

Strategic Environmental Assessment Screening Report



By

Harborough District Council

On behalf of

Billesdon Parish Council

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Strategic Environmental Assessment Screening Report

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1. Introduction

- 1.1 This screening report is for use to determine whether or not the contents of the Billesdon Neighbourhood Development Plan (NDP) 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 Billesdon Neighbourhood Development Plan is to address the key issues in Billesdon Parish identified as Transport (Traffic management, Parking & Footpaths), Services and Facilities (Recreational, Coplow Centre, Retail, School), Housing (number, number of sites, development sites, type and sizes of housing, housing design), Employment (Broadband, redevelopment of existing buildings, new build retail, office & light industrial), Green Infrastructure (protecting landscape and environment, promoting healthy lifestyles, addressing climate change).
- 1.3 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 NDP 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 development 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 development 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

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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.

3. Criteria for Assessing the Effects of Neighbourhood Development 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,

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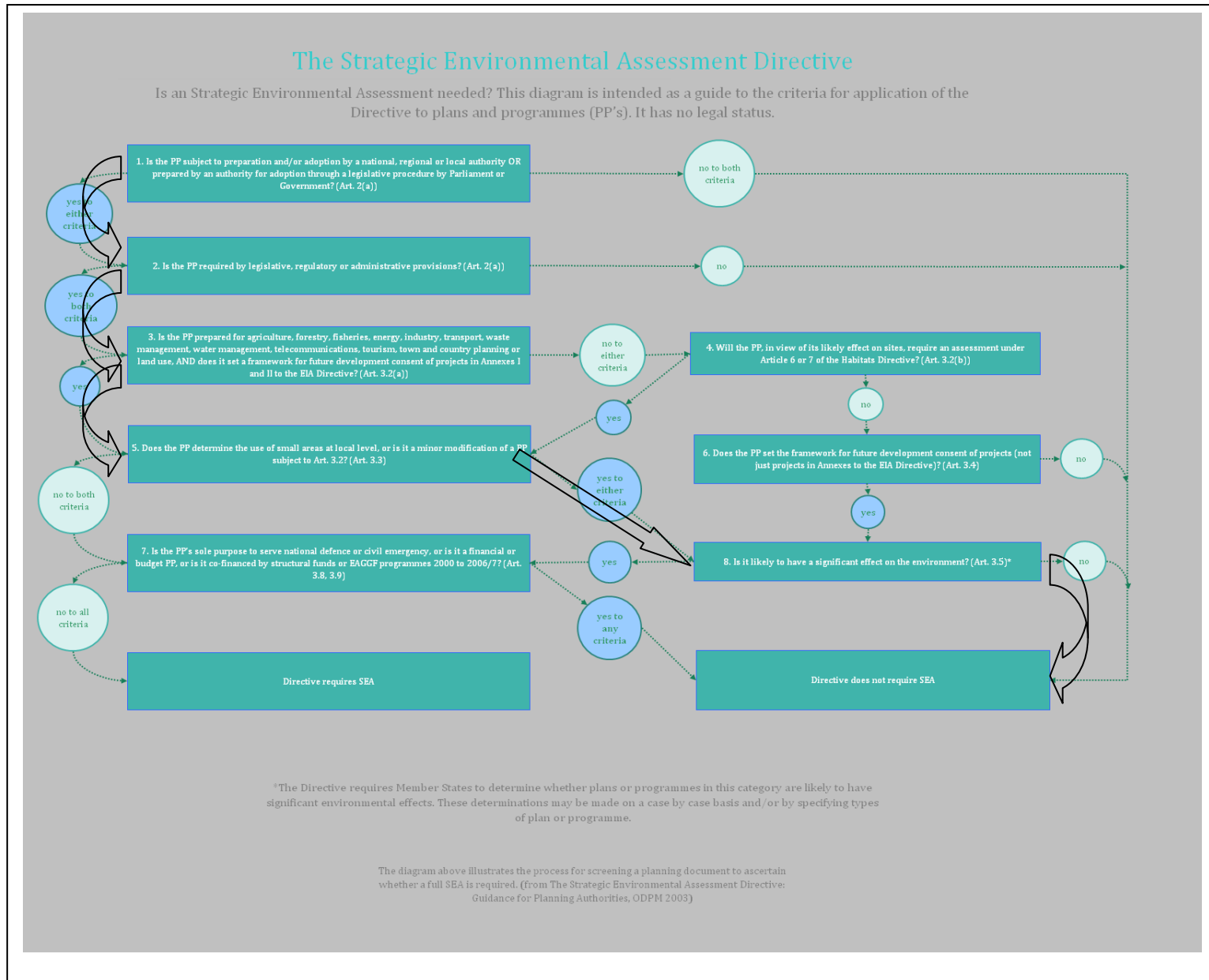
- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

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4. Assessment

4.1 Black arrows indicate the process route for Billesdon Neighbourhood Plan SEA Screening assessment.



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4.2 The table below shows the assessment of whether the Neighbourhood Development Plan (NDP) 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 NDP 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 | Localism Act 2011, and NPPF 2012, and prepared by Billesdon Parish Council(Local Authority) |
| 2. Is the NDP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Localism Act 2011, and NPPF 2012 |
| 3. Is the NDP 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 to the EIA Directive? (Art 3.2(a)) | Y | The Neighbourhood Planning (General) Regulations 2012 |
| 4. Will the NDP, 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 | Effect on sites unlikely to be substantial |
| 5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of an NDP subject to Art. 3.2? (Art. 3.3) | Y | Determination of small sites at local level |
| 6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The NDP will provide a framework for determining future planning decisions |
| 7. Is the NDP'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/A |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | N | Considers only small sites at a local level and Neighbourhood Area does not include any sites of environmental importance or interest, or sites of special nature conservation |

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.

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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 Billesdon Neighbourhood Plan, as submitted at the date of this assessment, that were not covered in the Sustainability Appraisal of the Core Strategy. As such, the Billesdon Neighbourhood Plan does not require a full SEA to be undertaken.
- 5.2 If the issues addressed in the Neighbourhood Plan should change, or specific sites are allocated for development, 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.