management, and waterside development.</p> <p>The Waterways Strategy and Guidance does not establish policy or allocate specific sites for development, however, it is likely to encourage the creation of additional plans and programs. These plans and programs will be subject to the necessary</p>

Commented [JC11]: reference phosphates please and separate requirement for new residential development to mitigate its phosphates

		<p>planning processes and Appropriate Assessment as required.</p> <p>The strategy also offers guidance for future developments adjacent to the river and canal corridors, aiding in informed decision-making. Specifically, it sets out guidance for brownfield sites alongside the River Tone that are allocated for redevelopment within the Taunton Town Centre Area Action Plan. The environmental impact of these sites has been assessed through the approval of the relevant policy plan, and any future development on these sites will also be subject to Appropriate Assessment as a standard procedure.</p> <p>In August 2020, Natural England advised all Local Planning Authorities in Somerset that, due to the unfavourable condition of the Somerset Levels and Moors Ramsar Site, any planning application that may contribute additional phosphates within the catchment must be subject to an Appropriate Assessment under the Habitat Regulations. Where an adverse impact is identified, appropriate mitigation measures must be implemented, reflecting the principles established by the Dutch Nitrogen Ruling.</p> <p>If any of the projects identified within the Waterways Strategy come forward, they will be subject to current phosphate requirements and will undergo SEA and HRA assessments to ensure that no significant adverse effects occur. Therefore, it is not expected that the plan in itself will result in significant effects upon a European Site.</p>
<p>3. Are there likely to be any potential effects upon the identified European Site(s)?</p>	<p>N</p>	<p>The Waterways Strategy and Guidance aims to result in positive environmental impacts while supporting placemaking and recreational uses. One of the key objectives of the strategy is to provide an overarching view of the waterways corridor, ensuring that climate and ecological goals are maintained. The Strategy identifies ecologically and environmentally sensitive areas and offers the necessary guidance to protect them. The Guidance chapter within the Strategy is designed to assist in making informed decisions to ensure that future projects adjacent to the river and canal corridors consider ecological and environmental requirements.</p>



		<p>Several programs and actions identified in the Waterways Strategy directly relate to ecological and environmental aspects. Among them is a recommendation to develop a framework that treats the waterways corridor as a linear park. This framework aims to more accurately identify areas of high ecological value and create wildlife corridors by connecting open spaces along the waterways corridor. Another suggestion is to prepare a Waterways Lighting Framework, which will cover the various areas along the waterways corridor to improve consistency in protecting species and habitats.</p> <p>The Waterways Strategy will not directly impact protected European Sites. It outlines projects that may support ecology needs and sustainable developments. In any case, these projects will be developed independently and will undergo the standard planning process. Project-level assessments may be required where necessary, if the location and specific proposals indicate potential significant impacts.</p>
<p>4. What is the significance of the effects upon the identified European Site(s)?</p>	<p>N</p>	<p>The Waterways Strategy and Guidance will not result in significant effects upon European Sites as it outlines the frameworks and projects required to enhance the waterways corridor and doesn't set policy or allocate sites for future development.</p> <p>The Waterways Strategy and Guidance is designed to result in positive environmental impacts by identifying projects and establishing frameworks that will contribute to ecology enhancement and outlining guidance for future development along the waterways corridor. Overall positive impacts associated with potential actions to improve habitat distinctiveness, create and retain habitat will likely have positive effects on water and habitat quality which may be reflected in sites downstream and outside the boundaries of this program. However, it is impossible to tell exactly how significant these effects might be at this stage as the identified projects and frameworks are not yet sufficiently detailed.</p> <p>As mentioned above, the strategy at this stage is a high-level plan outlining potential project. Therefore, the plan itself is not expected to have significant</p>

		effects. And in itself is not expected to increase nutrient or phosphate levels affecting the SPA/Ramsar site
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***HRA Screening Conclusion***

**3.8 It has been concluded that Taunton Waterways Strategy and Guidance does not require Appropriate Assessment under HRA legislation.**