

**SEA & HRA SCREENING REPORT – HOBY WITH
ROTHERBY NEIGHBOURHOOD DEVELOPMENT
PLAN**

Prepared by Melton Borough Council

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Introduction

This screening report tests whether or not the Hoby with Rotherby 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 Hoby with Rotherby 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 is close to adoption, the policies in Hoby with Rotherby NDP must comply with the strategic policies in the Local Plan.

The Neighbourhood Development Plan considers the following as its vision:

“Our Parish - the countryside and the villages of Brooksby, Hoby, Ragdale and Rotherby – should be conserved as an attractive and vibrant place to live, work and enjoy one’s leisure, with a strong sense of community. Whilst respecting and enjoying our historic and natural environments we will work with all local services and businesses to seek, wherever possible, the best outcomes for our community. Any new developments should contribute sensitively to the maintenance of our local character and distinctiveness”.

And their objectives are listed as follows:

DESIGN AND CHARACTER

- Community Objective 1: To inform new developments of special and important local features such as the character of the villages, the distinctive vernacular styles, green open spaces and building materials used within the area. The Plan will produce local design principles related to the area’s local distinctiveness. Relates to Policy 1: Design of New Development

HISTORIC ENVIRONMENT

- Community Objective 2: To preserve and enhance the historic quality of the buildings and landscape across the Parish. In particular, the Plan will support the enhancement of the two Conservation Areas within Hoby and Rotherby and the identified Listed Buildings and other Non-designated Heritage Assets across the parish. Relates to Policy 2: Historic Environment

THE ENVIRONMENT

- Community Objective 3: To avoid developing in the Wreake Valley, between the villages of Hoby, Brooksby and Rotherby to reduce the impact or loss of the green space between the villages and to preserve local character and the open countryside. Relates to Policy 4: Green Wedges between Hoby, Rotherby and Brooksby
- Community Objective 4: To reduce the levels of future and current light pollution within the Parish to help maintain and enhance our view of the night sky. Relates to Policy 7: Dark Skies
- Community Objective 5: To protect our important public open spaces and formally designate these as Local Green Spaces to ensure they are retained for future generations. Relates to Policy 6: Designated Local Green Space
- Community Objective 6: To preserve and enhance our landscape, views, public green space, tree coverage, reduce our impact on the climate and to improve our relationship with the surrounding countryside. Relates to Policy 5: Key Views in the Landscape and Policy 8: Biodiversity and Nature Conservation

TRANSPORT

- Community Objective 7: To improve local infrastructure provision within the Parish by increasing the use of public transport, reducing traffic on local roads, improving road safety and establishing new public rights of way including cycle ways and bridleways between the villages and along the River Wreake. Relates to Policy 3: Public Rights of Way, Policy 9: Sustainable Transport, and Policy 10: Highway Safety and capacity.

LOCAL ECONOMY

- Community Objective 8: The Plan will provide the necessary protection for our existing community facilities. The plan will also encourage the creation of new community facilities within our existing infrastructure over the plan period. Relates to Policy 13: Community Facilities
- Community Objective 9: To support our local employers and encourage appropriate new local employment within the area to improve the skills, education and employment prospects of local people. Relates to Policy 11: Local Economy and Policy 12: Brooksby Melton College Campus.

HOUSING

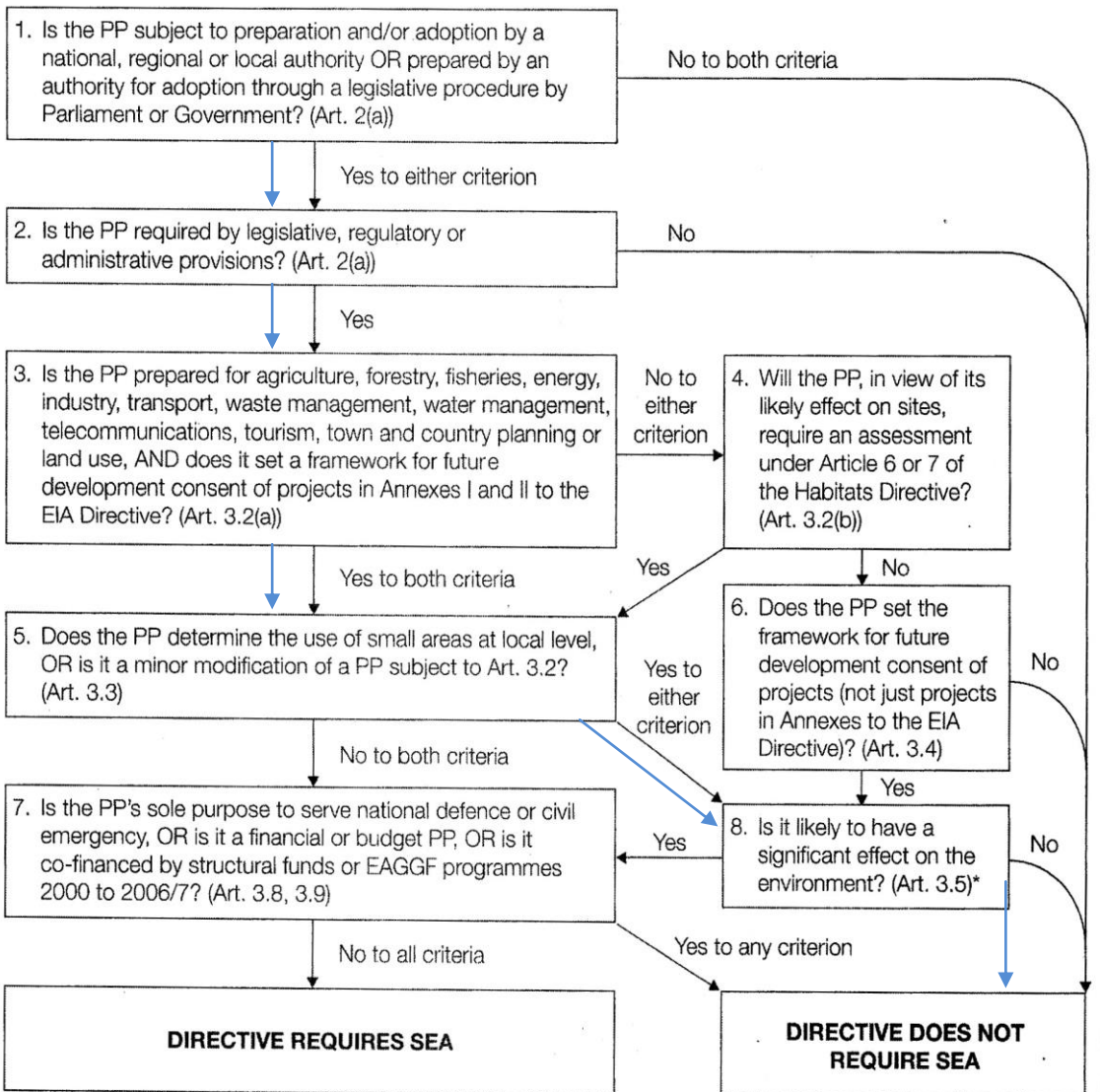
- Community Objective 10: The plan will support small-scale residential development. This could include the conversion and extension of existing buildings, that help to maintain and enhance the character and distinctiveness of each village, whilst also supporting the housing needs of the community. Relates to Policy 14: New Residential Development
- Community Objective 11: To positively influence the design of the residential development at the former Brooksby College Campus ‘Brooksby Spinney’ site off the A607. This will include producing a development brief to maximise the development’s potential in conjunction with the local community. Relates to Policy 15: Design Brief for Brooksby Spinney

This report concludes, having regard to the location, nature and scale of the Hoby with Rotherby 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.

—————> Hoby with Rotherby Neighbourhood Development Plan

SEA Criteria

| SEA Criterion | Yes/No (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 | <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 as amended by the Localism Act 2011.</p> |
| <p>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 Neighbourhood Development Plan, once they chose to do so it becomes part of the Statutory Development Plan.</p> |
| <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 | <p>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)</p> |

| SEA Criterion | Yes/No (no other answer except Yes/No) | Explanation |
|---|--|---|
| 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)) | No | The locations promoted for development do not fall under any locations known by the Council to contain protected species. The Hobby with Rotherby Neighbourhood Plan does not allocate (directly) any specific site, but it supports one site with planning permission (by providing a design brief) and provides a policy for new residential development. |
| Does the PP determine the use of small areas at local level OR is it a minor modification of a PP subject to Regulation 4(2)(a) (Regulation 4(3)) | Yes | Neighbourhood Development Plans by definition determine the use of small areas at a local level. Hobby with Rotherby Parish principally contains four settlements – Hobby, Rotherby, Brooksby and Ragdale, all of them considered as unsustainable settlements in the Local Plan. |
| Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Regulation 4(4)) | Yes | 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 set the framework for future developments. |
| Is the PP likely to have a significant effect on the environment? (Regulation 4(5)) | No | The site supported through the design brief is a site with outline permission and potential significant effects have already been considered. The 'New Residential Development' policy (policy 14) relates to the existing SS3 policy in the local plan (unallocated sites) and it must align with it. The |

| SEA Criterion | Yes/No (no other answer except Yes/No) | Explanation |
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| | | limited new development that could come forward as part of the SS3 and Policy 14 policies, is unlikely to have significant effects on the environment. |
| <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? Yes/No (no other answer except Yes/No) | Summary of significant environmental effects (negative and positive) |
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| 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 Hobby with Rotherby Neighbourhood Development Plan 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. |
| the degree to which the PP influences other plans and programmes including those in a hierarchy | No | The Neighbourhood Development Plan must be in conformity with the Melton Local Plan. There has been much communication between the Neighbourhood Development Plan Group and the Borough Council to ensure that the Hobby with Rotherby Neighbourhood Development Plan and the Melton Local Plan are in broad conformity. 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 Hobby with Rotherby 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. |

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| environmental problems relevant to the PP | No | None known. |
| the relevance of the PP for the implementation of Community legislation on the environment (e.g. PPs linked to waste management or water protection) | No | 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 Hoby with Rotherby Neighbourhood Development Plan. |
| the probability, duration, frequency and reversibility of the effects | No | The Hoby with Rotherby 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 and its location means there is unlikely to be a significant environmental effect. |
| the cumulative nature of the effects | No | The Hoby with Rotherby Neighbourhood Development Plan has been created to deliver (indirectly) modest growth in the Parish. No significant environmental effects are anticipated from growth of this level. |
| the transboundary nature of the effects | No | This plan is localised in the Parish of Hoby with Rotherby 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. |
| 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 |

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| | | <p>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 modest scale of development as suggested in the Hoby with Rotherby 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 in the Parish of Hoby with Rotherby and contains (indirectly) 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: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values (iii) intensive land-use</p> | No | <p>The Parish contains a number of Environmental and Heritage assets – these are listed in the draft NDP. The Parish contains two Conservation areas in the four settlements, but the Neighbourhood Development Plan does not directly promote any development that will have a significant effect on the conservation area, or any listed buildings. 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</p> |

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| | | <p>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 recognised national, Community or international protection status</p> | <p>No</p> | <p>No nationally or internationally protected landscapes in or in the setting of the Parish.</p> |

Part E – Summary of Environmental Effects

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

1) The Hoby with Rotherby Neighbourhood Development Plan does not allocate any site but indirectly promotes one site (with outline planning permission) with a design brief. There is also a New 'Residential Development' policy (policy 14) which is related to the existing SS3 policy in the Local Plan (for unallocated sites) and it must align with it.

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 2 to 8. This will likely have a positive impact on the environment.

Overall it is considered that while the Hoby with Rotherby 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 can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Hoby with Rotherby Neighbourhood Plan.

Environment Agency –

Having reviewed the submitted information from the remit of the Environment Agency we concur with the conclusion that an SEA is not required. However, we note that Frisby Marsh SSI is located in relative proximity to the East of Rotherby. SSI's fall within the remit of Natural England (NE) and we therefore advise you to seek the views of NE on this issue.

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.

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 Hoby with Rotherby 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 Hoby with Rotherby NDP must comply with the strategic policies in the Local Plan.

This report concludes, having regard to the location, nature and scale of the Hoby with Rotherby 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

There are no Natura 2000 sites within 20km of the Parish Boundary. Rutland Water Special Protection Area (SPA)/RAMSAR is the nearest international

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

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 Hoby with Rotherby Neighbourhood Development Plan, whilst a document that indirectly delivers development, this is really limited and relies in existing permissions and policies. This growth 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, or 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 –

Natural England –

Natural England also agrees with the report's conclusions that the Hobby with Rotherby 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

Name of Officer responsible for the Screening Report Addendum

Melton Borough Council

Name of Responsible Authority

30/01/2020

Date