

**Broughton Neighbourhood Plan  
Strategic Environmental Assessment  
&  
Habitats Regulations Assessment  
Screening Report**

**August 2017**

## **1. Introduction**

- 1.1 This screening statement considers whether the contents of the Broughton Neighbourhood Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 and the need for Habitat Regulations Assessment in accordance with Article 6 of the European Habitats Directive 1992 and the Conservation of Habitats and Species Regulations 1994.
- 1.2 The screening process is based upon consideration of a standard set of criteria to determine whether the plan is likely to have “significant environmental effects”. The result of Kettering Borough Council’s screening process is detailed in this Screening Report.
- 1.3 The report includes the following sections:
- Section 2 sets out the regulations that require the need for this screening exercise.
  - Section 3 provides some background to the Broughton Neighbourhood Plan and the wider Development Plan context.
  - Section 4 provides a screening assessment of the likely significant environmental effects of the policies and in the Broughton Neighbourhood Plan and whether there is a need for a full Strategic Environmental Assessment. It also considers the effects of the Broughton Neighbourhood Plan for Habitat Regulations Assessment (HRA)
  - Section 5 considers the findings from section 4 and provides a conclusion on the need, or not for full SEA and/or HRA

## **2. Legislative Background**

- 2.1 A Neighbourhood Plan must meet the basic conditions as set out in Para 065 of the National Planning Practice Guidance available at: <http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/> . This includes demonstrating that the plan does not breach and is compatible with EU obligations.
- 2.2 The basis for SEA and Sustainability Appraisal (SA) legislation is the European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed guidance of these regulations may be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’.
- 2.3 The Planning and Compulsory Purchase Act 2004 required SA to be produced for all Local Development Documents to meet the requirement of the EU Directive on SEA.

It is considered best practice to incorporate requirements of the SEA Directive into an SA.

2.4 The 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal so they are only required for Development Plan Documents (DPD's). However the Act did not remove the requirement to produce a Strategic Environmental Assessment.

2.5 A Neighbourhood Plan is not a Development Plan Document so legally does not require a Sustainability Appraisal. However a Strategic Environmental Assessment may be required, for example, where:

- A neighbourhood plan allocates sites for development;
- The neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; or
- The neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

2.6 Therefore to establish whether the plan is likely to give rise to significant environmental effects it is necessary to screen the plan against the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004. This assessment is set out in Section 4 of this report.

### **Requirement for HRA**

2.7 The need for Appropriate Assessment is set out in Article 6 of the European Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 1994 (as amended 2007 and 2010). These regulations require land use plans to be subject to Appropriate Assessment if they are likely to have a significant effect on a Natura 2000 site or "European Sites" (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). It is Government policy for sites designated under the Convention of Wetlands of International Importance (RAMSAR sites) to be given the same level of protection as Natura 2000 sites. Therefore Appropriate Assessment should also cover these sites.

2.8 In the context of Neighbourhood Planning, a Habitat Regulations Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites as a result of the plan's implementation.

2.9 The Broughton Neighbourhood Plan Area is located approximately 10km from the Upper Nene Valley Gravel Pits SPA. The impact on this site will need to be considered. This is considered in further detail in section 4.

### 3. Broughton Neighbourhood Plan

- 3.1 Broughton Neighbourhood Area was designated on 15<sup>th</sup> January 2014. The Parish has a population of 2208 (2011 Census). The village is situated to the south west of Kettering town centre, close to the western boundary of Kettering Borough. A map showing the designated area is set out in appendix 1.
- 3.2 Broughton Parish Council is the qualifying body for the preparation of the Neighbourhood Plan.
- 3.3 Following designation, consultation with local people was undertaken by the Broughton Parish Neighbourhood Plan Group. This included a number of consultation events and drop-in sessions which covered a number of locally identified issues, which enabled engagement with local residents and to gather their views. This led to the formulation of a draft plan. Consultation on the Pre-submission plan took place between 1<sup>st</sup> December 2016 and 19<sup>th</sup> January 2017. The Draft Plan has been updated following this consultation. A summary of the plan is provided below.

#### Draft Broughton Neighbourhood Plan (August 2017)

- 3.4 The Vision for Broughton is set out on page 11 of the draft Neighbourhood Plan, it is as follows:

*'The vision of the Broughton Neighbourhood Plan is to deliver future change in a managed way that is best suited to the village and the wider Parish in which it sits, delivering for the first time ever, a bespoke response to specific local needs and a strategic solution as to how this will be accomplished'*

- 3.5 To deliver the vision the plan has the following core objectives:

- Maintain village status and rural identity.
- Development of small properties responding to local needs.
- Create a sustainable community in Broughton.
- Confirmation & protection of important green spaces for the future.
- Safeguard our village heritage for future generations.
- All new development must become an Asset to the village.
- Continue to encourage Highways Authorities to implement improved infrastructure and design.

- 3.6 The delivery of the vision and core strategies is governed by a number of policies which are summarised as follows;

#### Sustainable Solution

Broughton Sustainable Solution Statement:

1. To move forward from speculative development with a clear vision from the community for the location and type of housing required within the Neighbourhood Plan area.
2. The focus on building the type of housing based on established Broughton Parish need to maximise the full potential of the village sites for the future.

3. To minimise traffic levels at every opportunity.
4. To deliver an increased supply of housing required to enable the opportunity for the young, single and senior members of our community to remain in Broughton.
5. To respond to the 7 Core Objectives fostering a realistic and secure vision of the sustainable future of Broughton.

#### Sustainability Policy 2

- Sets criteria for the development of sites within the village boundary, prioritising the type and level of housing based on assessment of local need and respecting the core objectives.

#### Development in Broughton

#### Development Design Policy 3

- Requires development to minimise visual impact and respect the immediate surrounding area and historic characteristics of the village.
- New development must utilise renewable energy and efficient energy solutions.
- Construction adjacent to existing dwellings should have a boundary which protects privacy of existing residents.
- Require off street parking solutions and satisfactory visitor and delivery on street parking.
- Requires development of gardens or larger plots of existing properties will only be supported where it respects the amenity of neighbouring properties.

#### Development Policy 4

- The allocation of sites to meet the identified need in Broughton Parish for the period to 2031 are established in Table B.
- Development beyond the village boundary will not be permitted except the re-use of agricultural buildings or exception sites.
- Supports small scale housing of 1 or 2 bedroom properties on identified strategic development sites.
- Applies Design policy 3 to all applications for new development and extensions to existing dwellings.

#### Windfall and Strategic Definition

#### Strategic Site Policy 5

- Strategic sites in Broughton are identified as infill sites of 4 or more dwellings.
- Strategic sites are valued village assets which will be identified and considered as Neighbourhood Plan opportunities.
- Development on small scale windfall sites will deliver 3 dwellings or less, these are considered windfall opportunities.

#### Windfall Policy 6

- Windfall development is defined as any residential development granted on land or buildings not allocated for residential development in the Neighbourhood Plan.
- In principle windfall development on sites of less than 4 dwellings of any type of previously developed land is supported provided it responds to the vision, objectives and Strategic Sustainable Solution for Broughton.
- Any windfall development of existing properties must demonstrate on-site parking and have direct highway frontage.
- Neighbourhood Plan will safeguard the land between the bypass and the village boundary from development.

#### Development Order in Broughton

#### Neighbourhood Development Order Policy 7

- To deliver a strategic site for locally identified open market housing need, the Neighbourhood Development Order for the BT Exchange in Church Street will be submitted with the plan and will
  - Deliver a development of a minimum of 5 and maximum of 7 dwellings consisting of small “mews” flats and/or terrace houses of 1 or 2 bedrooms.
  - Have special regard to the enhancement of the Conservation Area in Church Street.
  - Will contribute to the achievement of sustainable development and identified need for Broughton.

#### Traffic, Transport and Highways

- Includes traffic/ transport/ highway principle aspirations to work in conjunction with the Neighbourhood Plan. These include:
  - Engaging with Highways Authorities to deliver listed highways schemes.
  - A Broughton Considerate Parking Scheme.
  - Sustainable solution for access to Secondary School.

#### High Street, Broughton

#### High Street Policy 8

- The Parish Council will require provision for additional parking solutions in the High Street vicinity.
- Limits provision of additional road, access or driveways which egress directly into the High Street between Cransley Hill and Wellingborough Road.
- Limits provision of more than 3 dwellings on sites accessed by existing driveway or road onto the High Street between Cransley Hill and Wellingborough Road.

#### Green Areas and Important Public Open Spaces

#### Local Green Spaces Policy 9

- Designates areas of Local Green Space and protects these from development.
- Protects areas of existing open space.

3.7 To fulfil one of the basic conditions, these policies are required to be in general conformity with strategic policies in the development plan for the local area. Development Plan for Kettering Borough comprises the saved policies of the Kettering Borough Local Plan (Adopted January 1995), the Kettering Town Centre Area Action Plan (Adopted July 2011) and the North Northamptonshire Joint Core Strategy, which was adopted on 14<sup>th</sup> July 2016. It will also include the Site Specific Part 2 Local Plan which is currently an emerging plan.

#### **4. SEA & HRA Screening**

##### **SEA**

4.1 The criteria for determining the likely significant effects referred to in Article 3 (5) of Directive 2001/42/EC are set out below:

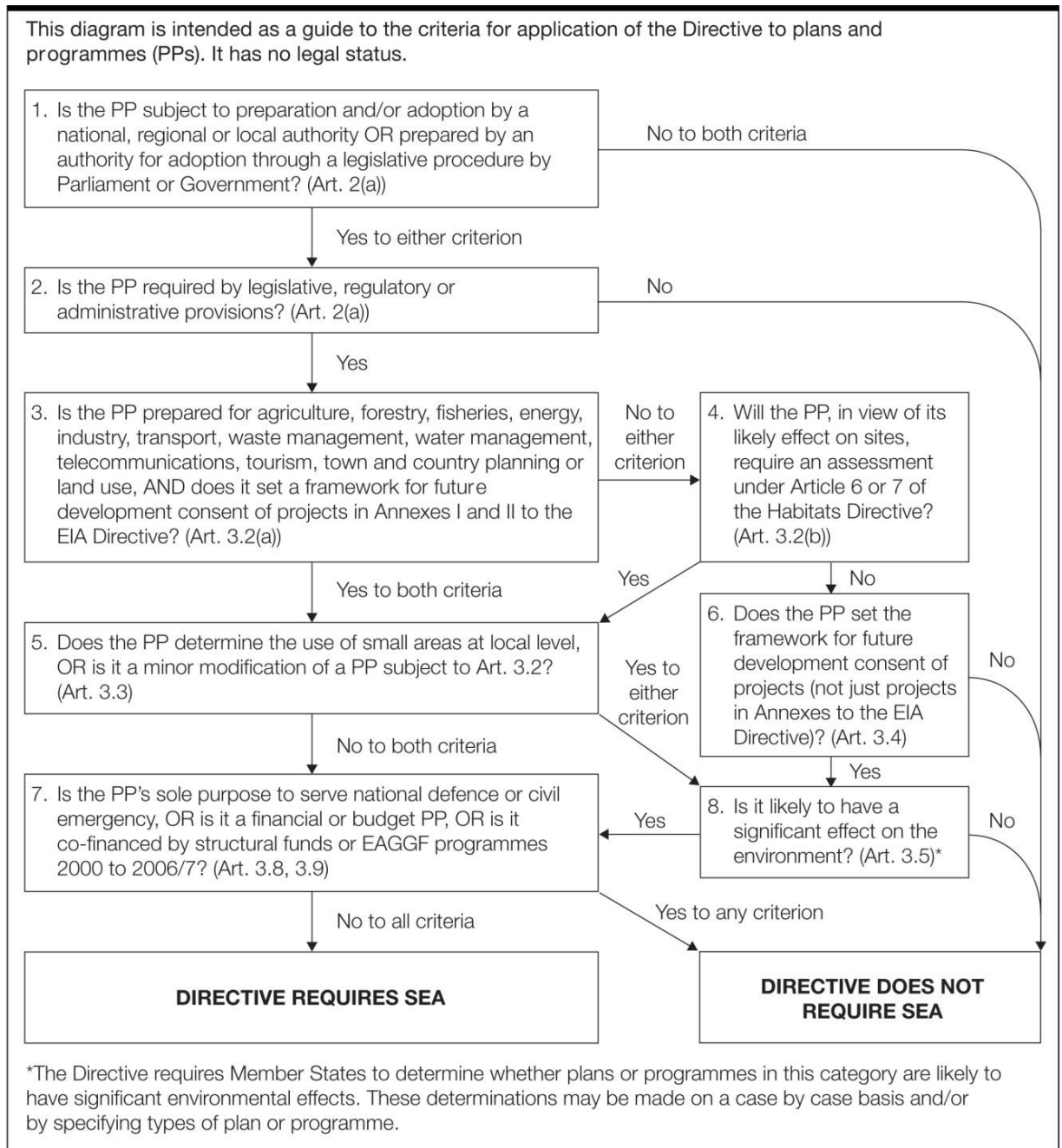
**1.** The characteristics of plans and programmes, having regard, in particular, to—

- (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;
- (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d) environmental problems relevant to the plan or programme; and
- (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).

**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;
- (b) the cumulative nature of the effects;
- (c) the transboundary nature of the effects;
- (d) the risks to human health or the environment (for example, due to accidents);
- (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (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
- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

4.2 The diagram below provided in the ODPM practical guidance<sup>1</sup> document illustrates the process for screening a plan or programme to ascertain whether a full SEA is required. This is based on a checklist approach following the SEA regulations to help determine whether SEA is required.



Source: A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005)

<sup>1</sup> A Practical Guide to the Strategic Environmental Assessment Directive (2005), Office for the Deputy Prime Minister.



4.3 The following table shows the assessment of whether the Broughton Neighbourhood Plan will require a full SEA.

## Establishing the need for SEA

**Table 1: Assessment of the characteristics of the plan:**

| <b>Stage</b>   | <b>Answer</b> | <b>Reason</b>   |
|--|---------------|---|
| <b>1. Is the NP 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 of Government? (Article 2(a))</b>   | Y             | <p>The Broughton Neighbourhood Plan will be prepared by the relevant Qualifying Body. The plan will be 'made' by the local planning authority Kettering Borough Council under the Neighbourhood Planning Regulations 2012.</p> <p><b>Go to question 2</b></p>   |
| <b>2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))</b>   | Y             | <p>Neighbourhood Plans are not required to be produced, but are subject to formal procedures and regulations laid down by Government.</p> <p>If the plan is 'made' it will form part of the statutory Development Plan for Kettering Borough. Therefore it is considered necessary to answer the following questions to determine whether SEA is required.</p> <p><b>Go to question 3</b></p>   |
| <b>3. Is the NP 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))</b> | N             | <p>The Neighbourhood Plan is prepared for the purposes of town and country planning, and does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.</p> <p>The Neighbourhood Plan includes 2 allocations of 7 and 6 dwellings but does not set a framework for future development consent of projects in Annexes I and II to the EIA.</p> <p><b>Go to question 4</b></p> |

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| <p><b>4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?</b></p>   | <p>N</p> | <p>The Habitat Regulations Assessment for the Joint Core Strategy (JCS) set out recommendations in relation to addressing impacts on the Upper Nene Valley Gravel Pits Special Protection Area (SPA).</p> <p>The addendum to the HRA assessment concluded that mechanisms to avoid adverse effects on the integrity of European sites have been incorporated into the plan and planning application procedures. It was therefore concluded that the JCS would not result in an adverse effect on integrity either alone or in combination with other projects and plans.</p> <p>Given the scale of development proposed in the Neighbourhood Plan and the need for the plan to be in general conformity with policies in the JCS it is not considered that the proposals in the Neighbourhood Plan would represent a likely significant effect to any European site.</p> <p><b>Go to question 6</b></p> |
| <p><b>5. Does the PP determine use of small areas at local level, OR is it a minor modification of a PP subject to Art 3.2.? (Art 3.3)</b></p>  |          | <p>N/a</p>  |
| <p><b>6. Does the plan set the framework for future development consent of projects?</b></p>  | <p>Y</p> | <p>The Broughton Neighbourhood Plan, once 'made', will be used as part of the Development Plan for determining planning applications.</p> <p><b>Go to question 8</b></p>  |
| <p><b>7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co financed by structural funds or EAGGF programmes 2000 to 2006/7 (Art 3.8, 3.9)</b></p> | <p>N</p> | <p>The Neighbourhood Plan does not deal with these categories of plan.</p> <p><b>Directive requires SEA</b></p>   |
| <p><b>8. Is the NP likely to have a significant effect on the</b></p>   | <p>Y</p> | <p>The Neighbourhood Plan must be in conformity with the North</p>  |

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| environment? |  | <p>Northamptonshire Joint Core Strategy which has been subject to full Sustainability Appraisal which included SEA assessment.</p> <p>The assessment of whether the Neighbourhood Plan is likely to have a significant effect is considered in detail in table 2 below.</p> <p><b>Go to stage 7</b></p> |
|--------------|--|---|

**Table 2: Assessing the likely significant effects on the environment**

| <b>SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)</b>  |   |  |
|---|---|--|
| <b>Criteria</b>   | <b>KBC Comment</b>  | <b>Likely Significant environmental effect</b> |
| <b><i>The characteristics of plans and programmes, having regard, in particular, to:</i></b>  |   |  |
| <b>1a) 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</b> | <p>The Broughton Neighbourhood Plan will set out the vision for development of Broughton Parish for the period to 2031.</p> <p>The Broughton Neighbourhood Plan is intending to make small scale allocations. The quantity of development is within the existing housing delivery targets of the North Northamptonshire Joint Core Strategy.</p> <p>The Neighbourhood Plan will provide a framework for determining planning applications in the parish.</p> <p>There is therefore the potential for an effect on the environment resulting from proposals in the Plan.</p> | Y  |
| <b>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</b>   | <p>The Broughton Neighbourhood Plan will sit beneath the North Northamptonshire Joint Core Strategy and will need to be in general conformity with the policies in this plan. Neighbourhood Plans provide</p>   | N  |

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|  | policies at a local level and do not in themselves influence other more strategic policies or programmes.  |   |
| <b>1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</b>                             | The basic conditions require that Neighbourhood Plans must have regard to sustainable development. For a Plan to be deemed sound, an Examiner must be satisfied that the Neighbourhood Plan would give rise to sustainable development.  | N |
| <b>1d) Environmental problems relevant to the plan or programme</b>  | The preparation of the Neighbourhood Plan will need to consider the impact of proposals on designated sites, wider biodiversity, flood risk etc. Given the scale of development proposed in the Neighbourhood Plan it is not considered that there would be significant environmental effects.   | N |
| <b>1e) 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).</b> | Northamptonshire County Council is the Minerals and Waste Planning Authority. Policies relating to minerals and waste are set out in the Minerals and Waste Local Plan.<br>Waste Management and Water protection are not issues dealt with by the Neighbourhood Plan.  |   |
| <b><i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i></b>  |  |   |
| <b>2a) The probability, duration, frequency and reversibility of the effects</b>   | Generally Neighbourhood Plans relate to specific areas and deal with small scale local issues.<br>These local policies will complement higher level strategic policies in the Local Plan.<br>The JCS sets out the role for the rural area. The strategy is for development at villages to meet locally arising needs unless these needs would be more sustainably met at a nearby larger settlement.<br>The Neighbourhood Plan is likely to have short term impact resulting from activity associated with development of sites. There may also be long term impacts resulting from policies and proposals in the plan. It is very unlikely that these will have any significant irreversible damaging environmental impacts.<br>The Neighbourhood Plan will contain a monitoring and review section to measure the effects of the plan. | N |

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| <b>2b) The cumulative nature of the effects</b>   | The Neighbourhood Plan will make small scale allocations within the rural housing allocation set out in the North Northamptonshire Joint Core Strategy. Cumulative impacts of development have therefore been considered through the preparation of the JCS.   |   |
| <b>2c) The trans-boundary nature of the effects</b>   | The Neighbourhood Plan focuses on the Broughton Parish area. Transboundary issues are strategic matters and therefore beyond the scope of a Neighbourhood Plan.  | N |
| <b>2d) The risks to human health or the environment (e.g. due to accidents)</b>   | There are unlikely to be risks to human health or the environment as a result of the Neighbourhood Plan.   | N |
| <b>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</b>               | The Neighbourhood Plan focuses on the Broughton Parish area. Therefore the spatial extent of the effects is limited to the Parish area.  | N |
| <b>2f) The value and vulnerability of the area likely to be affected due to:<br/>I. special natural characteristics or cultural heritage,</b> | <p><b>Cultural Heritage</b></p> <p>There is a Conservation Area which covers the historic core of the settlement.</p> <p>Listed Buildings:<br/> No.25 (Yeomans House) – Grade II<br/> No. 23 High Street (formerly listed as Barn to south of Yeomans House) – Grade II<br/> The Gables, Church Street – Grade II<br/> Church of St Andrew – Grade II*<br/> Rectory Farm House – Grade II<br/> Stables 2m. south of Rectory Farmhouse – Grade II<br/> No. 37 (Holly House), Church Street – Grade II</p> <p>Comments received from Heritage England advised that Heritage England is of the view that there may be significant environmental effects on the historic</p> | Y |

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|  | <p>environment arising from the Neighbourhood Plan. Heritage England advises that the site on Church Street which is adjacent to the Conservation Area has the potential to affect the setting of heritage assets. This site has been identified for 7 dwellings. The site has not been subject to SA/ SEA as part of an adopted Local Plan process. Therefore Heritage England is of the view that an SEA is required.</p>  |   |
|  | <p><b>Natural Environment</b> (e.g. Local Wildlife Sites):</p> <p>The Nene Valley Nature Improvement area covers an area of land along the north east boundary of the parish.</p> <p>Broughton Pocket Park</p> <p>Highcroft Farm Local Wildlife site</p> <p>Natural England has advised that it is unlikely the plan would have a significant effect on the sensitive sites that Natural England has a statutory duty to protect. Natural England is not aware of <u>significant</u> populations of protected species which are likely to be affected by the policies/ proposals in the plan.</p> <p>The Environment Agency has advised that the Broughton Neighbourhood Plan is unlikely to result in significant environmental impacts.</p> <p>Full copies of comments received from the Consultation Bodies are attached at appendix 2.</p> | N |
| <p><b>2f) The value and vulnerability of the area likely to be affected due to:</b></p> <p><b>II. exceeded environmental quality standards or limit values</b></p> | <p>The scale of development proposed in the Neighbourhood Plan is small and not likely to exceed environmental limits.</p>   | N |

|  |   |   |
|--|---|---|
| <b>2f) The value and vulnerability of the area likely to be affected due to:</b><br><b>III. intensive land-use</b>           | Site allocations would provide a more intensive land use, however given the scale of development proposed it is not considered that intensive land use would be a significant issue.  | N |
| <b>2g) The effects on areas or landscapes which have a recognised national, community or international protection status</b> | The Northamptonshire Landscape Character Assessment (LCA) identifies landscape character types and landscape character areas across the Borough. Policy 3 of the JCS requires development to be sensitive to its landscape setting and where possible enhance landscape character. The Neighbourhood Plan needs to be in general conformity with policies in the JCS. The sites proposed in the Neighbourhood Plan are small scale and located within the confines of the village's built up area and does not propose development which encroaches into the open countryside. Given the scale of development proposed in the Neighbourhood Plan and the need for it to be in conformity with the JCS it is not considered that there would be a significant impact on landscape character resulting from implementation of the Neighbourhood Plan. | N |
| <b>Conclusion</b>  | The Broughton Neighbourhood Plan is likely to have a significant effect on the historic environment as a result of the allocation of sites for development.   |   |



## **SEA Screening Outcome**

As a result of the assessment in Section 4 it is considered that there would potentially be significant environmental effects resulting from the Neighbourhood Plan in relation to the historic environment, as set out in Section 2F of table 2, which have not been dealt with by the Sustainability Appraisal of the emerging Local Plan. Therefore a full SEA will need to be undertaken.

## **Habitat Regulations Assessment**

The North Northamptonshire Joint Core Strategy was subject to a Habitat Regulations Assessment. This Habitat Regulations Assessment (January 2015) considered that the JCS would not lead to an adverse effect on the integrity of Rutland Water SPA, SAC, RAMSAR site, Barnack Hills and Holes SAC, Nene Washes SPA/SAC/RAMSAR site or Orton Pit SAC. The assessment found there is potential for effects on the integrity of the Upper Nene Valley Gravel Pits SPA and RAMSAR site as a result of the current policies, Strategic sites and proposed non-strategic sites within 7.5km of the designated site. Recommendations were made for avoidance and mitigation measures.

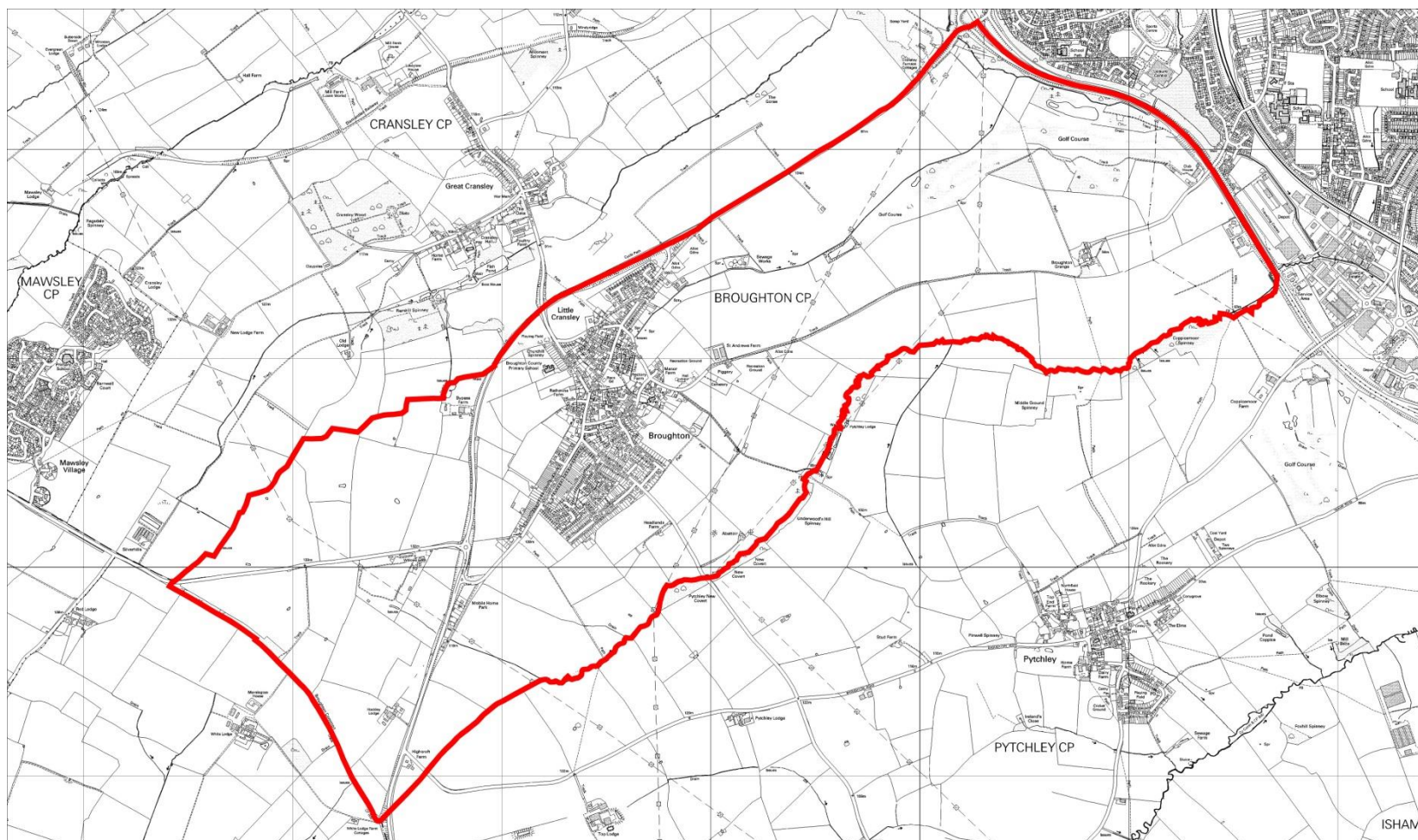
An addendum to the Habitat Regulations Assessment (June 2015) was prepared to consider the implications of a number of modifications to the JCS. The overall conclusion was that given the changes made to the JCS, including the focused changes, it was considered that mechanisms to avoid adverse effects on the integrity of European sites have been incorporated into the plan and planning application determination procedures. It was therefore concluded that the JCS would not result in an adverse effect on integrity either alone or in combination with other projects and plans.

Natural England commented on the need for HRA for the Broughton Neighbourhood Plan. Natural England is of the view that the location and scale of development proposed in the plan would not represent a likely significant effect to any European site.

## **HRA Conclusion**

Given the scale of development proposed in the Neighbourhood Plan and the need for the plan to be in general conformity with policies in the JCS it is not considered that the proposals in the Neighbourhood Plan would represent a likely significant effect to any European site.

## Appendix 1: Broughton Neighbourhood Area



Title: Broughton Neighbourhood Plan Area Boundary

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Licence  
100017647

Date: 24.01.14

Scale: 1:25000

Drawn by: KBC

**Kettering**  
Borough Council

## **Appendix 2: Consultation responses**



Historic England

BY EMAIL:  
andrewneedham@kettering.gov.uk

Our ref: PL00016289  
Your ref:

Telephone: 07769 242872 /  
0115 9227773

13 April 2016

Dear Mr Needham

**Request for screening for SEA - Broughton Neighbourhood Plan**

Thank you for consulting Historic England on the above 05 February 2016.

For the purposes of this consultation, Historic England will confine 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.

We observe that the Plan appears to propose one site allocation (and three 'potential' site allocations) which are not allocated within the North Northamptonshire Joint Core Spatial Strategy (adopted 12 June 2008) which may have significant environmental effects upon the historic environment. Specifically, the current draft plan includes four housing allocations / potential allocations adjacent to the Conservation Area, with the allocations potentially affecting the setting of Grade II\* and Grade II heritage assets. These sites have not been subject to SA/SEA as part of the Local Plan process.

We are of the view, at this time, that there may well be significant impacts on the historic environment and it is our view that a SEA is likely to be required. We understand that our views, together with the views of other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made. I should be pleased if you could send a copy of the determination when this is issued.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this



Historic England, 2<sup>nd</sup> Floor, Windsor House, Cliftonville, Northampton NN1 5BE

Telephone 01604 73 5460 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.

Please do not hesitate to contact me if you wish to discuss any of these comments.

Yours sincerely



**Emilie Carr (Mrs)**  
**Historic Environment Planning Adviser**  
**E-mail: [Emilie.carr@HistoricEngland.org.uk](mailto:Emilie.carr@HistoricEngland.org.uk)**



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Historic England

BY EMAIL:  
andrewneedham@kettering.gov.uk

Our ref: PL00016163  
Your ref:

Telephone: 07769 242872 /  
0115 9227773

15 September 2016

Dear Mr Needham

**Request for screening for SEA - Broughton Neighbourhood Plan**

Thank you for re-consulting Historic England on the above 30 August 2016.

For the purposes of this consultation, Historic England will confine 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.

We observe that the Plan appears to propose two site allocations which are not allocated within the North Northamptonshire Joint Core Spatial Strategy (adopted 12 June 2008) one of which may have significant environmental effects upon the historic environment. Specifically, the current draft plan includes a housing allocation (the BT exchange) adjacent to the Conservation Area, with the allocation potentially affecting the setting of other heritage assets. This site has not been subject to SA/SEA as part of an adopted Local Plan process.

We are of the view, at this time, that there may well be significant impacts on the historic environment and it is our view that a SEA is likely to be required. We understand that our views, together with the views of other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made. I should be pleased if you could send a copy of the determination when this is issued.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this



Historic England, 2<sup>nd</sup> Floor, Windsor House, Cliftonville, Northampton NN1 5BE

Telephone 01604 73 5460 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to Information policy.

Correspondence or information which you send us may therefore become publicly available.



does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.

Please do not hesitate to contact me if you wish to discuss any of these comments.

Yours sincerely



Emillie Carr (Mrs)  
Historic Environment Planning Adviser  
E-mail: [Emillie.carr@HistoricEngland.org.uk](mailto:Emillie.carr@HistoricEngland.org.uk)



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Historic England

BY EMAIL:  
JuliaBaish@kettering.gov.uk

Our ref: PL00016163  
Your ref:

Telephone: 07769 242872

26 September 2017

Dear Ms Baish

**Request for screening for SEA - Broughton Neighbourhood Plan**

Thank you for re-consulting Historic England on the above 08 September 2017.

For the purposes of this consultation, Historic England will confine 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.

We observe that the Plan still appears to two site allocations which are not allocated within the North Northamptonshire Joint Core Spatial Strategy (adopted 12 June 2008) one of which may have significant environmental effects upon the historic environment. Specifically, the current draft plan includes a housing allocation (the BT exchange) adjacent to the Conservation Area, with the allocation potentially affecting the setting of other heritage assets.

We are of the view, at this time, that there may well be significant impacts on the historic environment and it is our view that a SEA is likely to be required (however I understand that this work has recently been undertaken). We understand that our views, together with the views of other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made. I should be pleased if you could send a copy of the determination when this is issued.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.

We would like to stress that this is based on the current information provided in the screening request and the current draft Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on the SEA process, and subsequent draft Plan's.



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Please do not hesitate to contact me if you wish to discuss any of these comments.

Yours sincerely



**Emilie Carr (Mrs)**  
**Historic Environment Planning Adviser**  
**E-mail: [Emilie.carr@HistoricEngland.org.uk](mailto:Emilie.carr@HistoricEngland.org.uk)**



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Telephone 01604 73 5460 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)  
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Andrew Needham  
Kettering Borough Council  
Planning Policy & Implementation  
Council Offices  
Bowling Green Road  
Kettering  
Northamptonshire  
NN15 7QX

**Our ref:** AN/2012/114223/OR-  
02/PO1-L01

**Your ref:**

**Date:** 15 April 2016

Dear Andrew

**Re: Neighbourhood Plan for Broughton  
Screening opinion request – Environmental Assessment of Plans and  
Programmes Regulations 2014**

Thank you for referring the Neighbourhood Plan for Broughton, which was received on 18 March 2016.

We have reviewed the information submitted and consider the Neighbourhood Plan for Broughton is unlikely to result in significant environmental impacts.

As the plan is required to be in general conformity with the North Northamptonshire Joint Core Strategy, we do not consider that we are able to provide you with further advice at this stage until we are consulted on individual planning applications by your Authority.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

**Kerrie Ginns**  
**Sustainable Places - Planning Adviser**  
Direct dial 02030253304  
Direct e-mail [kerrie.ginns@environment-agency.gov.uk](mailto:kerrie.ginns@environment-agency.gov.uk)



The Government Standard

Awarded to the Environment, Planning and Engagement  
Department, Lincolnshire & Northamptonshire

**Environment Agency**  
Nene House (Pychley Lodge Industrial Estate),  
Pychley Lodge Road, Kettering, Northants, NN15 6JQ  
Email: [planningkettering@environment-agency.gov.uk](mailto:planningkettering@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

*Customer services line: 03708 506 506  
Weekday daytime calls to 0370 numbers cost 8p plus up to  
6p per minute from BT Weekend Unlimited.  
Mobile and other providers' charges may vary.*

End

Julia Baish  
Planning Policy  
Kettering Borough Council  
Bowling Green Road  
Kettering NN15 7QX

**Our ref:** AN/2012/114223/OT-01/PO1-L01  
**Your ref:**

**Date:** 21 September 2017

Dear Julia

**Re: Neighbourhood Plan for Broughton Screening opinion request –  
Environmental Assessment of Plans and Programmes Regulations 2014**

Thank you for re-consulting us on a screening opinion for Broughton's Neighbourhood Plan. In this letter, we will refer to the neighbourhood plan as the Plan.

We have reviewed the strategic environmental assessment (SEA) screening report of August 2017 and the plan covering 2016 through to 2031 in the context of SEA requirements and other information provided in support of your request.

Based on the policies and site allocations put forward, we consider that the Plan is unlikely to have significant adverse environmental effects on the aspects of the environment we cover. However, we would welcome partnership opportunities with your Authority to secure beneficial outcomes for the water environment and other aspects within our remit.

We note that the policies set out in the Plan are of no wider coverage than those already addressed by the North Northamptonshire Joint Core Strategy. We welcome the application of the flood risk sequential test to the selection of the proposed allocated sites, i.e. steering development to areas at low risk of flooding.

We are aware that the sites put forward for allocation will be considered in appropriate detail through individual assessments at development management level. Accordingly, it is our view that given the scale and nature of the plan in the context of the emerging Part 2 Local Plan for Kettering and the adopted Joint Core Strategy, fit for purpose environmental assessments, if required should potentially satisfy the scope of any issues we raise at further detailed stages.

Should you require any additional information, or wish to discuss our response to your screening opinion request, please do not hesitate to contact me.

Yours sincerely

**Daniel Oladejo**  
**Sustainable Places - Planning Specialist**  
Direct dial 02030254936  
Direct e-mail [daniel.oladejo@environment-agency.gov.uk](mailto:daniel.oladejo@environment-agency.gov.uk)



Awarded to Lincolnshire & Northamptonshire Area

Date: 19 April 2016  
Our ref: 181252  
Your ref: Broughton Neighbourhood Plan SEA Screening Request



Mr A Needham  
Development Services  
Kettering Borough Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Mr Needham

### **Broughton Neighbourhood Plan SEA Screening Request**

Thank you for your consultation on the above dated 11 March 2016, which was received by Natural England on 14 March 2016.

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.

#### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance<sup>1</sup>. The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

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

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

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



Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

### **Habitats Regulations Assessment (HRA)**

We note that your consultation does not make reference to assessment of a likely significant effect to any European Sites as is required under the Conservation of Habitats and Species Regulations, i.e. there is currently no Habitats Regulations Assessment. However in our opinion the location and scale of development included within the plan would not represent a likely significant effect to any European Site.

For any queries relating to the specific advice in this letter only please contact Kayleigh Cheese on 02080 260981. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer.

We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Miss Kayleigh Cheese  
Northamptonshire Sustainable Development Team

**Julia Baish**

---

**From:** Cheese, Kayleigh (NE) <kayleigh.cheese@naturalengland.org.uk>  
**Sent:** 15 September 2017 10:02  
**To:** Julia Baish  
**Subject:** 225673 Broughton Neighbourhood Plan SEA and HRA Screening Opinion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Ms Baish

Thank you for contacting Natural England.

We have no further comments to make on the updated information. I refer you to my previous responses on the plan, Natural England ref: 181252 dated 19 April 2016 and 202990 dated 11 January 2017.

Kind regards

Kayleigh

Kayleigh Cheese  
Planning Lead Adviser  
Northamptonshire Local Delivery Team  
Essex, Herts, Beds, Cambs, Northants  
Natural England  
County Hall, Spetchley Road, Worcester  
WR5 2NP  
02080 260981  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

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**From:** Julia Balsh [<mailto:JuliaBalsh@kettering.gov.uk>]  
**Sent:** 08 September 2017 15:47  
**To:** Consultations (NE)  
**Subject:** Broughton Neighbourhood Plan SEA and HRA Screening Opinion

Dear Sir/Madam,

**Re: Neighbourhood Plan for Broughton and Neighbourhood Development Order  
Screening opinion request – Environmental Assessment of Plans and Programmes  
Regulations 2014 and Conservation of Habitats and Species Regulations 1994 (as amended)**

I write with reference to the neighbourhood plan that is being prepared for the village of Broughton within the Borough of Kettering.