

# **Strategic Environmental Assessment (SEA)** **Screening Report**

## **Linby Neighbourhood Development Plan** **(Draft Plan December 2017)**

Prepared by Gedling Borough Council on behalf of the Linby Neighbourhood Plan Steering Group

**(February 2018)**

### **1. Introduction to Strategic Environmental Assessment (SEA)**

- 1.1. This Screening Report has been prepared by Gedling Borough Council to determine whether or not the Linby Neighbourhood Plan (Draft Plan December 2017) requires a SEA in accordance with the European Directive 2001/42/EC and implemented through the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA regulations”). The European Directive 2001/42/EC requires a SEA to be undertaken where a Development Plan would have a significant environmental effect. The regulations require that the need for a SEA is determined through a screening process.
- 1.2. The Linby Neighbourhood Plan Steering Group has prepared the Draft Linby Neighbourhood Plan and has submitted this to Gedling Borough Council prior to undertaking the statutory Regulation 14 consultation. Consequently, it is considered that the preparation of the draft plan has reached a stage where sufficient information has been provided to enable the Borough Council to screen the draft plan and determine whether or not an SEA is required.
- 1.3. The assessment in this report and conclusions made by the Borough Council relate to the relevant legislative matters, rather than a wider consideration as to whether individual policies are acceptable in Planning Policy terms (this will be determined through the formal consultation stages).

## **2. The Requirements of Strategic Environmental Assessment (SEA)**

- 2.1 A neighbourhood plan is required to be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant.
- 2.2 European Directive 2001/42/EC is the legislative basis for Strategic Environment Assessment (SEA), and it was transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”). Under the requirement of the Directive and the SEA Regulations, plans and programmes which set the framework for future development consent of projects should be subject to an environmental assessment.
- 2.3 The objective of the SEA Directive is:  
*‘to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans ... with a view to promoting sustainable development.’*  
(Article 1)
- 2.4 Detailed guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’.
- 2.5 Planning Practice Guidance at Paragraph: 027 Reference ID: 11-027-20150209 identifies that:  
*‘In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.’*
- 2.6 Planning Practice Guidance at Paragraph: 046 Reference ID 11-046-20150209 also provides that:  
*Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. 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*
  - *the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.*

- 2.7 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in negative significant effects occurring on protected European Sites as a result of the Plan's implementation<sup>1</sup>.
- 2.8 The SEA Regulations require the 'responsible authority' to 'determine' whether or not a plan is likely to have significant effects and therefore whether a SEA is needed. Consequently, a screening determination will need to be produced by either the qualifying body (the parish council or neighbourhood forum) or the Local Planning Authority. This Strategic Environmental Assessment (SEA) Screening Report has been prepared by Gedling Borough Council for the Linby Draft Neighbourhood Plan (December 2017).
- 2.9 The Environment Agency, Natural England and Historic England were consulted on the draft SEA Screening Report prior to a final determination being made.

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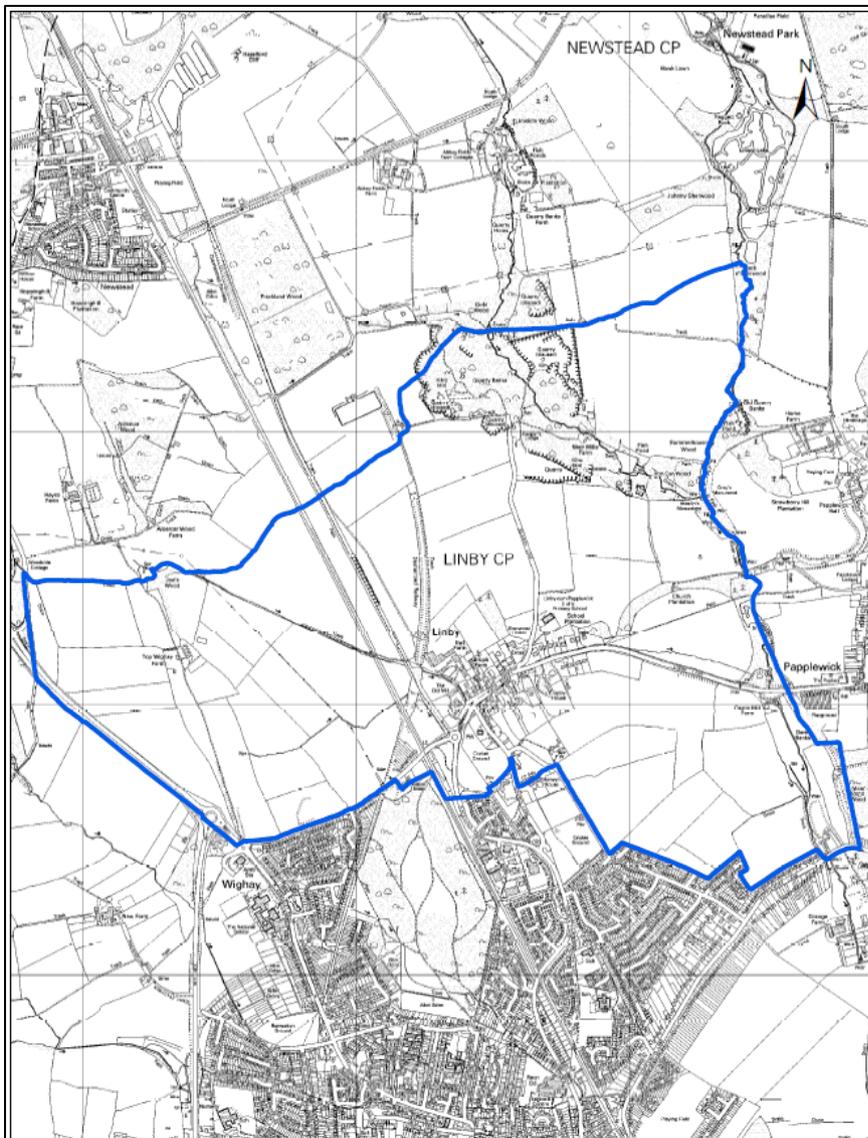
<sup>1</sup>Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

### **3. The Linby Neighbourhood Development Plan (Draft Plan December 2017)**

- 3.1. The application by Linby Parish Council to designate the Parish of Linby as a neighbourhood plan area was approved by Gedling Borough Council on 25<sup>th</sup> April 2016. The boundary of the neighbourhood plan area is shown in Plan 1.
- 3.2. The Draft Linby Neighbourhood Plan (December 2017) has been prepared by the Linby Parish Steering Group (on behalf of Linby Parish Council) informed by informal public consultation. The Steering Group submitted the draft plan to the Borough Council on 8<sup>th</sup> December 2017 for the purpose of undertaking the SEA Screening prior to the Parish Council undertaking the statutory Regulation 14 consultation.
- 3.3. The Linby Neighbourhood Plan does not allocate sites for housing, retail or employment. The Plan sets out the following 12 development management policies:
  - HSG1 (Housing Mix)
  - DES1 (Design)
  - CBH1 (Heritage and Local Green Space)
  - CBH2 (Historic Character)
  - NE1 (Habitats, Trees and Hedgerows)
  - NE2 (Landscape and Rural Character)
  - TRA1 (Traffic and Transport)
  - EMP1 (High Speed Connectivity)
  - EMP2 (Employment)
  - COM1 (Community Facilities)
  - DC1 (Developer Contributions)
  - STP1 (Sustainable Housing Development) TWF Safeguarded Land)
- 3.4. The Development Plan for Gedling Borough comprises the Saved Policies of the Replacement Local Plan (2005) and the Aligned Core Strategy (Part 1 Local Plan). The emerging Local Planning Document (Part 2 Local Plan) has undergone its examination hearing sessions and the consultation on the Main Modifications is due to start in early 2018. Given the current anticipated timescales it is likely that the Local Planning Document (Part 2 Local Plan) will be adopted in summer 2018, and this will supersede the Replacement Local Plan (2005).
- 3.5. The following policies are considered strategic for the purpose of neighbourhood planning:
  - all of the Saved Policies in the Replacement Local Plan (2005)
  - all of the Policies in the Aligned Core Strategy (2014)
  - all of the Policies in the Local Planning Document (emerging)
- 3.6. Considering the wider Development Plan, it should be noted that the following policy designations fall within/ relate to the Linby neighbourhood area:

- The Linby Conservation Area was designated in 1972 and extended in 2011 (see emerging LPD Policy Map for correct boundary).
- There are two Scheduled Monuments within the Linby Conservation Area.
- The Strategic Allocations ‘Top Wighay Farm’(1,000 homes) and ‘North of Papplewick Lane’ (300 homes) are allocated in the Aligned Core Strategy and fall within the Linby neighbourhood area.
- Safeguarded Land is identified in the emerging Local Planning Document at ‘Top Wighay Farm’ and falls within the Linby neighbourhood area.
- Housing allocation ‘Hayden Lane (H10)’ is allocated for 120 homes in the emerging Local Planning Document and falls within the Linby neighbourhood area.

### **Plan 1 – Linby Neighbourhood Plan Area**



#### **4. The SEA Screening Process**

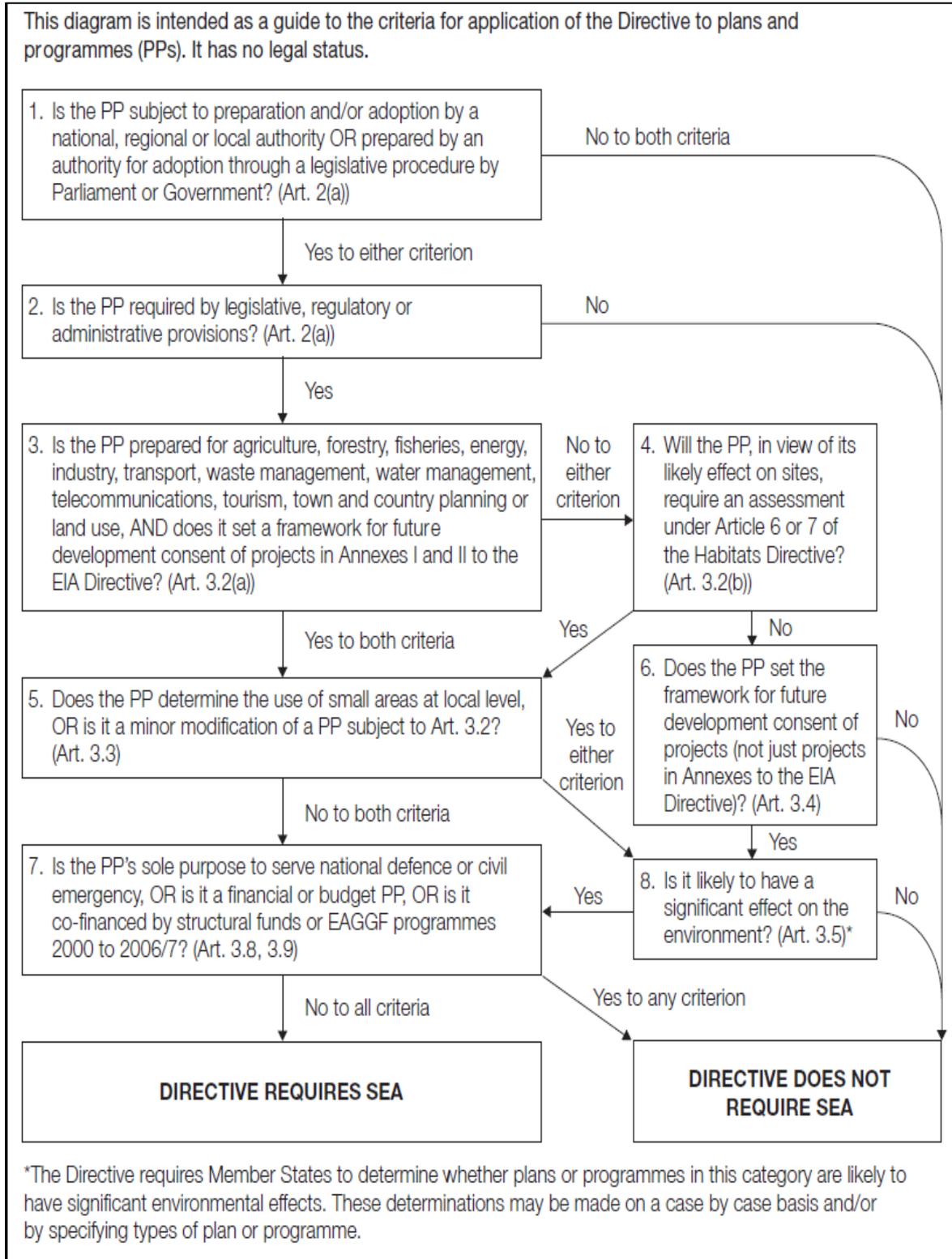
- 4.1. The SEA Screening Process determines whether or not a SEA is required and is effectively a determination as to whether a plan will have significant environmental effects. The final determination, set out in section 5 of this report, has been made in consultation with the three statutory consultation bodies: the Environment Agency, Natural England and Historic England.
- 4.2. A Habitats Regulations Assessment (HRA) will be required in cases where a Neighbourhood Plan is considered likely to result in significant negative effect on protected European Sites (Natura 2000 sites) as a result of the plans implementation.
- 4.3. ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (2005)<sup>2</sup> provides guidance on undertaking a SEA. Diagram 1 is taken from ‘A Practical Guide’ and sets out the process required to screen a planning document to determine whether or not a SEA is required.
- 4.4. The Borough Council has prepared this screening assessment to determine whether:
  - the content of the draft Neighbourhood Plan requires a SEA in accordance with European Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004; and/or
  - a Habitats Regulation Assessment (HRA) is required in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 4.5. Consideration of the likely significant effects is undertaken against the criteria set out in Schedule 1 of the SEA Regulations. Schedule 2 identifies that the likely significant effects on the environment can be seen in relation to issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. Table 1 of the Screening Report sets out the Council’s assessment of whether the Plan will require a full SEA. The questions are drawn from Diagram 1, which sets out how the SEA Directive should be applied. It reflects the findings in Table 2, which sets out an assessment of the Plan against the criteria within Annex II of European Directive 2001/42/EC and Schedule 1 of the SEA Regulations.
- 4.6. Providing there are no significant changes to the proposals and the policies of the Linby Neighbourhood Plan (Draft December 2017), this Screening Report undertaken by Gedling Borough Council fulfils the requirement to identify whether or a SEA is required in relation to the Neighbourhood Plan.

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)

**Diagram 1: “A Practical Guide to the Strategic Environmental Assessment Directive,” (2005), paragraph 2.18, figure 2.**



**Table 1: Establishing the requirement for a full SEA**

“PP” means plan or programme.

“NP” means Neighbourhood Plan.

Stage	Yes/ No	Reason
<p><b>1. Is the PP (plan or programme) 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?</b> <b>(Art. 2(a))</b></p>	Yes	<p>The preparation and adoption of the NP is regulated under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The draft NP has been prepared by Linby Parish Council (as the ‘relevant body’) and should be ‘made’ by Gedling Borough Council as the local planning authority if it is approved by referendum.</p> <p>The preparation of a NP is subject to the Neighbourhood Planning (General) Regulations 2012 (as amended), and the Neighbourhood Planning (Referendums) Regulations 2012 (as amended).</p>
<p><b>2. Is the PP required by legislative, regulatory or administrative provisions?</b> <b>(Art. 2(a))</b></p>	No	<p>There are no legislative, regulatory or administrative provisions that require the preparation of a NP.</p> <p>However, communities through a Parish Council have the option to prepare a NP which, if approved by referendum and subsequently ‘made’ by the Borough Council, will form part of the statutory Development Plan for Gedling Borough. It is therefore considered necessary to continue the screening to determine further if a SEA is required.</p>
<p><b>3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?</b> <b>(Art 3.2(a))</b></p>	No	<p>Whilst the NP is being prepared for ‘town and country planning or land use’ purposes, it does not allocate sites for development or indicate the preferred location for development. In this case, allocations have been established through the Local Plan. The draft NP sets out policies that will influence future development in the Parish of Linby and will be used as a tool to manage the design and other details of development, rather than to establish the principles of</p>

		<p>land use.</p> <p>Draft Policies EMP1 and STP1 make reference to the Top Wighay Farm allocation/Safeguarded Land. These sites have been proposed and assessed through the Local Plan process. The draft NP proposes policies that relate to the design and development of these sites, rather than the principle. As such, it is considered that these policies do not set a framework for the principle of consent, rather the design of it.</p> <p>While Annex II can include housing in the ‘urban development projects’ category*, the draft NP does not allocate sites for development or indicate the preferred location for future development, nor does it explicitly set the scale and nature of development in Annexes I and II to the EIA Directive.</p> <p><i>* Interpretation of definitions of project categories of Annex I and II of EIA Directive, European Commission 2015.</i></p> <p>Table 2 sets out the likely significant environmental effects of the draft NP in relation to the criteria in Annex II.</p>
<p><b>4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</b></p>	<p>No</p>	<p>The Aligned Core Strategy (Part 1 Local Plan) and emerging Local Planning Document (Part 2 Local Plan) have been subject to a Habitats Regulations Assessment (HRA). Given that the Part 2 Plan is in general conformity with the Part 1 Plan, no significant effect was revealed.</p> <p>Similarly, the draft NP has been written to be in general conformity with the Local Plan. The draft NP does not promote more development than the Local Plan and, as a result, the conclusions of ‘no likely significant effect’ of the Local Plan HRA are applicable to the neighbourhood area. Therefore, it is considered that a separate HRA is not required for the draft NP.</p>

<p><b>5.</b> Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? <b>(Art. 3.3)</b></p>	<p>Yes</p>	<p>The draft NP does not determine the principle of land uses in Linby, but will influence the details of how land is brought forward for development.</p> <p>However, the draft NP does seek to allocate protective land designations in particular areas identified as Local Green Space and existing community facilities.</p>
<p><b>6.</b> Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? <b>(Art 3.4)</b></p>	<p>Yes</p>	<p>Once the NP is approved by referendum and is subsequently ‘made’ by the Borough Council it will form part of the Development Plan for Gedling Borough and, as such, will be used alongside other policies in the Development Plan to determine planning applications within the neighbourhood area.</p>
<p><b>7.</b> Is the PP’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? <b>(Art 3.8, 3.9)</b></p>	<p>No</p>	<p>Not applicable to the draft NP.</p>
<p><b>8.</b> Is it likely to have a significant effect on the environment? <b>(Art. 3.5)</b></p>	<p>No</p>	<p>It is concluded that the draft NP is unlikely to have any significant effect on the environment. Table 2 of this Screening Report further considers the potential effect of the NP on the environment.</p>

4.7. Schedule 1 of the regulations sets out several criteria that can be used to determine the likely significance of effects of the Plan based on Annex II of the European Directive 2001/42/EC. These criteria are set out in Table 2, which identified the likely significant environmental effects of the draft Linby Neighbourhood Plan.

**Table 2: Assessment of the likely significant environmental effects**

SEA Regulations Criteria	Assessment	Is there a likely significant environmental effect?
<p><b>1a.</b> 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>	<p>The draft NP sets out 12 planning policies that, once approved by referendum and subsequently ‘made’ by the Borough Council, will form part of the statutory Development Plan for Gedling Borough. Therefore, whilst the draft NP does set a framework to influence future development within the neighbourhood area, its policies will be applied alongside the wider suite of policies set out in the Development Plan.</p> <p>The policies in the draft NP have been written to be in general conformity with the national and local policy framework and as required in the ‘Basic Conditions’. The draft NP does not seek to allocate any land further to what is allocated in the Local Plan. The NP policies apply locally as they can only influence development within the neighbourhood area.</p>	<p>No</p>
<p><b>1b.</b> The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The draft NP is required to conform to relevant legislation, national policy and strategic policies in the Local Plan. For Gedling Borough, the following policies are considered strategic for the purpose of neighbourhood planning:</p> <ul style="list-style-type: none"> <li>• all of the Saved Policies in the Replacement Local Plan (2005)</li> <li>• all of the Policies in the Aligned Core Strategy (2014)</li> <li>• all of the Policies in the Local Planning Document (emerging)</li> </ul> <p>Therefore, the draft NP has a relatively low hierarchical position with respect of the wider Development Plan and seeks to respond to rather than influence these.</p> <p>The NP is local in nature and its policies can only influence development within the neighbourhood area.</p>	<p>No</p>
<p><b>1c.</b> The relevance of the plan or programme for</p>	<p>The principle of promoting sustainable development is evident within the vision and objectives of the draft NP. The draft NP recognises the importance of sustainable</p>	<p>No</p>

<p>the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>development, as set out in national policy, at page 31. All of the policies of the draft NP have been reviewed and are considered to be generally supportive of the general principle of achieving social, environmental and economic sustainable development:</p> <p><b>Social –</b></p> <ul style="list-style-type: none"> <li>• Supports a balanced housing mix (HSG1);</li> <li>• Protects existing and encourages new community facilities (COM1);</li> <li>• Prioritises developer contribution spend on social infrastructure (DC1).</li> </ul> <p><b>Environmental –</b></p> <ul style="list-style-type: none"> <li>• Supports a sustainable design (DES1);</li> <li>• Designations/policy to protect environmental assets (CBH1; CBH2; NE1; NE2);</li> <li>• Supports sustainable transport provision (TRA1);</li> <li>• Sets out sustainability considerations for development at Top Wighay Farm (STP1).</li> </ul> <p><b>Economic –</b></p> <ul style="list-style-type: none"> <li>• Supports provision of economic related infrastructure (EMP1);</li> <li>• Supports appropriate economic development (EMP2).</li> </ul> <p>The policies in the draft NP are anticipated to have a positive environmental effect, given the positive approach taken towards sustainable development. The NP does not allocate sites for development.</p>	
<p><b>1d.</b> Environmental problems relevant to the plan or programme</p>	<p><b>Environmental assets -</b> The neighbourhood area contains important environmental assets including a Site of Special Scientific Interest (SSSI) and Local Wildlife Site (formerly SINC) designations. The area is rural in character. The draft NP sets out protective policies for these including:</p> <ul style="list-style-type: none"> <li>• Local Green Space designations to protect wildlife assets (CBH1)</li> <li>• Protection for habitats, trees and hedgerows (NE1)</li> <li>• Consideration of the landscape (NE2)</li> </ul> <p><b>Historic assets -</b></p>	<p>No</p>

	<p>The neighbourhood area contains important historic assets including the Linby Conservation Area, several listed buildings, two Scheduled Monuments and part of the Papplewick Hall historic park and garden. The draft NP sets out protective policies for these including:</p> <ul style="list-style-type: none"> <li>• Local Green Space designations to protect heritage assets (CBH1)</li> <li>• Design considerations to complement the Conservation Area (CBH2)</li> </ul> <p><b>General environmental problems</b></p> <p>The draft NP also includes Policy TRA1 to locally address sustainable transport provision. The draft NP does not include specific policies on other environmental matters (such as flood risk and environmental protection) and it is not required to – these matters are addressed in the Local Plan.</p> <p>To summarise, there are no environmental problems directly relevant to this plan. Where there are important environmental designations the draft NP policies do not contradict their protection.</p>	
<p><b>1e.</b> 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).</p>	<p>The draft NP, if approved by referendum and subsequently ‘made’ by the Borough Council, will form part of the statutory Development Plan for Gedling Borough. The NP will have to comply with national and local planning policies and European legislation in order to meet the ‘Basic Conditions’.</p> <p>European legislation has been taken into account by the Local Plan with which the neighbourhood plan has been prepared to be in general conformity with.</p>	<p>No</p>
<p><b>2a.</b> The probability, duration, frequency and reversibility of the effects</p>	<p>The Local Plan identifies housing and Safeguarded Land allocations within the neighbourhood area and subsequently there will be changes of land use within the area. These changes do not arise from the draft NP (i.e. the NP does not establish the principle of emerging land use designations). The policies in the draft NP will result in positive environmental effects</p>	<p>No</p>

	<p>through protecting environmental assets and promoting appropriate sustainable and locally acceptable forms of design. As such, it is considered that the duration of the positive effects will be long-term. The implementation of the draft NP will be made alongside the wider Development Plan and other material considerations.</p> <p>The draft NP states a plan period running to 2032, but contradicts this in the monitoring and review section stating 2028 in line with the Local Plan. Regardless, the NP supports continual plan review and monitoring of the policies. If it is considered in the future that the NP does have negative effects, provisions are included in the legislation that makes it possible to revoke a NP.</p>	
<p><b>2b.</b> The cumulative nature of the effects</p>	<p>Given that the draft NP seeks to positively influence the design of proposals rather than allocating land uses, it is not expected that any cumulative effects will have a negative impact.</p> <p>The policies that relate to the Top Wighay Farm land (which is allocated for housing development/ Safeguarded Land in the Local Plan) are not anticipated to have a negative cumulative effect as these policies are not intended to establish the principle of development (this matter has been appropriately considered through the Local Plan process).</p>	<p>No</p>
<p><b>2c.</b> The trans-boundary nature of the effects</p>	<p>All effects of the NP will be local in nature. In cases where the NP influences development of allocated sites close to the border with Ashfield District, it is considered that the policies will have a positive impact through enhanced and local consideration of design elements. Consequently there are not expected to be any significant trans-boundary effects.</p> <p>Given the proximity of sites (allocated in the Local Plan) to Ashfield District, it is possible that there may be trans-boundary effects arising from development. Effects could include impact upon local infrastructure (for example the transport network) and local services (for example education and health). It is intended that these matters will be dealt with collaboratively with Ashfield District through</p>	<p>No</p>

	<p>agreements relating to the development management process and relate more to the principle of development – which is established in the Local Plan, not the draft NP. With regards to the draft NP, this generally seeks to enhance the design of development which should have a positive trans-boundary effect upon amenity where relevant, and also includes Policy TRA1 to address the effect upon transport infrastructure.</p>	
<p><b>2d.</b> The risks to human health or the environment (e.g. due to accidents)</p>	<p>There are no significant effects to human health. The policies in the draft NP are anticipated to improve social, health and well-being of residents within the neighbourhood area through influencing sustainable development and design.</p>	No
<p><b>2e.</b> The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The spatial extent of the draft NP is confined to the designated Linby neighbourhood area, which is 370.79 hectares in size. According to the 2011 Census, the population of Linby Parish was 232. Land within Linby Parish is identified for housing development in the Development Plan, therefore it is expected that the population of the area will rise over the plan period.</p> <p>The policies in the draft NP seek to protect existing environmental assets (i.e. green infrastructure and heritage) and to positively influence the design and development of future proposals. Therefore it is anticipated that the draft NP will have positive environmental effects within their geographical area.</p>	No
<p><b>2f.</b> The value and vulnerability of the area likely to be affected due to:</p> <p><b>I.</b> special natural characteristics or cultural heritage,  <b>II.</b> exceeded environmental quality standards or limit values,  <b>III.</b> intensive land-use</p>	<p><b>(I)</b> As set out in the assessment for criteria 1c and 1d in this table, the draft NP sets out policies to address the three tiers of sustainable development and to protect and enhance environmental and historic assets within the neighbourhood area. It is considered that the draft NP’s approach will positively affect the value and vulnerability of designations within and credentials of the neighbourhood plan area.</p> <p><b>(II)</b> The vision of the draft NP refers to ‘high environmental standards’, which is broadly reflected in the policy approach towards enhancing local design considerations. The wider Development Plan also takes account of</p>	No

	<p>environmental quality standards.</p> <p><b>(III)</b> The draft NP does not allocate sites for development. It does designate areas as Local Green Spaces and Community Facilities for protective purposes. Specific policy references made to the Top Wighay Farm allocation/ Safeguarded Land relate to design. In this case it is the role of the Local Plan, not the NP, to assess the principle acceptability of ‘intensive land use’ of allocated sites - therefore the NP does not have a significant effect in this respect.</p>	
<p><b>2g.</b> The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>The neighbourhood area is within the in-combination assessment area for the Sherwood Forest Prospective Special Protection Area (pSPA), however the pSPA does not cover land within the neighbourhood area boundary. As concluded at Stage 4 of the SEA Screening (Table 1) it is considered that there is no requirement for a Habitats Regulations Assessment for the NP as this has been undertaken through the Local Plan process.</p> <p>The Linby Quarries SSSI falls partly within the neighbourhood area and it is considered that the draft NP policies do not contradict this designation.</p>	<p>No</p>

4.8. As a result of the assessment at Table 1 and Table 2, it is concluded that there are no significant environmental effects arising from the draft Linby Neighbourhood Plan, as such a full SEA is not required.

## **5. Consultation and Conclusion**

5.1. The Environment Agency, Natural England and Historic England were consulted on the SEA screening on 22<sup>nd</sup> December 2017 as required by legislation and the following responses were received:

<b>Consultee</b>	<b>Response</b>
<b>Environment Agency</b>	<p>Thank you for consulting us on the Strategic Environmental Assessment (SEA) Screening Report prepared by Gedling Borough Council (on behalf of Linby Parish Council) for the Draft Linby Neighbourhood Development Plan (December 2017).</p> <p>We agree with your conclusion that the Linby Neighbourhood Development Plan is unlikely to cause significant environmental impacts, and we therefore agree that a full SEA is not necessary in this instance.</p> <p>Should you have any further questions, or wish to discuss this response further, please feel free to contact me using the details below.</p>
<b>Natural England</b>	<p><b>Strategic Environmental Assessment Screening</b> We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.</p> <p>Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance.</p> <p><b>Habitats Regulations Assessment Screening</b> Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council’s conclusion of no likely significant effect upon the named European designated sites:  <input type="checkbox"/> Sherwood Forest Potential Special Protection Area (pSPA)</p> <p>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.</p>
<b>Historic England</b>	<p>Thank you for your consultation and the request for a Screening Opinion in respect of the Linby Neighbourhood Development Plan.</p> <p>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</p>

	<p>the information supplied with the screening request.</p> <p>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.</p> <p>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:</p> <p><a href="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/</a></p> <p>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.</p> <p>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.</p>
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5.2. As a result of the SEA screening statement undertaken in section 4 of this report, and as confirmed through consultation with the three statutory consultees, Gedling Borough Council has determined that there will be no significant environmental effects arising from the proposed Linby Neighbourhood Development Plan.

5.3. It has also been concluded that the Draft Linby Neighbourhood Plan does not require a Habitats Regulation Assessment (HRA).

**Statement of Reasons**

5.4. Gedling Borough Council has reached this conclusion on the Linby Neighbourhood Plan for the following reasons:

- The Plan does not allocate land for development.
- The Plan has been written to be in general conformity with the Part 1 and Part 2 (emerging) Local Plan and, as a result, characteristics and issues related to the strategic policies and allocations in the neighbourhood area have been considered through the Local Plan

process (including Habitats Regulations Assessment and Sustainability Appraisal). The Plan does not seek to alter the development strategy proposed in the Local Plan.

- The policies in the Plan are considered to have a generally positive environmental impact at local level, particularly through the inclusion of local design considerations.
- The analysis undertaken in Section 4 of the SEA Screening Report supports the conclusion reached, and has been confirmed through consultation with the statutory consultees.

5.5. In accordance with the regulations<sup>3</sup>, Gedling Borough Council has sent a copy of the “statement of reasons” to each consultation body, which states the determination of this report and the reasons why the plan is considered not to require a SEA. This is attached as Appendix A.

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<sup>3</sup> <http://www.legislation.gov.uk/uksi/2004/1633/regulation/11/made>

## **Appendix A –Statement of Reasons for SEA Determination**

### **LINBY DRAFT NEIGHBOURHOOD DEVELOPMENT PLAN**

#### **STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) SCREENING DETERMINATION UNDER THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004.**

Gedling Borough Council has undertaken a Strategic Environmental Assessment (SEA) Screening in order to determine the requirement for SEA for the Linby Draft Neighbourhood Plan.

Following consultation with the relevant statutory bodies (The Environment Agency, Natural England and Historic England) the Council has determined that a SEA of the Linby Draft Neighbourhood Plan is not required as it is not likely to have significant environmental effects. As such, it is the opinion of Gedling Borough Council that the Linby Draft Neighbourhood Plan is in accordance with the provisions of European Directive 2001/42/EC as incorporated into United Kingdom law by the Environmental Assessment of Plans and Programmes Regulations 2004. The reasons for this decision are:

#### **Statement of Reasons**

- The Plan does not allocate land for development.
- The Plan has been written to be in general conformity with the Part 1 and Part 2 (emerging) Local Plan and, as a result, characteristics and issues related to the strategic policies and allocations in the neighbourhood area have been considered through the Local Plan process (including Habitats Regulations Assessment and Sustainability Appraisal). The Plan does not seek to alter the development strategy proposed in the Local Plan.
- The policies in the Plan are considered to have a generally positive environmental impact at local level, particularly through the inclusion of local design considerations.
- The analysis undertaken in Section 4 of the SEA Screening Report supports the conclusion reached, and has been confirmed through consultation with the statutory consultees.

#### **A copy of the SEA Screening Report is available for inspection:**

- At the Gedling Borough Council Offices –  
Planning Policy, Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU.
- On the Councils website - [www.gedling.gov.uk/linbyplan](http://www.gedling.gov.uk/linbyplan)

For further information please contact Planning Policy, Gedling Borough Council at [planningpolicy@gedling.gov.uk](mailto:planningpolicy@gedling.gov.uk) or 0115 901 3735.