

**Breedon on the Hill Neighbourhood Plan**  
Strategic Environmental Assessment (SEA) &  
Habitat Regulations Assessment  
Screening Report  
(September 2023)

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## **1. Introduction**

- 1.1 A neighbourhood plan for Breedon on the Hill in North West Leicestershire has been prepared. The Breedon on the Hill Neighbourhood Plan (June 2023) (hereafter known as 'the Neighbourhood Plan') is the version of the plan which the Qualifying Body (Breedon on the Hill Parish Council) intends to submit.
- 1.2 This screening report is an assessment of whether or not the contents of the 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.
- 1.3 This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. The only such area within North West Leicestershire is the River Mease which is designated as a Special Area of Conservation (SAC). The Neighbourhood Plan area lies outside of the SAC boundary but within a 10-15km (8.5km) distance of the boundary of the SAC, a distance which it is generally recognised as being a 'rule of thumb' whereby the possibility of the plan/project impacting upon the SAC should be considered. There are also a number of other sites beyond 15km distance of the boundary of the Neighbourhood Plan which are also considered.
- 1.4 The purpose of the Neighbourhood Plan is to provide a set of statutory planning policies to guide development within Breedon on the Hill over the life of the Plan. The Plan sets out the community's vision of how the area will look by 2040. The Neighbourhood Plan also provides support for improved facilities to serve the community and seeks to protect and enhance important elements of the local environment.
- 1.5 The legislative background set out in the following section outlines the regulations that require the need for this screening exercise. Section 3 provides a screening assessment of both the likely significant environmental effects of the Neighbourhood Plan and the need for SEA. Section 4 provides a screening assessment of both the likely significant effects of the implementation of the Neighbourhood Plan and the need for a Habitats Regulation Assessment.
- 1.6 A summary of findings and conclusions for both screening processes can be found in the conclusions chapter at section 5.

## **2. Legislative Background**

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

- 2.1. The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English 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' (ODPM 2005).
- 2.2. The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) 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 as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's)

but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations. The purpose of this report is to determine if SEA is required for the Breedon on the Hill Neighbourhood Plan.

- 2.3. The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; Historic England, Natural England and the Environment Agency on whether a SEA is required. Details of the consultation bodies responses can be found at **Appendix 2**.

### **Habitat Regulation Assessment (HRA)**

- 2.4. It is required by article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.5. To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the Neighbourhood Plan upon European Sites (Natura 2000 sites) a screening assessment has been undertaken and is set out in section 4 of this report.
- 2.6. The legislation requires where there is a “risk” of a significant effect on a European Site, either individually or in combination with other plans or projects then there will be requirement for the plan to progress from HRA screening to an Appropriate Assessment. This is known as the precautionary principle.

### **Description of the Plan or Programme**

- 2.7. The Neighbourhood Plan has been prepared by the Breedon on the Hill Neighbourhood Plan Working Group on behalf of the Qualifying Body (Breedon on the Hill Parish Council). The Plan includes a number of policies under seven policy themes contained within the Vision for the Parish.
- 2.8. The policies relate to the Neighbourhood Area, a number of which seek the protection of the natural and built environment and features as well as its unique character and heritage assets. Other policies seek the retention of community services and the provision of appropriate infrastructure, and provide support for small scale housing development, affordable housing, rural homes and the rural economy.

## **3. SEA Screening**

### **Criteria for Assessing the Effects of the Breedon on the Hill Neighbourhood Plan**

- 3.1. 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
    - 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.

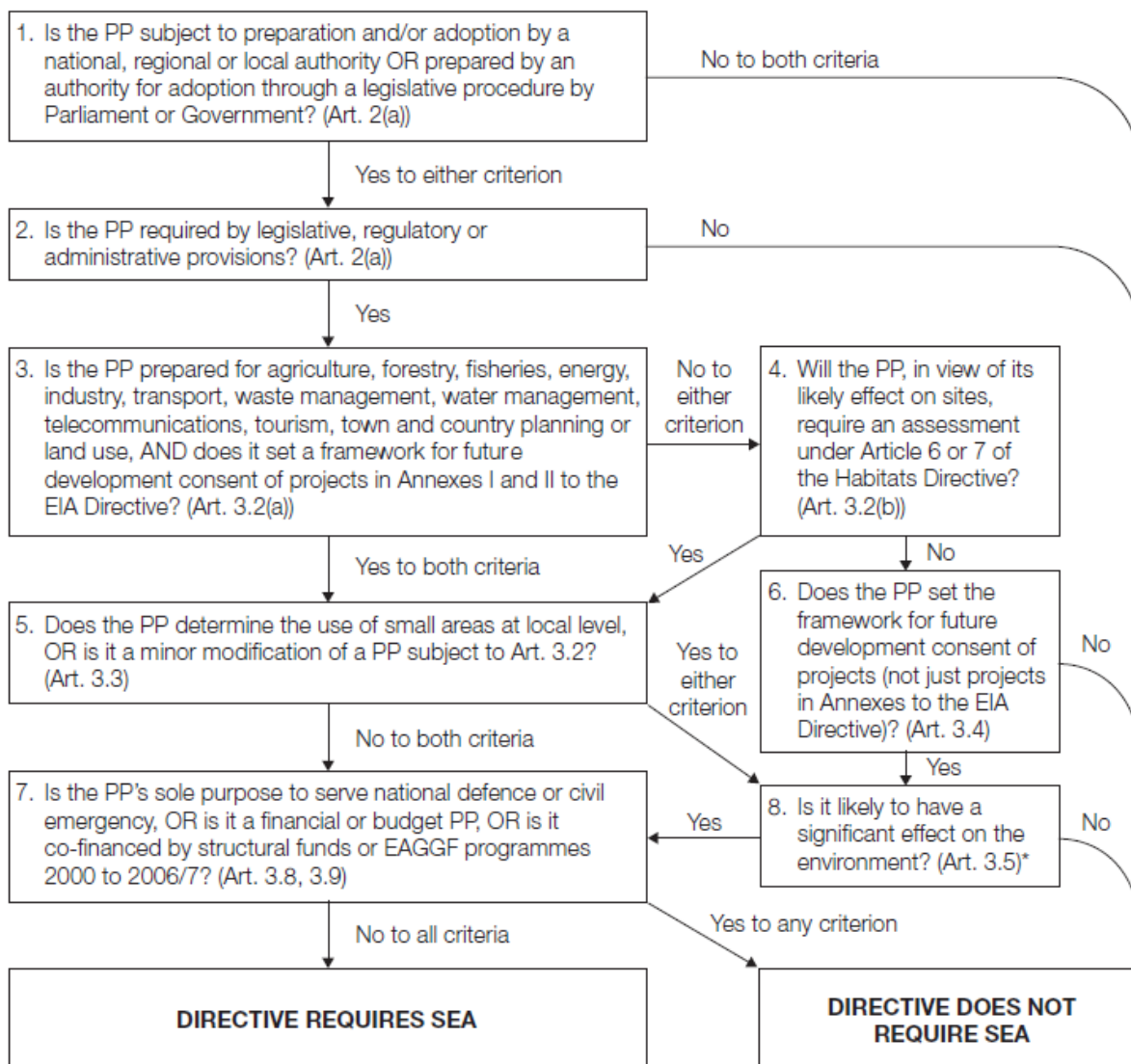
Source: Annex II of SEA Directive  
2001/42/EC

### **Assessment**

- 3.2. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan, in this case the adopted North West Leicestershire Local Plan (as amended by the Partial Review (Adopted November 2021)). The Local Plan itself has been the subject of both a Sustainability Appraisal and a Habitats Regulations Assessment.
- 3.3. Guidance regarding SEA's written by the Department of the Environment produces a diagram to the process for screening a planning document to ascertain whether a full SEA is required, see figure1.

Figure 1. Application of the SEA Directive to plans and programmes (PPs)

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



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

- 3.4. The process in figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the Neighbourhood Plan will require a full SEA. The questions in Table 1 are drawn from the diagram above which sets out how the SEA Directive should be applied.

**Table 1: Establishing the Need for SEA**

Stage	Yes/No	Reason
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? (Art. 2(a))	<b>Yes</b>	This Neighbourhood Plan is prepared by Breedon on the Hill Parish Council (as the Qualifying Body) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the plan is 'made' subject to examination and having received 50%+ or more 'yes' votes through a referendum it will be 'made' by North West Leicestershire District Council and become part of the Statutory Development Plan for the area.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	<b>No</b>	Communities have a right to produce a neighbourhood plan; however, communities are not required by legislative, regulatory or administrative purposes to produce a neighbourhood plan. However, once 'made' the Neighbourhood Plan would form part of the statutory development plan and will be used when making decisions on planning applications within the Neighbourhood Area. Therefore, it is considered necessary to answer the following questions to determine further if an SEA is required.
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? (Art 3.2(a))	<b>Yes</b>	The Neighbourhood Plan is prepared for town and country planning and land use. The plan sets out a framework for future development in the Breedon on the Hill Neighbourhood Area. Once 'made' the Neighbourhood Plan would form part of the statutory development plan and will be used when making decisions on planning applications which

		may include development which may fall under Annex I and II of the EIA Directive.
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>No</b>	The Neighbourhood Plan could potentially have an impact on internationally designated wildlife sites covered by the Habitats Regulations. See screening assessment for HRA in section 4 of this report which concludes that the Neighbourhood Plan would not affect such sites and so a HRA is not required.
5. 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? (Art.3.3)	<b>Yes</b>	<p>There are a number of policies which could potentially determine the use of small areas of land at a local level:</p> <ul style="list-style-type: none"> <li>• Policy BotH1: Countryside</li> <li>• Policy BotH8: Retention of Community Services and Facilities</li> <li>• Policy Bot10: Infrastructure</li> <li>• Policy BotH13: Local Green Space</li> <li>• Policy BotH14: Housing Requirement</li> <li>• Policy BotH15: Breedon on the Hill – Windfall Housing Development</li> <li>• Policy BotH16: Land south of Priory Close, Breedon on the Hill</li> <li>• Policy BotH17: Wilson – Windfall Housing Development</li> <li>• Policy BotH18: Brook Farm, Moor Lane, Tonge</li> <li>• Policy BotH20: Affordable Housing</li> <li>• Policy BotH21: Rural Housing</li> <li>• Policy BotH22: Residential Conversion of Rural Buildings</li> <li>• Policy BotH23: Rural Worker Accommodation</li> <li>• Policy BotH24: Replacement Dwellings</li> <li>• Policy BotH25: Business</li> </ul>



		Conversion of Rural Buildings <ul style="list-style-type: none"> <li>• Policy BotH26: Working from Home</li> </ul>
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Yes</b>	The Neighbourhood Plan once 'made' forms part of the statutory development plan and will be used to determine planning applications within the Neighbourhood Area. Therefore, the Neighbourhood Plan will set the framework for future developments.
7. 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? (Art 3.8, 3.9)	<b>No</b>	The Neighbourhood Plan does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>Uncertain</b>	The Neighbourhood Plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals within the Neighbourhood Plan. A detailed assessment of the potential for significant environmental effects is outlined in Table 2 (below).

3.5. A number of the criteria above suggest that SEA of the Neighbourhood Plan may be required. Criteria 5, 6 and 8 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment.

3.6. The criteria for undertaking such an assessment are drawn from Article 3(5) of the SEA Directive as set out at paragraph 3.1 of this report. The following assessment considers the likelihood of the Neighbourhood Plan (as published at the date of this report) to have significant effects on the environment,

**Table 2: Assessment if likelihood of significant effects on the environment**

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likely to have significant environmental effects	Summary of Significant effects
<b>The characteristics of the plans having regard to;</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		Once 'made; the Neighbourhood Plan will set out the framework which will be used to determine proposals for development within the neighbourhood area along with national policies and those contained in other parts of the development plan.

<p>conditions or by allocating resources.</p>		<p>There are a number of policies which could potentially determine the use of small areas of land at a local level:</p> <p>No Policy BotH1: Countryside protects the character and beauty of the countryside. Uses within the countryside will be restricted.</p> <p>No Policy BotH8 protects and supports the diversification and improvement of community services and facilities.</p> <p>No Policy BotH10 supports the provision of new or improved infrastructure as well as financial contributions, taking into account viability considerations.</p> <p>No Policy BotH13 identifies Local Green Spaces for their protection. In accordance with national planning policy, their development will only be permitted in very special circumstances.</p> <p>No Policy BotH14 identifies that the housing requirement will be met through existing committed development, windfall development, and a site allocation in Breedon on the Hill and Tonge.</p> <p>No Policy BotH15 identifies a defined Limits to Development in order to clarify where development would be acceptable in principle. The defined Limits to Development replaces that contained within the Local Plan, to allow account to be taken of development that has been permitted in the village.</p> <p>No Policy BotH16 allocates Land south of Priory Close, Breedon on the Hill (approximately 1.0ha) for approximately 15 dwellings. The proposed allocation results from the Neighbourhood Plan Working Group (NPWG) request to NWLDC to provide an indicative housing figure for the NP area (as directed by the National Planning Policy Framework). A range of options for Breedon on the Hill were provided by NWLDC officers, demonstrating in all circumstances that there was a justified need for additional housing in the NP area. The NPWG then assessed sites from the NWLDC Strategic Housing and Employment Land Availability Assessment (SHELAA) along with a further site that was put forward following a 'Call for Sites'.</p> <p>The site is currently outside of the Limits to Development as defined by the adopted Local</p>
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	No	worker accommodation, to support the rural economy, subject to various criteria including its relationship to a rural enterprise, an assessment of alternative options and scale.
	No	Policy BotH24 supports the replacement of dwellings subject to various criteria including setting, character, relationship with heritage assets, scale and the size of accommodation provided.
	No	Policy BotH25 supports the re-use, adaptation and extension of rural buildings for business use subject to various criteria including scale, impact on historic buildings, design, protected species, highway issues and character.
	No	Policy BotH26 supports development that facilitates homeworking subject to matters relating to sale, character, residential amenity and accessibility.
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	The Neighbourhood Plan is the lowest tier in the planning hierarchy and must conform to plans in the upper tiers, rather than influence them. The Neighbourhood Plan must be in general conformity with the adopted North West Leicestershire Local Plan, have regard to national policies and not breach/be compatible with European Directives.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The Neighbourhood Plan includes policies which provide protection to the character of the area, both natural and historic. These include policies which protect the countryside (BotH1), protect landscape and Locally Important Views (BotH2), designate and protect Areas of Separation (BotH3), seek the conservation and enhancement of biodiversity and the network of ecological features and habitats (BotH5), protection of trees and hedgerows (BotH6), water management (BotH7), protect local heritage assets (BotH11), designate and protect Local Green Space (BotH13)
Environmental problems relevant to the plan.	No	The Neighbourhood Plan identifies prominent features in the landscape, heritage assets including a Scheduled Monument, the importance of the separation between Breedon on the Hill and Tonge, the pressure for development in the locality in light of growth focused at East Midlands Airport and East Midlands Gateway, conservation and improvements in ecology and biodiversity, flooding issues within Breedon on the Hill and localised transport issues.  The Neighbourhood plan incorporates a raft of policies to protect the natural and historic

		environment. The proposed housing allocations are small in scale and are not anticipated to exacerbate any existing environmental problems.
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).	No	The Neighbourhood Plan is a land-use plan and sets the framework for future development consents within the Neighbourhood Plan Area through a range of policies.  The Neighbourhood Plan is not directly relevant to the implementation of Community legislation and does not allocate potentially polluting development.
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular to;</b>		
The probability, duration, frequency and reversibility of the effects.	No	The Neighbourhood Plan would result in the permanent loss of a greenfield land for housing. However, this is small-scale, to meet an identified need, and is a type of development compatible with the surrounding environment.
The cumulative nature of the effects.	No	The policies included within the Neighbourhood Plan are unlikely to result in likely significant effects (including two small-scale housing allocations) and their general conformity with local plan and national policy.  Any further development resulting from the Neighbourhood Plan proposals is also expected to be limited.
The trans boundary nature of the effects.	No	It is likely that most effects arising from the Neighbourhood Plan will be limited to the plan area given the scope and localised nature of the plan.
The risks to human health or the environment (e.g. due to accidents).	No	There is limited risk to human health or the environment as a result of the Neighbourhood Plan.
The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).	No	It is likely that most effects arising from the Neighbourhood Plan will be limited to the plan area given the scope and localised nature of the plan.
The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage exceeded environmental quality standards - intensive land use	No	There is 1 Scheduled Monument, 24 Listed Buildings and 3 Conservation Areas within the plan area and the Neighbourhood Plan also identifies a number of non-designated heritage assets and seeks to protect their features and settings. However NWLDC officers expect that the Plan, including the proposed housing allocation sites in particular, can be delivered without having significant adverse effects on cultural assets.  There are three Sites of Special Scientific Interest (Breedon Hill, Breedon Cloud Wood Quarry and Pasture and Asplin Woods) along with a number of

		<p>Local Wildlife Sites and Geology Sites.</p> <p>The Neighbourhood Plan identifies several sites which have been identified for their local environmental significance (including the LWS's) and Policy BotH5 seeks to protect them from harm. The siting of the housing allocations and their siting in relationship to the SSSIs is unlikely to have a significant environmental effect.</p> <p>There are not any Air Quality Management Areas within the Plan Area.</p>
The effects on areas or landscapes which have a recognised national, community or international protection status.	No	There are no national or local landscape designations within the plan area.

### Screening Outcome

- 3.7. Having regard to the assessment above it is considered that the Neighbourhood Plan is unlikely to have a significant environmental effect and accordingly will not require a Strategic Environmental Assessment. The Neighbourhood Plan is in general conformity with the adopted Local Plan which has been through SEA. There is a small degree of conflict since the Neighbourhood Plan proposes to allocate sites which are currently defined as countryside in the adopted Local Plan. However, the Neighbourhood Plan upholds the general principle of the Limits to Development / countryside as defined by Policies S2 and S3 of the adopted Local Plan. Furthermore, the housing allocations are not on environmentally sensitive land and, are of small scale. The housing allocation in Breedon on the Hill is proportionate to the existing settlement and also considered appropriate given the recently constructed development which adjoins the site to the north. The housing allocation in Tonge is sited within the context of the village and provides the opportunity to redevelop and secure environmental improvements of a vacant and derelict site.

### 4. HRA Screening

- 4.1. The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. The assessment must determine whether the plans would adversely affect, or are likely to affect, the integrity of a site(s) in terms of its nature conservation objectives. Where negative effects are identified other options should be examined to avoid any potential damaging effects.
- 4.2. Under Criteria 4 of Figure 1 and Table 1 it was indicated that the Neighbourhood Plan may potentially have an impact upon internationally designated sites and as such a further assessment is required.
- 4.3. The HRA process is generally divided into three stages. The initial stage of the HRA process is called the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the

plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.

- 4.4. This section of the report provides a “screening” assessment for the Neighbourhood Plan. It looks at the potential impacts of the plan’s proposals on European Sites within 15km of the Neighbourhood Plan area of which there is one which is the River Mease Special Area of Conservation (SAC).; this is illustrated at Appendix 1. The following screening assessment will determine if the Neighbourhood Plan will have any likely significant effects to determine whether the subsequent stages will be required. Much of the background information used is that taken from the Habitats Regulations Assessment undertaken for the adopted Local Plan.

#### **Relevant Natura 2000 sites**

- 4.5. The River Mease SAC is about 8.5km from the southern boundary of the Plan Area, whilst the River Mease catchment (and the area within which any development might potentially impact upon the River Mease itself is about 9.2km) (see Appendix 1). There is no direct connection between the Neighbourhood Plan area and the River Mease SAC.
- 4.6. Other European sites are within a 45km radius of Breedon on the Hill. These sites are listed below for purpose of clarification.
- Ensor’s Pool SAC (about 32km)
  - West Midlands Mosses SAC (about 36km)
  - Midlands Meres and Mosses Ramsar (about 36km)
  - Cannock Chase SAC (about 38km)
  - Pasturefields Salt Marsh SAC (about 39km)
- 4.7. In terms of the Cannock Chase SAC the site is currently subject to an agreed strategic approach implemented through a ‘SAC Partnership’ involving a coordinated approach across six local planning authorities. The Evidence base shows that development within 15km of the SAC boundary may have a significant impact on the site. Interim guidance, agreed with Natural England, identifies a 15km zone of influence. The agreed approach states that:

*“All development that results in a net increase in dwellings within 15km of Cannock Chase SAC is likely to have an adverse impact upon the SAC and therefore suitable mitigation, proportionate to the significance of the effect, will be required in line with ongoing work by partner authorities to develop a Mitigation and Implementation strategy SPD...”*

*Development proposals more than 15km from Cannock Chase SAC may be required to demonstrate that they will have no adverse effect on the integrity of the SAC.”*

- 4.8. There are no direct connections between the Neighbourhood Plan area and any of the areas considered above. In the absence of any such links and the distance from Breedon on the Hill there are no conceivable impact mechanisms through which the Neighbourhood Plan might present any credible risk of any adverse effects upon the integrity of these sites.

- 4.9. The adopted Local Plan has been the subject of a Habitats Regulations Assessment which concluded that *the Local Plan will have no likely significant effects, either alone or in combination with other plans and projects, upon any European sites. An appropriate assessment is not required.*

## **5. Conclusions and recommendations of the Screening Assessments**

- 5.1. This report contains the detail of the assessment of whether the Breedon on the Hill Neighbourhood Plan needs to be subject to a Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.
- 5.2. The assessment of both of these requirements has been undertaken on the version of the Neighbourhood Plan which the Qualifying Body intends to submit. If there should be subsequent significant changes to the plan, there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

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

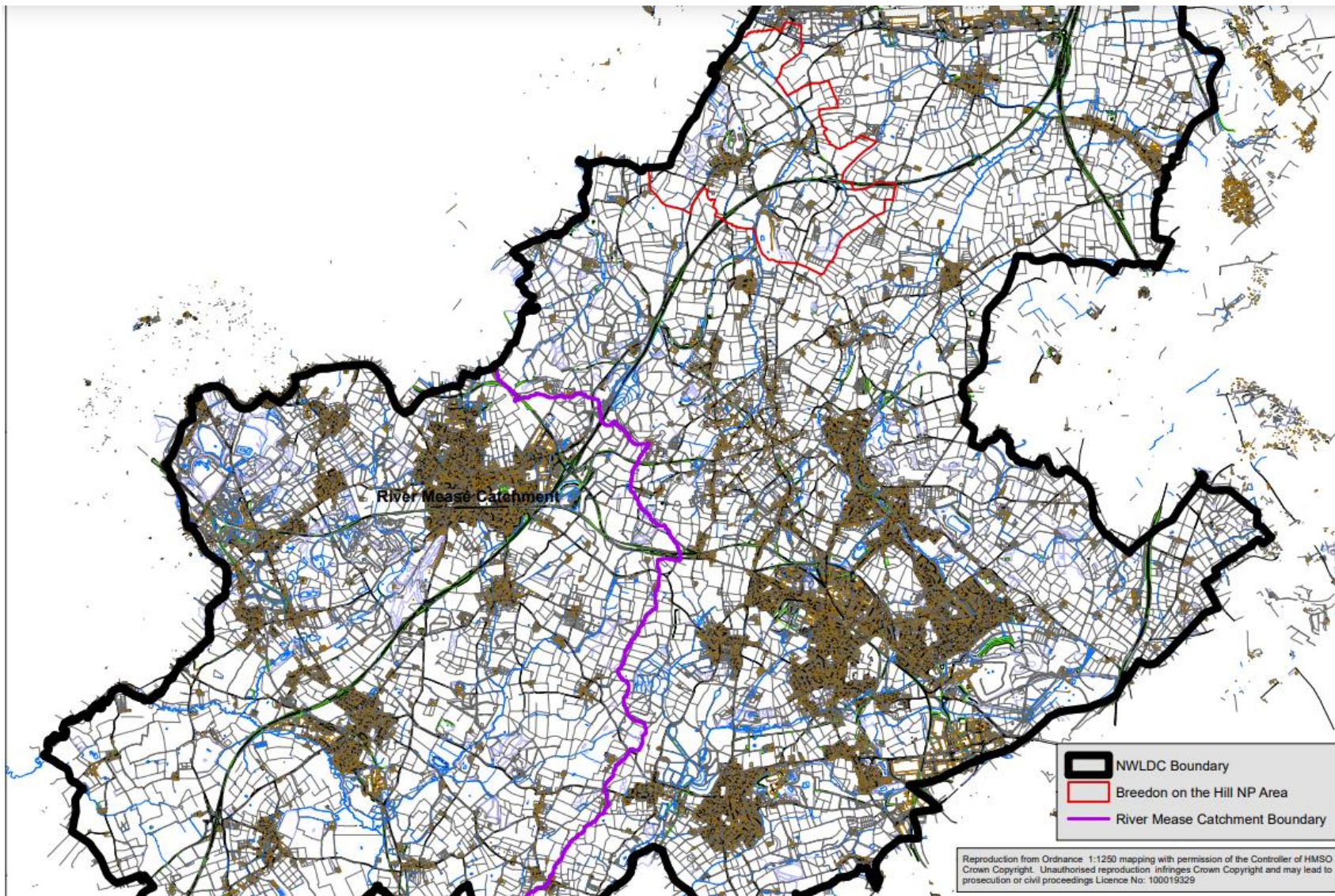
- 5.3. In relation to the requirement for the Neighbourhood Plan to be subject to Strategic Environmental Assessment, the assessment detailed in Section 3 of this report concludes that the plan in its current form is unlikely to have significant environmental effects and therefore a SEA will not be required

### **Habitat Regulations Assessment (HRA)**

- 5.4. In relation to the requirement for the Neighbourhood Plan to be subject to Habitat Regulations Assessment, the assessment detailed at Section 4 of this report concludes that there are unlikely to be any significant effects upon the River Mease SAC or any other Natura 2000 sites and so as such a full HRA is not required.



# APPENDIX 1 – MAP SHOWING BOUNDARY OF NEIGHBOURHOOD PLAN AREA IN RELATION TO RIVER MEASE CATCHMENT



**APPENDIX 2**

**STATUTORY CONSULTEE RESPONSES**

**From:** Wakefield, Nick [REDACTED]  
**Sent:** Monday, August 21, 2023 2:12 PM  
**To:** ALISON GIBSON <[ALISON.GIBSON@NWLeicestershire.gov.uk](mailto:ALISON.GIBSON@NWLeicestershire.gov.uk)>  
**Subject:** EXTERNAL: RE: SEA/HRA Screening request for Breedon on the Hill Neighbourhood Plan (North West Leicestershire)

Dear Alison,

Thank you for your email.

Whilst the Environment Agency does not disagree with the SEA-HRA Screening Report's conclusion that an SEA is not required, we do wish to make the following comments regarding the proposed Housing Development Allocation at Brook Farm, Moor Lane, Tonge.

According to Flood Map for Planning, the development boundary (red outline) for the proposed Allocation as given on Map 19 of the Neighbourhood Plan includes land within Flood Zones 2 and 3. However, criteria K of Policy BotH18 states "*The development boundary shall exclude any land within the Flood Zones 2 or 3*". If a planning application with the same red outline as Map 19 were to be submitted then criteria K would not be met. Further, the site would therefore be subject to the (flooding) Sequential Test and the planning application would need to include a site specific National Planning Policy Framework compliant Flood Risk Assessment.

We have no further comment to make at this stage.

Regards  
Nick

**Nick Wakefield**

Planning Specialist, Sustainable Places Team

**Environment Agency** | Trentside Offices, Scarrington Road, West Bridgford, Nottingham NG2 5BR

[REDACTED]  
[REDACTED]  
[REDACTED]



**Please consider this a "thanks" in advance.**

Every email has a carbon footprint. So if you don't hear back from me,  
it's not because of you, it's because of the planet.

**#WhatWeCanDo**



Historic England

Ms Alison Gibson

Direct Dial: [REDACTED]

North West Leicestershire District Council

Leicestershire

Our ref: PL00793568

28 July 2023

Dear Ms Gibson

## BREEDON ON THE HILL NEIGHBOURHOOD PLAN - SEA SCREENING REQUEST

Thank you for your consultation of 17/07/2023 and the request for a Screening Opinion in respect of the Everton 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/>

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



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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.

Yours sincerely,

C. Fletcher

Clive Fletcher  
Principal Adviser, Historic Places



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[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



Date: 17 August 2023  
Our ref: 443223



Alison Gibson  
Senior Planning Policy Officer  
North West Leicestershire District Council

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

**BY EMAIL ONLY**



Dear Alison Gibson,

### **Planning consultation: Breedon on the Hill Neighbourhood Plan - SEA / HRA Screening**

Thank you for your consultation on the above dated 17 July 2023.

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.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). 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 [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations.

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) for the Breedon on the Hill Neighbourhood Plan.

I can confirm that Natural England agrees with this reports conclusion that it is not likely there will be significant environmental effects arising from the policies in the plan, which are not covered in the adopted local plan. Therefore, the **Breedon on the Hill Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA)** to be undertaken.

Natural England also agrees that the Plan would be unlikely to result in any significant effect to European Sites, either alone or in combination, and therefore **an appropriate assessment under the Habitats Regulations is not 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 please contact me on [REDACTED] or [REDACTED]. 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).

Yours sincerely

Megan Bromiley  
Lead Adviser – East Midlands Area Delivery