



**Melton  
Borough  
Council**

# **SEA and HRA Screening report – Burton and Dalby Neighbourhood Development Plan**

**Prepared by Melton Borough Council**

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Planning Policy

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# Strategic Environmental Assessment (SEA)

## Introduction

This screening report tests whether the **Burton and Dalby Neighbourhood Development Plan** (NDP/NP) requires a Strategic Environmental Assessment. The qualifying body preparing the Burton and Dalby Neighbourhood Plan is Burton and Dalby Parish Council and the local authority is Melton Borough Council.

This exercise tests whether there are likely to be significant environmental effects arising from the policies in the draft NDP. An environmental assessment is a requirement of The Environmental Assessment of plans and Programmes Regulations 2004. This is the first screening of the draft NDP and the screening exercise will also be undertaken of the submission document unless there are not significant changes in its content. Comments will be invited from the statutory consultation bodies on the conclusions contained in the final report.

The NDP sets the local planning policy framework for the Burton and Dalby Parish. When the Plan is 'made' by the local planning authority, it will become part of the Development Plan for the Borough of Melton and be used for the deciding of planning applications in the Parish. Now that the Melton Local Plan has been adopted (October 2018), the policies in the NDP must comply with the strategic policies in the Local Plan.

## Vision of the Burton and Dalby NDP

The vision of the Burton and Dalby NDP is as follows:

'In setting out the aims for the Plan it is vital to consider how Burton and Dalby parish should be at the end of the plan period. The Plan needs to be aspirational, but realistic. The Plan also needs to respond to the priorities identified by local people. The vision statement set out below has helped guide the preparation of the Burton and Dalby Neighbourhood Plan and makes it clear what the Plan is aiming to achieve.

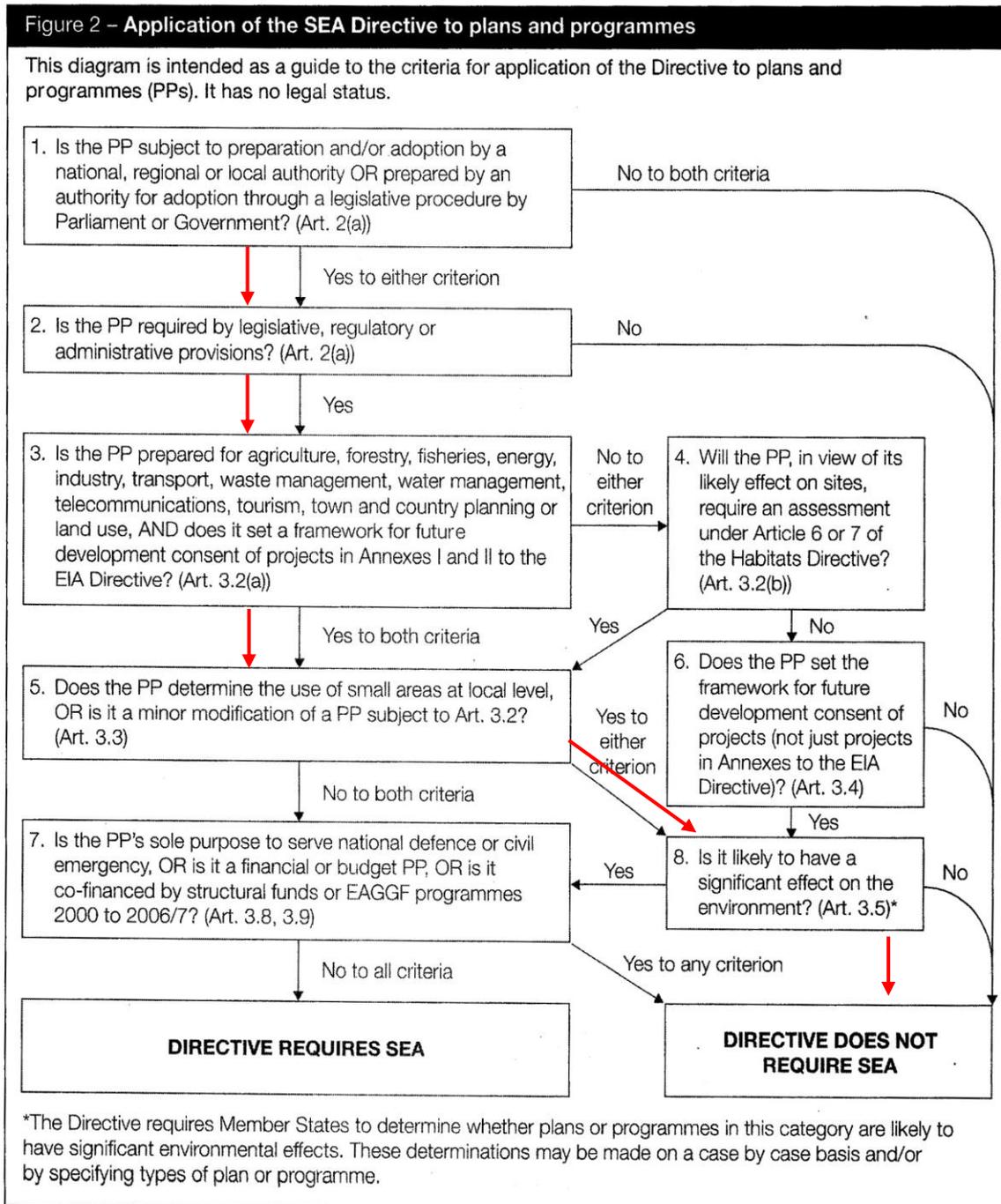
Burton and Dalby Parish in 2036:

- The unique character and heritage of the area is conserved
- Local Services and facilities are protected and improved
- Important green spaces are protected
- The character and beauty of the countryside and its natural environment are safeguarded
- Important views and valued landscapes are protected
- The separate identities of Great Dalby, Burton Lazars and Little Dalby are protected
- Local housing needs are met
- Improved local employment opportunities'

The report concludes, having regard to the location, nature and scale of the Burton and Dalby NP, it is considered that the policies in the Plan will **not** have significant environmental effects. The rationale behind this conclusion is contained in the remainder of this report.

## Application of the SEA Directive (diagram)

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Burton and Dalby Neighbourhood Plan



## Detailed application of SEA Directive criteria

SEA Criterion	Yes/No	Explanation
<p>1. Is the Plan and Programme (PP) subject to preparation and/or adoption by a national, regional or local authority</p> <p>OR</p> <p>prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Regulation 3)</p>	Yes	<p>Neighbourhood Development Plans are prepared by Parish/Town Councils or designated Forums/Community Organisations. These are qualifying bodies under the Town and Country Planning Act 1990 as amended by the Localism Act 2011.</p>
<p>2. Is the PP required by legislative, regulatory or administrative provisions? (Regulation 3)</p>	Yes	<p>While there is no obligation on communities to create a NDP, once they chose to do so it becomes part of the statutory Development Plan.</p>
<p>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</p> <p>AND</p> <p>does it set a framework for future development consent of projects in Annexes I and II to the Environmental Impact Assessment (EIA) Directive? (Regulation 4(2)(a))</p>	Yes	<p>NDPs can cover some of the topics identified in this list and they could set the framework for development of a scale that would fall under Annex II of the EIA Directive. However, for NDPs, Development Plans, developments which fall under Annex I of the EIA Directive are “excluded development” as set out in Section 61k of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).</p>

<p>4. Will the PP, in view of its likely effect on sites, require an assessment under Articles 6 or 7 of the Habitats Directive? (Regulation 4(2)(b))</p>	<p>No</p>	<p>The NP does not promote more development than the one in the adopted Local Plan. These sites have been, directly or indirectly, assessed during the preparation of the Local Plan and production of the Sustainability Appraisal (SA) and no major issues were identified during the examination of the Local Plan.</p> <p>All sites have been assessed as part of the SHLAA and Local Plan preparation processes, ensuring effects on biodiversity, flood risk, etc. are all acceptable and would not constitute significant impact.</p>
<p>5. Does the PP determine the use of small areas at local level</p> <p>OR</p> <p>is it a minor modification of a PP subject to Regulation 4(2)(a)? (Regulation 4(3))</p>	<p>Yes</p>	<p>NDPs determine the use of small areas at a local level. Burton and Dalby Parish contains the settlements of Burton Lazars, Great Dalby and Little Dalby.</p>
<p>6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Regulation 4(4))</p>	<p>Yes</p>	<p>A NDP forms part of the development plan and therefore will be used in the decision-making process. The policies in a NDP therefore set the framework for future developments.</p>
<p>7. Is the PP likely to have a significant effect on the environment? (Regulation 4(5))</p>	<p>No</p>	<p>The locations promoted for development do not fall under any locations known by the Council to contain protected species. The sites indirectly promoted (or accepted) by the NDP are the allocations in the Local Plan. The assessment of these sites is part of the Local Plan evidence base. The sites have been, directly or indirectly, assessed and appraised in the Whole Plan SA and no major issues were identified during the examination of the Local Plan.</p> <p>All sites have been assessed as part of the SHLAA and Local Plan preparation processes, ensuring effects on biodiversity, flood risk, etc. are all acceptable and would not constitute significant impact.</p>

<p>8. Is the PP's sole purpose to serve national defence or civil emergency</p> <p>OR</p> <p>Is it co-financed by structural funds or AEGGF programmes 2000 to 2006/7</p> <p>OR</p> <p>Is it a financial or budget PP?</p>	<p>No</p>	<p>No to all criteria.</p>
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### Likely significance of effects on the environment

<b>Criteria for determining the likely significance of effects on the environment</b>	<b>Likely to have significant environmental effects? Yes/No</b>	<b>Summary of significant environmental effects (negative and positive)</b>
<p>a) The degree to which the PP 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>No</p>	<p>The Burton and Dalby NP looks to allocate (indirectly) a modest amount of housing and support existing services and facilities. This level of growth will have a small impact on the environment, as will most development, however not large enough to be classed as significant. This was assessed during the Local Plan examination.</p>
<p>b) The relevance of the PP for the integration of environmental considerations, in particular, with a view to promoting sustainable development.</p>	<p>No</p>	<p>Whilst the Burton and Dalby NP does seek to deliver growth, it also looks at policies relevant to the environment to ensure that there is an integrated approach to both development and the environment.</p>
<p>c) Environmental problems relevant to the PP</p>	<p>No</p>	<p>None known.</p>

d) The relevance of the PP for the implementation of Community legislation on the environment (e.g., PP linked or waste management or water protection)	No	The Burton and Dalby NP does not look at the management of waste or other such issues. These will be handled by Borough/County led PPs and thus out of the remit of this NP.
e) The probability, duration, frequency and reversibility of the effects	No	The Burton and Dalby NP has been created to deliver modest growth within the Parish. Whilst it is accepted that development for the most part is not easily reversed, especially when on agricultural or other greenfield sites, the modest scale of development proposed in the locality means there is unlikely to be significant environmental effects. This was assessed during the Local Plan process.
f) The cumulative nature of the effects	No	The Burton and Dalby NP has been created to deliver modest growth in the Parish. No significant environmental effects are anticipated from growth of this level.
g) The transboundary nature of the effects	No	The Burton and Dalby NP is localised in the parish of Burton and Dalby, and whilst there will be some effects on neighbouring parishes, these are minor given the modest scale of growth proposed over the NP period.
h) The risks to human health or the environment (e.g., due to accidents)	No	Whilst there is a perception that increased levels of development can have an adverse effect on human health and the environment, through reasoning such as increased car journeys increasing the chances of an accident and pollution from increased development, this is only likely to be the case with largescale development. The scale of development indirectly suggested in the Burton and Dalby NP is unlikely to have a significant environmental effect on either the risks to human health or the environment.

i) The magnitude and special extent of the effects (geographical area and size of the population likely to be affected)	No	The Burton and Dalby NP is localised in the parish of Burton and Dalby, and whilst there will be some effects on neighbouring parishes, these are minor given the modest scale of growth proposed over the NP period.
j) The value and vulnerability of the area likely to be affected due to: i. Special natural characteristics or cultural heritage ii. Exceeded environmental quality standards or limit values iii. Intensive land-use	No	The Parish contains environmental and heritage assets, which are identified in the relevant sections and policies of the NP.  Despite of this, it is not considered it will have a significant effect on the conservation area of other heritage assets.  The NP also looks at opportunities to improve environmental features which must be weighed into the planning balance. Overall, the NP as suggested will have limited impacts on the criterion as listed, however all three accounts the effects are not considered to be significant.
k) The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	No nationally or internationally protected landscapes in or in the setting of the Parish.

### Summary of Environmental Effects

- 1) The Burton and Dalby NP, is, by referring to the Local Plan allocations, a site allocations document and as such promotes development on one site. The site is in the recently adopted Local Plan and therefore has been assessed as part of the Local Plan process. The development of the site, like most developments, will have an environmental effect.
- 2) The NP looks to protect a number of locations known to have environmental, social and historical significance and more generally protect the natural environment through its policies. This will likely have a positive impact on the environment.

Overall, it is considered that while the Burton and Dalby NP will, if made, have some effect on the environment, the scale, location and nature of that proposed will not

have significant environmental effects and will contribute to promoting sustainable development in the Parish.

### Consultee comments

#### **Natural England**

We can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Burton and Dalby Neighbourhood Plan.

#### **Environment Agency**

We have reviewed the submitted information and do not disagree with the conclusion that an SEA would not be required.

#### **Historic England**

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.

### Screening Outcome

Screening is required under the Strategic Environmental Assessment Regulations, 2010 (Legal Notice 497 of 2010). It is our view that:

- A SEA is required because the PP falls under the scope of Regulation 4(3) of the Regulations and is likely to have significant environmental effects.
- A SEA is required because the PP falls under the scope of Regulation 4(4) of the Regulations and is likely to have significant environmental effects.
- A SEA is not required because the PP is unlikely to have significant environmental effects.

# Habitats Regulations Assessment (HRA)

## Introduction

HRA screening is split into three stages, the first of which, like the SEA is the screening stage. Again, like the SEA, the screening stage is to firstly establish if there are any likely significant effects possible as a result of the implementation of the plan. The screening process focussed on Natura 2000 sites, which are internationally protected wildlife sites.

The NP sets the local planning policy framework for Burton and Dalby Parish. When the Plan is 'made' by the local planning authority, it will become part of the Development Plan for the Borough of Melton and be used for the deciding of planning applications in the Parish, alongside Melton Local Plan. Now that the Melton Local Pan is adopted, the policies in Burton and Dalby NP must comply with the strategic policies in the Local Plan.

This report concludes, having regard to the location, nature and scale of the Burton and Dalby NP, it is considered that the policies in the Plan will **not** have significant effects on any Natura 2000 site. The rationale behind this conclusion is contained in the remainder of this report.

## Relevant Natura 2000 sites

Rutland Water Special Protection Area (SPA)/RAMSAR is the nearest international designated site to the Burton and Dalby NP boundary. Due to the modest scale of development promoted and the distance to Rutland water, this screening report concludes that there will be no significant impacts on Rutland Water or other Natura 2000 sites.

Rutland Water is a man-made pump storage reservoir created by the damming of the Gwash Valley in 1975 and is the largest reservoir in the United Kingdom. In general, the reservoir is drawn down in summer and filled during the autumn and winter months when river levels are high. The main habitats are open water and a mosaic of lagoons, reedswamp, marsh old meadows, scrub and woodland. The lagoons ae one of the most important areas for wintering wildfowl.

SPA	Qualifies under Article 4.2 by supporting populations of European importance of the following migratory species over winter: <ul style="list-style-type: none"><li>• Shoveler <i>Anas clypeata</i></li><li>• Teal <i>Anas crecca</i>*</li><li>• Wigeon <i>Anas Penelope</i>*</li><li>• Gadwall <i>Anas strepera</i></li><li>• Tufted Duck <i>Aythya fuligula</i>*</li><li>• Goldeneye <i>Bucephala clangula</i>*</li></ul>
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	<ul style="list-style-type: none"> <li>• Mute Swan <i>Cygnus atrax</i>*</li> <li>• Goosander <i>Mergus merganser</i>*</li> <li>• Great Crested Grebe <i>Podiceps cristatus</i>*</li> </ul> <p>Qualifies under Article 4.2 by regularly supporting at least 20,000 waterfowl.</p> <p>* Species that may be removed following the SPA Review *Stroud et al, 2001; The UK SPA network: its scope and content, JNCC)</p>
RAMSAR	<p>R RAMSAR criterion 5 – Assemblages of international importance Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>• 19274 waterfowl (5-year peak mean 1998-99 – 2002/2003)</li> </ul> <p>RAMSAR criterion 6 – Species/populations occurring at levels of international importance. Qualifying Species:</p> <ul style="list-style-type: none"> <li>• Gadwall <i>Anas strepera</i></li> <li>• Northern shoveler <i>Anas clypeata</i></li> </ul>

This site has been assessed for HRA in the Rutland County Council Core Strategy and Site Allocations and Policies Document (the district the site is within), as well as the Uppingham NP which was made in 2016. The Screening Report for the latter, which as negatively screened, can be found at:

<http://media.freeola.com/other/28083/sa-sea-hrascreeningreport-2.pdf>.

The following is an assessment of Rutland Water from the mentioned HRA screening:

‘The sensitivities and vulnerabilities of the site have been identified in HRA assessments for Rutland County Council’s Core Strategy and Site Allocations and Policies. It is identified that the most noticeable species are the populations of gadwall and shoveler (it is likely that all other species will be removed from the site citation (other than as Assemblage species) by the SPA Review, when adopted). Data on the use of the site by these species indicate that gadwall and shoveler numbers peak in the autumn, generally around September/October, before declining over the winter period. This suggests that Rutland is mainly used as a refuge whilst species are moulting in early autumn, before dispersing from the site to other wintering areas as winter progresses. During the winter, gadwall and shoveler occupy more extensive open waters of lakes, reservoirs and gravel puts. Threats include disturbance and water pollution. The principle sensitivities and vulnerabilities of Rutland Water therefore include:

- Water Quality. The level of phosphate can vary above the recommended level at certain times of the year. This increases the risk of a shift in the trophic status of the water body to an algae dominated system, which would adversely affect the site;

- Water level. The water level is linked to abstraction and affects accessible aquatic plants are for wildfowl feeding on the site. The ecological perturbation that frequent lowering and raising of water levels causes could be an important factor in whether or not a switch in trophic status occurs.
- Recreation. Management of the trout fishery has caused some debate over potential effects on site ecology. In addition, water sports such as sailing have the potential to affect the site through disturbance. Casual recreation around the site margins may also affect some interest features. The site and the interest features are most likely to be vulnerable to disturbance during the key autumn period.” (Uppingham SEA and HRA Screening Report, May 2013).’

### Impact because of the Plan

The Burton and Dalby NP, whilst a document that indirectly deliver housing allocations, is limited in its scale and proposes a modest development over a long period of time. This growth, whilst predominantly on greenfield sites which may have a limited effect on local wildlife populations, it is too distant and modest to affect the Natura 2000 site in any demonstrable way.

The conclusion of this report therefore is that there is likely to be no demonstrable impact on Rutland Water at all, nor any other Natura 2000 site and as such there is no likely significant impact on Rutland Water or any other Natura 2000 site. Consequently, a full HRA assessment will not be required.

### Consultee comments

#### Natural England

Natural England also agrees with the report’s conclusions that Burton and Dalby Neighbourhood Plan would not be likely to result in a significant effect on any European Site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.

**Jorge Fiz Alonso**

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Name of the officer responsible for the screening report

**Melton Borough Council**

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Name of responsible authority

**09/12/2020**

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Date