

**Lockington-Hemington Neighbourhood Plan**  
Strategic Environmental Assessment (SEA) &  
Habitat Regulations Assessment  
Screening Report  
(January 2023)

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## **1. Introduction**

- 1.1 A neighbourhood plan for Lockington and Hemington in North West Leicestershire has been prepared. The Lockington and Hemington Neighbourhood Plan (October 2022) (hereafter known as 'the Neighbourhood Plan') is the version of the plan which the Qualifying Body (Lockington and Hemington 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 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 Lockington and Hemington over the life of the Plan. The Plan sets out the community's vision of how the area will look by 2031. 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 Lockington and Hemington 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 BNP 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 Lockington and Hemington Neighbourhood Plan Advisory Committee on behalf of the Qualifying Body (Lockington and Hemington Parish Council). The Plan includes a number of policies within three policy themes.
- 2.8. The policies relate to the Neighbourhood Area and prioritise the protection and enhancement of the environment and character of Lockington and Hemington. Other policies seek to provide support for small scale housing, protection of various environmental features and new and improved community facilities.

## **3. SEA Screening**

### **Criteria for Assessing the Effects of the Lockington and Hemington 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.

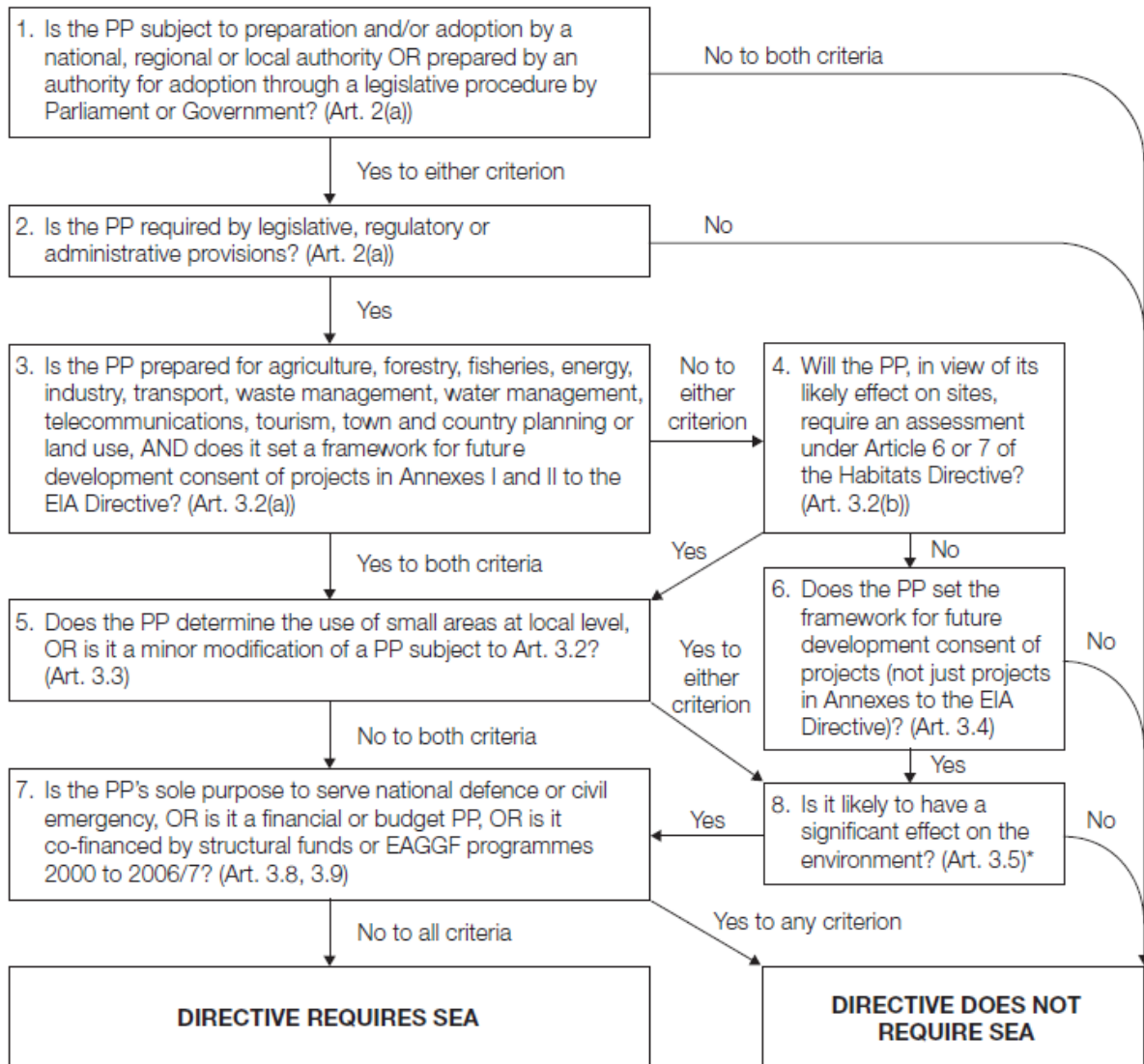
Source: Annex II of SEA Directive  
2001/42/EC

### **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 (Adopted November 2017). 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 Lockington and Hemington 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 Lockington and Hemington 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>	There are a number of policies which could potentially determine the use of small areas of land at a local level: <ul style="list-style-type: none"> <li>• Policy H5 (Affordable Housing provision)</li> <li>• Policy H6 (Windfall sites)</li> <li>• Policy ENV12 (Renewable Energy Generation Infrastructure)</li> <li>• Policy CFA1 (Community facilities and amenities)</li> <li>• Policy BE2 (Active encouragement for new businesses and employment)</li> <li>• Policy BE3 (Home working)</li> <li>• Policy BE4 (Farm diversification)</li> <li>• Policy BE5 (Tourism)</li> <li>• Policy BE6 (Broadband and mobile phone infrastructure)</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 the '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).
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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**

<b>Criteria for determining the likely significance of effects (Annex II SEA Directive)</b>	<b>Likely to have significant environmental effects</b>	<b>Summary of Significant effects</b>
<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 conditions or by allocating resources.	No	<p>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> <p>There is 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 H5 (Affordable Housing provision)</li> <li>• Policy H6 (Windfall sites)</li> <li>• Policy ENV12/13(Renewable Energy Generation Infrastructure)</li> <li>• Policy CFA2 (New and improved community facilities)</li> <li>• Policy BE2 (Active encouragement for new businesses and employment)</li> <li>• Policy BE3 (Home working)</li> <li>• Policy BE4 (Farm diversification)</li> <li>• Policy BE5 (Tourism)</li> <li>• Policy BE6 (Broadband and mobile phone infrastructure)</li> </ul> <p>Policy H5 supports the provision of affordable housing as an exceptions site. Such development</p>

	<p>No, provided the policy is amended to refer to small-scale development</p>	<p>is to adjoin the Settlement Boundary/built up areas of Lockington and Hemington. The proposed approach is consistent with the adopted Local Plan which has been subject to both SEA and Habitats Regulations Assessment.</p> <p>Policy H6 supports the provision of housing on unallocated housing sites, subject to various provisions. The proposed approach is contrary to the adopted Local Plan which restricts development in Lockington and Hemington to the conversion of existing buildings or the reuse of previously developed land. The Neighbourhood Plan Advisory Committee have subsequently confirmed that they will amend Policy H6 prior to submission to confirm that only small-scale development would be acceptable under the terms of the policy. If this is done, the likelihood of significant environmental effects will be negligible.</p>
	<p>No</p>	<p>Policy ENV12 (or should this be 13?) supports the provision of small scale solar or wind turbines within a specified area. This approach is not consistent with the adopted Local Plan as it takes a more restrictive approach.</p>
	<p>No</p>	<p>Policy CFA2 supports proposals that improve the quality and range of community facilities. The policy includes criteria relating to traffic, amenity and accessibility matters and directs that proposals should be of an appropriate scale.</p>
	<p>No</p>	<p>Policy BE2 supports the provision of new employment creation opportunities, subject to various criteria including being of a size and scale appropriate to Lockington and Hemington and reuse existing buildings or previously developed land (other than dwellings).</p>
	<p>No</p>	<p>Policy BE3 supports the use of dwellings for offices or light industry and new free-standing buildings to enable working from home provided they are “small scale” and subject to highways, amenity, emissions and design considerations.</p>
	<p>No</p>	<p>Policy BE4 supports the reuse of existing agricultural buildings or the change of use of agricultural land where it supports farm diversification subject to various criteria including impact on local highways, amenity issues and heritage features.</p>
	<p>No</p>	<p>Policy BE5 supports proposals for tourism development where they are of an appropriate scale and subject to highways and amenity</p>

	No	<p>considerations.</p> <p>Policy BE6 supports the provision of broadband capability to allow the area to be economically competitive, subject to new masts being shared with other providers.</p>
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	No	<p>The Neighbourhood Plan is the lowest tier in the planning hierarchy and must conform to plans in the upper tiers, rather than influence them.</p> <p>The Neighbourhood Plan must conform to the adopted North West Leicestershire Local Plan, the National Planning Policy and European Directives.</p>
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	<p>The Neighbourhood Plan includes policies which provide protection to the character of the area, both natural and historic. These include policies which designate Local Green Space (ENV2) and protect sites of environmental significance (ENV3?), important open space (ENV3?), seek the provision of improved biodiversity and habitat connectivity (ENV4), sites of historic significance (ENV5) and local heritage assets (ENV6 and ENV7)</p>
Environmental problems relevant to the plan.	No	<p>The Neighbourhood Plan identifies in section 5 that there have been significant losses of biodiversity, heritage assets, water quality, views, landscape character and amenity as a result of large scale commercial and infrastructure development. It identifies that it is therefore important to ensure that any future development proposals should take account sustainability in a more balanced way than to date.</p> <p>As the plan does not allocate any specific sites for development it is considered that the plan could not exacerbate any existing environmental problems.</p>
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	<p>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.</p> <p>The Neighbourhood Plan is not directly relevant to the implementation of Community legislation and does not allocate potentially polluting development.</p>
<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	<p>It is unlikely that there will be any irreversible damaging environmental impacts associated with the Neighbourhood Plan.</p>
The cumulative nature of the effects.	No	<p>The policies included within the Neighbourhood Plan are unlikely to result in likely significant effects given the nature of policies proposed and their conformity with existing policy provisions included</p>

		in the adopted Local Plan. Any development resulting from the Neighbourhood Plan proposals is 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 are 3 Scheduled Monuments and 23 Listed Buildings 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.  As the plan does not allocate any specific sites for development it is unlikely that the Plan would have any significant adverse effects on the historic or cultural assets.  There is one Site of Special Scientific Interest (Lockington Marshes) along with a number of Local Wildlife Sites within the Plan Area. The Neighbourhood Plan identifies a number of sites which are considered to be locally environmentally significant for their biodiversity and/or heritage, including the Local Wildlife Sites, and Policy ENV3 seeks to protect them from damage.  There are not any Air Quality Management Areas within the Plan Area.  The River Trent forms the northern boundary of the plan area, whilst the River Soar forms its north eastern boundary. In 2019 both were judged to be of moderate ecological status.
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 there is a potential for the Neighbourhood Plan to have a significant environmental effect resulting from

possible housing development based on how Policy H6 Windfall Sites is currently worded. The Neighbourhood Plan Advisory Committee have confirmed that they will amend Policy H6 prior to submission to refer to small scale development only. Provided this change is made, it is considered that the Plan would not have significant environmental effects and that a Strategic Environmental Assessment is not required.

#### **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 14.1km 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 10.5km (see Appendix 1). The Plan Area drains to the River Trent and River Soar. 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 Lockington and Hemington. These sites are listed below for purpose of clarification.
  - Cannock Chase SAC (estimated 41km at closest point)
  - West Midland Mosses SAC (about 42km)
  - Midlands Meres and Mosses Ramsar (about 42km)
  - Ensor’s Pool SAC (about 38km)
- 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 Lockington and Hemington 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 Lockington and Hemington 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<sup>1</sup>. 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, provided the change to Policy H6 described in Table 2 and in Paragraph 2.7 is made, significant environmental effects are unlikely and a SEA is not required at this stage.

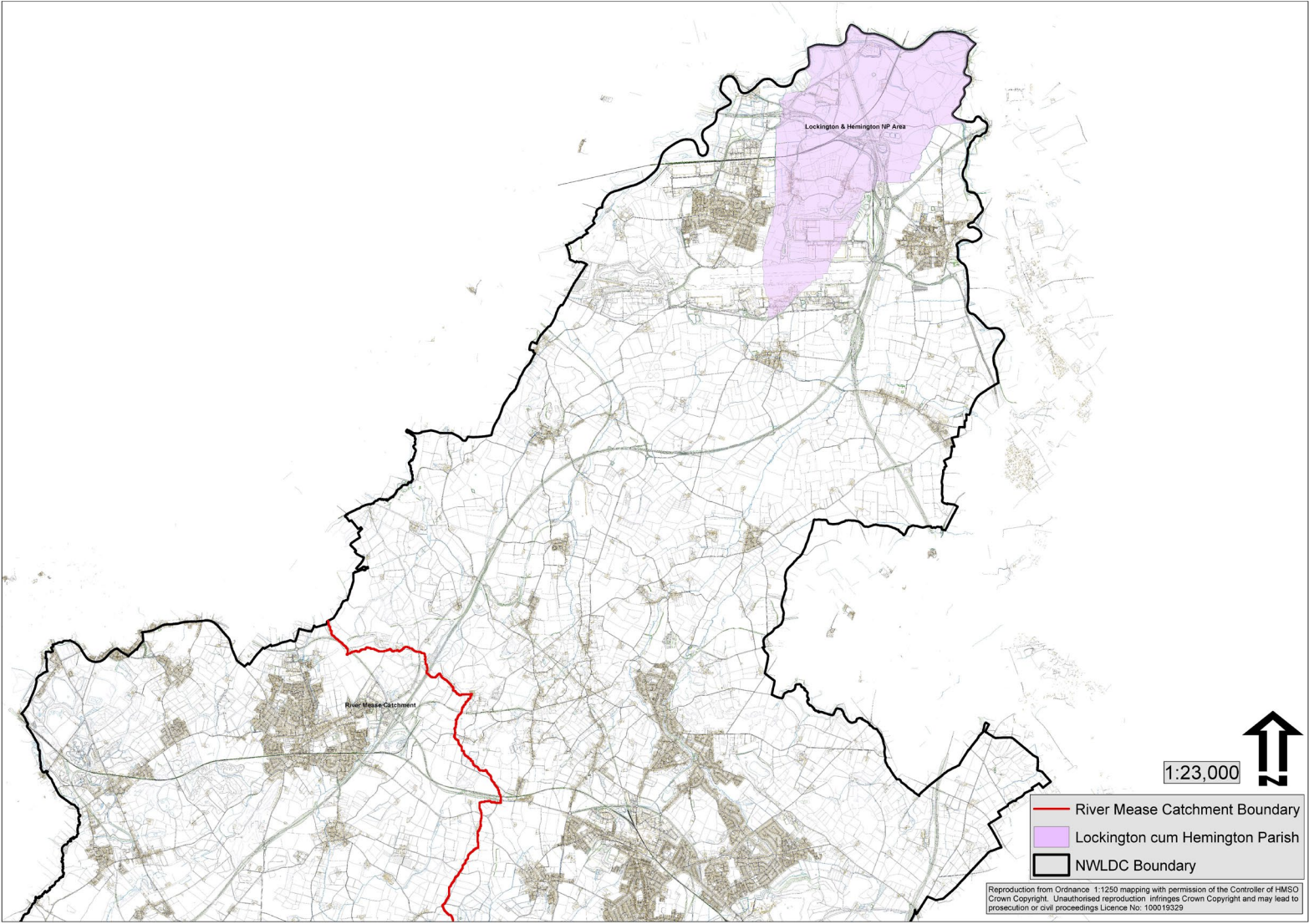
### **Habitat Regulations Assessment (HRA)**

- 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.

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<sup>1</sup> Subject to the change described in Table 2 and at Paragraph 3.7

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



## **APPENDIX 2 –Statutory Consultee responses**





Historic England

Ms Sarah Lee

Direct Dial: 0121 625 6887

North West Leicestershire District Council

Planning Policy Team

Our ref: PL00792012

4 January 2023

Dear Ms Lee

## **LOCKINGTON AND HEMINGTON NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING**

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above 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 the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

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://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>



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Historic England

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

P. Boland.

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cc:



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*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: 06 January 2023  
Our ref: 416322



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**BY EMAIL ONLY**

Dear Sarah,

### **Planning consultation: Lockington & Hemington Neighbourhood Plan – SEA and HRA Screening Assessment**

Thank you for your consultation on the above dated 05 December 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.

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 Lockington & Hemington Neighbourhood Plan.

I can confirm that Natural England agrees with this report's conclusion that it is not likely there will be significant environmental effects arising from the policies in the plan, which have not already been accounted for within the adopted local plan. Therefore, the **Lockington & Hemington 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**.

Aside from this, Natural England has no specific comments at this stage. 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 02080268500 . 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

Roslyn Deeming  
Senior Planning Adviser  
East Midlands

**From:** Wakefield, Nick <nick.wakefield@environment-agency.gov.uk>

**Sent:** 09 January 2023 14:40

**To:** SARAH LEE <SARAH.LEE@nwleicestershire.gov.uk>

**Subject:** EXTERNAL: RE: SEA/HRA Screening request for the Lockington & Hemington Neighbourhood Plan, North West Leicestershire

Dear Sarah,

From the perspective of the remit of the Environment Agency we do not disagree with the Council's view that a further SEA is not required.

Regards

Nick

**Nick Wakefield**

Planning Specialist, Sustainable Places Team

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for people and wildlife

