

**SEA & HRA SCREENING REPORT – GADDESBY**  
**NEIGHBOURHOOD DEVELOPMENT PLAN**

**Prepared by Melton Borough Council**

**29<sup>th</sup> November 2019**

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## Introduction

This screening report tests whether or not the Gaddesby Neighbourhood Development Plan requires a SEA (Strategic Environmental Assessment).

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. Screening exercise will also be undertaken of the submission document and comments will be invited from the statutory consultation bodies on the conclusions contained in the final report.

The Neighbourhood Development Plan sets the local planning policy framework for Gaddesby Parish. When the Plan is 'made' by the local planning authority, it will become part of the Development Plan for Melton Borough and be used for the deciding of Planning Applications in the Parish. Now that the Melton Local Plan has been adopted, the policies in Gaddesby NDP must comply with the strategic policies in the Local Plan.

The Neighbourhood Development Plan lists the following as its objectives:

- *Ensure that development takes place in the most sustainable locations;*
- *Encourage the right types of development that meet local needs;*
- *Protect important buildings and structures of historic and architectural interest;*
- *Protect important community assets;*
- *Promote high quality design in new development;*
- *Protect the countryside and special landscapes; and*
- *Protect open spaces which are important to the community and/or wildlife.*

And defines its vision as:

*The three villages of the Parish of Gaddesby – Ashby Folville, Barsby and Gaddesby - lie in rural Leicestershire, South West of Melton Mowbray. They are peaceful, historic villages with a strong agricultural heritage, community identity and activities. Each has a distinct character being interlinked by country roads, wide green verges, footpaths and bridleways.*

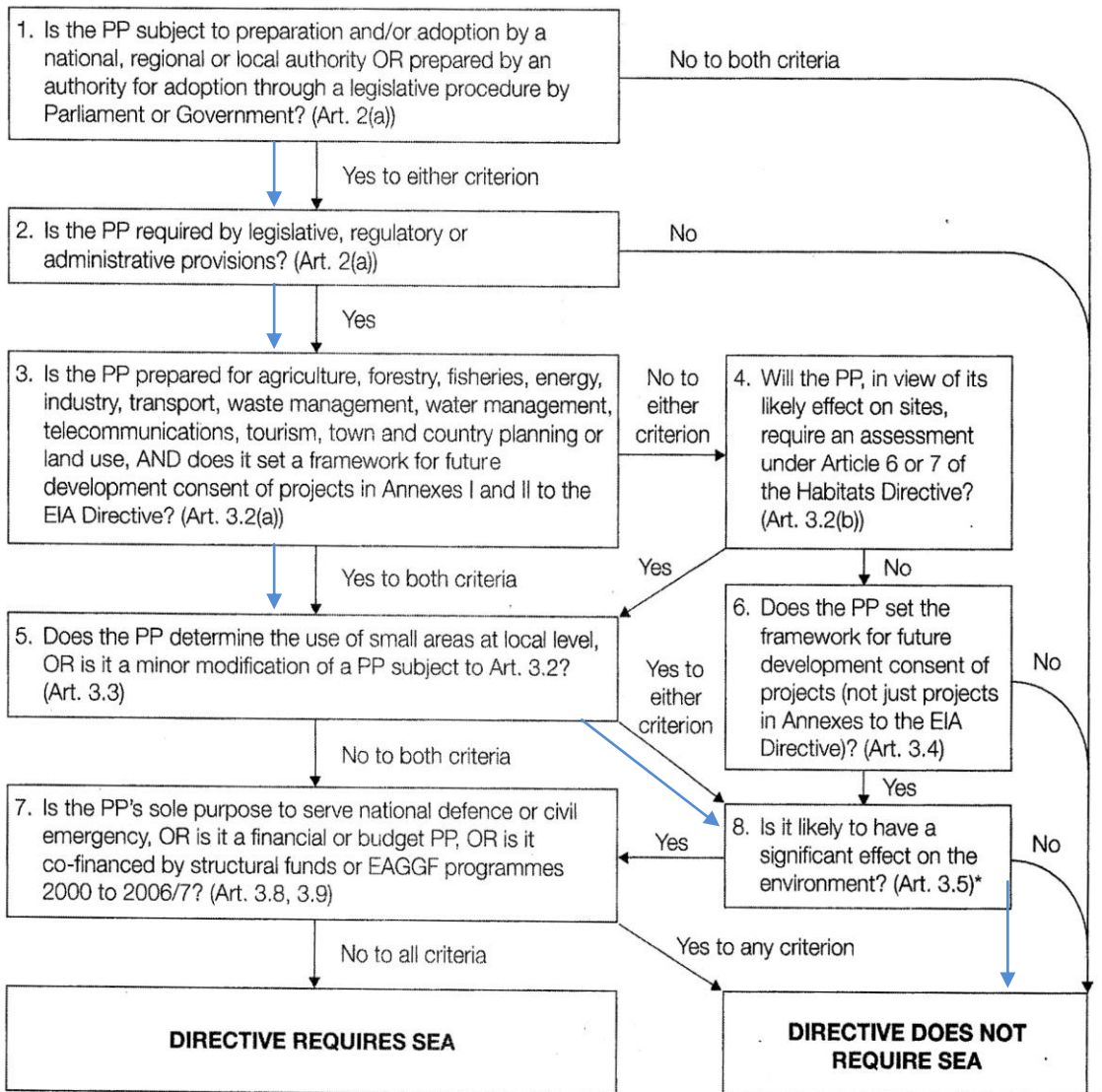
*The Neighbourhood Plan seeks to ensure that the villages continue to be attractive and sustainable places in which to live and work whilst maintaining their individual identities. This will be done by:*

- *protecting and enhancing the locally diverse landscape, preserving the tranquil environment, identified open spaces, local amenities and ecology.*
- *protecting the heritage assets of the Parish.*
- *managing traffic and parking, thus ensuring safety of pedestrians, cyclists, horse riders and motorists.*
- *supporting rural communities through timely public transport to neighbouring centres*
- *supporting proportionate and sustainable development in a gradual phased manner. Any development to be built in keeping with the character of each village while supporting sustainability, relevant demographics and infrastructure support.*

This report concludes, having regard to the location, nature and scale of the Gaddesby Neighbourhood Development Plan, 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.

**Figure 2 – Application of the SEA Directive to plans and programmes**

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

—————> Gaddesby Neighbourhood Development Plan

## SEA Criteria

| SEA Criterion   | Yes/No<br>(no other answer except Yes/No) | Explanation  |
|---|---|--|
| <p>Is the 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                                       | 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 as amended by the Localism Act 2011.  |
| <p>Is the PP required by legislative, regulatory or administrative provisions? (Regulation 3)</p>   | Yes                                       | While there is no obligation on communities to create a Neighbourhood Development Plan, once they chose to do so it becomes part of the Statutory Development Plan.  |
| <p>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 EIA Directive? (Regulation 4(2)(a))</p> | Yes                                       | Neighbourhood Development Plans 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 Neighbourhood 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) |

| <b>SEA Criterion</b>  | <b>Yes/No</b><br>(no other answer except Yes/No) | <b>Explanation</b>   |
|---|--|--|
| <p>Will the PP, in view of its likely effect on sites, require an assessment under Articles 6 or 7 of the Habitats Directive?<br/>(Regulation 4(2)(b))</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 the sites have gone through SHLAA assessment ensuring effects on biodiversity, flood risk, etc. are all acceptable and would not constitute significant impact.</p> |
| <p>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</p> <p>subject to Regulation 4(2)(a)<br/>(Regulation 4(3))</p> | <p>Yes</p>                                       | <p>Neighbourhood Development Plans by definition determine the use of small areas at a local level. Gaddesby Parish principally contains three settlements – Gaddesby, Ashby Folville and Barsby.</p>  |
| <p>Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)?<br/>(Regulation 4(4))</p>                        | <p>Yes</p>                                       | <p>A Neighbourhood Development Plan forms part of the development plan and therefore will be used in the decision making process. The policies in a Neighbourhood Development Plan therefore</p>   |

| <b>SEA Criterion</b>  | <b>Yes/No</b><br>(no other answer except Yes/No) | <b>Explanation</b>   |
|---|--|--|
|   |  | set the framework for future developments.   |
| Is the PP likely to have a significant effect on the environment?<br>(Regulation 4(5))  | No   | <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 the sites have gone through SHLAA assessment ensuring effects on biodiversity, flood risk, etc. are all acceptable and would not constitute significant impact.</p> |
| <p>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 EAGGF programmes 2000 to 2006/7</p> <p>OR</p> <p>Is it a financial or budget PP?</p> | No   | No to all criteria.  |

## Likely Significance of Effects on the Environment

| Criteria for determining the likely significance of effects on the environment  | Likely to have significant environmental effects?<br>Yes/No<br>(no other answer except Yes/No) | Summary of significant environmental effects (negative and positive)   |
|---|--|--|
| 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 | No   | The Gaddesby Neighbourhood Development Plan looks to allocate 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. |
| the degree to which the PP influences other plans and programmes including those in a hierarchy   | No   | The NDP must be in conformity with the Melton Local Plan. This will be done through regulation 14 and 16 consultation responses from the Council and constant communication with the Neighbourhood Plan Group. A Neighbourhood Development Plan is influenced by Local and National Policy, not the other way round.                           |
| the relevance of the PP for the integration of environmental considerations in particular with a view to promoting sustainable development  | No   | Whilst the Gaddesby Neighbourhood Development Plan does seek to deliver sustainable growth, it also looks at policies relevant to the environment to ensure that there is an integrated approach to both development and the environment.  |
| environmental problems relevant to the PP   | No   | None known.  |



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| <p>the relevance of the PP for the implementation of Community legislation on the environment (e.g. PPs linked to waste management or water protection)</p> | <p>No</p> | <p>This PP 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 the Gaddesby Neighbourhood Development Plan.</p>   |
| <p>the probability, duration, frequency and reversibility of the effects</p>  | <p>No</p> | <p>The Gaddesby Neighbourhood Development Plan 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 promoted in the locality means there is unlikely to be a significant environmental effect. This was assessed during the Local Plan process.</p> |
| <p>the cumulative nature of the effects</p>   | <p>No</p> | <p>The Gaddesby Neighbourhood Development Plan has been created to deliver modest growth in the Parish. No significant environmental effects are anticipated from growth of this level.</p>   |
| <p>the transboundary nature of the effects</p>  | <p>No</p> | <p>This plan is localised to the Parish of Gaddesby and whilst there will be some effects on Neighbouring Parishes, these are considered to be minor given the modest scale of growth as suggested over the Plan Period.</p>  |
| <p>the risks to human health or the environment (e.g. due to accidents)</p>   | <p>No</p> | <p>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</p>   |

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|   |    | <p>increasing the chances of an accident and pollution from increased development, this is only likely to be the case with largescale development. The modest scale of development as suggested in the Gaddesby Neighbourhood Development Plan is unlikely to have a significant environmental effect on either the risks to human health or the environment.</p>  |
| <p>the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>   | No | <p>This plan is localised to the Parish of Gaddesby and contains modest development proposals. Whilst there will be some effects on Neighbouring Parishes, these are considered to be minor given the modest scale of growth as suggested over the Plan Period.</p>  |
| <p>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</li> <li>(iii) intensive land-use</li> </ul> | No | <p>The Parish contains a number of Environmental and Heritage assets – these are identified in the draft NDP. Despite of this, it is not considered it will have a significant effect on the conservation area or any listed buildings.</p> <p>The Neighbourhood Development Plan also looks at opportunities to improve environmental features which must be weighed into the planning balance. Overall the Neighbourhood Development Plan as suggested will have limited impacts on the criterion as listed, however on all three accounts the effects are not considered to be significant.</p> |
| <p>the effects on areas or landscapes which have a</p>  | No | <p>No nationally or internationally protected</p>  |

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| recognised national, Community or international protection status |  | landscapes in or in the setting of the Parish. |
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**Part E – Summary of Environmental Effects**

(Provide a summary of the significant environmental effects of the PP)

1) The Gaddesby Neighbourhood Development Plan is, by referring to the Local Plan allocations, a site allocations document and as such promotes development on three sites – these sites are allocations in the recently adopted Local Plan and therefore have been assessed as part of the Local Plan process. The development of these sites, like most developments, will have an environmental effect.

2) The Neighbourhood Development Plan looks to protect a number of locations known to have environmental, social and historical significance and more generally protect the natural environment through Policies ENV1-ENV7. This will likely have a positive impact on the environment.

Overall it is considered that while the Gaddesby Neighbourhood Development Plan 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.

**Part F – Consultee Comments**

**Natural England**

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SEA is necessary.

**Environment Agency**

The Environment Agency has reviewed the SEA screening opinion and we have no adverse comments to make on the conclusion that an SEA is not required.

**Historic England**

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

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.

## Part G– Screening Outcome

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

- An 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
- An 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
- An SEA is not required because the PP is unlikely to have significant environmental effects.

## HRA

### Introduction

HRA screening is split into three stages, the first of which, like SEA is the screening stage. Again like 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 focusses around Natura 2000 sites, which are internationally protected wildlife sites.

The Neighbourhood Development Plan sets the local planning policy framework for Gaddesby Parish. When the Plan is 'adopted' by the local planning authority, it will become part of the Development Plan for Melton Borough and be used for the deciding of Planning Applications in the Parish, alongside Melton Local Plan. Now that the Melton Local Plan is adopted, the policies in Gaddesby NDP must comply with the strategic policies in the Local Plan.

This report concludes, having regard to the location, nature and scale of the Gaddesby Neighbourhood Development Plan, it is considered that the policies in the Plan will **not** have significant environmental effects on any Natura 2000 sites. 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 Gaddesby Neighbourhood Development Plan 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 the 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 are one of the most important areas for wintering wildfowl.

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| SPA | <b>Qualifies under Article 4.2 by supporting populations of European importance of the following migratory species over winter:</b> <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> |
|-----|---|

|        |  |
|--------|--|
|        | <ul style="list-style-type: none"> <li>- Mute Swan <i>Cygnus atra</i>*</li> <li>- Goosander <i>Mergus merganser</i>*</li> <li>- Great Crested Grebe <i>Podiceps cristatus</i>*</li> </ul> <p><b>Qualifies under Article 4.2 by regularly supporting at least 20,000 waterfowl.</b></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</p> <p>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 Neighbourhood Development Plan which was made in 2016. The Screening Report for the latter, which was 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 aforementioned 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).

### Impacts as a result of the plan

The Gaddesby Neighbourhood Development Plan, whilst a document that delivers housing allocations, is limited in its scale and proposes modest development over a 17 year period. This growth, whilst predominantly on greenfield sites which may have a limited effect on local wildlife populations, it is too distant and modest to effect 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 sites. Therefore a full HRA assessment will not be required.

### **Consultee Comments – to be sent for consultation again on the addendum**

#### **Natural England**

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SEA is necessary.



**Jorge Fiz Alonso**

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Name of Officer responsible for the Screening Report

**Melton Borough Council**

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Name of Responsible Authority

**29/11/2019**

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Date