



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report

May 2022

On behalf of Caythorpe and Frieston Parish Council in relation to the Draft Caythorpe and Frieston Neighbourhood Plan

Date of assessment:	25 th May 2022
Date/ version of neighbourhood development plan to which Screening Report applies:	Draft Caythorpe and Frieston Neighbourhood Plan 2022 -2036, dated March 2022

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Overview

Neighbourhood development plan (NDP) to which this Screening Report applies:

Caythorpe and Frieston Neighbourhood Plan 2022-2036

Version/ date of NDP to which this Screening Report applies:

Draft Caythorpe and Frieston Neighbourhood Plan 2022-2036 (dated March 2022)

Neighbourhood area to which the NDP applies:

Caythorpe and Frieston Parish Council Neighbourhood Area

Parish council within the neighbourhood area:

Caythorpe and Frieston (includes Caythorpe and Frieston)

Acronyms

ECJ	European Court of Justice
EIA	Environmental Impact Assessment
EU	European Union
DPD	Development Plan Document
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zone
IGS	Local Green Space
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
CFNP	Caythorpe and Frieston Neighbourhood Plan
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SKDC	South Kesteven District Council
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest

1. Introduction

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

2. Strategic Planning Context

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

South Kesteven Local Plan 2011-2036

- 2.4. The adopted Development Plan for the district of South Kesteven is the South Kesteven Local Plan (SKLP) (adopted 30th January 2020), which defines strategic (and more locally specific) policies for the growth and regeneration of Grantham and the surrounding towns/villages.
- 2.5. The Local Plan directs the majority of new housing and employment development to Grantham (53%), followed by the other main towns in the district – Stamford (18%), Bourne (7%) and The Deepings (8%) with Larger Villages (10%) and Smaller Villages (4%) making up the rest of the districts development targets. Policy SP2: Settlement Hierarchy, sets out a settlement hierarchy for the whole of the South Kesteven area, to assist decisions on investment in services and facilities, and on the location and scale of development.
- 2.6. Within this hierarchy, Caythorpe and Frieston is defined as a ‘Larger Village’. As a Larger Village, Policy SP2 states that in addition to allocations, development proposals which promote the role and function of the Larger Villages, which do not compromise the settlement’s nature and character, will be supported
- 2.7. During its preparation, the Local Plan was subject to a full SA (incorporating SEA)¹ and HRA². These Local Plan assessments will be taken into account in reaching a screening opinion as to whether the CFNP requires a SEA and/or HRA

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

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

South Kesteven Local Plan Habitats Regulations Assessment (April 2019)

- 2.8. South Kesteven's Habitats Regulations Assessment Report³ (HRA 2019) was prepared during the examination of the submitted Local Plan. The purpose of the HRA report was to set out the methodology, assessment and conclusions of the Habitats Regulations Assessment (Stage 1 Screening and Stage 2 Appropriate Assessment) of the submitted South Kesteven Local Plan. The HRA was carried out by SKDC in consultation with Natural England.
- 2.9. The HRA 2019 complies with the recent judgement of the Court of Justice for the European Union of 12th April 2018 (see paras 4.19 to 4.13), which ruled that mitigation measures incorporated into a project can no longer be taken into account at the screening stage⁴.
- 2.10. The following Natura 2000 sites were scoped into the HRA 2019 for consideration, prior to undertaking Stage 1 Screening:
- Baston Fen SAC
 - Grimsthorpe Park SAC
 - Rutland Water SPA, Ramsar
 - Barnack Hills & Holes SAC
- 2.11. The potential likely significant effects identified as a result of the Local Plan were:
- Physical loss and/or damage of habitat
 - Disturbance: recreational and visitor pressure
 - Disturbance: urbanisation
 - Changes in water levels
 - Changes in water quality
 - Changes in air quality
- 2.12. The HRA 2019 'screened out' Grimsthorpe Park SAC from the Stage 1 Screening in relation to all potential effects arising from the Local Plan. Therefore Grimsthorpe Park SAC was not considered any further in the HRA process. Grimsthorpe Park SAC is approximately 27km from Caythorpe and Frieston. Baston Fen SAC, Rutland Water SPA and Ramsar and Barnack Hills and Holes SAC were 'screened in' to the Stage 1 Screening and were considered further in the Stage 2 Appropriate Assessment. The settlement of Caythorpe and Frieston is greater than 20km from these Natura 2000 sites.
- 2.13. The HRA 2019 concluded: *"Provided the recommendations made in this report are (where applicable) incorporated into the Local Plan, it is possible to conclude that the South Kesteven Local Plan is compliant with the Habitats Regulations and will not result in likely significant effects on any of the Natura 2000 sites identified, either alone or in-combination with other plans and projects"*.
- 2.14. Through the Local Plan examination process, Natural England confirmed the HRA is legally compliant and agreed with the conclusions of the HRA that: *"the Local Plan policies would*

³ <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=24947&p=0>

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62017CJ0323&qid=1527062354829&from=EN>

not be likely to have a significant effect on any European Site either alone or in combination with other plans or projects, and no further assessment work is required".

3. Summary of the Caythorpe and Frieston Neighbourhood Plan

Overview of the Neighbourhood Plan

- 3.1. The subject of this screening report is the Pre-Submission draft *Caythorpe and Frieston Neighbourhood Plan 2022-2036* (dated March 2022) (CFNP), which is expected to be published for Regulation 16 consultation in the spring of 2022.
- 3.2. The CFNP has been prepared by Caythorpe and Frieston Parish Council, the ‘qualifying body’ for the purposes of neighbourhood planning. The Caythorpe and Frieston Neighbourhood Area was first designated by SKDC on 25th June 2020 and follows the parish boundary. A map of the designated area is shown in **Map 3.1**.
- 3.3. The CFNP area includes both the areas of Caythorpe and Frieston
- 3.4. The CFNP sets out a vision of what Caythorpe and Frieston will be like in 2036 as follows:

“We intend that Caythorpe and Frieston Parish will keep its open, rural character. Within this the villages of Caythorpe and Frieston will prosper to the benefit of residents of all ages. We will preserve the historic conservation areas and the many facilities we have. This will benefit both ourselves and other nearby villages.”

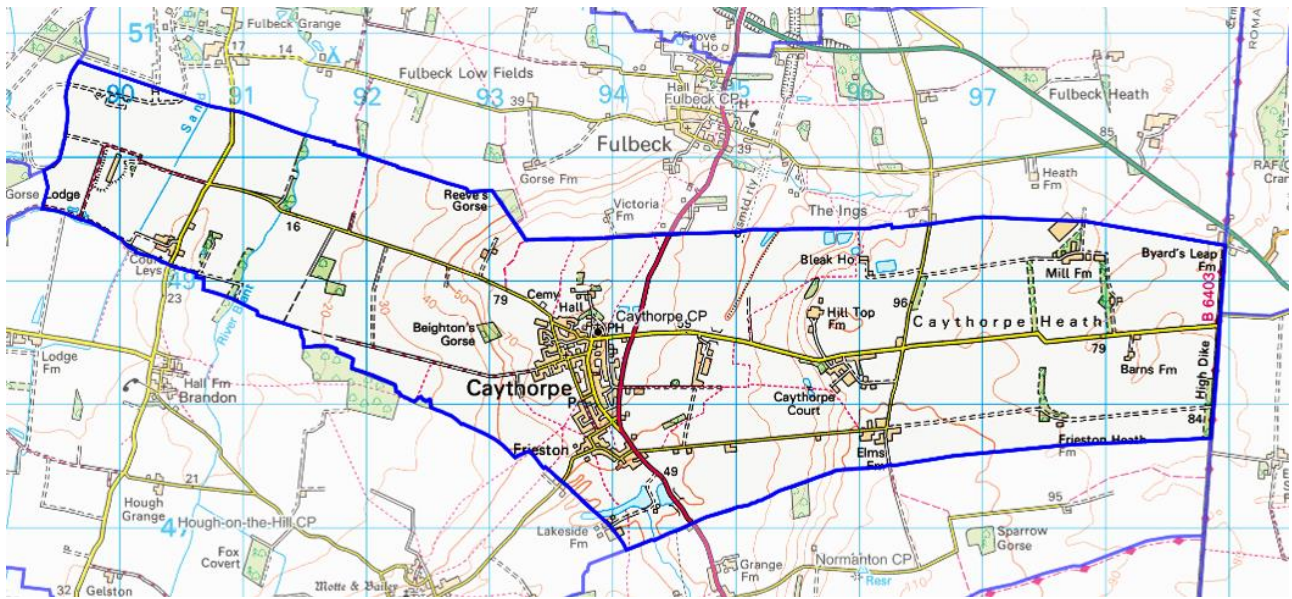
- 3.5. The CFNP identifies seven overarching objectives to achieve this vision:

Objective	Description
Objective 1	To maintain the individual identities and character of both the villages of Caythorpe and Frieston.
Objective 2	To protect and enhance the conservation areas, other heritage features and the character of the villages.
Objective 3	To improve the balance of the housing stock by requiring a greater proportion of 2 and 3 bedroomed affordable new homes to buy or rent on infill sites and any small developments that may be built in the future. The intention is to provide a mix of housing that meets the needs of all sectors of the population.
Objective 4	To preserve the distinctive and varied parish landscape, from the high ground of the High Dyke to the low fields of the Trent and Belvoir Vale
Objective 5	To preserve and enhance the natural environment for the benefit of both people and wildlife

Objective 6	To reduce our carbon footprint by encouraging energy efficient buildings, charging points for electric vehicles, the use of public transport and tree planting. Routes for cyclists and pedestrians will be protected and enhanced.
Objective 7	To maintain and, where possible, improve local services and facilities to ensure a sustainable, viable and balanced community

3.6. In summary, to deliver these objectives the CFNP proposes 13 policies as follows; (see **Appendix 1** for a brief summary of each policy):

- Policy 1 - *Location and Scale of New Housing*
- Policy 2 - *Housing Mix*
- Policy 3 - *Design Criteria for New Houses*
- Policy 4 - *Extensions to existing buildings*
- Policy 5 - *The Historical Environment*
- Policy 6 - *Landscape and the Natural Environment*
- Policy 7 - *Existing open spaces & recreation facilities*
- Policy 8 – *Proposed Local Green spaces*
- Policy 9 - *Village centre and community infrastructure*
- Policy 10 - *Transport*
- Policy 11 – *Countryside access and rights of way*
- Policy 12 – *Digital Connectivity*
- Policy 13 - *Business and Employment*



Map 3.1 Caythorpe and District Neighbourhood Plan Area

Summary of Caythorpe and Frieston Neighbourhood Area Characteristics

- 3.7. In order to determine the likely significant effects of the CFNP on the environment, it is important to consider the characteristics of the area likely to be affected. A range of sources of information have been used to gather this information, including DEFRA Magic Maps⁵, Environment Agency Flood Risk Maps for Planning⁶, Nomis⁷, South Kesteven Local Plan Inset Maps and the CFNP own evidence base.
- 3.8. Caythorpe and Frieston Parish is situated in the district of South Kesteven in England's East Midlands. It extends to approximately 1,720 hectares (4,250 acres) majority of which is good quality, fertile soil. Most of the land is used for arable farming, with grazing for sheep.
- 3.9. The total population of the Caythorpe and Frieston Parish area at the time of the 2011 Census was around 1500 people living in roughly 600 households.
- 3.10. There are no internationally designated sites of nature conservation interest sites within the boundary of the Caythorpe and Frieston Neighbourhood Area. The nearest Natura 2000 site is Grimsthorpe Park SAC, located approximately 27km from Caythorpe and Frieston parish. This SAC consists of a former limestone quarry, which supports rich limestone flora and important orchid sites. The Grimsthorpe Park SAC is identified on **Map 3.25**.
- 3.11. In terms of nationally designated sites of nature conservation interest within the Neighbourhood Area, there is 1 Sites of Special Scientific Interest (SSSI) which is in an unfavourable of condition
- *High Dyke (Unfavourable condition)*
- Additionally there are 3 SSSI Impact Risk Zones (IRZs), as defined by Natural England, that extend into the Caythorpe and Frieston Neighbourhood Plan Area (see **Map 3.26**). IRZs reflect the particular sensitivities of the features for which a SSSI has been notified and indicate the types of development proposal which could potentially have adverse impacts
- *High Dyke*
 - *Moore Closes*
 - *Copper Hill*
- 3.12. There are no adjacent nationally designated sites of nature conservation interest within the proximity of the Neighbourhood Area
- 3.13. There are locally designated sites of nature conservation interest within the Neighbourhood Area. A number of Local Wildlife Sites (LWS) are shown on **Map 3.27**. These include the following;
- *Frieston Ironstone Lakes*
 - *Fulbeck Heath Road Verges Hurn Wood*
- 3.14. The High Dike, Byard's Leap to Ancaster Verges LWS also runs parallel to the North of the Neighbourhood boundary area. There are no Sites of Nature Conservation Importance, Local Nature Reserves, Local Geological Sites, or candidate Local Geological Sites within the CFNP area.

⁵ <https://magic.defra.gov.uk/>

⁶ <https://flood-map-for-planning.service.gov.uk/>

⁷ www.nomisweb.co.uk

3.15. The Biodiversity Opportunity Mapping Study for Central Lincs (2013) also included part of Caythorpe and Frieston Parish as an area which its soil is most suitable for wetland habitat creation.

3.16. A Landscape Character Assessment was undertaken by South Kesteven District Council in 2007⁸. This indicates that the parish predominantly falls within two different character areas which are as follows;

- Southern Lincolnshire Edge (eastern portion of the CFNP area)
- Trent and Belvoir Vale (western portion of the CFNP area)

The Southern Lincolnshire Edge lies to the north and east of Grantham, The western boundary generally follows the A607 through Belton, Barkston and Normanton. The A52 broadly defines the southern boundary where the character area merges with the Kesteven Uplands character area. The district boundary forms the northern and eastern limits of the character area, which extends beyond the district boundary into North Kesteven. The key characteristics of the Southern Lincolnshire Edge are as follows.

- Large-scale open arable landscape.
- Dominant western scarp slope known as the 'Cliff'.
- Large rectilinear fields with some fragmented hedgerows and shelterbelts.
- Sparse settlement pattern on top of the escarpment.
- Active and redundant airfields

The Trent and Belvoir Vale character area lies to the north-west of the District. The southern boundary is formed by the undulating and rising ground that extends from south of Woolsthorpe by Belvoir to the north of Barrowby and Great Gonerby and on towards Barkston. The eastern boundary is formed by the rising ground east of Barkston and Fulbeck. The western and northern boundaries of the character area are formed by the district boundary, although the Trent and Belvoir Vale extends beyond the district boundary into Leicestershire and Nottinghamshire

- A relatively simple, medium to large-scale, open arable or mixed farming landscape.
- Simple regular fields enclosed by hawthorn hedges
- Flat or very gently undulating topography
- Relatively few hedgerow trees and virtually no woodland
- Small villages typically located on slightly rising land
- Church towers and spires visible across the landscape
- Buildings styles vary, but a high proportion of brick with dark red pantiles

3.17. The area predominantly falls within Agricultural Land Classification Grade 3 - good to moderate quality, with a small proportion east along Caythorpe Heath Lane being classified as Grade 2 – very good quality. The predominant soil types are lightly acid loamy and clayey soils with impeded drainage, slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils and shallow lime-rich soils over chalk or limestone⁹.

3.18. From a historic environment perspective The CFNP area has two Conservation Areas located within Caythorpe and Frieston, as shown on **Map 3.28**.

3.19. There is one Scheduled Monument, as shown on **Map 3.28**. Which includes the following

⁸ <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=2117&p=0>

⁹ Soil types found at - <https://magic.defra.gov.uk/MagicMap.aspx>

- *Churchyard Cross in St Vincents churchyard*

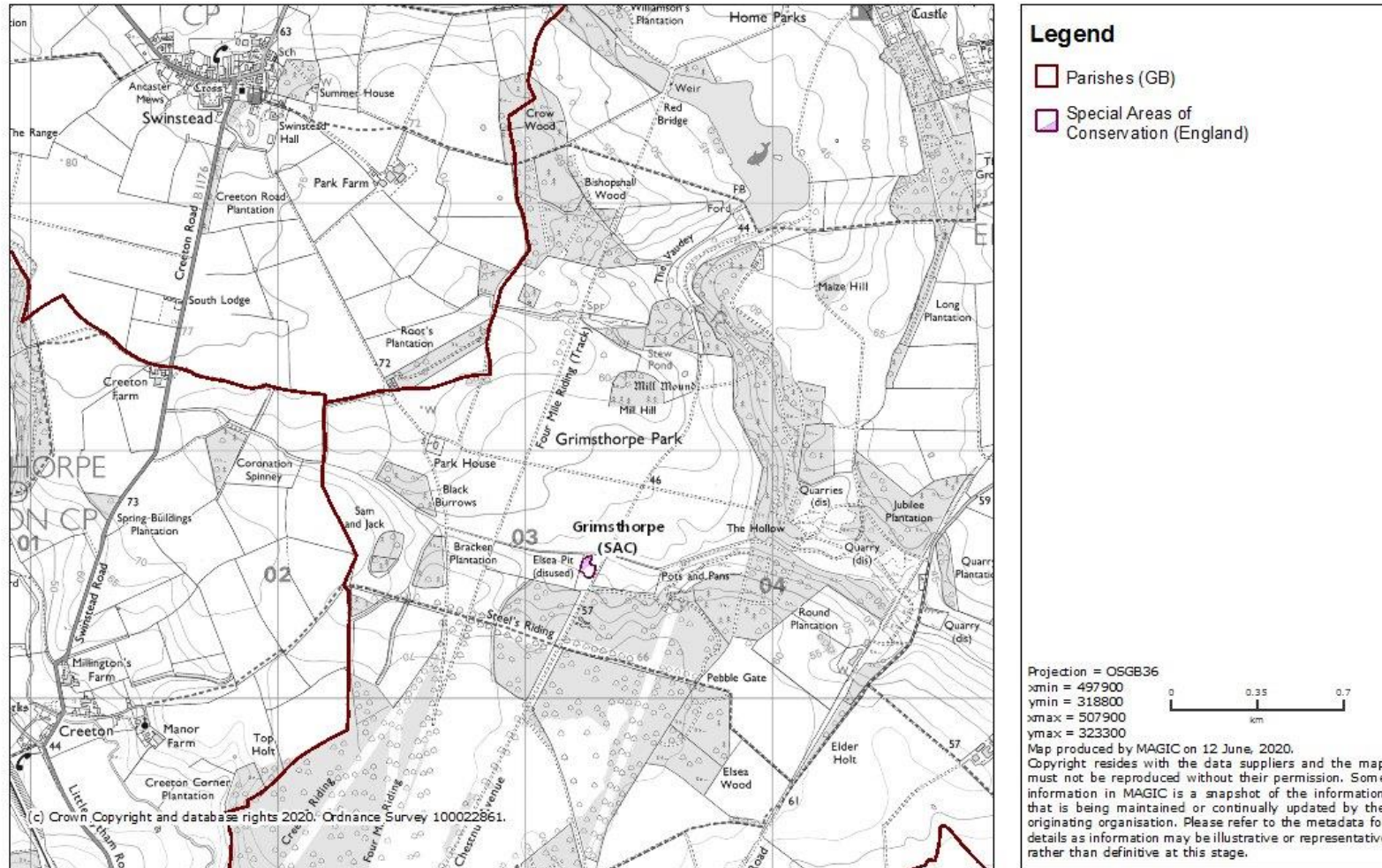
- 3.20. There are 22 listed buildings within the CFNP area incorporating a mixture of grade 1,2 and 2*, their locations are shown on **Map 3.29**
- 3.21. There are no Air Quality Management Areas designated within the CFNP area.
- 3.22. In terms of the water environment, The River Brant, a tributary of the River Witham, flows through the western part of the CFNP area. The overall waterbody clarification of the Brant river, which flows through the CFNP area, is moderate.¹⁰
- 3.23. Flood risk in the CFNP area is confined to small areas around Honington Beck and the River Brant which falls within Flood Zone 3 (see **Map 3.30**). The majority of the rest of the area lies within Flood Zone 1 and therefore has a low probability of flooding.
- 3.24. A small portion to the east of the CFNP area falls within Source Protection Zone 3¹¹ (Total Catchment). Source Protection Zones are defined around large and public potable groundwater abstraction sites. Zone 3 is defined as the total area needed to support the abstraction or discharge from the protected groundwater source.

¹⁰ <https://environment.data.gov.uk/catchment-planning/WaterBody/GB105031055480>

¹¹ Source Protection Zones where, accessed online at www.magic.defra.gov.uk



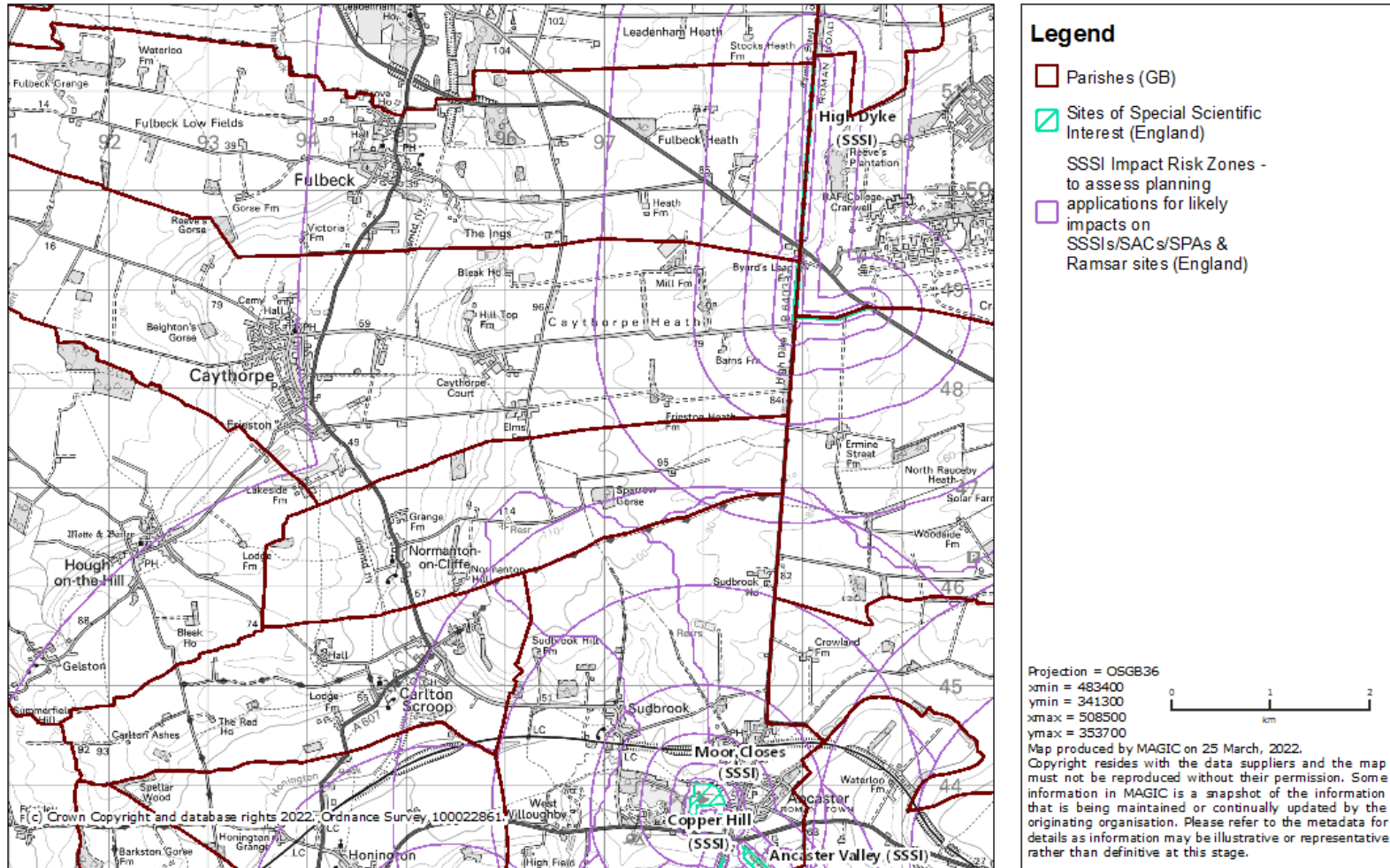
Grimthorpe SAC



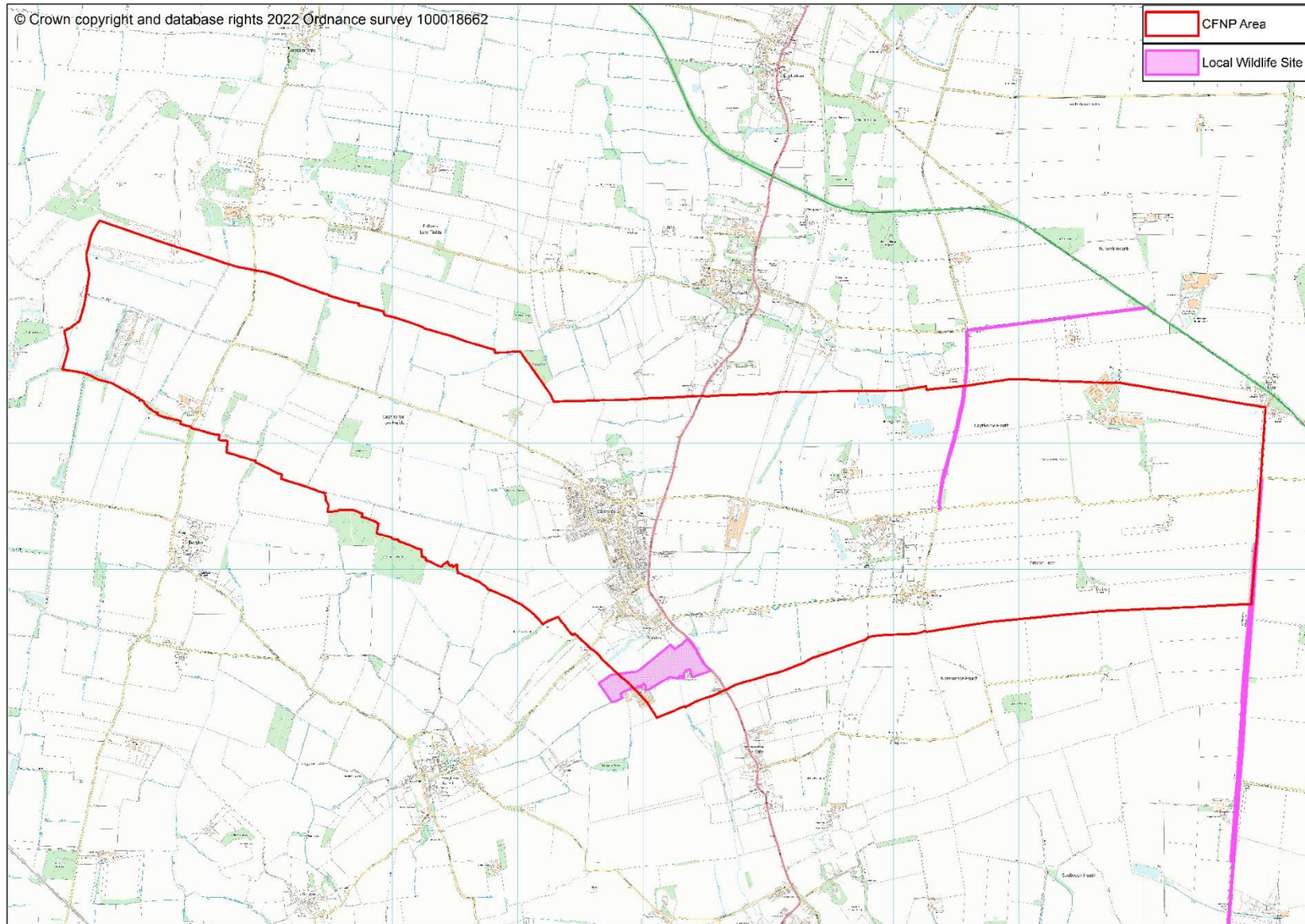
Map 3.25: Location of Grimthorpe Park SAC



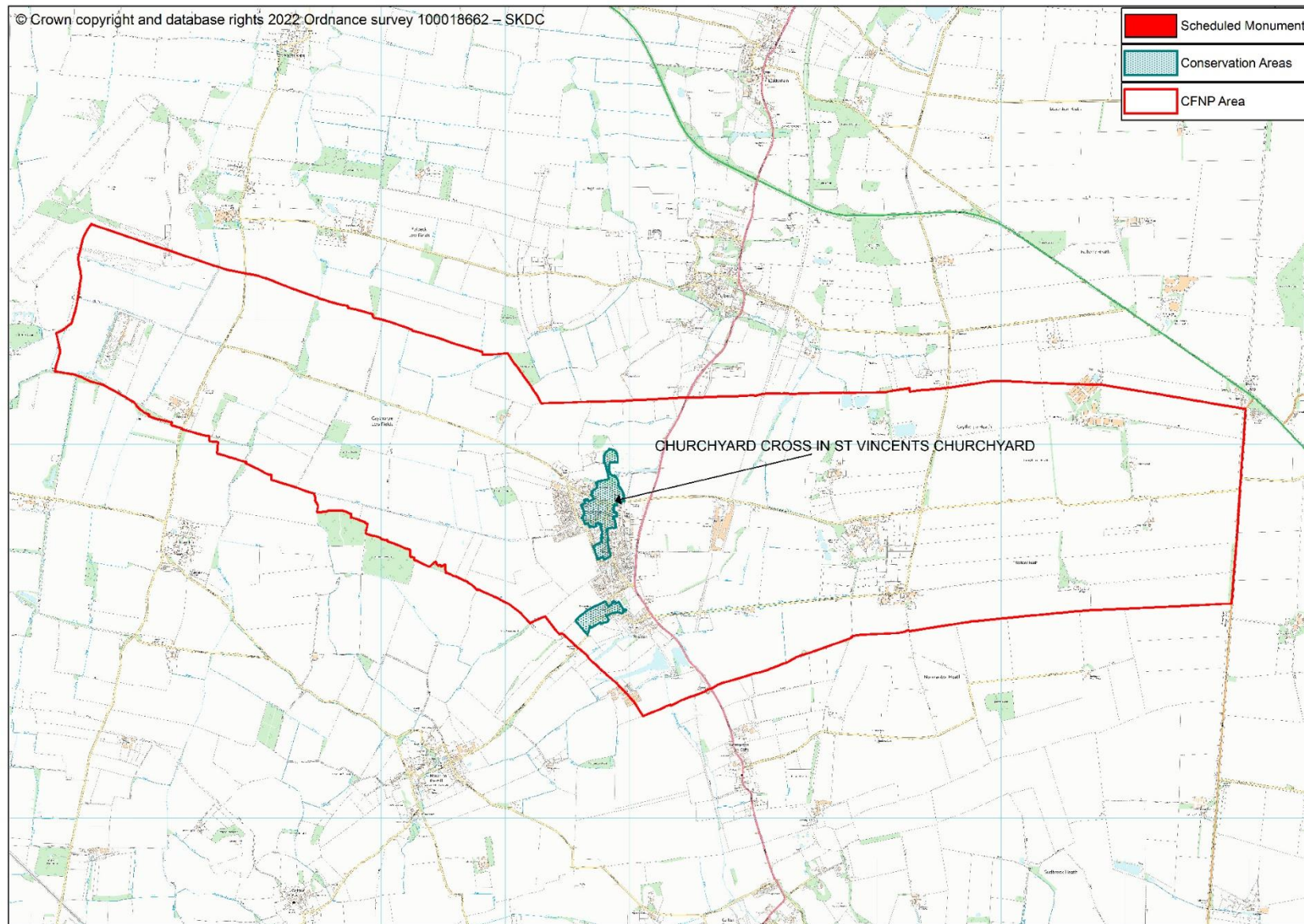
Sites of Nature Conservation Interest



Map 3.26: Nationally Designated sites of nature conservation interest within the Neighbourhood Area



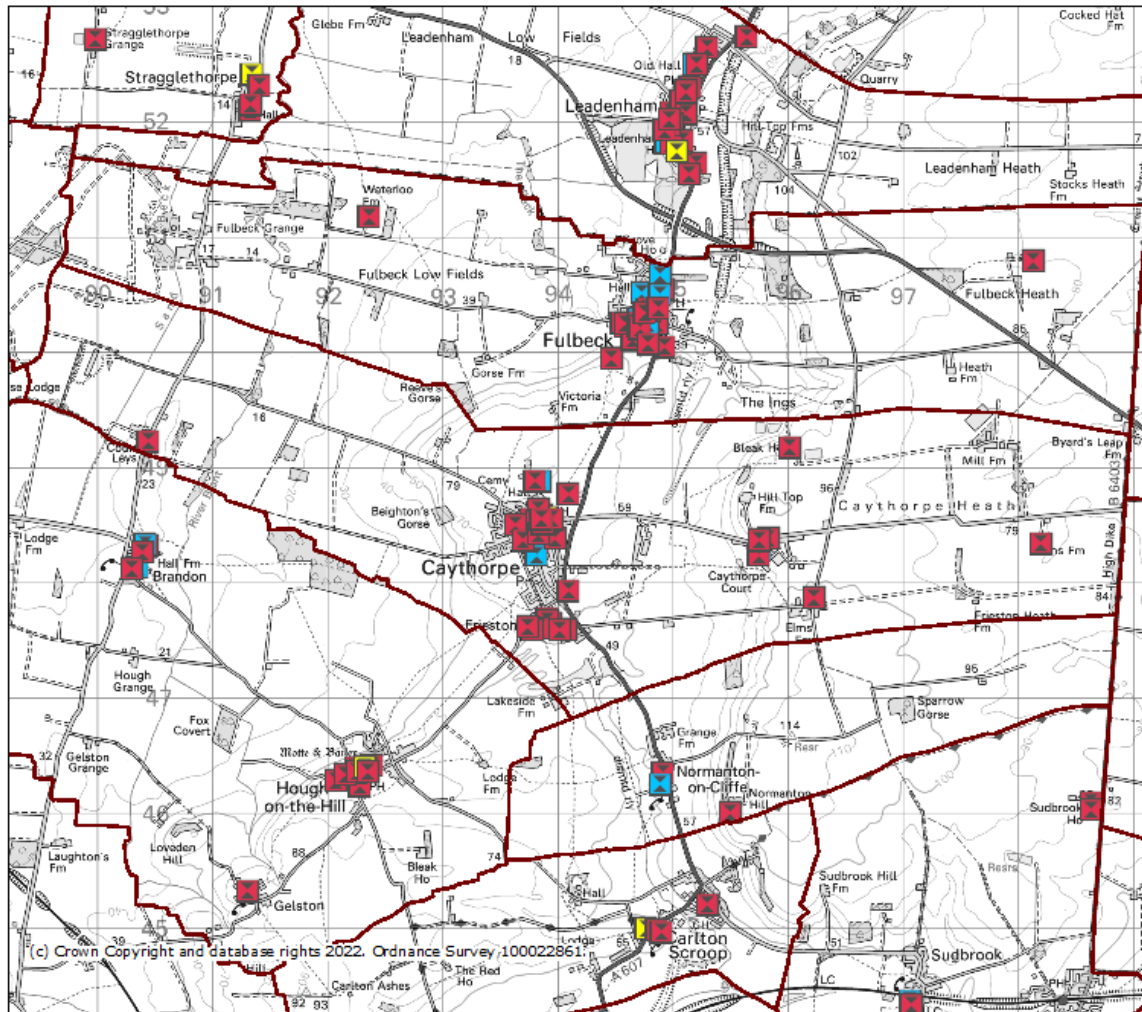
Map 3.27: Local Wildlife Sites within the Neighbourhood Area



Map 3.28: Historic Environment features within the Neighbourhood Area

MAGiC

Listed Buildings



Legend

- Parishes (GB)

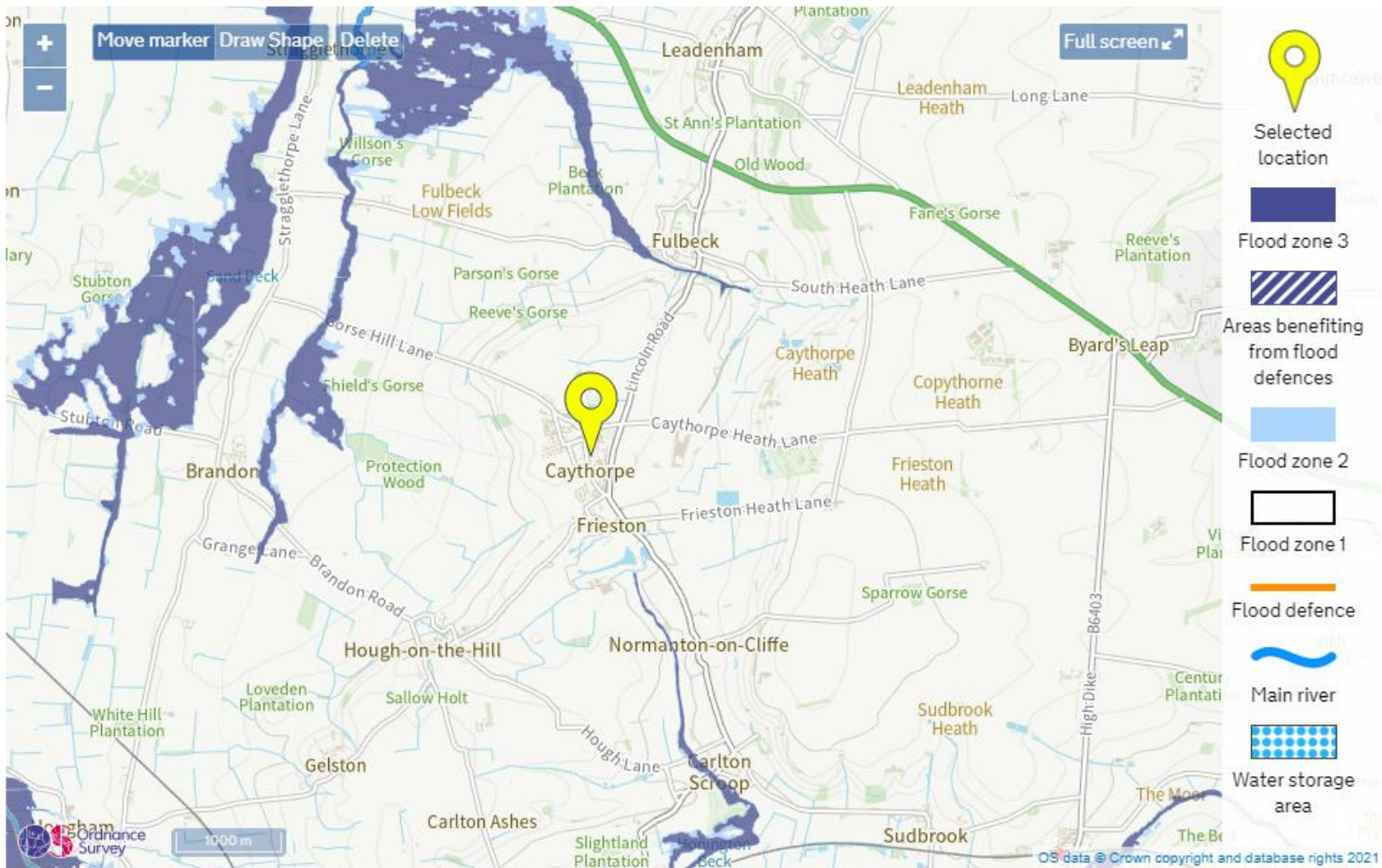
Listed Buildings (England)

- I
- II
- II*

Projection = OSGB36
 xmin = 481500
 ymin = 342400
 xmax = 506900
 ymax = 354800

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Map 3.29: Listed Buildings within the Neighbourhood Area



Map 3.30: Flood Risk within the Neighbourhood Area

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

Strategic Environmental Assessment

- 4.1. The Localism Act 2011 (Schedule 9) introduced neighbourhood planning into the Town and Country Planning Act 1990. The 1990 Act, as amended by Schedule 10 of the Localism Act 2011, requires that Neighbourhood Development Plans (NDPs) meet a set of basic conditions, one of which being that the making of the plan does not breach, and is otherwise compatible with, EU obligations.
- 4.2. To ensure that a NDP meets this basic condition, a SEA may be required to determine the likely significant environmental effects of implementing the Neighbourhood Plan. The basis for Strategic Environmental legislation is European Directive 2001/42/EC, which was initially transposed into domestic law by the Environmental Assessment of Plans and Programmes Regulations 2004, or 'SEA Regulations'. Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive'¹² and paragraph 073 of the Planning Practice Guidance (PPG) 'Neighbourhood Planning' section¹³. Paragraph 073 of the Neighbourhood planning section advises that a Neighbourhood Plan should be screened early. Whether a Neighbourhood Plan proposal requires a SEA, and (if so) the level of detail needed, will depend on what is proposed within the plan.
- 4.3. Where a proposed plan is likely to have a significant effect on a European site or European offshore marine site (in relation to the Habitats Directive), this will also trigger the need to undertake a Strategic Environmental Assessment. Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. To achieve this, paragraph 1 of schedule 2 of the Neighbourhood Planning (General) Regulations 2012 prescribes a basic condition that the making of a Neighbourhood Plan is not likely to have a significant effect on a European site or a European offshore marine site. Paragraphs 2 to 5 go on to amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and plans. A Neighbourhood Plan's (or Neighbourhood Development Order) requirements for Appropriate Assessment are clarified further by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.
- 4.4. Article 3(5) of Directive 2001/42/EC details the criteria for determining whether plans are likely to have significant environmental effects. These criteria are outlined in **Figure 1**.

¹² Available at:

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

¹³ Available at: <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

- 4.5. The Department of the Environment produced a flow chart diagram¹⁴ which sets out the process for screening a planning document to ascertain whether a full SEA is required. The flow chart diagram is provided in **Figure 2**.
- 4.6. Section 5 provides firstly, a screening assessment of the CFNP, against the assessment criteria (in **Figure 1**) to identify the significance of effects which may arise as a result of the plan's implementation.
- 4.7. Secondly, Section 5 applies the SEA Directive to the draft CFNP, as per the flow chart in **Figure 2**, to determine if a full SEA is required.
- 4.8. In order to decide whether a SEA is required, the Council needs to consider the following:
- How the policies in the neighbourhood plan might affect the environment, community or economy;
 - Whether the policies are likely to adversely affect a "sensitive area", such as a Natura 2000 site (SAC, SPA, Ramsar) or a SSSI, NNR etc.;
 - Whether the policies propose a higher level of development than what is set out in the South Kesteven Local Plan and that has been assessed by the SA of that Plan;
 - Whether the implementation of the policies is likely to lead to new development;
 - Whether the cumulative impact of the policies taken together may give rise to a significant effect.
- 4.9. Please note that as the questions have been answered using the flow diagram, some of the questions may not be applicable as a result of previous answers: where this is the case, the response is stated as 'not applicable'.

Habitats Regulations Assessment

ECJ decision's effects on screening assessment

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

¹⁴ [Department of the Environment, A Practical Guide to the Strategic Environmental Assessment Directive \(2005\)](#)

Amendments) (England and Wales) Regulations 2018¹⁵ came into force, amending the basic conditions and allowing affected Neighbourhood Plans and Orders to proceed.

- 4.14. For the avoidance of doubt, this screening report has been undertaken in accordance with the ECJ's ruling, insofar that the effects of any mitigation measures set out in the policies of the CFNP have not been considered.

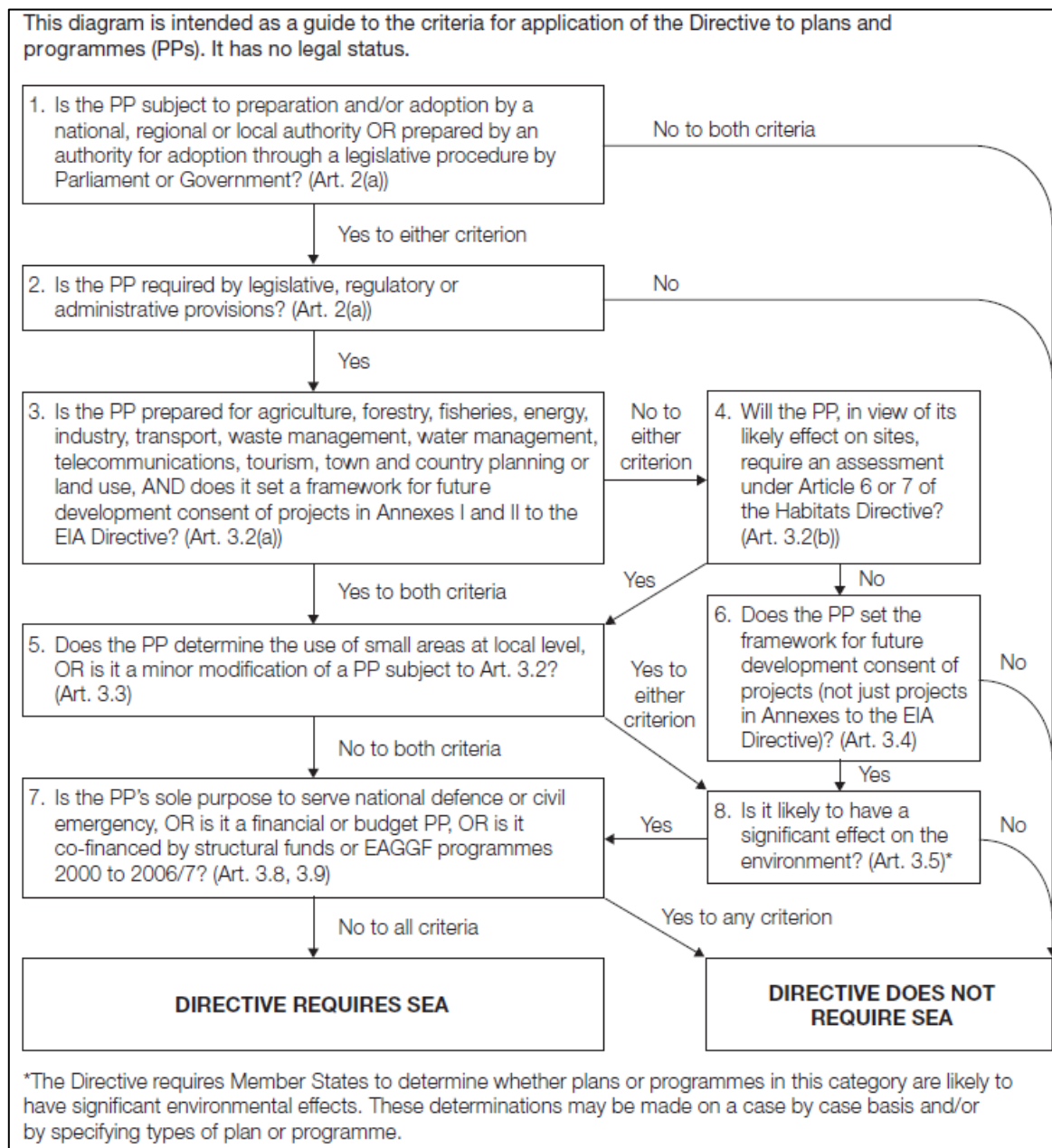
¹⁵ <http://www.legislation.gov.uk/uksi/2018/1307/contents/made>

Figure 1: SEA Assessment CriteriaArticle 3, Scope

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

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

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - environmental problems relevant to the plan or programme;
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects;
 - the cumulative nature of the effects;
 - the transboundary nature of the effects;
 - the risks to human health or the environment (e.g. due to accidents);
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values;
 - intensive land-use;
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Figure 2: Application of the SEA Directive to plans and programmes¹⁶

¹⁶ Annexes I and II of Directive 2011/92/EU (as referred to in Figure 2, question 3) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN> (see <http://ec.europa.eu/environment/eia/eia-legalcontext.htm> for details of amendments). Articles 6 and 7 of the Habitats Directive (as referred to in Figure 2, question 4) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN>.

5. SEA and HRA Screening Assessment of the Caythorpe and Frieston Neighbourhood Plan.

Introduction

- 5.1. The 'responsible authority' in the case of SEA and the 'competent authority' in the case of HRA, must determine whether a plan or programme, in this case the CFNP, is likely to have a significant environmental effect with reference to specified criteria. The following section sets out an assessment of the CFNP against this criterion.
- 5.2. **Figure 3** and **Figure 4** consider the CFNP against the criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004. Paragraphs **5.5** to **5.75** consider the likely environmental effects of the CFNP in relation to the topics set out in Annex I (f) of the SEA Directive.
- 5.3. Paragraphs **5.76** to **5.69** consider the likely significant effects in relation to the conservation objectives for Natura 2000 sites.

Determination of likely significant environmental effects (SEA Screening)

- 5.4. As highlighted in paragraph **2.7**, the South Kesteven Local Plan was subject to SA (incorporating SEA), documented in a SA Report¹⁷ which fully considered the environmental, social and economic impacts of each of the policies and site allocations within the Plan. In the SA Report, the overall level of new housing and employment, development within "Larger Villages" was assessed in detail using the SA Framework. The framework found that due to all identified larger villages across the district containing either grade 1 or grade 2 agricultural land, all development options have the potential to lead to the loss of greenfield land and land classified as BMV. However, the SA did not differentiate that any of the larger villages would be more effected that others and that the cumulative impacts of any potential development would be universal.

Biodiversity, Flora and Fauna

- 5.5. As identified in paragraph **3.10** above, there are no internationally designated sites for nature conservation within the Neighbourhood Area
- 5.6. As identified in paragraph **3.11** above there is one site for nature conservation interest within the Neighbourhood Area. This is a SSSI (*High Dyke*). There are also 3 identified SSSI Impact Risk Zones (IRZ) within the CFNP area (see **Map 3.26**). The IRZ identifies that any planning application for development other than residential should consult Natural England. However, the CFNP does not allocate any sites for development, and only supports small scale infill development of generally no more than 11 dwellings within the existing confines of the built-up area of the village (see Policy 1. Location and Scale of New Housing). Therefore any negative impacts on these sites as a result of the CFNP are not expected.
- 5.7. As identified in paragraph **3.13** above, there are a number of LWS within the neighbourhood area, primarily consisting of lakes and woodland. Due to the CFNP not allocating any sites

¹⁷ <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=24251&p=0>

for development and only supporting small scale infill development of generally no more than 11 dwellings within the existing confines of the built-up area of the village (see POLICY 1. Location and Scale of New Housing), it is expected that there will be no negative impacts on these LWS sites.

- 5.8. The CFNP includes an Objective relating to biodiversity. Objective 5 of the CFNP seeks preserve and enhance the natural environment for the benefit of both people and wildlife. To deliver this Objective, there are a number of policies in the CFNP that seek to protect and enhance biodiversity and therefore should result in positive effects.
- 5.9. Policy 1 *Location and scale of new housing* – requires that new housing development sites do not result in any overall loss of biodiversity within or around the site concerned.
- 5.10. Policy 3 *Design Criteria for New Houses* - states that new housing should incorporate trees where the site permits.
- 5.11. Policy 4 *Extensions to Existing Buildings* - encourages that sustainable design features (e.g. sustainable drainage, porous/permeable surfacing for drives and domestic scale renewable energy) should be incorporated into building extensions where appropriate.
- 5.12. Policy 6 *Landscape and the Natural Environment* – States that changes in landscape that benefit native flora and fauna will be encouraged, including those that provide new woodland or hedgerow planting, more uncultivated field margins or include land given up for a nature reserve.
- 5.13. Policy 7 *Existing open spaces & recreation facilities*- Designates a number of open space and recreational facilities and seeks to protect them from alternative land uses and encourages the enhancement or improvement of existing sites. The policy also seeks to protect and maintain smaller amenity green spaces as such, with additional tree planting where practical.
- 5.14. Policy 8 *Proposed Local Green Spaces* - designates green spaces in order to protect them from inappropriate development
- 5.15. Finally the CFNP has a community aspiration known as *CA 2 Environment* – which lists numerous initiatives the community will seek to undertake take in order to mitigate the environmental impacts that could be caused by development.
- 5.16. Overall, it is expected that the CFNP will help to protect biodiversity, flora and fauna in the Neighbourhood Area and that significant impacts are unlikely, as the CFNP does not set out an overall quantum of development or allocate specific land or sites for development above what is set out in the South Kesteven Local Plan.

Population and human health

- 5.17. Caythorpe and Frieston has a relatively small population of 1500 people at the time of the 2011 Census.
- 5.18. The CFNP recognises that Caythorpe and Frieston is classified as a “larger Village” because of the varied facilities it offers, both to parishioners and residents of other nearby villages. Currently within the village there is a Primary School, Public House, Spar Shop,

Post Office, GP surgery, Village Hall and a wide range of sports and social facilities that are widely appreciated by the community.

- 5.19. Objective 7 of the CFNP seeks to maintain and, where possible, improve local services and facilities to ensure a sustainable, viable and balanced community
- 5.20. There are a number of policies within the CFNP that are likely to have a positive impact on population and human health.
- 5.21. Policy 3 *Design Criteria for New Houses* - states that new housing should be carbon neutral, conform with accessibility standards as set out in building regulations, provide electric car charging points and have dropped curbs where property boundaries meet the roads.
- 5.22. Policy 4 *Extensions to Existing Buildings* - states that particular attention should be required when looking at the impact on the occupiers' of adjacent and nearby properties when looking at building extensions.
- 5.23. Policy 7 *Existing open spaces & recreation facilities* - recognises the importance of open space for offering opportunities for physical activity and promotes development which enhances the quality and quantity of open space throughout the neighbourhood area.
- 5.24. Policy 8 *Proposed Local Green Spaces* - recognises the importance of designating Local Green Space that has local recreational and social value.
- 5.25. Policy 9 *Village Centre and community infrastructure* – supports the creation of new community facilities, in addition to supporting the improvement and extension of Local services/facilities and community buildings. The policy also lists a number of important facilities that will be safeguarded for community use throughout the CFNP plan period, which is important for community cohesion and social sustainability
- 5.26. Policy 10 *Transport* – states that development proposals should avoid conflict between, pedestrians and cyclists and take into account of the nature and rural character of the local highway network. The policy also supports development proposals that would increase local transport provision for pedestrians, cyclists and horse riders.
- 5.27. Policy 11 *Countryside access and rights of way* - supports the improvement or extension of the existing network of public footpaths and bridleways in the parish , especially where they allow greater access to services and facilities or to the surrounding open countryside. The policy also does not support any obstacles impeding these routes.
- 5.28. Policy 13 *Businesses and employment* - Supports the expansion or diversification of existing small units and tourism related development within the NP area. This could, indirectly, lead to positive effects on human health by encouraging residents to walk or cycle to work, services and facilities and lead to jobs, positively impacting on mental health and wellbeing.
- 5.29. Finally the CFNP has a community aspiration known as *CA 3 Community Activity* – which lists numerous initiatives the community will seek to undertake take in order to improve social cohesion throughout the community.

- 5.30. Overall, the CFNP is not likely to have a significant impact on human health, given the relatively small population that the CFNP applies to and the fact that no sites are allocated for development within the plan.

Soil, air and water

- 5.31. In terms of soil, the majority of the Neighbourhood Area is Grade 3 agricultural land, with a small proportion of Grade 2 to the east along Caythorpe Heath Lane. Policy 1 – *Location and Scale of New Housing* seeks to guide development to be within the built up area of Caythorpe and Frieston which should help to protect agricultural land. Furthermore Policy 4 *Extensions to existing buildings* - states that conversions and extensions should pay particular attention to sustainable design features.
- 5.32. There are no air quality management areas within the Neighbourhood Area and therefore no current air quality issues are expected. Furthermore, Policy 3 *Design criteria for New Houses* – emphasises that new houses should be carbon neutral. Policy 10 *Transport*- supports the installation of public charging points for electric cars where appropriate. Finally Policy 13 *Business and Employment*- supports the development and expansion of new/current business units provided there is no impact resulting from increased traffic, including HGVs, on the rural road network, parking and servicing, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development
- 5.33. In terms of water, the River Brant, a tributary of the River Witham, flows through the Western part of the CFNP area. The majority of the NP area is situated in flood zone 1, with a small area around the River Brant and Honington Beck being flood zone 3. As the CFNP does not include specific allocations for development, it is not anticipated to have any direct implications within the flood zone area. However, Policy 3 *Design criteria for New Houses* –states that new houses should have driveways of permeable materials and incorporate trees where the space permits, and Policy 4 *Extensions to existing buildings* - requires that particular attention be paid to incorporating sustainable design features on conversions and extensions, which includes, sustainable drainage features such as porous/permeable surfacing for drives. These policies will ensure that any future development does not exacerbate flood risk and surface water run-off within the Neighbourhood Area.
- 5.34. Overall, it is anticipated that there is unlikely to be any significant adverse effects on soil, air or water as a result of implementing the CFNP.

Climatic factors

- 5.35. Climatic factors involve the consideration of a plan or programme in relation to climate change. Climate change adaptation and mitigation are closely interrelated and are closely linked to other environmental issues.
- 5.36. Policy RE1: Renewable Energy Generation, together with Appendix 3 Renewable Energy, of the South Kesteven Local Plan, sets out specific criteria to be used for development management purposes in the determination of planning applications for solar, biomass/anaerobic digestion and wind energy facilities. Policy EN5: Water Environment and Flood Risk Management, seeks to ensure that development does not place itself or others at increased risk of flooding and Policy EN4 looks to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water.

- 5.37. Objective 6 of the Caythorpe and Frieston Neighbourhood Plan aims to reduce the carbon footprint of the NP area by encouraging energy efficient buildings, implementing charging points for electric vehicles, encouraging the use of public transport and more tree planting. While also protecting and enhancing routes for cyclists and pedestrians.
- 5.38. Policy 3 *Design criteria for New Houses* - emphasises that new houses should be carbon neutral, Incorporate tree(s) where space permits and have a charging point for electric vehicles.
- 5.39. Policy 4 *Extensions to Existing Buildings* - requires that particular attention be paid to incorporating sustainable design features on conversions and extensions, which includes, domestic scale renewable energy.
- 5.40. Policy 6 *Landscape and the Natural Environment* – encourages benefits to the native flora and fauna of the NP area, which includes woodland and hedgerow planting or land to be given up for a nature reserve all of which are mutually beneficial when combating climate change.
- 5.41. Policy 7 *Existing open spaces & recreation facilities*- Designates a number of open spaces and seeks to protect them from alternative land uses and encourages the enhancement or improvement of existing sites. The policy also seeks to protect smaller amenity green spaces while citing that additional tree planting where possible will be supported.
- 5.42. Policy 8 *Proposed Local Green Spaces* - designates green spaces in order to protect them from inappropriate development
- 5.43. Policy 10 *Transport*- supports the installation of public charging points for electric cars where appropriate. This is in line with many new vehicles being either hybrid or fully electric to combat the effects of fume emissions.
- 5.44. Policy 13 *Business and Employment*- supports the development and expansion of new/current business units provided there is no impact resulting from increased traffic, including HGVs, on emissions generated by the proposed development.
- 5.45. Policy 11 *Countryside Access and Rights of Way* - supports development proposals that would improve or extend the existing network of public footpaths and bridleways in the parish, especially where they allow greater access to services and facilities or to the surrounding open countryside. This therefore reduces the need for vehicular transport.
- 5.46. The CFNP has a community aspiration known as *CA 2 Environment* – which lists numerous initiatives the community will seek to undertake take in order to mitigate the environmental impacts that could be caused by development.
- 5.47. Any future developments within the CFNP Area could lead to increases in greenhouse gas emissions associated with transport, as the rural nature of the Village increases the dependence on car ownership.
- 5.48. Overall, it is considered unlikely that there would be any significant adverse impacts on climate change factors as a result of the CFNP & South Kesteven Local Plan providing appropriate mitigation. Additionally due to the fact that no sites are allocated for

development and only small scale windfall development is likely to come forward over the plan period no fundamental climate issues are expected.

Material assets

- 5.49. The SEA Directive does not define what is meant by ‘material assets’ and it can be interpreted in a number of ways. This screening takes material assets to include a range of social, physical and environmental infrastructure, such as schools, health facilities, roads, railways, bus services, wastewater treatment works, flood defences etc. Impacts on materials assets are likely to relate to a number of other SEA topics.
- 5.50. In the South Kesteven Local Plan, Policy ID1: Infrastructure for Growth, aims to ensure that *“there is, or will be, sufficient infrastructure capacity (including green infrastructure) to support and meet the essential infrastructure requirements arising from the proposed development”*
- 5.51. The CFNP includes policies relating to infrastructure and facilities, which address issues relating to community services and facilities, public footpaths and telecommunications infrastructure.
- 5.52. Policy 9 *Village Centre and community infrastructure* – supports the creation of new community facilities, in addition to supporting the improvement and extension of Local services/facilities and community buildings. The policy also lists a number of important facilities that will be safeguarded for community use throughout the CFNP plan period. Furthermore, the policy does not support the loss of community facilities unless certain specific criteria are met.
- 5.53. Policy 10 *Transport* – supports proposals that would increase local provision for pedestrians, cyclists and horse riders.
- 5.54. Policy 11 *Countryside Access and Rights of Way* - supports development proposals that would improve or extend the existing network of public footpaths and bridleways in the parish. The policy does not support development that would lead to the loss of existing footpaths and bridleways.
- 5.55. Policy 12 *Digital Connectivity* supports the limited increase in the number of mobile phone masts in addition to supporting proposals that seek to increase broadband speeds across the neighbourhood plan area.
- 5.56. Finally the CFNP has a community aspiration known as *CA 3 transport* – which lists numerous initiatives the community will seek to undertake take in order to improve the road and travel network across the neighbourhood plan area.
- 5.57. It is therefore considered unlikely that that the CFNP would have a significant adverse effect on material assets within the Neighbourhood Area.

Cultural heritage, including architectural and archaeological heritage

- 5.58. As identified in paragraphs **3.18 - 3.20** there are a large number of heritage assets within the Neighbourhood Area. The CFNP recognises the importance of cultural heritage as Objective 2 specifically seeks to *“To protect and enhance the conservation areas, other heritage features and the character of the villages.”*

- 5.59. Policy EN6 of the South Kesteven Local Plan seeks to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework, only granting permission where the public benefits of the proposal outweigh the potential harm. The policy also considers proposals which would conserve or enhance the significance of the assets favourably. Additionally proposals are also required to take conservation area appraisals into account, along with any effects on archaeological sites.
- 5.60. Objective 2 of the CFNP aims to protect and enhance the conservation areas, other heritage features and the character of the villages
- 5.61. The CFNP includes a specific policy (Policy 5) which seeks to ensure that any proposals effecting designated heritage assets should take account of SKDC Local Plan policy EN6. Furthermore the CFNP Policy 5 *The historical environment-* requires that particular attention be paid to the following.
- That development does not substantially alter conservation areas.
 - That infill buildings within or visible from conservation areas should be compatible with the style and size of the surrounding buildings
 - That listed buildings, listed structures and buildings of historical significance outside of the conservation area should be preserved.
 - That features of archaeological interest should not be damaged by future development projects.
- Furthermore, the policy states that development should preserve and enhance identified assets while also contributing to the contributing to the style, quality, and character of its setting while any proposals that sensitively promote and interpret heritage assets will be supported.
- 5.62. Policy 3 *Design criteria for New Houses* – supports new housing that enhances the character of their surroundings, especially if they are within or visible from the conservation area.
- 5.63. Policy 6 *Landscape and the Natural Environment-* states that Development proposals should respect the key views identified within the conservation area and the wider parish landscape and should not compromise their significance in the neighbourhood area.
- 5.64. Policy 8 *Proposed Local Green Spaces* – Identifies a number of Local Green Spaces throughout the CFNP area that have some form of historical or cultural value to the community.
- 5.65. Given that the CFNP does not allocate any sites for development, and taking into account the policies highlighted above, and in combination with policy EN6 of the SKDC Local Plan, it is considered unlikely that any future development that may come forward within the Neighbourhood Area would adversely impact on these identified heritage assets and their setting.

Landscape

- 5.66. The CFNP neighbourhood area falls within two of SKDCs identified character areas. These are as follows.
- Southern Lincolnshire Edge (eastern portion of the CFNP area)
 - Trent and Belvoir Vale (western portion of the CFNP area)
- The description of these two character areas can be found within paragraph **3.16**.
- 5.67. Policy EN1 of the South Kesteven Local Plan states that development must be appropriate to the character and significant natural, historic and cultural attributes, of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.
- 5.68. The majority of the CFNP area is open countryside meaning that it is important to ensure that the landscape of the areas is preserved.
- 5.69. Objective 1 of the CFNP aims to maintain the individual identities and character of both the villages of Caythorpe and Frieston.
- 5.70. Objective 4 of the CFNP aims to preserve the distinctive and varied parish landscape, from the high ground of the High Dyke to the low fields of the Trent and Belvoir Vale.
- 5.71. The CFNP includes a specific policy (Policy 6) to ensure that proposals for development should respect the distinct character of the local landscape. Policy 6 *Landscape and the Natural Environment* – Highlights the following criteria.
- Developments should preserve the landscape by ensuring that the objectives of the SKDC Landscape Character Assessment are upheld
 - The open farmland character of the parish is to be maintained,
 - Development proposals should respect the key views identified within the conservation area and the wider parish landscape and should not compromise their significance in the neighbourhood area
 - Proposals which enhance or improve views will be supported but proposals which unacceptably impact on them will not be supported
- 5.72. Policy 1 *Location and scale of new housing* states that development will not be supported where it extends west of the existing built up area, in a way that compromises the key landscape views defined in Policy 6
- 5.73. Policy 13 - *Business and Employment* Proposals for the development of new business units expansion or diversification of existing small units and tourism related development will be supported where it would not have an unacceptable impact on the character of the site and/or buildings, by virtue of scale or design, or on landscape, including Key Views.
- 5.74. The CFNP does not allocate sites for development above those in the South Kesteven Local Plan and therefore, with the policies outlined above, and in combination with policies in the South Kesteven Local Plan, it is considered unlikely that the CFNP would result in a significant impact on the local landscape.

- 5.75. **This SEA screening therefore considers the CFNP is unlikely to have a significant effect on the environment**

Determination of likely significant effects on Natura 2000 sites (HRA Screening)

- 5.76. There are no Natura 2000 sites within the boundary of the CFNP area. The nearest Natura 2000 site, Grimsthorpe Park SAC, is located approximately 27km from the village of Caythorpe and Frieston. The other Natura 2000 sites screened into the HRA Report undertaken for the South Kesteven Local Plan in April 2019 are over 20km from the CFNP area. The HRA was carried out by SKDC as the competent authority, in consultation with Natural England. This HRA is considered relevant and appropriate in the context of this SEA/HRA screening assessment.
- 5.77. It is commonly recognised in HRA guidance that when considering the potential effects on Natura 2000 sites that distance itself is not a definitive guide to the likelihood or severity of an impact. There are other factors that will influence the relative distance at which an impact can occur, such as the prevailing wind or river flow direction. Best practice is to use a 'source-pathway-receptor' model which focuses on whether there is a pathway from the **source** (the direct or indirect change occurring as a result of development) by which impacts from the Plan can affect the sensitivities of a Natura 2000 sites' environmental conditions. The **pathway** is the route or mechanism by which any likely significant effect would be manifest in the environment and would reach the **receptor** (the Natura 2000 site).
- 5.78. Using this approach and given the fact that the CFNP does not set out a quantum of development, nor allocate sites for development, it is possible to conclude that there are unlikely to be any significant effects on Grimsthorpe Park SAC or the Natura 2000 sites located beyond 20km. Any effects would be so restricted in scale or remote from a Natura 2000 site that they would not undermine the conservation objectives of the site.
- 5.79. **Having regard to the nature of the policies in the CFNP and the safeguards in the adopted South Kesteven Local Plan, this HRA screening therefore considers that the CFNP is not likely to have a significant effect on a Natura 2000 site, either alone or in combination, with other plans and projects.**

SEA/HRA Assessment

- 5.80. **Figure 3** provides assessment of the CFNP against the SEA Directive criteria to identify likely *significant* effects on the environment:

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

SEA Directive criteria and Schedule 1 of Environmental Assessment of plans and programmes Regulations 2004	Assessment	Likely significant environmental effect
1. The characteristics of plans and programmes, having regard, in particular, to -		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<p>The CFNP has been prepared for town and country planning purposes and would, if adopted, form part of the statutory Development Plan and contribute to the framework for future development projects.</p> <p>The principle of development in the Neighbourhood Area, including the nature of development, location and scale, has already been determined by the South Kesteven Local Plan (January 2020) and is therefore largely beyond the influence of the CFNP. Any significant effects arising from the proposals in the Local Plan have already been identified through the SA and HRA of that plan.</p> <p>The CFNP would only apply to a small geographical area (The Neighbourhood Area) where a limited number of proposals are anticipated over the plan period, and any proposals are expected to be of a small scale.</p>	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The CFNP must be in general conformity with the strategic policies of the South Kesteven Local Plan and the national planning policy as set out in the NPPF.</p> <p>The Neighbourhood Plan provides policies for the Plan area, relevant to the parish area only. The CFNP would therefore not strongly influence other plans and programmes higher up the spatial planning hierarchy.</p>	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>It is a basic condition that a Neighbourhood Plan must contribute to the achievement of sustainable development. The CFNP seeks to ensure that environmental considerations are taken into account. It includes the following policies which promote environmental considerations with a view to promoting sustainable development:</p> <ul style="list-style-type: none"> • Policy 1 <i>Location and scale of new housing</i> • Policy 3 <i>Design Criteria for New Houses</i> • Policy 4 <i>Extensions to Existing Buildings</i> • Policy 6 <i>Landscape and the Natural Environment</i> • Policy 7 <i>Existing open spaces & recreation facilities</i> 	No

	<ul style="list-style-type: none"> • Policy 8 <i>Proposed Local Green Spaces</i> • Policy 10 <i>Transport</i> • Policy 13 <i>Business and Employment</i> <p>There are no policies within the CFNP that allocate sites for development. Policy 1 <i>Location and scale of new housing</i> only supports small scale residential development within the built-up area of Caythorpe and Frieston.</p> <p>Furthermore there are policies in the plan that also seek to address social and economic matters, such as meeting housing need and the retention of local services and community facilities.</p> <p>These policies are compatible with the adopted South Kesteven Local Plan, which was subject to both SA/SEA and HRA throughout the plan making process</p>	
(d) environmental problems relevant to the plan or programme; and	There are no specific environmental problems relevant to the NP that have not been identified and assessed through the higher-level Local Plan and its accompanying SA/SEA.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The content of the CFNP is not in conflict with any plans or programmes within the wider area for the implementation of Community legislation on the environment.	No
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
(a) the probability, duration, frequency and reversibility of the effects;	<p>This has been tested through the SA/SEA of the Local Plan for SKDC.</p> <p>The CFNP does not allocate sites for development. The effects of the implementation of the CFNP are therefore uncertain to a certain extent, as they will depend on windfall sites that may come forward. However, such windfall sites are expected to be limited to small scale, infill developments of less than 11 dwellings, therefore the effects are not likely to be significant and are expected to be minimal. It is likely that some policies may result in positive effects by helping to preserve and enhance the environmental features within the Neighbourhood Area</p> <p>See also paragraphs 5.5 to 5.75 above.</p>	No
(b) the cumulative nature of the effects;	The cumulative effects of implementing the CFNP, both between the policies within the CFNP and with other plans and programmes, are expected to be very limited	No

	as the plan does not identify a quantum of growth, nor allocate specific sites for development.	
(c) the transboundary nature of the effects;	The CFNP is not expected to give rise to any transboundary effects.	No
(d) the risks to human health or the environment (for example, due to accidents);	The CFNP is not anticipated to give rise to any significant environmental effects that would pose risk to human health or the environment.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The Caythorpe and Frieston Neighbourhood Area is coterminous with the boundaries of Caythorpe and Frieston Parish. This includes the village of Caythorpe and Frieston and surrounding countryside which is principally in agricultural use. The population of the Caythorpe and Frieston at the time of the 2011 Census was 1500 people living in approximately 600 households.</p> <p>The spatial extent of any effects of the implementation of the CFNP are expected to be limited to the immediate local area (i.e. the Neighbourhood Area), therefore the magnitude and spatial extent of the effects are expected to be limited.</p>	No
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	<p>As highlighted in paras 5.5 to 5.75, it is considered unlikely that the CFNP would adversely impact the special natural characteristics or cultural heritage of the Neighbourhood Area. The CFNP is not expected to exceed environmental quality standards or lead to intensive land use.</p> <p>The CFNP does not allocate any sites for development. Furthermore, the CFNP includes policies which promote environmental considerations and seek to provide greater protection for the character of the area. Therefore it is not considered that there will be any significant adverse impacts in terms of criteria (f)(i to iii).</p>	No
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no protected areas or landscapes within the Neighbourhood Area and therefore the CFNP is unlikely to result in any significant adverse effects. Any effects of the CFNP on the landscape are expected to be positive and localised and are not likely to be significant.	No

5.81. **Figure 4** applies the SEA Directive criteria to the CFNP as per the flow chart in **Figure 2**, to determine the need for SEA and/or HRA.

Figure 4: Application of the SEA Directive to Caythorpe and Frieston Neighbourhood Plan

Criteria	Response: Yes/ No/ Not applicable	Details
1. Is the NDP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government?	Yes	<p>The preparation and adoption of the CFNP is allowed under the Town and Country Planning Act 1990, as amended by the Localism Act 2011. Whilst the CFNP has been prepared by Caythorpe and Frieston Parish Council - it will be adopted by South Kesteven District Council as the local authority and will form part of the statutory development plan for South Kesteven.</p> <p>GO TO STAGE 2</p>
2. Is the NDP required by legislative, regulatory or administrative provisions?	Yes	<p>Whilst the production of a Neighbourhood Plan is not a requirement and is optional, it will, if made, form part of the statutory development plan for the South Kesteven District Council area. It is therefore important that this screening process considers the potential effects.</p> <p>GO TO STAGE 3</p>
3. Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?	Yes – Town & Country Planning / land use; No - EIA Directive Annex I & II	<p>The CFNP is being prepared for town and country planning and land use, setting a framework for future development consents within the Caythorpe and Frieston Neighbourhood Area.</p> <p>However, the NDP is unlikely to set a framework for consent of projects in Annexes I and II to the EIA Directive.</p> <p>GO TO STAGE 4.</p>
4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive?	No	<p>See paras 5.76 to 5.79</p> <p>The CFNP does not set out a housing requirement figure, nor allocate specific sites for development.</p> <p>As the CFNP does not allocate sites and is not likely to increase the amount of growth which will take place in the CFNP area beyond that which is already set out in the South Kesteven Development Plan, an assessment under Articles 6 and 7 of the Habitats Directive is not required.</p> <p>GO TO STAGE 6</p>

5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of an NDP subject to Art. 3.2?	No	Not applicable
6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)?	Yes	Once 'made' the CFNP forms part of the Development Plan and will be used in the decision-making process on planning applications. It therefore sets the framework for future developments at a local level. GO TO STAGE 8
7. Is the NDP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7?	No	Not applicable
8. Is it likely to have a significant effect on the environment?	No	See paras 5.5 to 5.75 and Figure 3 . A Neighbourhood Plan could potentially have a significant effect on the environment, dependent on the proposed policies within the NDP. This requires detailed assessment to determine. See paras 5.3 to 5.61 and Figure 3 which identify that no likely significant effects are expected to arise through implementation of the CFNP.
Outcome:	SEA not required	

6. Consultation with Statutory Bodies

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

6.2. **Historic England**

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required

6.3. **Natural England**

SEA

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.

HRA

Natural England agrees with the report's conclusions that the Caythorpe and Frieston Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required

6.4. **Environment Agency**

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless we recommend the inclusion of relevant policies to cover the management of flood risk.

6.5. **Other (If Relevant)**

None

7. Screening Outcome

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

Appendix 1: Summary of Caythorpe and Frieston Neighbourhood Plan Policies


Policy Reference and Title	Brief Summary of Policy
Policy 1 - <i>Location and Scale of New Housing</i>	Sets out proposals for residential development within Caythorpe and Frieston. Which are generally expected to be small scale infill developments within the built-up area of the settlement.
Policy 2 - <i>Housing Mix</i>	Sets out the identified housing mix and proposed housing densities throughout the Neighbourhood Plan area.
Policy 3 - <i>Design Criteria for New Houses</i>	Sets out a number of design criteria that new developments within the CFNP area should follow.
Policy 4 - <i>Extensions to existing buildings</i>	Sets out the criteria for residential extensions and conversions throughout the CFNP area to ensure that, in addition to residential amenity, sustainable design and local character is considered.
Policy 5 - <i>The Historical Environment</i>	Identifies local factors that must be addressed in addition to SKDC Local Plan Policy EN6, when addressing proposals affecting designated heritage assets, or their setting.
Policy 6 - <i>Landscape and the Natural Environment</i>	The policy sets out a number of criteria to ensure that proposals for development respect the distinct character of the local landscape
Policy 7 - <i>Existing open spaces & recreation facilities</i>	<p>The policy identifies 5 important open spaces within the CFNP area.</p> <p>The policy seeks to protect open spaces and recreation facilities from alternative land uses and only supports development which enhances or improves existing sites.</p>
Policy 8 – <i>Proposed Local Green spaces</i>	<p>The policy identifies 7 Local Green Space Designations.</p> <p>The policy states that Development of these spaces will only be permitted in very special circumstances where harm to the Local Green Space, and any other harm, is clearly outweighed by other considerations</p>
Policy 9 - <i>Village centre and community infrastructure</i>	The policy identifies a number of Community facilities within the Parish which are to be protected from potential loss. This is unless;

Policy Reference and Title	Brief Summary of Policy
	<p>alternative provision is provided, or that there is no reasonable prospect of the facility being retained or economically viable</p> <p>The policy also states that development will be supported where it improves and/or extends existing local services, local facilities and community buildings, or creates new facilities</p>
Policy 10 - <i>Transport</i>	<p>The policy requires development proposals should avoid conflict between vehicles, pedestrians and cyclists and take into account of the nature and rural character of the local highway network.</p> <p>The policy also supports proposals that would increase local provision for pedestrians, cyclists and horse riders will be supported.</p>
Policy 11 – <i>Countryside access and rights of way</i>	The policy states that development proposals will be supported if they improve or extend the existing network of public footpaths and bridleways in the parish, especially where they allow greater access to services and facilities or to the surrounding open countryside.
Policy 12 – <i>Digital Connectivity</i>	The policy supports proposals for development that improve electronic communications such as superfast broadband and the mobile phone network providing any adverse impact on the environment can be adequately mitigated
Policy 13 - <i>Business and Employment</i>	<p>The policy supports proposals for the development of new small business units, the expansion or diversification of existing small units and tourism related development. This is providing there is no significant adverse impact from traffic, parking and servicing, noise, smell, lighting, vibration, emissions or activities generated by the proposal upon the villages, surrounding countryside or landscape.</p> <p>The policy also supports home working proposals where there is no unacceptably adverse impact on the residential amenity of neighbouring properties.</p>

Appendix 2: Consultation Response From Statutory Bodies

Historic England

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 Historic England

Mr Jake Horton
South Kesteven District Council
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ

Direct Dial: [REDACTED]
Our ref: PL00776145
21 June 2022

Dear Mr Horton

Thank you for your consultation of 15 March 2022 and the request for a Screening Opinion in respect of the Langham 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 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,



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.

Natural England

Date: 14 June 2022
Our ref: 395734
Your ref: Caythorpe & Frieston Neighbourhood Plan



Mr J Horton
South Kesteven District Council

BY EMAIL ONLY
j.horton@southkesteven.gov.uk



Dear Mr Horton

Caythorpe & Frieston Neighbourhood Plan – Review SEA & HRA Screening

Thank you for your consultation on the above dated and received by Natural England on 25 May 2022.

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 (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.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). 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 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) Screening

Natural England agrees with the report's conclusions that the Caythorpe and Frieston Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours sincerely

Sally Wintle
Consultations Team

Environment Agency

Jake Horton

From: LN Planning [redacted]
Sent: 20 June 2022 14:03
To: Jake Horton
Subject: RE: SEA/HRA Screening Opinion Consultation - SKDC - The Caythorpe and Frieston Neighbourhood Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Jake

Apologies for the delay, we thought this one had been sent out.

Thank you for consulting us on the Strategic Environmental Assessment screening report for the Caythorpe and Frieston Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area. In particular, we note that the boundary does extend into areas of flood zones 2 and 3 of the River Brant.

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless we recommend the inclusion of relevant policies to cover the management of flood risk.

Kind regards

Keri Monger AssocRTPI
Sustainable Places – Planning Adviser | Lincolnshire & Northamptonshire
Environment Agency | [redacted]

[redacted]

[redacted]



From: Jake Horton <J.Horton@southkesteven.gov.uk>
Sent: 16 June 2022 13:58
To: [redacted]
Subject: FW: SEA/HRA Screening Opinion Consultation - SKDC - The Caythorpe and Frieston Neighbourhood Plan

Dear Consultee ,

I'm just following up on the below consultation email that was sent for you attention on the 25th May 2022 of which I have not received a response by the required deadline.

Other if Relevant