

**Strategic Environmental Assessment Screening Report
Broughton Astley Neighbourhood Plan**



**Broughton Astley Neighbourhood Plan
Strategic Environmental Assessment
Screening Report**

**Prepared by
Harborough District Council
On behalf of**

Broughton Astley Parish Council

April 2013

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1. Introduction

1.1 This screening report is used to determine whether or not the contents of the Broughton Astley Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

1.2 The purpose of the Broughton Astley Neighbourhood Plan is to reflect the desires of the community to ensure that facilities and services are provided as part of any additional housing development and to provide a structure which meets the needs of a growing population, safeguards the environment and builds the local economy.

1.3 The Broughton Astley Neighbourhood Plan specifically considers the following:

- The development of housing (location, type, tenure etc);
- Local employment and opportunities for businesses to set up or expand their premises;
- Transport and access issues (roads, cycling, walking etc);
- The provision of retail and leisure facilities, schools, places of worship, health, entertainment, and youth facilities;
- The protection and creation of open spaces (nature reserves, allotments, sports pitches, play areas, parks and gardens);
- Installation of renewable or alternative energy solutions; and
- Protection of important buildings and historic assets.

1.4 The vision and core objectives of the Pre-Submission Draft Neighbourhood Plan (February 2013, <http://broughtonastley.leicestershireparishcouncils.org/the-big-plan-for-broughton-astle.html>) are based on the key issues raised by local people. They have been summarised and refined by the Steering Group to form the basis of the Neighbourhood Plan for Broughton Astley.

1.5 The Neighbourhood Plan has the following objectives at its core:

- Control development to avoid excessive expansion into the surrounding countryside;
- Provide housing which meets the needs of the diverse and growing community;
- Improve local leisure facilities, services and amenities in tandem with any new housing development;
- Improve employment opportunities which provide 'added value' for the community;
- Improve public transport and traffic management in tandem with new housing development;
- Preserve existing green spaces and improve access to the surrounding countryside via new housing developments; and
- Support new developments which make use of renewable energy technology to reduce their impact on the environment.

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1.6 The legislation set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the NP and the need for a full SEA.

2. Legislative Background

2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is [European Directive 2001/42/EC](#) and was transposed into English law by the [Environmental Assessment of Plans and Programmes Regulations 2004](#), or 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 Schedule 2 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the Habitats Directive. The Directive requires that any plan or project, likely to have a significant effect on a European site, must be subject to an appropriate assessment. To achieve this, paragraph 1 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site. Paragraphs 2 to 5 of the Schedule amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and neighbourhood plans. In particular paragraph 4 inserts new regulation 78A which provides that a neighbourhood development order may not grant planning permission for development which is likely to have a significant effect on a European site or a European offshore marine site.

2.3 Schedule 3 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the [Environmental Impact Assessment \(EIA\) Directive](#). The Directive requires that EIA development must be subject to a development consent process. To enable this, Schedule 3 prescribes a basic condition that applies where development which is the subject of a proposal for a neighbourhood development order is of a type caught by the EIA Directive, and applies the relevant provisions of the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011\(3\)](#) ("the EIA Regulations") with appropriate modifications ([regulation 33](#) and paragraphs [1 to 4 and 6 of Schedule 3](#)). Paragraphs 5 and 7 to 13 of Schedule 3 correct errors in the EIA Regulations

2.4 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed in light of the Sustainability Appraisal and Strategic Environmental Assessment undertaken for the Core Strategy in 2010. A copy of the SA Report can be viewed here; [Harborough District Council - Sustainability Appraisal \(SA\) and Strategic Environmental Assessment \(SEA\)](#).

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3. Criteria for Assessing the Effects of Neighbourhood Plans (the 'plan')

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of neighbourhood plans ("plan"), having regard, in particular, to
 - the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan,
 - the relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans boundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

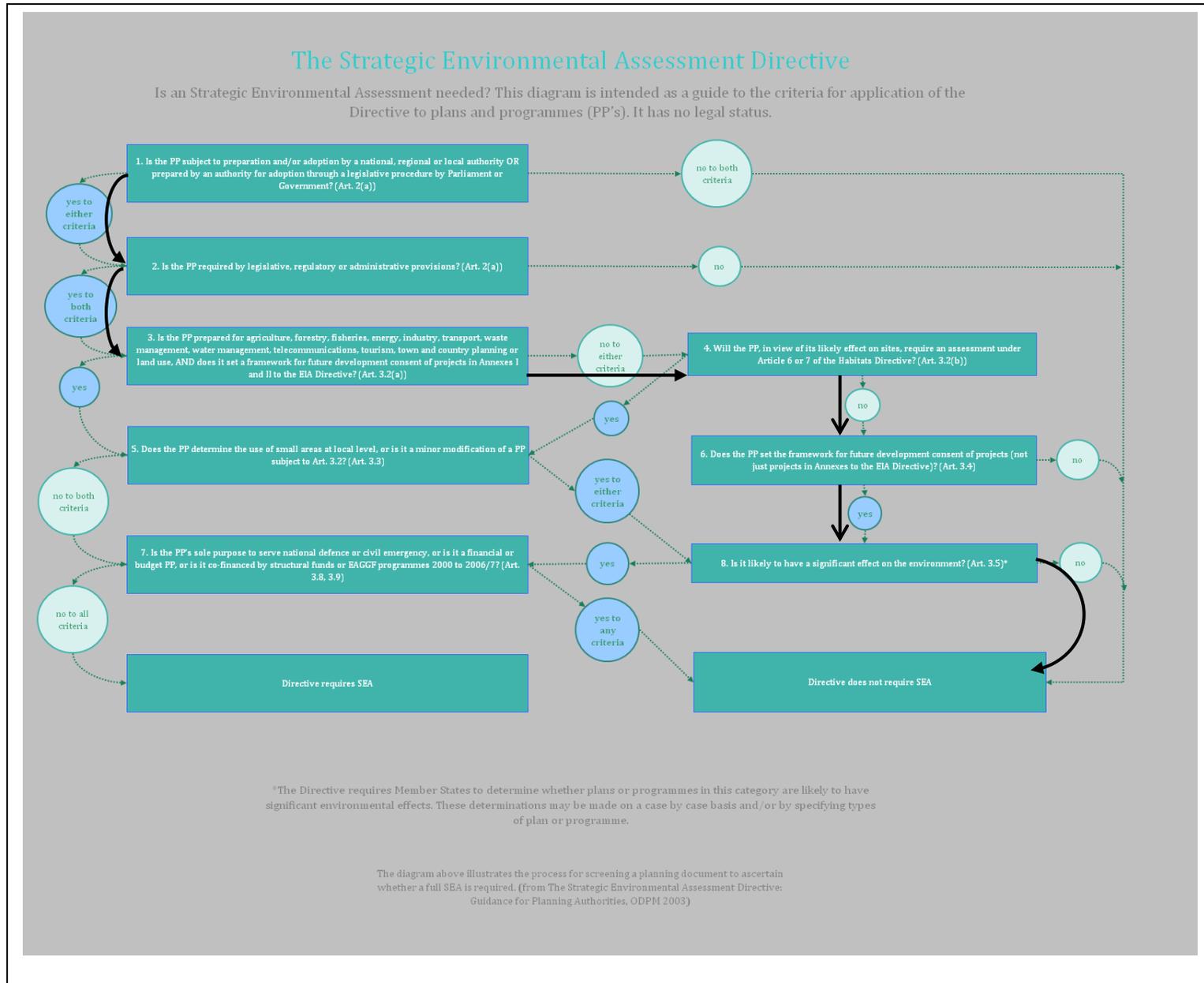
Source: Annex II of SEA Directive 2001/42/EC

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4. Assessment

4.1 Black arrows indicate the process route for Broughton Astley Neighbourhood Plan SEA Screening Assessment.



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4.2 The table below shows the assessment of whether the Neighbourhood Plan (NP) will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

| Stage | Y/N | Reason |
|--|----------|---|
| 1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | The preparation of and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP will be prepared by Broughton Astley Parish Council (as the 'relevant body') and will be 'made' by HDC as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012 |
| 2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will if 'made', form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive. |
| 3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a)) | N | Whilst the NP covers a wide range of land use issues and allocations, it does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list). |
| 4. Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) | N | <p>The NP is unlikely to have a substantial effect on the Natura 2000 network of protected sites. A full Habitat Regulations Assessment Screening Report was carried out as part of the Core Strategy preparation process in 2011. The report concludes that the Harborough Core Strategy alone, or in combination with other plans, is unlikely to have an adverse impact on any of the <i>Natura 2000</i> sites within approximately 25kms of the boundary of the district.</p> <p>Of the 3 Natura 2000 sites looked at in the Screening Report, Ensor's Pool SAC is closest to Broughton Astley lying some 16 km away. However, Ensor's Pool was found to be essentially a self contained eco system. The report concluded that its vulnerabilities are very local in nature and unlikely to be caused harm by the Harborough Core Strategy.</p> |

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| | | <p>The River Mease SAC and Rutland Water SPA were also considered in the Habitat Regulations Assessment Screening Report. They lie 30km and 38km respectively from Broughton Astley.</p> <p>The Screening Report concluded that the Core Strategy would not lead to significant adverse effects on either area given that:</p> <ul style="list-style-type: none"> • the River Mease SAC is separate to any water courses in the district and does not contribute to the water supply or drainage of the district; and • any effects on Rutland Water SPA would be indirect and relate only to a greater number of visitors being attracted to the site from additional development in the District. <p>It is considered that the NP will not affect the 3 specified Natura 2000 sites over and above the impacts identified in the Habitats Regulation Assessment Screening Report carried out for the Core Strategy in 2011. Therefore, it is concluded that a full Appropriate Assessment is not deemed to be required.</p> <p>The full Habitat Regulation Assessment Screening Report for the Core Strategy can be viewed at: http://www.harborough.gov.uk/site/scripts/google_results.php?q=Habitats+Regulation+Assessment+Screening+Report</p> |
| 5. Does the NP 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) | Y | Determination of small sites at local level |
| 6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The NP is to be used for determining future planning applications |
| 7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | N | The BA NP is a relatively self contained planning unit and considers sites only at a local level to meet requirement figures set out in the Core Strategy. The level of development proposed is not going to impact on any Natura 2000 site and the Neighbourhood Area does not have any sites of special scientific interest within it. Proposed development will not impact on any nationally recognised landscape designations. Flood risk is an issue in Broughton Astley and the NP ensures that appropriate development only takes place in |

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| | | <p>suitable locations which will not increase the risk of flooding in the vicinity or the wider area.</p> <p>More locally, there are designated Local Wildlife Sites in the parish and these need to be identified and protected wherever possible (e.g. Primethorpe Meadows, adjoins one of the sites for proposed development) from the effects of development. The listed buildings within the Neighbourhood Area (see appendix 1) are recognised within the NP and not affected by any development. Due to the severe lack of brownfield land, greenfield sites are proposed for allocation. However, development is directed away from areas of highest landscape value and away from undeveloped areas that fulfil a separation function.</p> <p>Whilst it is inevitable that the level of development proposed will have some impact on the environment, these impacts are not expected to be significant, in so far as they will be localised and minimised.</p> |
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These questions are answered using the flow diagram above. The result is given by following the logical steps shown by the black arrows on the flow diagram. Note: some of the questions may not be applicable depending on previous answers.

5. Screening Outcome

- 5.1 As a result of the assessment in Section 4, it is unlikely there will be any significant environmental effects arising from the Broughton Astley Neighbourhood Plan Pre-Submission Draft as submitted at the date of this assessment, that were not covered in the Sustainability Appraisal of the Core Strategy. As such, the Broughton Astley Neighbourhood Plan does not require a full SEA to be undertaken.
- 5.2 The Environment Agency, Natural England and English Heritage have been consulted on this Screening Report and all have confirmed that they agree with the outcome that a full SEA is not required for the Neighbourhood Plan. Their responses are available to view on the Broughton Astley Neighbourhood Plan Evidence Base (Section 15, J) at:
<http://broughtonastley.leicestershireparishcouncils.org/uploads/17519cbbbca6657282085871.pdf>
- 5.3 If the issues addressed in the Neighbourhood Plan should change then a new screening process will need to be undertaken determine whether an SEA will be required. Please contact Harborough District Council for advice in this circumstance.

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Appendix 1

LISTED BUILDINGS WITHIN THE PARISH OF BROUGHTON ASTLEY

St Marys Church Broughton Astley

Sutton in the Elms Baptist Church

Quaker Cottage, Sutton in the Elms

The Stone House, Sutton in the Elms

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Appendix 2

Annex I

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for the permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast-iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads (1) and lines for long-distance railway traffic and of airports (2) with a basic runway length of 2 100 m or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or land fill of toxic and dangerous wastes.

(1) For the purposes of the Directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.

(2) For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

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Annex II

1. Agriculture

- (a) Projects for the restructuring of rural land holdings.
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
- (c) Water-management projects for agriculture.
- (d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
- (e) Poultry-rearing installations.
- (f) Pig-rearing installations.
- (g) Salmon breeding.
- (h) Reclamation of land from the sea.

2. Extractive industry

- (a) Extraction of peat.
- (b) Deep drillings with the exception of drillings for investigating the stability of the soil and in particular:
 - geothermal drilling,
 - drilling for the storage of nuclear waste material,
 - drilling for water supplies.
- (c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
- (d) Extraction of coal and lignite by underground mining. (e) Extraction of coal and lignite by open-cast mining. (f) Extraction of petroleum.
- (g) Extraction of natural gas.
- (h) Extraction of ores.
- (i) Extraction of bituminous shale.
- (j) Extraction of minerals other than metalliferous and energy-producing minerals by open-cast mining.
- (k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
- (l) Coke ovens (dry coal distillation).

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(m) Installations for the manufacture of cement.

3. Energy industry

- (a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I).
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables.
- (c) Surface storage of natural gas.
- (d) Underground storage of combustible gases.
- (e) Surface storage of fossil fuels.
- (f) Industrial briquetting of coal and lignite.
- (g) Installations for the production or enrichment of nuclear fuels.
- (h) Installations for the reprocessing of irradiated nuclear fuels.
- (i) Installations for the collection and processing of radioactive waste (unless included in Annex I).
- (j) Installations for hydroelectric energy production.

4. Processing of metals

- (a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I).
- (b) Installations for the production, including smelting, refining, drawing and rolling, of nonferrous metals, excluding precious metals.
- (c) Pressing, drawing and stamping of large castings.
- (d) Surface treatment and coating of metals.
- (e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
- (g) Shipyards.
- (h) Installations for the construction and repair of aircraft.
- (i) Manufacture of railway equipment.
- (j) Swaging by explosives.
- (k) Installations for the roasting and sintering of metallic ores.

5. Manufacture of glass

6. Chemical industry

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- (a) Treatment of intermediate products and production of chemicals (unless included in Annex I).
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
- (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry

- (a) Manufacture of vegetable and animal oils and fats.
- (b) Packing and canning of animal and vegetable products.
- (c) Manufacture of dairy products.
- (d) Brewing and malting.
- (e) Confectionery and syrup manufacture.
- (f) Installations for the slaughter of animals.
- (g) Industrial starch manufacturing installations.
- (h) Fish-meal and fish-oil factories.
- (i) Sugar factories.

8. Textile, leather, wood and paper industries

- (a) Wool scouring, degreasing and bleaching factories.
- (b) Manufacture of fibre board, particle board and plywood.
- (c) Manufacture of pulp, paper and board.
- (d) Fibre-dyeing factories.
- (e) Cellulose-processing and production installations.
- (f) Tannery and leather-dressing factories.

9. Rubber industry

Manufacture and treatment of elastomer-based products.

10. Infrastructure projects

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- (a) Industrial-estate development projects.
- (b) Urban-development projects.
- (c) Ski-lifts and cable-cars.
- (d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I).
- (e) Canalization and flood-relief works.
- (f) Dams and other installations designed to hold water or store it on a long-term basis.
- (g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
- (h) Oil and gas pipeline installations.
- (i) Installation of long-distance aqueducts.
- (j) Yacht marinas.

11. Other projects

- (a) Holiday villages, hotel complexes.
- (b) Permanent racing and test tracks for cars and motor cycles.
- (c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
- (d) Waste water treatment plants.
- (e) Sludge-deposition sites.
- (f) Storage of scrap iron.
- (g) Test benches for engines, turbines or reactors.
- (h) Manufacture of artificial mineral fibres.
- (i) Manufacture, packing, loading or placing in cartridges of gunpowder and explosives.
- (j) Knackers' yards.

12. Modifications to development projects included in Annex I and projects in Annex I undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year