



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report

May 2020

On behalf of Market Deeping Town Council and Deeping St.
James Parish Council

Date of assessment:	30 th March 2020
Date/ version of neighbourhood development plan to which Screening Report applies:	Regulation 14 version, March 2020

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Overview

Neighbourhood Development Plan (NDP) to which this Screening Report applies:
The Deepings Neighbourhood Plan

Version/ date of NDP to which this Screening Report applies:
Regulation 14 version (received 10th March 2020)

Neighbourhood area to which the NDP applies:
The Deepings Neighbourhood Area

Parish Council within the neighbourhood area:
Market Deeping Town Council and Deeping St James Parish Council

Acronyms

DEFRA	Department for Environment, Food & Rural Affairs
DNP	The Deepings Neighbourhood Plan
ECJ	European Court of Justice
EIA	Environmental Impact Assessment
EU	European Union
ha	Hectares
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zone
NCA	National Character Area
NDP	Neighbourhood Development Plan
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation

SEA / HRA Screening: The Deepings Neighbourhood Plan (May 2020)

SEA	Strategic Environmental Assessment
SKDC	South Kesteven District Council
SKLP	South Kesteven Local Plan
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest

1. Introduction

- 1.1. The purpose of this report is to undertake a screening exercise against various criteria to determine whether the The Deepings Neighbourhood Plan (DNP) requires a full Strategic Environmental Assessment (SEA) and / or Habitats Regulations Assessment (HRA). The screening exercise will therefore support the DNP in satisfying the basic conditions, and will be submitted as part of the evidence base which will accompany the Neighbourhood Plan.
- 1.2. Neighbourhood Plans must meet the 'basic conditions' set out in 8(2) of Schedule 4B of the Town and Country Planning Act 1990. This includes demonstrating that the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations such as:
 - **Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment** (the Strategic Environmental Assessment Directive), transposed into UK law by The Environmental Assessment of Plans and Programmes Regulations 2004; and
 - **Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora**, which was initially transposed into UK law by The Conservation (Natural Habitats, &c.) Regulations 1994 with various amendments consolidated by The Conservation of Habitats and Species Regulations 2010.
- 1.3. In general terms, a Neighbourhood Plan may require full SEA following screening, where its policies and proposals are likely to result in significant effects on the environment, particularly where such effects have not already been considered and dealt with, such as through a Sustainability Appraisal (SA) (incorporating SEA) of a Local Plan.
- 1.4. In the context of neighbourhood planning, following screening, should a Neighbourhood Plan be deemed likely to result in a significant impact occurring on a protected European Site as a result of the plan's implementation, the HRA proceeds to Appropriate Assessment.
- 1.5. The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any European site designated for its nature conservation importance. Special Areas of Conservation (SACs) are designated under the Habitats Directive and target particular habitats (Annex I) and/or species (Annex II) identified as being of European importance. Special Protection Areas (SPAs) are classified under the European Council Directive "on the conservation of wild birds" (79/409/EEC; 'Birds Directive') for the protection of wild birds and their habitats.
- 1.6. The National Planning Policy Framework (NPPF) also expects candidate SACs, potential SPAs and Ramsar sites to be included within the assessment. European sites are collectively known as the Natura 2000 network, or 'Natura 2000' sites.

2. Strategic Planning Context

- 2.1. The basic conditions require a Neighbourhood Plan to be in *general conformity* with the strategic policies contained in the Development Plan (the Local Plan) for the area.
- 2.2. Through its strategic policies, the Local Plan effectively defines the parameters within which a Neighbourhood Plan may operate. Throughout their preparation, Local Plans are subject to SEA (generally incorporated through a SA) and HRA. Where a Neighbourhood Plan is in general conformity with the strategic policies of the Local Plan, it is likely that many of the environmental effects of the plan will have already been considered through the Local Plan-making process.
- 2.3. National planning policy states that evidence should be proportionate, and should not repeat policy assessment already undertaken. It is therefore relevant to consider the strategic policy context for the purpose of avoiding duplication and to identify environmental effects not already considered and addressed through the Local Plan-making process.

South Kesteven Local Plan 2011-2036

- 2.4. The adopted Development Plan for the district of South Kesteven is the South Kesteven Local Plan (SKLP) (adopted 30th January 2020), which defines strategic (and more locally specific) policies for the growth and regeneration of Grantham and the surrounding villages.
- 2.5. At the time at which the DNP will likely be examined, the above document is likely to remain the adopted Development Plan for South Kesteven.
- 2.6. The Local Plan directs the majority of new housing and employment development to Grantham (53%), followed by the other main towns in the district – Stamford (18%), Bourne (7%) and The Deepings (8%). Policy SP2: Settlement Hierarchy, sets out a settlement hierarchy for the whole of the South Kesteven area, to assist decisions on investment in services and facilities, and on the location and scale of development.
- 2.7. Within this hierarchy, the Deepings is defined as a 'Market Town'. As a market town, Policy SP2 supports development that would maintain and support the role of the town, with priority given to the delivery of sustainable sites within the built up part of the town and appropriate edge of settlement extensions. The Local Plan allocates two sites for residential development within the Deepings through policy H1: Housing Allocations. DEP1-H1 Towngate West is allocated for 73 dwellings and DEP1-H2 Land off Linchfield Road is allocated for 680 dwellings. Additionally, the Local Plan allocates two employment allocations for The Deepings: DEP-SE1: Extension to Northfields Industrial Estate, Market Deeping, and DEP.E2: Land Fronting Peterborough Road, Market Deeping.
- 2.8. During its preparation, the Local Plan was subject to a full SA (incorporating SEA)¹ and HRA². These Local Plan assessments will be taken into account in reaching a screening opinion as to whether the DNP requires a SEA and/or HRA.

¹ <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=26206>

² <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=24947&p=0>

3. Summary of The Deepings Neighbourhood Plan

Overview of the Neighbourhood Plan

- 3.1. The subject of this screening report is the Pre-Submission Draft The Deepings Neighbourhood Plan (dated March 2020). The next stage of the DNP will be the Regulation 14 consultation.
- 3.2. The DNP has been prepared jointly by Market Deeping Town Council and Deeping St. James Parish Council, the 'qualifying body' for the purposes of neighbourhood planning. The Deepings Neighbourhood Area was formally designated by South Kesteven District Council (SKDC) on 31 March 2016 and comprises the whole of the Parish areas of Market Deeping and Deeping St. James. The designated area is shown in **Map 3.1** below.

- 3.3. The DNP sets out the following Vision for the Neighbourhood Area:

"By 2036, Market Deeping and Deeping St James will have grown as a vibrant community embracing local characteristics and the following:

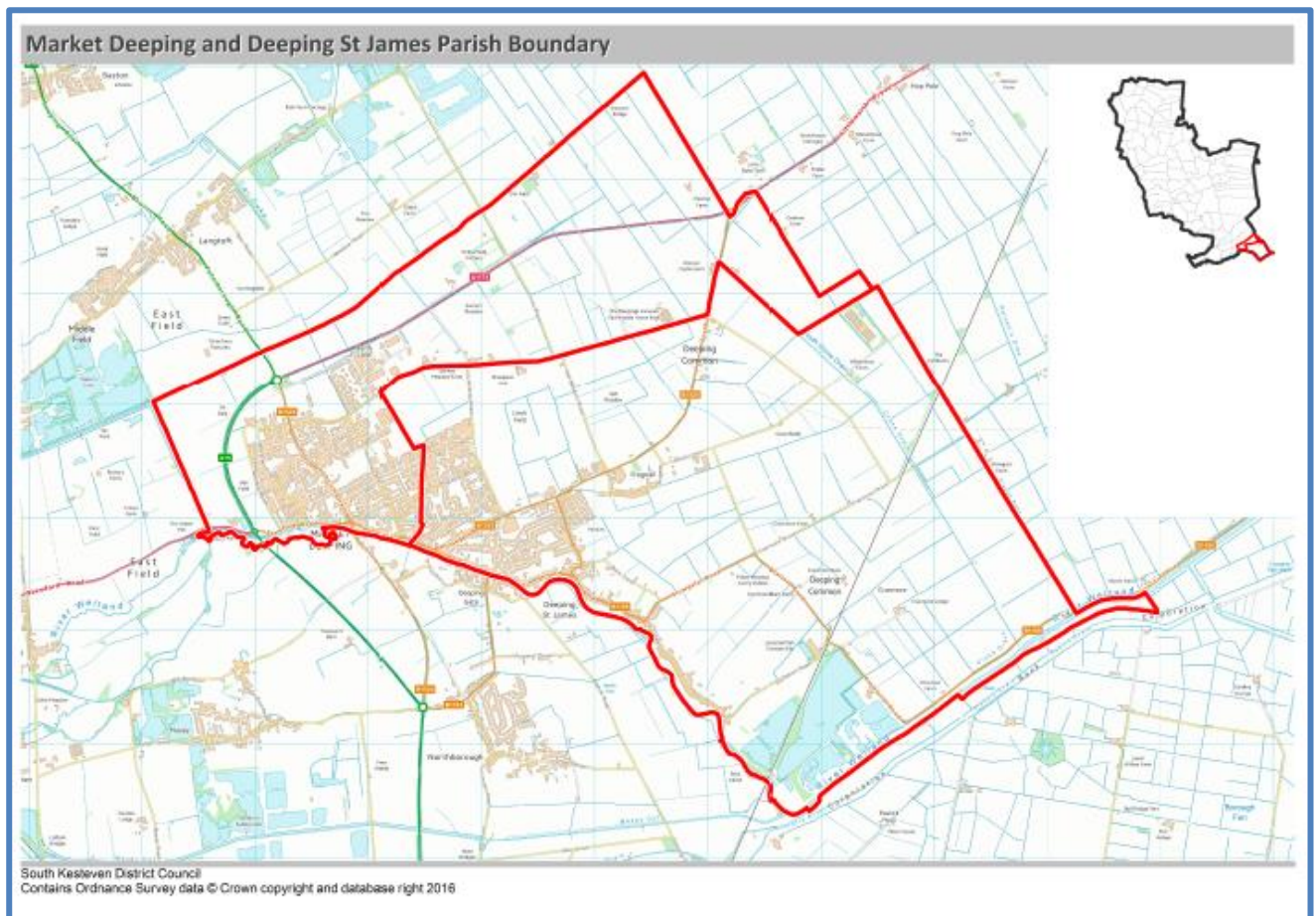
- *to establish those aspects of character that contribute towards local distinctiveness;*
- *to secure new development that makes a positive contribution to local character;*
- *to support good design recognising it is inseparable from good planning and place making;*
- *to establish attractive and recognisable important gateways into the settlement offering a sense of arrival and connection to the countryside".*

- 3.4. The DNP identifies a set of 10 objectives to achieve the vision, many of which echo the three over-arching objectives for sustainable development: environmental, social and economic:

1. To ensure all new housing is of good design and quality, whilst contributing towards the provision of sustainable development;
2. To provide a mix of type and sizes of housing to help meet the current and future needs of the community;
3. To support the inclusion the right type of affordable housing so that all the community has the chance to live in a home that is right and affordable to them;
4. To support new business and employment in the area that complements our existing employment provision, but also provides new space and jobs for the community;
5. To preserve our valued community facilities;
6. To protect the built, historic and natural character of the Deepings and encourage new developments to provide good design and enhanced communities;
7. To protect and enrich our existing green space network;
8. To support the development of a "green walk" throughout the Deepings that is accessible to all and helps improve the health and well-being of the wider community;
9. To improve the quality of our local environment, from retaining trees and hedgerows, reducing our carbon footprint and improving our air quality;

10. To support and encourage new local transport infrastructure and services through new developments to reduce the dependence of car use and encourage people to walk, cycle or use public transport.
- 3.5. To deliver the Vision and Objectives, the DNP proposes 16 policies in total, under 5 policy themes (see **Appendix 1** for a brief summary of each policy):
- DNP1: Creating cohesive new neighbourhoods through sympathetic development
 - DNP2: Providing guidelines for additional residential development
 - DNP3: Ensuring a varied mix of homes to meet community needs
 - DNP4: Protecting local employment opportunities
 - DNP5: Protecting and expanding Market Deeping town centre
 - DNP6: Protecting key local amenities
 - DNP7: Protecting local retail centres
 - DNP8: Protecting designated Conservation Areas
 - DNP9: Promoting Best Practice in design principles
 - DNP10: Protecting and enhancing important Gateways
 - DNP11: Securing an appropriate area of settlement separation
 - DNP12: Developing and enhancing the local green infrastructure
 - DNP13: Designating and protecting Important Open Spaces
 - DNP14: Designating and protecting Local Green Spaces
 - DNP15: Conserving natural habitats, biodiversity and the River Welland Green Corridor
 - DNP16: Developing sustainable travel and enhancing local transport infrastructure

Map 3.1: Boundary of the designated The Deepings Neighbourhood Area



Source: South Kesteven District Council

Summary of The Deepings Neighbourhood Area Characteristics

- 3.6. In order to determine the likely significant effects of the DNP on the environment, it is important to consider the characteristics of the area likely to be affected. A range of sources of information have been used to gather this information, including DEFRA Magic Maps³, Environment Agency Flood Risk Maps for Planning⁴, Nomis⁵, South Kesteven Local Plan Inset Maps and the DNP's own evidence base.
- 3.7. Market Deeping parish covers a total area of 883.42 ha and Deeping St. James 1,605.31 ha. The total population of the NP area at the time of the 2011 Census was 13,060 people; a density of 6.8 persons per ha for Market Deeping and 4.4 persons per ha for Deeping St. James. This is higher than the South Kesteven figure of 1.4 persons per ha. There were 5,685 dwellings across the DNP area. Of these, 5,555 had at least one usual resident. Market Deeping has an average household size of 2.3 people per household and Deeping St. James has an average of 2.4 (Nomis). These averages are similar to the South Kesteven and national average household size figures.
- 3.8. The mean age of the population living in the parish of Market Deeping at the time of the Census was 43.4 years and for Deeping St. James 40.5 years. This is higher than the national average of 39.3 years and the average for South Kesteven of 41.8 years. There are 2,251 residents aged 65 and over living within the DNP area (as of 2011 Census).
- 3.9. In terms of the health of the population living within the DNP, at the time of the 2011 Census, 45% of the population of Market Deeping and 50.4% of the population of Deeping St. James described their health as 'very good' and 35.9% and 35.3% respectively as 'good'.
- 3.10. There are no internationally designated sites of nature conservation interest sites within the boundary of the DNP. The following Natura 2000 Sites lie within approximately 30km of Market Deeping and Deeping St. James (see **Map 5.1** for their location):
- Barnack Hills and Holes SAC
 - Grimsthorpe SAC
 - Baston Fen SAC
 - Rutland Water SPA and Rasmar
 - Nene Washes SAC, SPA and Rasmar
 - Orton Pit SAC
 - Fenland SAC (Woodwalton Fen Ramsar)
- 3.11. There are 3 SSSI Impact Risk Zones (IRZs), as defined by Natural England, that extend into the Deepings Neighbourhood Plan Area (see **Map 3.3**). IRZs reflect the particular sensitivities of the features for which a SSSI has been notified and indicate the types of development proposal which could potentially have adverse impacts. The 3 IRZs are:
- Deeping Gravel Pits SSSI
 - Langtoft Gravel Pits SSSI
 - Cross Drain SSSI

³ <https://magic.defra.gov.uk/>

⁴ <https://flood-map-for-planning.service.gov.uk/>

⁵ www.nomisweb.co.uk

3.12. In terms of locally designated sites, there are no Local Wildlife Sites or Candidate Local Wildlife Sites within, or adjacent to, the boundary of the DNP area.

3.13. The DNP area lies within 1 National Character Areas (NCAs): The Fens. The key characteristic⁶ of this NCA include:

The Fens

- Expansive, flat, open, low-lying wetland landscape influenced by the Wash estuary;
- Predominant land use is arable – wheat, root crops, bulbs, vegetables and market gardening made possible by actively draining reclaimed land areas;
- Open fields, bounded by a network of drains and the distinctive hierarchy of rivers (some embanked), have a strong influence on the geometric/rectilinear landscape pattern. Drains and ditches are an important ecological network important for invertebrates, fish including spined loach, and macrophytes;
- The area is very rich in geodiversity and archaeology;
- Large, built structures exhibit a strong vertical visual influence;
- Villages tend to be dispersed ribbon settlements along the main arterial routes through the settled fens, and scattered farms remain as relics of earlier agricultural settlements.

3.14. A Landscape Character Assessment was undertaken for the South Kesteven area in 2007. Market Deeping and Deeping St. James Parish Councils fall within the Fens Landscape Character Area. This area extends east from the Car Dyke to the South Forty Foot Drain. The Fens continue to the east beyond the district boundary. To the west of the Car Dyke lies a transitional area to the Kesteven Uplands, described as the 'Fen Margin'. This character area is recognised as being of low-medium sensitivity to residential developments.

3.15. The DNP area predominantly consists of Agricultural Land Grade 2 and Grade 3.

3.16. The predominant soil types within the DNP area are loamy and clayey floodplain soils with naturally high groundwater, loamy and sandy soils with naturally high groundwater and a peaty surface, freely draining lime-rich loamy soils.⁷

3.17. From a historic environment perspective, there are two Conservation Areas within the DNP area: Market Deeping and Deeping St. James. These areas are shown on **Maps 3.4** and **3.5**.

3.18. There are 80 listed buildings within Market Deeping and 20 within Deeping St. James⁸ within the DNP area and their location is shown on **Map 3.6**. The majority of the listed buildings within the DNP area are Grade II, with the exception of:

- The Old Rectory and the East Wing, Church Street, Market Deeping (Grade I);
- Church of St. Guthlac, Church Street, Market Deeping (Grade I);
- Church of St. James, Churchgate, Deeping St. James (Grade I);
- Village Cross, Eastgate, Deeping St. James (Grade I);
- Priory Farmhouse, Broadgate Lane, Deeping St. James (Grade II*); and
- Deepingate Bridge Over The River Welland, Deeping St. James Road, Deeping St. James (Grade II*).

⁶ <http://publications.naturalengland.org.uk/publication/4716243105873920>

⁷ National Soil Map of England and Wales, accessed online at www.magic.defra.gov.uk

⁸ <https://historicengland.org.uk/listing/>

3.19. There are 6 Scheduled Monuments within the DNP area, and 1 Scheduled Monument that is currently on Historic England's Heritage at Risk Register⁹:

- Roman site, Priors Meadow, Deeping St. James

3.20. In terms of air, there are no Air Quality Management Areas designated within the DNP area.

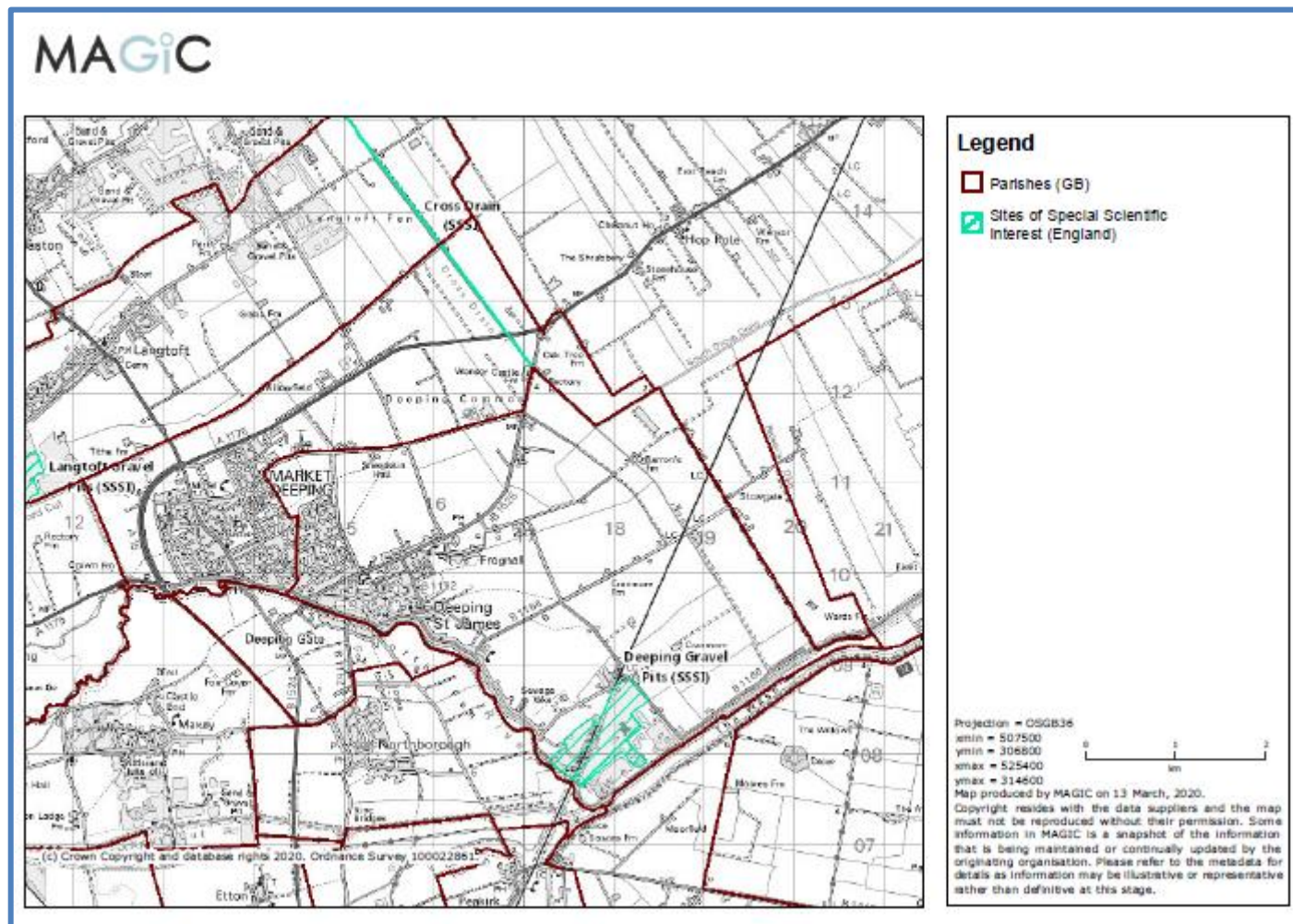
3.21. In terms of the water environment, the DNP area falls within the Environment Agency's Welland Management Catchment. The River Welland runs along the southern boundary of the DNP area. The Welland is monitored by the Environment Agency for its chemical and ecological status and is currently classified as moderate for 2016.

3.22. There are areas of fluvial flood risk (i.e. flood risk zones 2 and 3) and watercourses within the DNP area, according to the Environment Agency's Flood Risk Maps (see **Map 3.7**). These areas are largely confined to south of the River Welland and to the east of the DNP area.

3.23. The DNP area does not fall within a Source Protection Zones. Source Protection Zones are defined around large and public potable groundwater abstraction sites, including wells, boreholes and springs. Groundwater Source Protection Zones are areas of groundwater where there is particular sensitivity to pollution risks due to the closeness of a drinking water source and groundwater flows. Generally, the closer the activity is to a groundwater source, then the greater the risk.

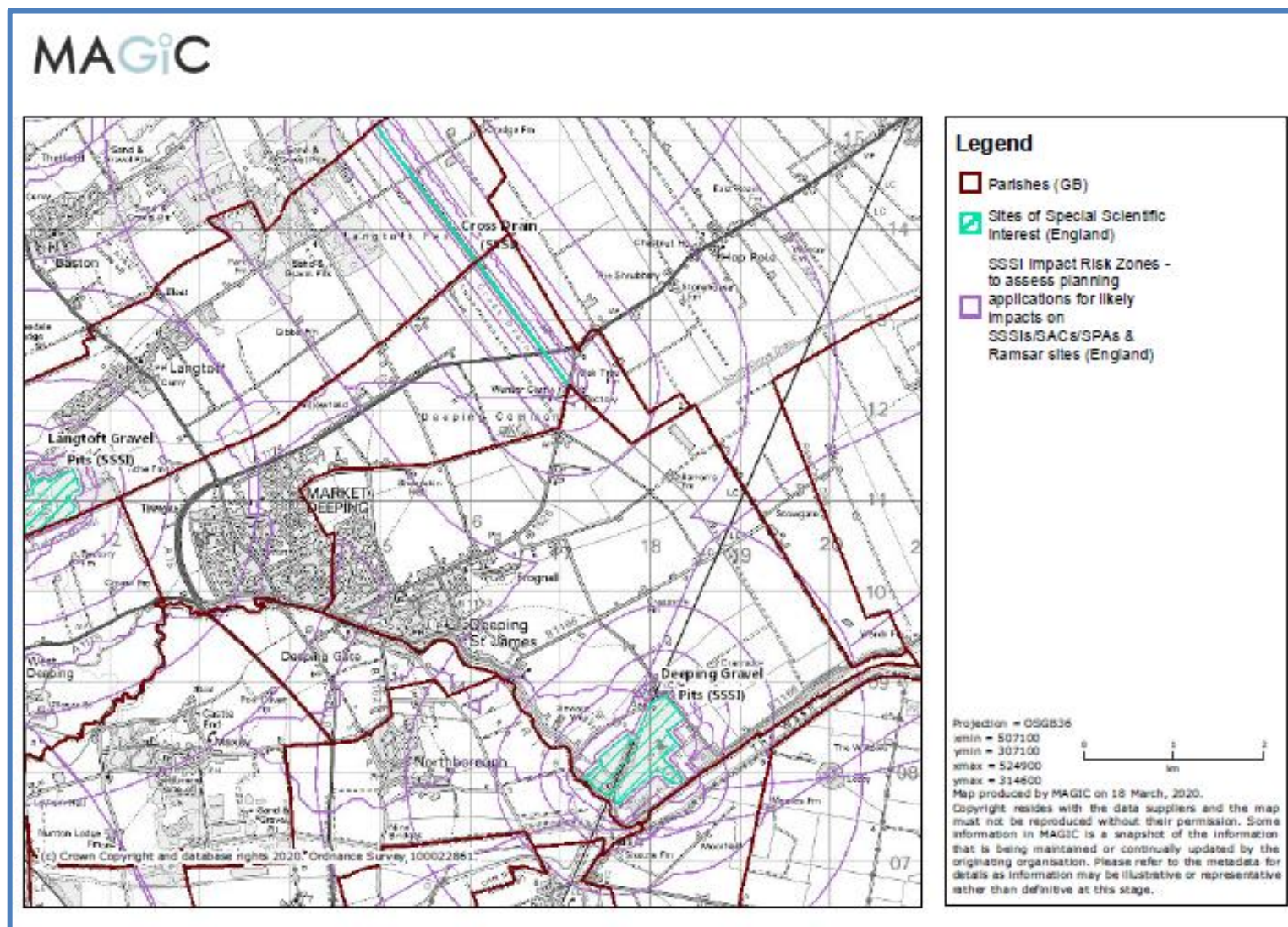
⁹ <https://historicengland.org.uk/advice/heritage-at-risk/>

Map 3.2: Nationally designated wildlife sites within The Deepings Neighbourhood Plan Area

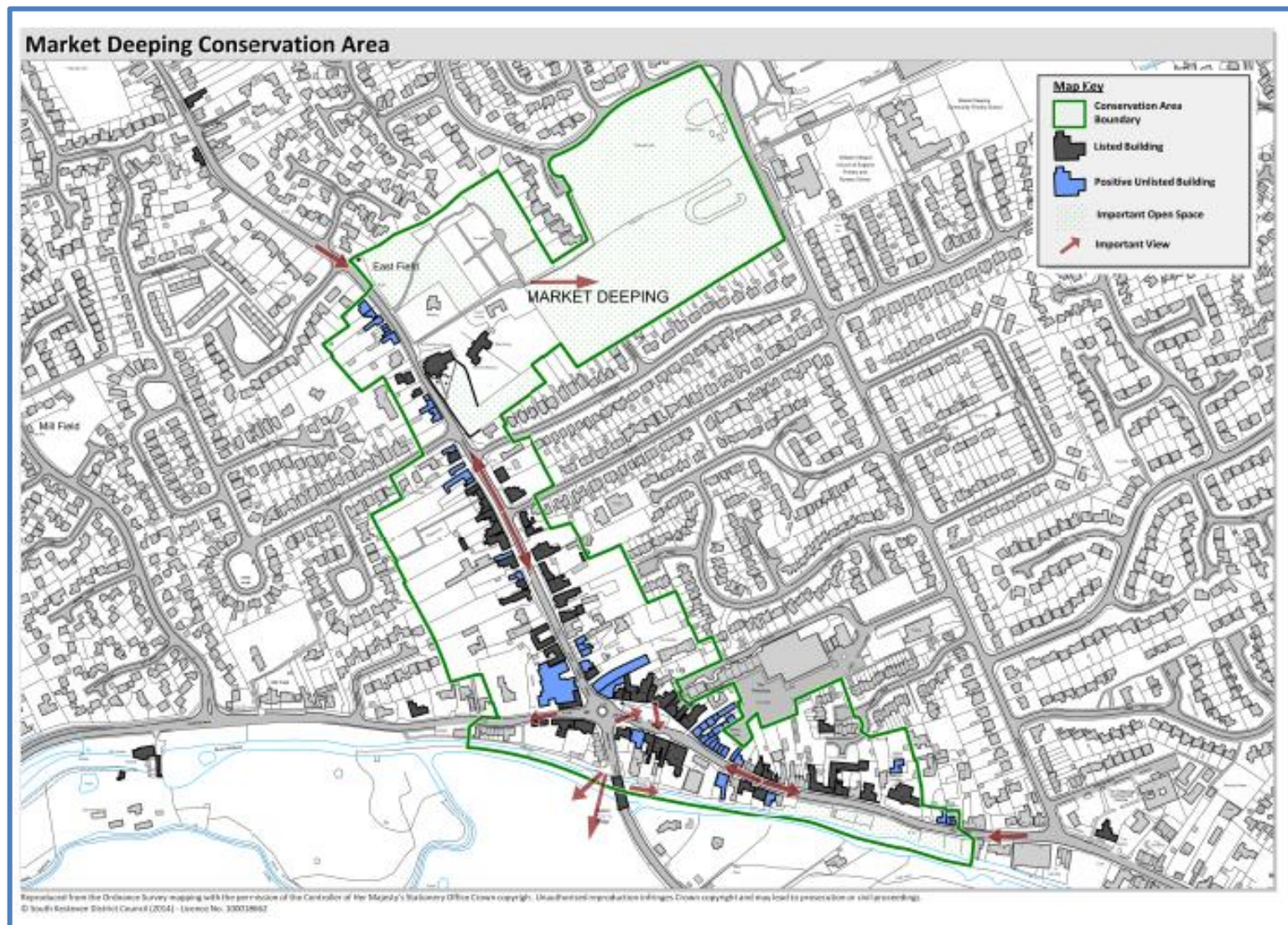


Source: Natural England

Map 3.3: SSSI IRZs within The Deepings Neighbourhood Plan Area

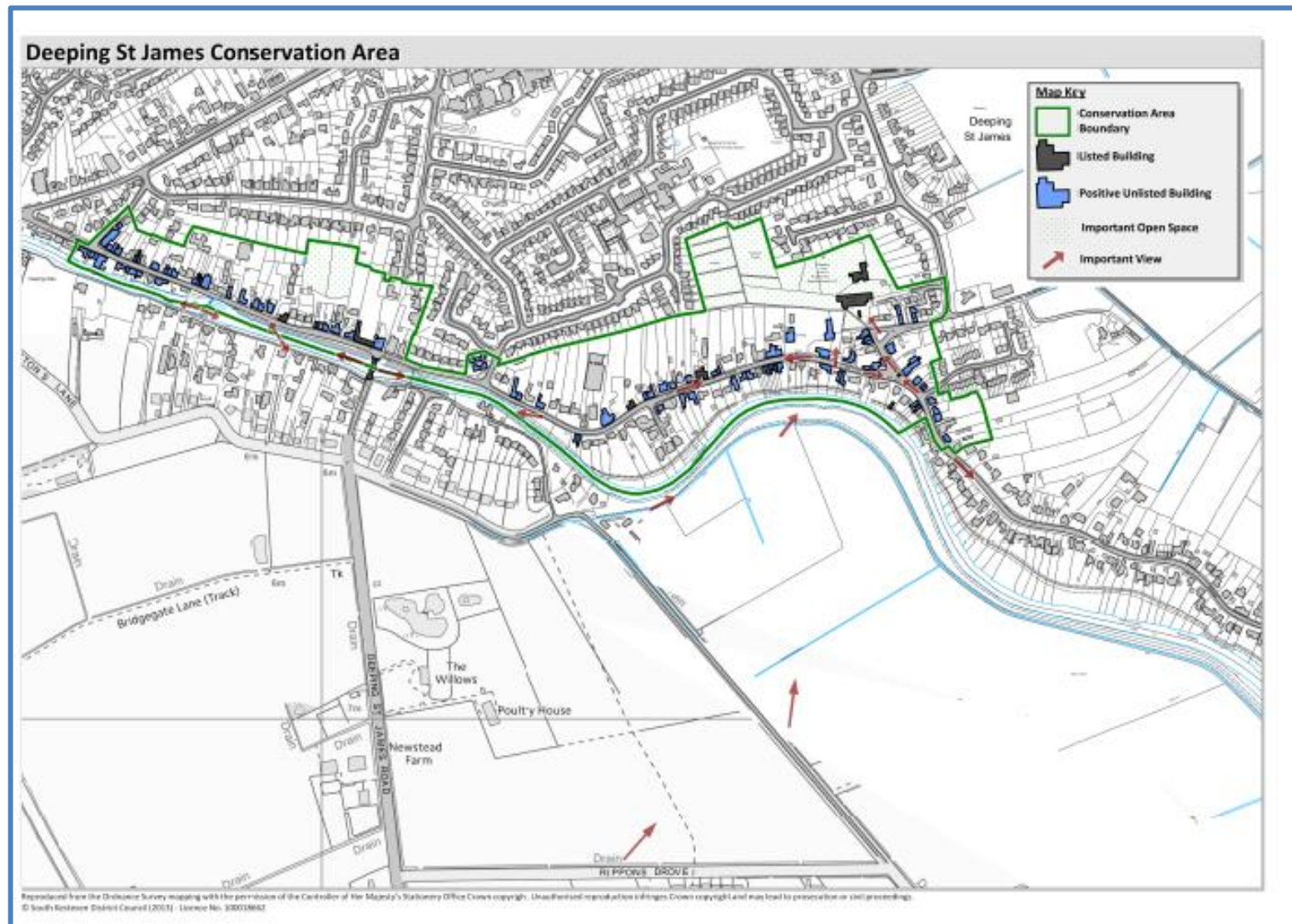


Map 3.4: Location of Market Deeping Conservation Areas within The Deepings Neighbourhood Plan Area



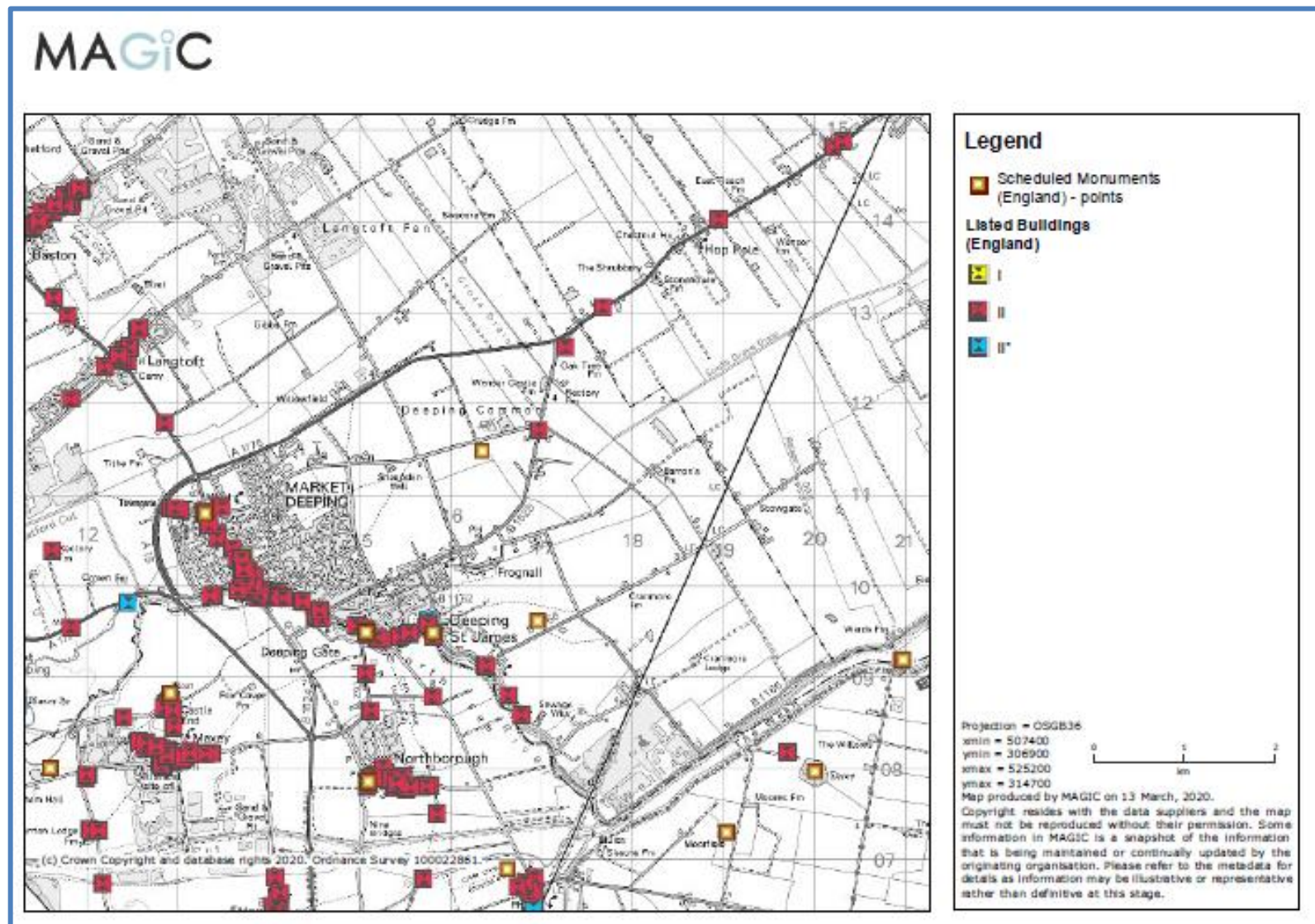
Source: South Kesteven District Council

Map 3.5: Location of Deeping St. James Conservation Area within The Deepings Neighbourhood Plan Area

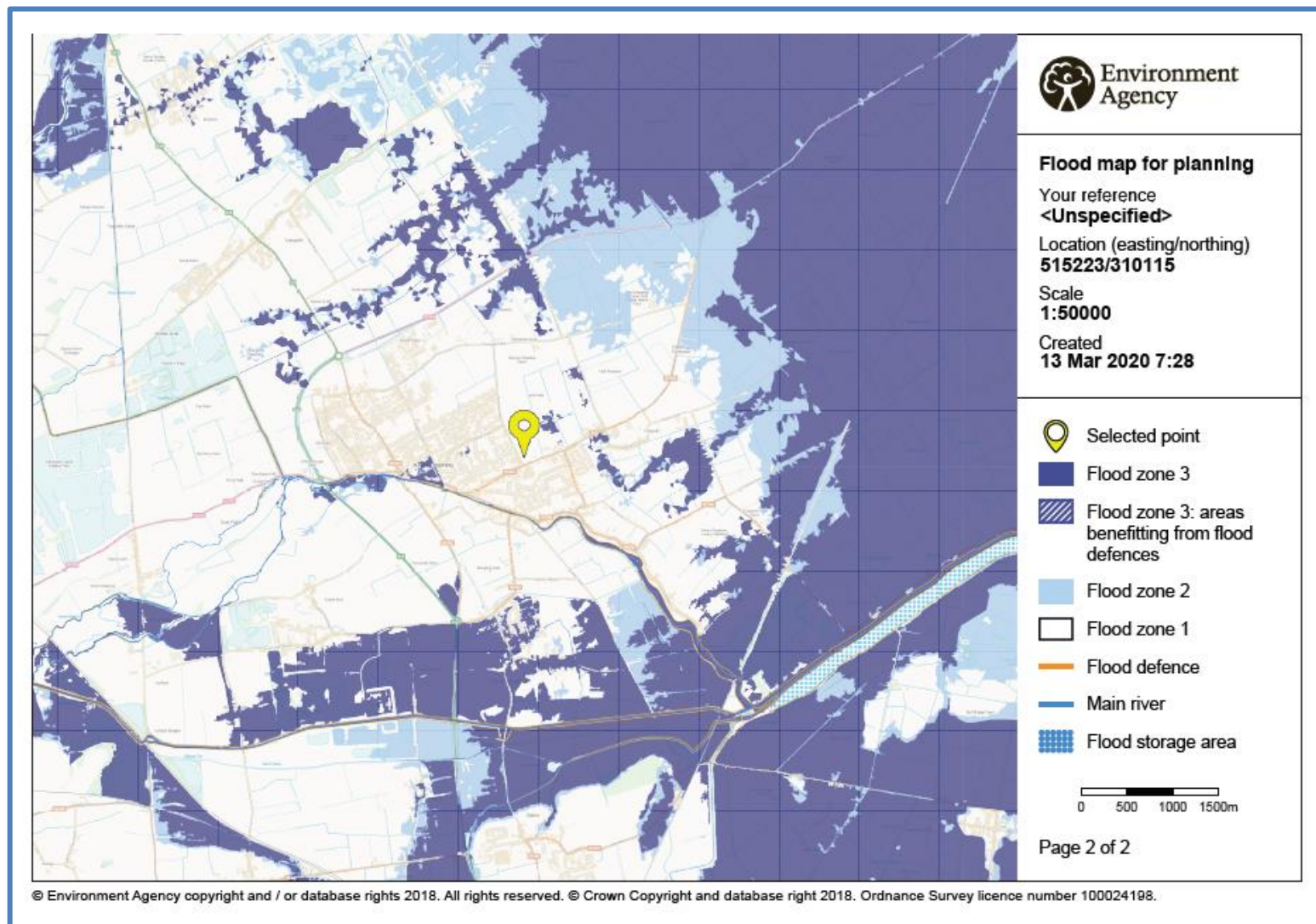


Source: South Kesteven District Council

Map 3.6: Location of Listed Buildings within The Deepings Neighbourhood Plan Area



Map 3.7: Flood Risk Zones within The Deepings Neighbourhood Plan Area



Source: Environment Agency

4. Screening Methodology: Criteria for Assessing the Effects of Neighbourhood Plans

Strategic Environmental Assessment (SEA)

- 4.1. The Localism Act 2011 (Schedule 9) introduced neighbourhood planning into the Town and Country Planning Act 1990. The 1990 Act, as amended by Schedule 10 of the Localism Act 2011, requires that NDPs meet a set of basic conditions, one of which being that the making of the plan does not breach, and is otherwise compatible with, EU obligations.
- 4.2. To ensure that a NDP meets this basic condition, a SEA may be required to determine the likely significant environmental effects of implementing the Neighbourhood Plan. The basis for Strategic Environmental legislation is European Directive 2001/42/EC, which was initially transposed into domestic 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'¹⁰ and paragraph 073 of National Planning Practice Guidance (NPPG) 'Neighbourhood Planning' section¹¹. Paragraph 073 of the Neighbourhood planning section advises that a Neighbourhood Plan should be screened early. Whether a Neighbourhood Plan proposal requires a SEA, and (if so) the level of detail needed, will depend on what is proposed within the plan.
- 4.3. Where a proposed plan is likely to have a significant effect on a European site or European offshore marine site (in relation to the Habitats Directive), this will also trigger the need to undertake a SEA. 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 of Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 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 go on to amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and plans. A Neighbourhood Plan's (or Neighbourhood Development Order) requirements for Appropriate Assessment are clarified further by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.
- 4.4. Article 3(5) of Directive 2001/42/EC details the criteria for determining whether plans are likely to have significant environmental effects. These criteria are outlined in **Figure 1**.
- 4.5. The Department of the Environment produced a flow chart diagram¹² which sets out the process for screening a planning document to ascertain whether a full SEA is required. The flow chart diagram is provided in **Figure 2**.

¹⁰ Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

¹¹ Available at: <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

¹² Department of the Environment, A Practical Guide to the Strategic Environmental Assessment Directive (2005)

- 4.6. **Section 5** provides firstly, a screening assessment of the draft DNP, against the assessment criteria (in **Figure 1**) to identify the significance of effects which may arise as a result of the plan's implementation.
- 4.7. Secondly, Section 5 applies the SEA Directive to the draft DNP, as per the flow chart in **Figure 2**, to determine whether the principle of the neighbourhood plan would warrant the need for SEA.
- 4.8. In order to decide whether a SEA is required, the Council needs to consider the following:
- How the policies in the neighbourhood plan might affect the environment, community or economy;
 - Whether the policies are likely to adversely affect a “sensitive area”, such as a Natura 2000 site (SAC, SPSA, Ramsar) or a SSSI, NNR etc.;
 - Whether the policies propose a higher level of development than what is set out in the South Kesteven Local Plan and that has been assessed by the SA of that Plan;
 - Whether the implementation of the policies is likely to lead to new development;
 - Whether the cumulative impact of the policies taken together may give rise to a significant effect.

Habitats Regulations Assessment

Case Law

- 4.9. A decision by the European Court of Justice (ECJ) (People Over Wind & Sweetman vs. Coillte Teoranta) in April 2018 has had a significant impact on the HRA process for both Neighbourhood Plans and Local Plans. In short, the ECJ ruled that in order to determine whether it is necessary to carry out a full HRA of the implications of a plan, it is not appropriate to take account of mitigation measures at the screening stage. Rather, consideration of mitigation will need to occur at the full Appropriate Assessment stage.
- 4.10. A consequence of the ECJ's decision is that mitigation measures set out in a plan cannot be used at the screening stage to conclude there will be 'no likely significant effects' on European Sites. Therefore if a Neighbourhood Plan includes measures to counter the plan's effects on European Sites these should, in effect, be ignored at the screening stage.
- 4.11. Previously, plan-making in the UK has followed case law as set out in Application of Hart DC vs. Secretary of the State for Communities and Local Government in 2008, which concluded that: 'anything which encourages the proponents of plans and projects to incorporate mitigation measures at the earliest possible stage in the evolution of their plan or project is surely to be encouraged.'
- 4.12. The government has acknowledged that the ECJ's ruling has caused uncertainty in preparing Neighbourhood Plans, and could result in more plans requiring a full SEA or HRA. In December 2018, The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018¹³ came into force, amending the basic conditions and allowing affected Neighbourhood Plans and Orders to proceed.
- 4.13. For the avoidance of doubt, this screening report has been undertaken in accordance with the ECJ's ruling, insofar that the effects of any mitigation measures set out in the policies of the DNP have not been considered.

¹³ <http://www.legislation.gov.uk/uksi/2018/1307/contents/made>

Figure 1: SEA Assessment Criteria

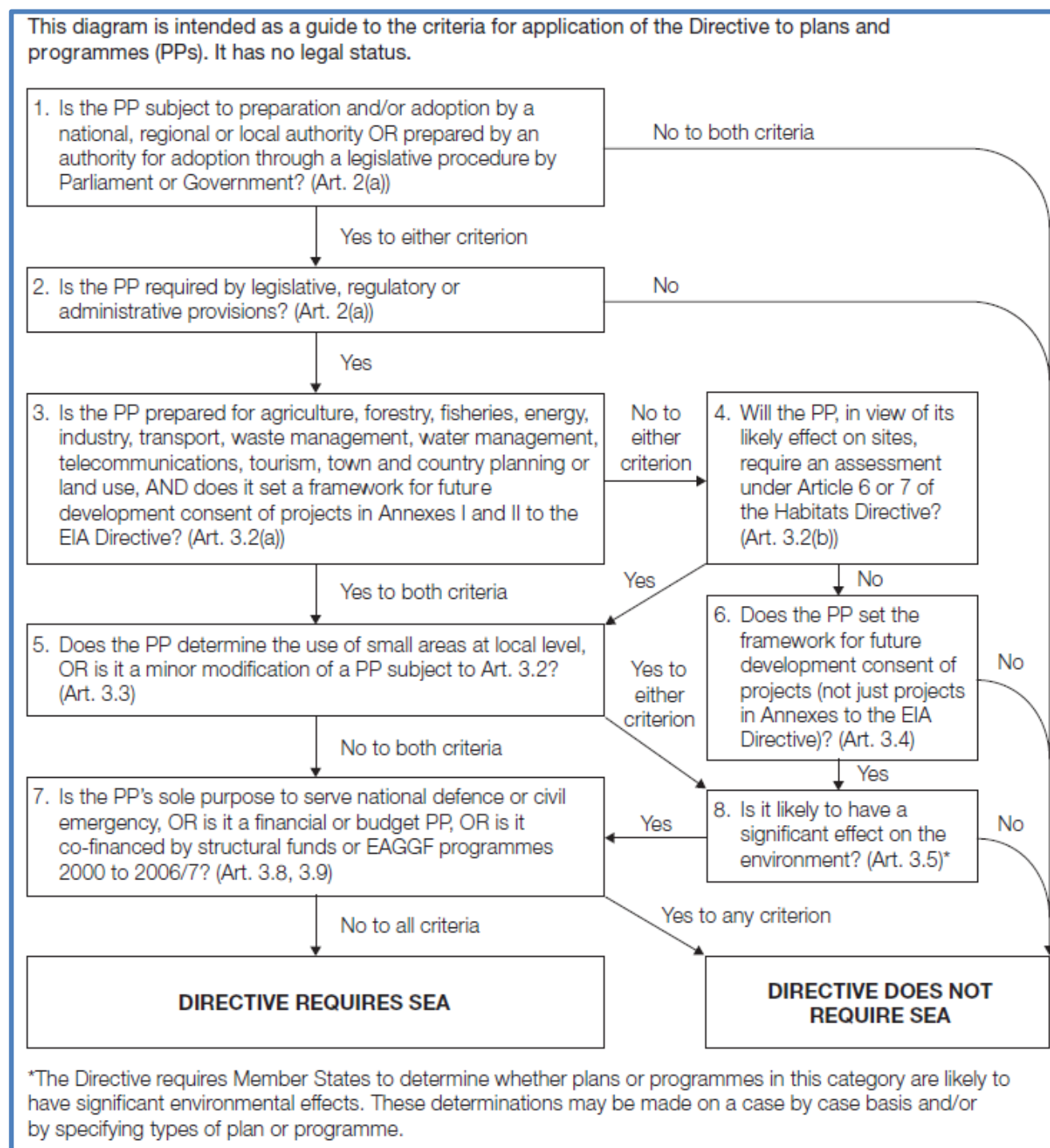
Article 3, Scope

5. Member States shall determine whether plans or programmes referred to in paragraphs 3 and 4 are likely to have significant environmental effects either through case-by-case examination or by specifying types of plans and programmes or by combining both approaches. For this purpose Member States shall in all cases take into account relevant criteria set out in Annex II, in order to ensure that plans and programmes with likely significant effects on the environment are covered by this Directive.

Annex II Criteria for determining the likely significance of effects referred to in Article 3(5)

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme 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 or programme influences other plans and programmes including those in a hierarchy;
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - environmental problems relevant to the plan or programme;
 - the relevance of the plan or programme 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 transboundary 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.

Figure 2: Application of the SEA Directive to plans and programmes¹⁴



¹⁴ Annexes I and II of Directive 2011/92/EU (as referred to in Figure 2, question 3) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN> (see <http://ec.europa.eu/environment/eia/eia-legalcontext.htm> for details of amendments). Articles 6 and 7 of the Habitats Directive (as referred to in Figure 2, question 4) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN>.

5. SEA and HRA Screening Assessment of The Deepings Neighbourhood Plan

Introduction

- 5.1. The 'responsible authority' in the case of SEA and the 'competent authority' in the case of HRA, must determine whether a plan or programme, in this case the DNP, is likely to have a significant environmental effect with reference to specified criteria. The following section sets out an assessment of the DNP against this criteria.
- 5.2. **Figure 3** and **Figure 4** consider the DNP against the criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004. Paragraphs **5.5** to **5.51** that follow consider the likely environmental effects of the DNP policies in relation to the topics set out in Annex I (f) of the SEA Directive.
- 5.3. Paragraphs **5.52** to **5.59** consider the likely significant effects of the DNP policies in relation to the conservation objectives for Natura 2000 sites.

Determination of likely significant environmental effects - SEA Screening

- 5.4 As highlighted in paragraph 2.8 above, the South Kesteven Local Plan was subject to SA (incorporating SEA), documented in a SA Report¹⁵ which fully considered the environmental, social and economic impacts of each of the policies and site allocations within the Plan. In the SA Report, the overall level of new housing and employment, location for new development and site allocations, including housing and employment allocations at Market Deeping, were assessed in the same way and to the same level of detail using the SA Framework. The SA highlighted a permanent, significant negative effect arising from developing both the housing and employment allocations at Market Deeping in relation to loss of Grade 2 Agricultural Land.

Biodiversity, flora and fauna

- 5.5 As identified in paragraph **3.10** above, there are no internationally designated sites for nature conservation within the Neighbourhood Area.
- 5.6 There are 2 SSSIs within, and 3 SSSI IRZs that extend into, the Neighbourhood Area. The IRZs identify that residential development outside existing settlements/urban areas could potentially have adverse impacts. However the DNP does not allocate any sites for housing development and only supports small scale additional residential development in the form of infill, or on the edge of settlements (no larger than 0.5 ha in size) (see Policy DNP2: Providing guidelines for additional residential development within the DNP).
- 5.7 The DNP includes Objectives relating to biodiversity, flora and fauna. Objective 6 of the DBP seeks to protect the natural character of the Deepings and encourage new developments to provide good design and enhanced communities and Objective 9 seeks to improve the quality of the local environment. To deliver these Objectives, there are a number of policies in the DNP that seek to protect and enhance biodiversity and therefore should result in positive effects.
- 5.8 Policy DNP1: Creating cohesive neighbourhoods through sympathetic development DEP1-H1/H23A3: requires any development proposal to incorporate a surface water drainage scheme based on sustainable drainage principles and which delivers biodiversity benefits.

¹⁵ <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=24251&p=0>

- 5.9 Policy DNP2: Providing guidelines for additional residential development, supports infill development provided that *“an important open space of public, environmental, historic or ecological value is not lost”*.
- 5.10 Policy DNP9: Promoting best practice in design principles, requires development proposals to consider the retention of any natural features and incorporate them into the design of the development.
- 5.11 Policy DNP14: Designating and protecting Local Green Spaces designates green spaces in order to protect them from development.
- 5.12 Policy DNP15: Conserving Natural Habitats, Biodiversity and the River Welland Green Corridor specifically seeks to protect and enhance biodiversity within this Green Corridor. Development proposals must demonstrate that *“they will not impact on the river’s ability to function naturally and should enhance green infrastructure and wildlife corridors”*.
- 5.13 Overall, it is expected that the DNP will help to protect and enhance biodiversity, flora and fauna in the Neighbourhood Area and that significant negative impacts arising from the implementation of the plan are unlikely, as the DNP does not set out an overall quantum of development or allocate specific land or sites for development above what is set out in the South Kesteven Local Plan.

Population and human health

- 5.14 The health of the population residing within the Deepings Neighbourhood Area is generally good.
- 5.15 There are a number of policies within the DNP that are likely to have a positive impact on population and human health. Policy DNP3: Ensuring a varied mix of homes to meet community needs, seeks to ensure local housing need is met. The policy requires proposals of 10 or more dwellings to provide an appropriate mix of housing types and sizes to help meet the need for smaller accommodation in the DNP area. The policy also requires proposals for new care or specialised accommodation for older people, or those with additional needs, to be located *“within a reasonable walking distance, to existing public transport services, walking and cycling routes and be easily accessible to nearby shops and health facilities”*. Housing is a key determinant of human health and therefore this policy should have a positive effect by helping to ensure that local residents can access suitable housing.
- 5.16 Policy DNP6: The Protection of Key Local Amenities, lists key facilities that will be safeguarded for community use throughout the DNP plan period, including The Deepings Health Centre and The Deepings Leisure Centre.
- 5.17 Policy DNP9: Promoting best practice design principles, is expected to have a positive impact on human health, by ensuring new development prioritises *“safe, easy and direct pedestrian movement and the creation of a network of attractive, well-connected public spaces”*.
- 5.18 Policy DNP12: Developing and enhancing the local green infrastructure, should result in positive effects in relation to population and human health, by protecting and enhancing opportunities for physical activity and active travel. The policy requires development

proposals to preserve and enhance the green infrastructure network, contribute towards the implementation of the Deepings Green Walk and provide new, on-site green spaces.

- 5.19 Policy DNP14: Designating and protecting Local Green Spaces, recognises the importance of open space for offering opportunities for physical activity, designating Local Green Space that has local recreational value.
- 5.20 Policy DNP16: Developing sustainable travel and enhancing local transport infrastructure, is expected to have a positive impact on human health. It states that development proposals will be supported where they “*give the highest priority to pedestrians, cyclists and other ‘active travel’ modes when developing or maintaining streets and roads*”. Promoting active travel may encourage residents to live more active lifestyles, with associated physical and mental health benefits. The policy also requires development proposals to “*identify and implement measures to reduce transport severance, noise levels and air pollution*”, which should lead to positive effects on health and well-being.
- 5.21 Policy DNP4: Protecting local employment opportunities protects employment sites for local employment opportunities. This could, indirectly, lead to positive effects on human health by encouraging residents to walk or cycle to work, services and facilities and lead to jobs, positively impacting on mental health and wellbeing.
- 5.22 Overall, the DNP is not likely to have a significant negative impact on population and human health, given the relatively small population that the DNP applies to and the fact that no sites are specifically allocated for development within the plan.

Soil, air and water

- 5.23 In terms of soil, the DNP supports additional residential development that is either infill or on the edge of existing settlements, through Policy DNP2: Providing guidelines for additional residential development. This policy therefore guides development to the existing built up areas of Market Deeping and Deeping St. James, which should help to protect agricultural land.
- 5.24 There are no air quality management areas within the Neighbourhood Area and therefore no current air quality issues. Policy DNP16: Developing sustainable travel and enhancing local transport infrastructure, is expected to have a positive impact on local air quality by including criteria which requires development proposals to “*identify and implement measures to reduce ... air pollution*”.
- 5.25 In terms of water, both policies DNP1 and DNP2 require development proposals to demonstrate that they provide Sustainable Urban Drainage based on sustainable drainage principles.
- 5.26 The majority of the Neighbourhood Area lies within Flood Zone 1, with small areas in Flood Zone 2 and 3, as identified in paragraph 3.22 and Map 3.7 above. The DNP does not include a policy on development and flood risk, however this is covered by policy EN5: Water Environment and Flood Risk Management in the adopted South Kesteven Local Plan. This will ensure that any future development does not exacerbate flood risk and surface water run-off within the Neighbourhood Area. Furthermore, the DNP does not include specific allocations for development and therefore is not anticipated to have any direct implications.
- 5.27 Overall, it is anticipated that there are unlikely to be any significant adverse effects on soil, air or water as a result of implementing the policies in the DNP.

Climatic factors

- 5.28 Climatic factors involve the consideration of a plan or programme in relation to climate change. Climate change adaptation and mitigation are closely interrelated and are closely linked to other environmental issues.
- 5.29 Policy RE1: Renewable Energy Generation, together with Appendix 3 Renewable Energy, of the South Kesteven Local Plan, sets out specific criteria to be used for development management purposes in the determination of planning applications for solar, biomass/anaerobic digestion and wind energy facilities. Policy EN5: Water Environment and Flood Risk Management, seeks to ensure that development does not place itself or others at increased risk of flooding.
- 5.30 Policy DNP12: Developing and enhancing local green infrastructure, requires development proposals to preserve, and where possible, enhance the existing local green infrastructure network. This should have a positive effect on helping biodiversity adapt to the effects of climate change and absorbing CO₂ from the atmosphere.
- 5.31 Any future developments within the Deepings Neighbourhood Area could lead to increases in greenhouse gas emissions associated with transport, with a greater number of car journeys.
- 5.32 Policy DNP6: The protection of key local amenities, aims to safeguard existing facilities listed in the policy, including the local primary schools. Policy DNP5: Protecting and expansion Market Deeping Town Centre, and Policy DNP7: Local Centres, aim to protect and enhance local retail and other services and facilities. Maintaining local services and facilities, and increasing local employment opportunities and services, may have a positive effect on reducing greenhouse gas emissions from transport by encouraging journeys by walking and cycling and reducing the need to travel as well as length of journeys.
- 5.33 Overall, it is considered unlikely that there would be any significant adverse impacts on climatic factors as a result of implementing the policies in DNP and the policies in the South Kesteven Local Plan provide appropriate mitigation.

Material assets

- 5.34 The SEA Directive does not define what is meant by 'material assets' and it can be interpreted in a number of ways. This screening report takes material assets to include a range of social, physical and environmental infrastructure, such as schools, health facilities, roads, railways, bus services, wastewater treatment works, flood defences etc. Impacts on materials assets are likely to relate to a number of other SEA topics.
- 5.35 In the South Kesteven Local Plan, Policy ID1: Infrastructure for Growth, aims to ensure that *"there is, or will be, sufficient infrastructure capacity (including green infrastructure) to support and meet the essential infrastructure requirements arising from the proposed development"*.
- 5.36 In terms of the DNP, Policy DNP6: The protection of key local amenities, aims to safeguard existing facilities listed in the policy, including facilities such as the local health centre, primary schools, library and community centre.
- 5.37 Policy DNP12 Developing and enhancing the local green infrastructure requires development proposals, where appropriate, to preserve, and where possible, enhance the existing green infrastructure network, including existing Public Rights of Way.

- 5.38 Policy DNP16: Developing sustainable travel and enhancing local transport infrastructure, seeks to extend and improve local transport infrastructure, including accessible routes for walking and cycling and bicycle storage.
- 5.39 It is therefore considered unlikely that that the DNP would have a significant adverse effect on material assets.

Cultural heritage, including architectural and archaeological heritage

- 5.40 As identified above, there are a number of heritage assets within the Neighbourhood Area. The DNP recognises the importance of cultural heritage. Objective 6 specifically seeks to *“protect the built, historic and natural character of the Deepings and encourage new developments to provide good design and enhanced communities.”*
- 5.41 Policy DNP2: Providing guidelines for additional residential development, supports infill development provided that an *“important open space of public, environmental, historical or ecological value is not lost”*.
- 5.42 Policy DN8: Protecting designated Conservation Areas, requires all developments, within the two designated Conservation Areas within the DNP area, to positively contribute to their conservation and management. Policy DNP9: Promoting best practice design principles, seeks to protect heritage assets, their settings and local character, ensure that new developments are appropriate to their surroundings, and make sure developments are of a high standard of design. The policy includes specific criteria, such as *“New development should consider the retention of any important historic or natural features, buildings and structures on site”* and *“New development should respect the historic character of the local area in terms of form, density, style, height, scale orientation, plot sizes and position to existing buildings”*.
- 5.43 Policy DNP14: Designating and protecting Local Green Spaces designates Local Green Spaces for their historic value.
- 5.44 Given that the DNP does not specifically allocate any land or sites for development, taking into account the policies highlighted above, and in combination with policies in the South Kesteven Local Plan, it is considered unlikely that any future development that may come forward within the Neighbourhood Area would adversely impact on any heritage assets and their settings.

Landscape

- 5.45 Policy EN1: Landscape Character in the South Kesteven Local Plan, protects landscape character, providing mitigation for any negative effects arising from development.
- 5.46 Beyond the built up area of the Deepings, much of the NP area is open countryside. Objective 6 of the DNP specifically seeks to *“protect the built, historic and natural character of the Deepings and encourage new developments to provide good design and enhanced communities”*, and Objective 9 seeks to improve the quality of the local environment, including *“retaining trees and hedgerows”*, which are important landscape features.
- 5.47 Policy DNP1: Creating cohesive neighbourhoods through sympathetic development DEP1-H1/H2 is in conformity with policy EN1, and seeks to support it by providing more detailed criteria for the quality and design of development on site allocations DEP1 H1 and H2.

- 5.48 Policy DNP2: Providing guidelines for additional residential development, requires proposals for additional residential development, on the edge of settlements, to demonstrate that the development would not lead to coalescence with neighbouring settlements such as Frognall.
- 5.49 Policy DNP11: Securing an appropriate area of settlement separation, seeks to protect the landscape setting of Market Deeping and Frognall by designating an area of separation between the two settlements.
- 5.50 The DNP does not allocate sites for development above those in the South Kesteven Local Plan and therefore, with the policies outlined above, and in combination with policies in the South Kesteven Local Plan, it is considered unlikely that the DNP would result in a significant impact on the local landscape.
- 5.51 **This SEA screening therefore considers the DNP is unlikely to have a significant effect on the environment.**

Determination of likely significant effects on Natura 2000 sites - HRA Screening

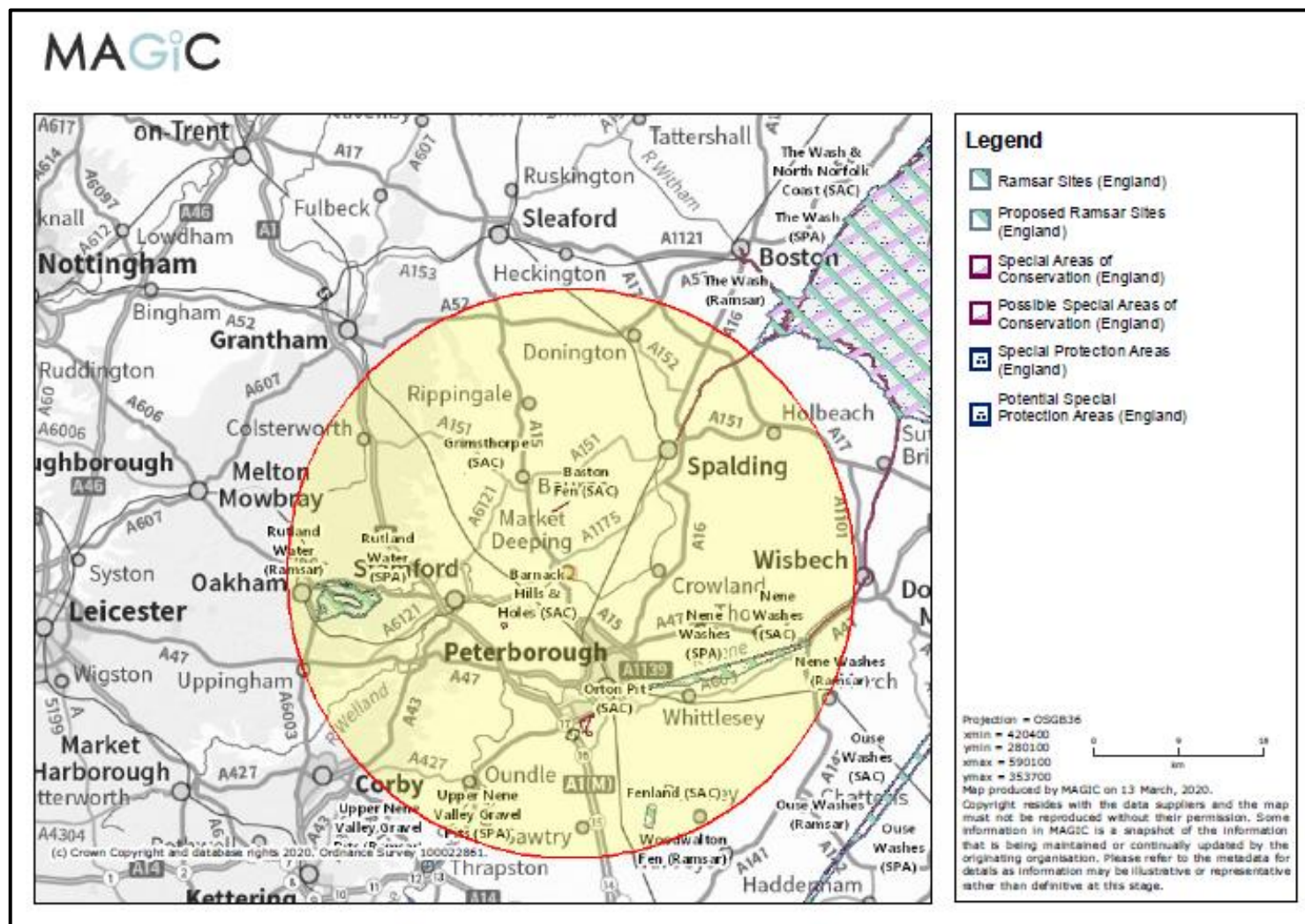
- 5.52 There are no Natura 2000 sites within the boundary of the DNP area, (see **Map 5.1** for their location).
- 5.53 The South Kesteven Local Plan Habitats Regulations Assessment Report (HRA 2019) was prepared to accompany the adopted Local Plan on submission for independent examination. The purpose of the report was to set out the methodology, assessment and conclusions of the HRA of the submitted South Kesteven Local Plan. The HRA was carried out by SKDC as the competent authority, in consultation with Natural England. This HRA is considered relevant and appropriate in the context of this SEA/HRA screening assessment.
- 5.54 The following Natura 2000 sites, within and outside of the South Kesteven boundary, were scoped into the HRA 2019 for consideration:
- Barnack Hills and Holes SAC
 - Baston Fen SAC
 - Grimsthorpe Park SAC
 - Rutland Water SPA, Ramsar
- 5.55 The potential impacts identified as a result of the implementation of the Local Plan were:
- Physical loss and/or damage of habitat and species;
 - Disturbance: recreational and visitor pressure;
 - Disturbance: urbanisation;
 - Changes in water levels;
 - Changes in water quality; and
 - Changes in air quality
- 5.56 Following initial screening, the HRA identified 11 Local Plan policies with potential for significant adverse effects on the Natura 2000 sites identified for consideration. These policies included the allocation of the overall housing and employment growth levels for the whole South Kesteven area, the distribution of this growth, and specific site allocations for housing or employment. Both housing and employment allocations at Market Deeping were screened out from further HRA appraisal as they were considered to be
- 5.57 However, the Stage 2 Appropriate Assessment found that, when taking into account incorporated mitigation measures within the Local Plan, and consideration of other plans and projects, that none of the 11 policies screened into the assessment would be likely to lead to a significant effect (alone or in combination) in relation to any of the identified impacts on any of the identified Natura 2000 sites. The HRA concluded:
- “...provided the recommendations made in this Report are (where applicable) incorporated into the Local Plan, it is possible to conclude that the South Kesteven Local Plan is compliant with the Habitats Regulations and will not result in likely significant effects on any of the Natura 2000 sites identified, either alone or in combination with other plans and projects.”*
- 5.58 Natural England confirmed the HRA followed accepted methodology, was in line with relevant legislation and guidance, and agreed with the conclusion of the HRA¹⁶:

¹⁶ <https://drive.google.com/file/d/1vltHlx6hhO84RMCsRFsOV6MUS0oZMTsE/view>

“Natural England can therefore confirm that we agree with the HRA Report’s conclusions that, provided the recommendations are followed, the Local Plan policies would not be likely to have a significant effect on any European Site either alone or in combination with other plans or projects, and no further assessment work is required.”

- 5.59 **Having regard to the nature of the policies in the DNP and the safeguards in the adopted South Kesteven Local Plan, this HRA screening therefore considers that the DNP is not likely to have a significant effect on a Natura 2000 site, either alone or in combination, with other plans and projects.** The DNP does not allocate sites for development, but instead provides further local criteria to guide development proposals. The effects arising from planned development, on the integrity of Natura 2000 sites, have been previously tested through the recent HRA of the South Kesteven Local Plan, which was subject to independent examination.

Map 5.1: Location of Natura 2000 sites within 30km of The Deepings



SEA/HRA Assessment

5.60 **Figure 3** provides assessment of the DNP against the SEA Directive criteria to identify likely *significant* effects on the environment.

Figure 3. Assessment of the likely significant effects on the environment

SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004	Assessment	Likely <i>significant</i> environmental effect
1. The characteristics of plans and programmes, having regard, in particular, to –		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>The DNP has been prepared for town and country planning purposes and would, if adopted, form part of the statutory Development Plan and contribute to the framework for future development projects.</p> <p>The principle of development in the Neighbourhood Area, including the nature of development, location and scale, has already been determined by the South Kesteven Local Plan (January 2020) and is therefore largely beyond the influence of the DNP. Any significant effects arising from the proposals in the Local Plan have already been identified through the SA and HRA of that plan.</p> <p>The DNP would only apply to a small geographical area (The Deepings Neighbourhood Area) where a limited number of proposals are anticipated over the plan period, and any proposals are expected to be of a small scale.</p>	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The DNP must be in general conformity with the strategic policies of the South Kesteven Local Plan and the national planning policy as set out in the NPPF.</p> <p>The Neighbourhood Plan provides policies for the Plan area, relevant to the parish areas only. The DNP would therefore not strongly influence other plans and programmes higher up the spatial planning hierarchy.</p>	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>It is a basic condition that a Neighbourhood Plan must contribute to the achievement of sustainable development. The DNP seeks to ensure that environmental considerations are taken into account. It includes the following policies which promote environmental considerations with a view to promoting sustainable development:</p> <ul style="list-style-type: none"> • <i>Policy DNP8: Protecting designated Conservation Areas;</i> • <i>Policy DNP9 Promoting best practice in design principles;</i> 	No

SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004	Assessment	Likely <i>significant</i> environmental effect
	<ul style="list-style-type: none"> • <i>Policy DNP11: Securing an appropriate area of settlement separation;</i> • <i>Policy DNP12: Developing and enhancing the local green infrastructure;</i> • <i>DNP13: Designating and protecting Important Open Spaces</i> • <i>DNP14: Designating and Protecting Local Green Space</i> • <i>DNP15: Conserving natural habitats, biodiversity and the River Welland Green Corridor;</i> • <i>DNP16: Developing sustainable travel and enhancing local transport infrastructure.</i> <p>Policies in the plan also seek to address social and economic matters, such as meeting housing need and the retention of local services and community facilities.</p> <p>These policies are compatible with the adopted South Kesteven Local Plan, which was subject to both SA/SEA and HRA throughout the plan making process.</p>	
(d) environmental problems relevant to the plan or programme; and	There are no specific environmental problems relevant to the NP that have not been identified and assessed through the higher level Local Plan and its accompanying SA/SEA.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The content of the DNP is not in conflict with any plans or programmes within the wider area for the implementation of Community legislation on the environment.	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to —		
(a) the probability, duration, frequency and reversibility of the effects;	<p>This has been tested through the SA/SEA of the Local Plan.</p> <p>The DNP does not allocate sites for development. The effects of the implementation of the DNP are therefore uncertain to a certain extent, as they will depend on windfall sites that may come forward. However, such windfall sites are expected to be limited to small scale, infill development, and sites no larger than 0.5 ha on the edge of existing settlements, therefore the effects are not likely to be significant and are expected to be minimal. It is likely that some policies may result in</p>	No

SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004	Assessment	Likely <i>significant</i> environmental effect
	<p>positive effects by helping to preserve and enhance the environmental features within the Neighbourhood Area.</p> <p>See also paragraphs 5.5 to 5.51 above.</p>	
(b) the cumulative nature of the effects;	As above in 2(a)	No
(c) the transboundary nature of the effects;	The DNP is not expected to give rise to any transboundary effects.	No
(d) the risks to human health or the environment (for example, due to accidents);	The DNP is not anticipated to give rise to any significant environmental effects that would pose risk to human health or the environment.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The Deepings Neighbourhood Area is coterminous with the boundaries of Market Deeping and Deeping St. James parishes. This includes the market town of Market Deeping, the villages of Deeping St. James and Frognall, and the surrounding countryside, which is principally in agricultural use. The population of the DNP area at the time of the 2011 Census was 13,060 people.</p> <p>The spatial extent of any effects of the implementation of the DNP are expected to be limited to the immediate local area (i.e. the Neighbourhood Area), therefore the magnitude and spatial extent of the effects are expected to be limited in both the local and wider district context.</p>	No
(f) 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; or (iii) intensive land-use; and	<p>As highlighted in paras 5.5 to 5.51, it is considered unlikely that the DNP would adversely impact the special natural characteristics or cultural heritage of the Neighbourhood Area. The DNP is not expected to exceed environmental quality standards or lead to intensive land use.</p> <p>The DNP does not allocate any sites for development. Furthermore, the DNP includes policies which promote environmental considerations and seek to provide greater protection for the character of the area. Therefore it is not considered that there will be any significant adverse impacts in terms of criteria (f) (i to iii).</p>	No
(g) the effects on areas or landscapes which have a recognised national,	There are no protected areas or landscapes within the Neighbourhood Area and therefore the DNP is unlikely to result in any significant adverse effects. Any effects	No

SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004	Assessment	Likely <i>significant</i> environmental effect
Community or international protection status.	of the DNP on the landscape are expected to be positive and localised, and are not likely to be significant.	

5.61 **Figure 4** applies the SEA Directive criteria to the DNP as per the flow chart in **Figure 2**, to determine whether the *principle* of the DNP would warrant the need for SEA.

Figure 4: Application of the SEA Directive to The Deepings Neighbourhood Plan

Criteria	Response: Yes/ No/ Not applicable	Details
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))	Yes	The preparation and adoption of the DNP is allowed under the Town and Country Planning Act 1990, as amended by the Localism Act 2011. Whilst the DNP has been prepared by Market Deeping and Deeping St. James Parish Councils, it will be adopted by SKDC as the local authority and will form part of the statutory development plan for the South Kesteven area. GO TO STAGE 2
2. Is the NDP required by legislative, regulatory or administrative provisions? (Art 2 (a))	Yes	Whilst the production of a Neighbourhood Plan is not a requirement and is optional, it will, if made, form part of the statutory development plan for the South Kesteven area. It is therefore important that this screening process considers the potential effects. GO TO STAGE 3
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))	Yes – Town & Country Planning / land use; No - EIA Directive Annex I & II	The DNP is being prepared for town and country planning and land use, setting a framework for future development consents within The Deepings Neighbourhood Area. However, the NDP does not set a framework for consent of projects in Annexes I and II to the EIA Directive. GO TO STAGE 4
4. Will the NDP, in view of its likely effect on sites, require an assessment for future development	No	See paras 5.52 to 5.59 above for assessment of the DNP in terms of HRA. GO TO STAGE 6

Criteria	Response: Yes/ No/ Not applicable	Details
under Article 6 or 7 of the Habitats Directive? (Art 3.2 (b))		
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)	n/a	
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)	Yes	Once 'made' the DNP forms part of the Development Plan and will be used in the decision making process on planning applications. It therefore sets the framework for future developments at a local level. GO TO STAGE 8
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?	n/a	The DNP does not deal with these issues.
8. Is it likely to have a significant effect on the environment?	No	A Neighbourhood Plan could potentially have a significant effect on the environment, dependent on the proposed policies within the NDP. This requires detailed assessment to determine – see paras 5.5 to 5.51 and Figure 3 , which identify that no likely significant effects are expected to arise through implementation of the DNP.
Outcome: SEA NOT REQUIRED		

6 Consultation with Statutory Bodies

- 6.1 The assessment in **Section 5** indicates that it is unlikely that there are any significant environmental effects arising from the DNP (as submitted at the date of this assessment) and thus a SEA is not required. The relevant statutory consultation bodies, namely the Environment Agency, Historic England and Natural England, have been consulted on this SEA/HRA screening opinion based on the DNP in its current form. The responses received during this consultation are summarised below, and can be viewed in full in **Appendix 2**.

Historic England

- 6.2 Received by email on 6th April 2020:

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.

Natural England

- 6.3 Received by email on 6th May 2020:

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) for the The Deepings Neighbourhood Plan SEA/HRA Screening Opinion. We can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Neighbourhood Plan.

Natural England also agrees with the report's conclusions that The Deepings Neighbourhood Plan SEA/HRA Screening Opinion 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.

Environment Agency

- 6.4 Received by email on 7th May 2020:

I have reviewed the Screening Report and can confirm that I agree with your opinion that The Deepings Neighbourhood Plan does not require a full SEA. However, I would defer to the opinion of Natural England for a view in respect of HRA.

7 SEA/HRA Screening Outcome

- 7.1 Having reviewed the environmental characteristics of the DNP area and the vision, objectives and policies against the criteria set out in **Section 5** of this report, SKDC consider it is unlikely that there will be any significant environmental effects arising from the DNP and thus the DNP can be **screened out** for further SEA.
- 7.2 **Section 5** of this report also indicates that there are unlikely to be any significant effects on a designated Natura 2000 site arising from the implementation of the DNP, and therefore further HRA assessment under the Habitats Regulations can be **screened out**.
- 7.3 The DNP does not allocate any land or sites for development, but provides guidance to be used to determine applications should they come forward. The policies in the DNP generally accord with the adopted South Kesteven Local Plan, the potential environmental effects of which were duly assessed during the plan-making process through SA/SEA and HRA assessments.
- 7.4 A number of the DNP policies are particularly environmentally conscientious and address environmental issues positively by seeking to improve the quality of new development to reduce its impacts on the environment. For example, the DNP includes policies that: encourage active travel and travel by modes other than the car, seek to protect the surrounding landscape character and setting of the village, seek to preserve or enhance heritage assets and their settings, and seek to protect and enhance biodiversity and open green spaces.
- 7.5 To take an alternative approach, such as preparing evidence bespoke to the DNP, would be disproportionate and result in unnecessary duplication. This would be contrary to national planning policy.
- 7.6 In the event that the vision, objectives and/or policies covered by the DNP should change significantly during the plan-making process, or specific sites are allocated for development, this screening process should be repeated for the revised plan.

Appendix 1: Summary of The Deepings Neighbourhood Plan Policies

Policy Reference and Title	Brief Summary of Policy
A Good Home for Everyone	
DNP1: Creating cohesive new neighbourhoods through sympathetic development	<p>This policy sets out a number of detailed design principles for development proposals of two site sites allocated in the South Kesteven Local Plan:</p> <ul style="list-style-type: none"> • DEP1-H1 Towngate West • DEP1-H2 Linchfield Road <p>The principles cover issues such as density, height of buildings, boundary treatment parking and access.</p>
DNP2: Providing guidelines for additional residential development	<p>This policy sets out criteria for residential development that may come forward that is not allocated in the Local Plan, such as infill development and additional development on the edge of settlements. The policy restricts edge of settlement development to no larger than 0.5 hectares in size, unless it is meeting a local accommodation need.</p>
DNP3: Ensuring a varied mix of homes to meet community needs	<p>This policy requires proposals for 10 or more dwellings to provide an appropriate mix of housing types and sizes to help meet the need for smaller accommodation in the DNP area.</p> <p>It sets out criteria for affordable housing, which should be made available as an integral part of the development and visually indistinguishable from market housing.</p> <p>Criteria is also set out for proposals for new care or specialised (public or private) accommodation for older people and those with additional needs.</p>
A Prosperous and Sustainable Local Economy	
DNP4: Protecting local employment opportunities	<p>This policy sets out criteria for additional employment development that may come forward outside of the employment allocations within the South Kesteven Local Plan.</p>
DNP5: Protecting and expanding Market Deeping town centre	<p>This policy seeks to protect and expand Market Deeping Town Centre. The policy proposes an extension to the town centre boundary (identified on Map 5) and sets out criteria for proposals involving the change of use, at ground floor level, of commercial floor space to residential use.</p>
DNP6: Protecting key local amenities	<p>Table 5 on page 48 of the DNP lists key local amenities. This policy lists the existing facilities that will be safeguarded for community uses. A change of use to these facilities will only be supported if in compliance with Policy SP6 of the SKLP.</p>

Policy Reference and Title	Brief Summary of Policy
DNP7: Protecting local retail centres	This policy sets out criteria for proposals within Local Centres as identified on Maps 7 to 11 in the DNP (pages 52 to 56).
A Distinctive Local Character	
DNP8: Protecting designated Conservation Areas	<p>This policy seeks to ensure that all development proposals within the Deeping St. James and Market Deeping Conservation Areas positively contribute to the conservation and management of the Conservation Area.</p> <p>In addition to designated Conservation Areas, the policy also requires development proposals, within proximity to any listed building, scheduled site or scheduled monument, to pay particular attention to the setting of the heritage asset.</p>
DNP9: Promoting best practice in design principles	This policy sets out a range of criteria in relation to achieving high-quality design, covering: site characteristics, local character and settlement structure, architectural quality and materials, landscaping, private amenity and accessibility.
DNP10: Protecting and enhancing important gateways	Map 13 of the DNP, on page 66, identifies 5 “important gateways” onto and out of the Deepings. This policy requires the design of development proposals near the gateways to create a strong and visually attractive gateway into the Deepings and to avoid unnecessary ‘hard edges’ towards the countryside.
DNP11: Securing an appropriate area of settlement separation	Map 14 of the DNP, on page 69, identifies an “area of separation” between Deeping St. James and Frognall. The policy states that this area has been identified to prevent the physical merging of settlements between Deeping St. James and Frognall, and to preserve their separate identity and local character.
A Green, Clean and Safe Environment	
DNP12: Developing and enhancing the local green infrastructure	This policy seeks to preserve, and where possible enhance, the existing local green infrastructure network, including the River Welland Green Corridor, the Green Walk, Green Lanes and existing public rights of way.
DNP13: Designating and protecting Important Open Spaces	Map 18 of the DNP, on page 78, identifies 36 important open spaces in the neighbourhood plan area and they are listed within this policy.
DNP14: Designating and protecting Local Green Spaces	Map 18 of the DNP, on page 78, identifies 8 Local Green Spaces in the neighbourhood plan area and they are listed within this policy.
DNP15: Conserving natural habitats, biodiversity and the River Welland Green Corridor	This policy sets out criteria for development proposals for riverside sites on or next to the River Welland.

Policy Reference and Title	Brief Summary of Policy
DNP16: Developing sustainable travel and enhancing local transport infrastructure	This policy sets out a range of criteria for development proposals in relation to sustainable travel, including parking standards, accessible routes for walking and cycling, transport nodes and active travel.

Appendix 2: Consultation Response From Statutory Bodies

The Deepings Neighbourhood Plan SEA/HRA Screening Opinion

Mon 06/04/2020 11:41

Dear Charlotte,

THE DEEPINGS NEIGHBOURHOOD PLAN – SEA SCREENING REQUEST

Thank you for your consultation of 31 March 2020 and the request for a Screening Opinion in respect of The Deepings Neighbourhood Plan.

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.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

[<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

Kind regards

Sofia Fazal on behalf of Clive Fletcher

Historic England, The Axis, 10 Holliday Street, Birmingham, B1 1TF

Please note that Historic England's East Midlands and West Midlands offices have merged and our Northampton office is now closed. Our Midlands office is based in Birmingham and contact details can be found on our Midlands Regional Office webpage [here](#).



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Date: 06 May 2020
Our ref: 313407
Your ref: None



Charlotte Robinson



BY EMAIL ONLY

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T 0300 060 3900

Dear Ms Robinson

Planning consultation: The Deepings Neighbourhood Plan SEA/HRA Screening Opinion

Thank you for your consultation on the above dated 31 March 2020 which was received by Natural England on 01 April 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) for the The Deepings Neighbourhood Plan SEA/HRA Screening Opinion. We can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Neighbourhood Plan.

Natural England also agrees with the report's conclusions that The Deepings Neighbourhood Plan SEA/HRA Screening Opinion 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.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Sandra Close on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

SANDRA CLOSE

Click here to enter text.

Planning Adviser

East Midlands Team

Ms Charlotte Robinson
Senior Strategic Planning Officer
South Kesteven District Council
Land Use Planning
Council Offices St. Peters Hill
Grantham
Lincolnshire
NG31 6PZ

Our ref: AN/2015/121128/SE-
04/SC1-L01

Your ref:

Date: 14 April 2020

Dear Charlotte

**The Deepings Neighbourhood Plan 2020-2036, March 2020
SEA/HRA Screening Opinion**

Thank you for consulting us on the Strategic Environmental Assessment (SEA)/Habitats Regulations Assessment (HRA) Screening Opinion on 31 March 2020.

I have reviewed the Screening Report and can confirm that I agree with your opinion that The Deepings Neighbourhood Plan does not require a full SEA. However, I would defer to the opinion of Natural England for a view in respect of HRA.

I hope this is the confirmation you require, but if you need to discuss anything further please do not hesitate to contact me again using the details below.

Yours sincerely

**Annette Hewitson
Principal Planning Adviser**

Direct dial [REDACTED]

Direct e-mail [REDACTED]