

**Skillington Neighbourhood Development Plan**

# **Basic Conditions Statement**

**February 2017**

**Skillington Parish Council**

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# 1. Introduction

- 1.1 Skillington Parish Council submitted their Neighbourhood Development Plan to South Kesteven District Council in February 2017.
- 1.2 When submitting a neighbourhood plan to the relevant local planning authority the legislation requires that the qualifying body submit a number of other documents to accompany it. One of these is commonly known as a Basic Conditions Statement.
- 1.3 This Basic Conditions Statement has therefore been prepared in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. It explains how the proposed Neighbourhood Development Plan meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.
- 1.4 There are five basic conditions that are relevant to a neighbourhood development plan. These are:
  - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
  - the making of the neighbourhood plan contributes to the achievement of sustainable development
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
  - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 1.5 The prescribed condition is that the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).
- 1.6 This Basic Conditions Statement sets out how the Skillington Neighbourhood Plan meets the requirements of each basic condition and other legal tests. It explains why the Parish Council believe the plan meets these statutory requirements and should thereby proceed to referendum.

## 2. The Legal Requirements

- 2.1 This statement is required to set out how the neighbourhood plan meets the requirements of each legal test. This is set out below.

### The Qualifying Body

- 2.2 The plan has been submitted by Skillington Parish Council, which is the qualifying body for the Skillington Neighbourhood Area.

### The Neighbourhood Area

- 2.3 Skillington Parish Council applied to South Kesteven District Council to designate a Neighbourhood Area on 7 April 2015. The District Council subsequently publicised the application for a six week period and invited any representations.
- 2.4 The District Council formally approved the Skillington Neighbourhood Area on 17 June 2015.
- 2.5 The boundary of the Skillington Neighbourhood Area corresponds to the Parish boundary. This is indicated in Appendix 1.

### The Plan Period

- 2.6 The Skillington Neighbourhood Plan covers the plan period from 2017 to 2031.
- 2.7 The adopted Core Strategy prepared by South Kesteven District Council provides the strategic framework for the amount and distribution of new development needed in the district for the 20 year period 2006-2026.
- 2.8 The emerging Local Plan will roll this forward and cover the period up to 2036.

### Excluded Development

- 2.9 The neighbourhood plan does not contain policies that relate to 'excluded development'. For example it does not contain matters dealt with by Lincolnshire County Council (notably mineral extraction and waste development) or Nationally Significant Infrastructure Projects.

## **Policies that relate to development and use of land**

- 2.10 The neighbourhood plan sets out policies that relate to the development and use of land in the whole or part of the Skillington Neighbourhood Area. It includes land use planning policies that can be used in the determination of planning applications.

## **Other Neighbourhood Areas**

- 2.11 The plan does not relate to all or any part of another designated neighbourhood area.
- 2.12 There is no other made neighbourhood plan that covers any part of the Skillington Neighbourhood Area.
- 2.13

### 3. The Basic Conditions

- 3.1 This statement is required to set out how the neighbourhood plan meets the prescribed basic conditions.

#### Regard to national policies and advice

- 3.2 The National Planning Policy Framework 2012 (hereafter referred to as the Framework) sets out the Government’s main planning policies for England and how they are expected to be applied. Further advice can also be found in the Government’s on-line national Planning Practice Guidance (hereafter referred to as Guidance) first published in April 2014.
- 3.3 The neighbourhood plan has therefore been prepared with regard to national policies as set out in the Framework and is mindful of the Guidance.
- 3.4 The neighbourhood plan has had regard to paragraphs 183 to 185 of the Framework. The local community were instrumental in developing a shared vision for the area and the associated objectives.
- 3.5 The vision for Skillington developed in the neighbourhood plan is:

In 2031 Skillington will be an attractive and tranquil village, which has a strong and balanced community that looks after its historical buildings and surroundings

- 3.6 To deliver this vision the neighbourhood plan has the following objectives:

1. To support appropriate and affordable residential development in the village
2. To support a prosperous local economy
3. To retain and improve local services and community facilities
4. To protect and enhance the Skillington Conservation Area
5. To conserve and manage the surrounding Kesteven Uplands landscape

- 3.7 The neighbourhood plan sets out the policies to deliver the vision and objectives, which will be used to help determine planning applications submitted in the neighbourhood area. The policies contained within the plan are listed in Appendix 2. These are intended to ensure that local people get the right type of development for their community.
- 3.8 The neighbourhood plan has also been prepared to align with the strategic needs of the wider rural areas of South Kesteven District and conforms to the adopted development plan for the area. The neighbourhood plan does not promote less development than that set out in the adopted Core Strategy or undermine its strategic policies. Outside of these

strategic elements the plan has brought forward policies that shape and achieve sustainable development.

3.9 Set out in Table 1 below is a brief summary of how each policy in the neighbourhood plan conforms to the Framework. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all relevant paragraphs.

**Table 1 : Conformity to the National Planning Policy Framework**

Policy No	Policy Title	Framework References	Comment on Conformity in the Neighbourhood Plan
The overall plan		Core Planning Principles - Para 17  Neighbourhood Plans – Paras 183 to 185	<p>The neighbourhood plan has empowered local people to shape their surroundings with a succinct document that sets out a positive vision for the future. It is based on joint working, especially with SKDC. It provides a practical framework within which planning decisions can be made with predictability and efficiency.</p> <p>The local community were instrumental in developing a shared vision for the area. The neighbourhood plan sets out policies to determine decisions on planning applications. It ensures that local people get the right type of development for their community. It has also been prepared to align with the strategic needs of the wider rural areas of South Kesteven District and conforms to the development plan for the area. The neighbourhood plan does not promote less development than that set out in the development plan for the area or undermine its strategic policies. Outside of these strategic elements the neighbourhood plan has brought forward policies that shape and direct sustainable development.</p>
1.	Residential Development in Skillington	Core Planning Principles - Para 17  Section 6 – Para 47  Section 7 – Para 55	<p>The policy seeks to secure high quality design and a good standard of amenity.</p> <p>The Steering Group has worked closely with South Kesteven District Council to understand the housing need in the area based on the adopted Core Strategy and SPD, as well as the general principles emerging in the new Local Plan. The five year land supply also forms part of the neighbourhood plan evidence base.</p> <p>Housing provision in rural areas should be located where it will enhance or maintain the vitality of rural communities in order to promote sustainable development.</p>

		Section 7 – Para 56	The policy highlights the need for good design.
		Section 7 – Para 58	The policy sets out the quality of the development that will be expected, identifying the required characteristics. This includes retaining a strong sense of place and incorporating local character and history in the design.
		Section 7 – Para 60	The policy seeks to encourage local distinctiveness.
		Section 11 – Para 109	By insisting that development is within the existing village confine, the plan seeks to protect the surrounding natural environment and valued landscape.
		Section 12 – Para 126	The policy recognises the importance of heritage assets and the wider Conservation Area.
		Section 12 – Para 128	The policy seeks to protect open spaces that are identified as being important to the setting of the Conservation Area.
		Section 12 – Para 131	The policy requires development to reflect local character and distinctiveness.
2.	Affordable Housing on Rural Exception Sites	Section 6 – Para 50 and Para 159 on Local Plans	The evidence base for the plan noted the District wide housing figures, especially the requirements and desired locations for affordable housing. This will need to be kept under review should circumstances and demand change.
3.	The Local Economy	Core Planning Principles - Para 17  Section 3 - Para 28  Section 5 – Paras 42 and 43	The policy supports sustainable economic development.  The policy supports economic growth in the rural area to create jobs and prosperity. It encourages sustainable growth that is designed to be in-keeping with the characteristics of the locality.  The policy highlights the importance of superfast broadband in rural areas. It supports the premise that the development of high speed broadband technology and other communications networks plays a vital role in enhancing the provision of local community facilities and services as well as home working.
4.	Local Services and Community Facilities	Section 3 - Para 28	The policy promotes the retention and development of local services and community facilities in the village, such as village hall, sports and recreation spaces, public houses and places of worship.

		Section 8 - Para 69	The policy seeks to encourage social interaction and create healthy, inclusive communities. It also seeks access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
		Section 8 – Para 70	The policy seeks to guard against the loss of valued services and facilities. It also supports development that would improve certain key services and community facilities.
5.	Local Green Space	Section 8 – Para 74	The plan seeks to protect important open spaces within the village.
		Section 8 - Paragraph 76	The Framework introduces the concept of Local Green Spaces. The designations in the plan are close to the community they serve and not extensive tracts of land. They also hold special significance to the local community.
6.	Public Footpaths	Section 4 – Para 35	The policy gives priority to the protection of pedestrian movements.
		Section 8 – Para 69	The policy encourages safe and accessible development that contains clear and legible pedestrian routes.
7.	Conservation Area	Achieving sustainable development – Para 7	The policy seeks to achieve sustainable development by protecting and enhancing the Conservation Area.
		Core Planning Principles - Para 17	The policy seeks to conserve heritage assets in the neighbourhood area.
		Section 12 – Para 126	The policy adopts a positive approach to development that conserves the historic environment and requires development to reflect local character and distinctiveness.
		Section 12 – Para 126, 128 and Para 132	The policy attaches weight to conserving the most important heritage assets. It requires development to make a positive contribution to local character and distinctiveness. It recognises that development should not have an adverse impact on the setting of buildings and important open spaces in and around the Conservation Area.
8.	Conservation Area Design Guidance	Core Planning Principles – Para 17	The policy seeks to conserve local heritage assets for future generations.
		Section 12 – Para 126, 128 and Para 132	The policy seeks to conserve and enhance the historic environment. It requires development to make a positive contribution to local character and distinctiveness. The policy recognises that

			development should not have an adverse impact on the setting of buildings in the Conservation Area. It cross refers to advice contained in the Skillington Conservation Area Appraisal and Management Plan 2016 prepared by South Kesteven District Council and further guidance to be prepared by the Parish Council.
9.	Open Countryside	Core Planning Principles - Para 17	The policy recognises the intrinsic value and beauty of the surrounding countryside. It also conserves local heritage assets and the natural environment.
		Section 11 – Para 109	The policy seeks to protect the surrounding valued landscape.
		Section 11 – Para 123	The policy endorses the need to protect areas of tranquillity.

3.10 It is thereby believed that the neighbourhood plan has had appropriate regard to the National Planning Policy Framework.

3.11 The Parish Council is not aware of any other relevant national policies and advice that the neighbourhood plan should have had particular regard to.

### **The achievement of sustainable development**

3.12 The main purpose of the planning system is to contribute towards the achievement of sustainable development whether it is the policies in a local or neighbourhood plan, or the decisions being taken on planning applications.

3.13 The Framework states that the three dimensions of sustainability are economic, social and environmental for which gains should be sought jointly.

3.14 The basic conditions require that the neighbourhood plan contribute to the achievement of sustainable development. The Steering Group were mindful of this requirement during the course of plan preparation and the principles of sustainable development are embedded in the vision and objectives.

3.15 The table below assesses each of the neighbourhood plan’s policies in terms of how they will deliver sustainable development against the three dimensions of sustainability i.e. economic, social and environmental aspects. Symbols are used to categorise the impact and to demonstrate whether the potential impacts of the policy are very positive (++), positive (+), neutral (o), negative (-), or very negative (--).

**Table 2 : Assessment of the sustainability of policies in the Neighbourhood Plan**

Policy No	Policy Title	Social Factors	Economic Factors	Environment Factors	Comment on achieving Sustainable Development
1.	Residential Development in Skillington	+	0	++	The policy seeks to restrict development to being within the village confines to protect surrounding countryside and ensure it is in-keeping with existing historic character. It encourages social integration within the existing village rather than peripheral 'estate' development that is isolated from the community.
2.	Affordable Housing on Rural Exception Sites	++	0	-	The policy seeks to encourage a balanced and diverse community in terms of age and social background, and encourage sustainability.
3.	The Local Economy	+	++	0	The plan recognises the need to support commercial development in rural areas, and ideally local jobs. This policy encourages such development providing it recognises the rural character and environmental quality. It therefore supports the economic aspirations of sustainable development.
4.	Local Services and Community Facilities	++	+	+	The policy seeks to protect existing services and facilities used by the community to ensure the long term sustainability of the village and reduce the need to travel elsewhere. Its prime goal is to promote accessibility to all members of the local community.
5.	Local Green Space	+	0	++	The policy seeks to protect the community's most important open spaces. The designated areas form part of a network of open spaces in and around the settlements. They provide opportunities for formal and informal play recreation. These also provide green lungs breaking up the built up area. These green spaces also have a wider community value and provide opportunities for social interaction as well as health and well-being. The policy therefore positively contributes to social and environmental goals.

6.	Public Footpaths	+	0	+	This policy aids health and well being by facilitating social interaction and physical exercise, as well as enabling access to community services and facilities.
7.	Conservation Area	0	0	++	The policy seeks to maintain the integrity of the historic environment and thereby positively contribute to the achievement of sustainable development. In particular the protection and enhancement of the Conservation Area is a prime concern of the local community.
8.	Conservation Area Design Guidance	+	0	++	The policy seeks to implement conservation advice provided by SKDC and also provide further guidance to be written by the Parish Council. The aim is to raise awareness amongst the local community and encourage more sensitive development.
9.	Open Countryside	0	0	++	In view of the quality of the surrounding countryside and its sensitivity to development, the policy seeks to restrict any proposals to appropriate activities. The policy highlights the importance of restricting noise and maintaining tranquillity, as well as the character and beauty of the landscape. The emphasis is therefore on protecting environmental assets.

3.16 In conclusion this information demonstrates that overall the plan's policies positively contribute to the achievement of sustainable development.

## Conformity with the development plan

3.17 The neighbourhood plan must also be in general conformity with the strategic planning policies of the planning authority for the area.

3.18 The South Kesteven Development Plan comprises the following documents:

- Core Strategy (2006 - 2026) - adopted July 2010
- Site Allocation and Policies Development Plan Document (DPD) - adopted April 2014
- Saved policies in the South Kesteven Local Plan 1995 (these now only relate to Grantham).

3.19 See more at: <http://www.southkesteven.gov.uk/index.aspx?articleid=8159>

3.20 The neighbourhood plan has been prepared to ensure its general conformity with the development plan for South Kesteven District. The following tables thereby set out how each policy in the neighbourhood plan is in general conformity with the appropriate strategic policies in the development plan.

**Table 3: Conformity with policies in the adopted Core Strategy**

Policy No	Policy Title	Reference in Core Strategy	Comment on Conformity in the Neighbourhood Plan
Vision		<p>The vision for South Kesteven in 2026:</p> <p><i>“ ... Rural communities will have remained viable by achieving development that supports their needs.</i></p> <p><i>... All of this will have been achieved in ways which ensures a good quality of life, health and well being for everyone as well as celebrating the distinctiveness of the districts countryside and heritage.”</i></p>	<p>The vision for Skillington builds on this:</p> <p><i>“In 2031 Skillington will be an attractive and tranquil village, which has a strong and balanced community that looks after its historical buildings and surroundings”</i></p>
1.	Residential Development in Skillington	<p>The Core Strategy defines a settlement hierarchy. Those villages which have seven or more of the essential facilities were identified as a Local Service Centre. The Core Strategy says that some limited development in the Local Service Centres will prevent local services from becoming unviable</p> <p>Skillington is regarded as a smaller settlement that forms part of the hinterland for the Colsterworth and Woolsthorpe Local Service Centre.</p>	<p>In all the village and the surrounding open countryside development will be restricted.</p> <p>Infill development within the village is permitted provided it is limited to small scale within the built up area.</p>
2.	Affordable Housing on Rural Exception Sites	<p>Policy H3 in the Core Strategy deals with affordable housing. It states that rural exception schemes which are located in or adjacent to a smaller village will be considered acceptable where the scheme clearly meets a proven need for local affordable housing. Such houses should be available in perpetuity for local need. Sites should be suitable for development in all other respects and meet all other policy requirements for</p>	<p>Affordable development will be permitted within the existing village confines or located on rural exception sites on the periphery, subject to there being a proven need.</p>

		development.	
3.	The Local Economy	<p>The approach to rural development and diversification is set out in Policy SP1, which establishes the uses considered appropriate in the rural parts of the District. This includes: agriculture, forestry and equine development and rural diversification schemes.</p> <p>Policy E1 adds that:  <i>"... .. Outside Local Service Centres, rural diversification proposals will be supported where it can be demonstrated that it is necessary to meet the needs of farming, forestry, recreation, tourism or other enterprises and has an essential requirement for a rural location. Such proposals would need to demonstrate that they will help to support or regenerate a sustainable rural economy."</i></p>	The neighbourhood plan supports economic development in the rural area providing it meets certain criteria.
4.	Local Services and Community Facilities	Policy SP2 focuses on protecting and enhancing community assets in Local Service Centres. There will be a presumption against the change of use of existing retail, service and employment premises.	Skillington has little in the way of local services and facilities, but seeks to protect those few that it has.
5.	Local Green Space	Policy EN1 says that all development proposals will be assessed in relation to the protection of existing open space including public open space, and open space important to the character, setting and separation of built-up areas.	The Core Strategy was adopted before the Framework introduced the designation of Local Green Spaces.
6.	Public Footpaths	Policy SP3 seeks to promote patterns of development which reduces the need to travel by car and encourage journeys by walking.	The neighbourhood plan policy seeks to protect and enhance the existing footpath network.
7.	Conservation Area	Policy EN1 states that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape. The development must also contribute to its conservation, enhancement and restoration. It adds that all development proposals and site allocations will be assessed in relation to statutory, national and local designations of historic assets.	The village of Skillington is almost all within the Conservation Area. The neighbourhood plan policy amplifies the general principles listed in the Core Strategy.
8.	Conservation Area Design Guidance	See above.	See above
9.	Open Countryside	Policy EN1 addresses the need to protect and enhance the character of the District. It states that: <i>"... Development must be appropriate to</i>	The neighbourhood plan amplifies these considerations specifying: <ul style="list-style-type: none"> <li>• what type of development will be supported in the open countryside;</li> </ul>

		<p><i>the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration”.</i></p> <p>All development proposals and site allocations will be assessed against certain criteria that includes:</p> <ul style="list-style-type: none"> <li>• landscape features</li> <li>• local distinctiveness and sense of place</li> <li>• historic character</li> <li>• the layout and scale of buildings</li> <li>• biodiversity</li> <li>• remoteness and tranquillity</li> <li>• noise and light pollution</li> </ul>	<p>and</p> <ul style="list-style-type: none"> <li>• the key features of the open countryside that development needs to preserve and enhance.</li> </ul>
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3.21 The Core Strategy does not identify specific sites for development. These were brought forward in the subsequent Site Specific Allocations and Policies DPD.

**Table 4: Conformity with policies the adopted Site Allocations and Policies DPD**

Policy No		Reference in DPD	Comment on Conformity in the Neighbourhood Plan
Residential	Development in Skillington	Policy SAP H1 states that: <i>“Other than those sites which are allocated, new green field sites on the edges of the towns and villages will not be considered acceptable for housing development.”</i>	This is consistent with the approach in the neighbourhood plan to limit development to infill within the existing built up area of the village.
Affordable Housing on	Rural Exception Sites	Policy SAP2 states that outside the towns and Local Service Centres the need for local affordable housing will be met through the development of rural exception schemes. In order that funding can be prioritised to those villages where a need has already been identified, the Council has identified a number of small villages as “areas of search” for sites which may be suitable to meet the identified need for local affordable housing.  However Skillington is not included in the ‘area of search’. But the policy goes onto to say that rural exception schemes maybe acceptable in other villages not listed. Such schemes must	This is consistent with the approach adopted in the neighbourhood plan, which is dependent on evidence to support any such proposals.

		be supported by clear up-to-date evidence.	
The	Local Economy	Policy SAP4 states that outside the towns and Local Service Centres proposals for the certain types of small business will be supported, provided that it is demonstrated that it will help to support, or regenerate the rural economy. Proposals must demonstrate that they meet certain criteria such as scale appropriate to the rural location and for a use which is appropriate or necessary in a rural location.	The neighbourhood plan builds on the national and local planning context by encouraging local economic development and diversification providing it is compatible with a rural area and its environmental constraints.
Local	Services and Community Facilities	Policy SAP1 states that: <i>“Applications for the change of use of community facilities which would result in the loss of community use will be resisted unless it is clearly demonstrated that either there are alternative facilities available, the existing use is no longer viable, or there is no realistic prospect of the premises being re-used for alternative business or community facility use.</i>	This is consistent with the approach adopted in the neighbourhood plan.
Local	Green Space	Policy SAP10 deals with the protection of existing open space. It states that all existing open space including allotments, parks, equipped play space, sport pitches and informal natural open space, route ways and corridors will be protected.	The policy in the neighbourhood plan seeks to protect the most important open spaces as Local Green Space.
Public	Footpaths	No reference.	
Conservation	Area	No reference.	
Conservation	Area Design Guidance	No reference.	
Open	Countryside	No reference.	

3.22 The above tables demonstrate that the overall neighbourhood plan and its individual policies are in general conformity with the strategic policies in the development plan.

## Emerging Local Plan

3.23 The basic condition only requires the neighbourhood plan to be in general conformity with the development plan. It does not test the neighbourhood plan against the policies in an emerging local plan. Nevertheless it is considered good practice to have regard to any emerging local plan, and any associated up-to-date evidence base supporting its preparation.

- 3.24 South Kesteven District Council has begun preparing a new local plan which will cover the whole district for the period up to 2036. The new plan will:
- bring together the relevant policies of the adopted Core Strategy and Site Allocation and Policies DPD;
  - update and include new policies arising from the National Planning Policy Framework (Framework) and national Planning Practice Guidance; and
  - provide new development requirements for the plan period, in particular providing for the objectively assessed housing needs of the District.
- 3.25 The emerging local plan will eventually replace the Core Strategy, Site Allocation and Policies DPD and any remaining saved policies from the 1995 local plan. However it is not envisaged that it will be adopted until late 2017 or early 2018.
- 3.26 The Steering Group has been in regular contact with South Kesteven District Council throughout the preparation of the neighbourhood plan, and been mindful of progress on the emerging local plan and the association consultation initiatives. Where possible these have been factored into the thinking behind the neighbourhood plan to try and future proof it.
- 3.27 For instance in July 2016 the District Council commenced the second stage of consultation on the emerging new Local Plan. The focus of this consultation was on 'sites and settlements'. Amongst other things the consultation sought views on the estimated level of housing land that is required across the District up to 2036. A proposed settlement hierarchy was outlined together with a suggested level of new housing that should be permitted in each category.
- 3.28 Skillington was again identified as a Smaller Settlement where development is described as less sustainable. However the consultation document points out that in such smaller settlements in 2004-05 there were 136 new homes built, but by 2014-15 this figure had dropped to just 9 new homes. In recognition of this the consultation document states that it is possible that the Core Strategy's approach towards development in these smaller settlements was perhaps too restrictive.
- 3.29 The suggestion is that the emerging the Local Plan will have a spatial strategy that allows for infill and brownfield development (where suitable) in these smaller settlements so they can support their existing community through the provision of new homes. Initial evidence outlined in the consultation document suggests that around 5% of future housing development might come from these smaller settlements.
- 3.30 Whilst relevant to the neighbourhood plan, the emerging local plan is still at a relatively early stage in the preparation process. Nevertheless a slightly less restrictive approach has been incorporated in the neighbourhood plan to facilitate some limited infill development.

## European Obligations

- 3.31 A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant. A number of EU obligations may be of relevance including:
- Directives 2001/42/EC (Strategic Environmental Assessment)
  - 2011/92/EU (Environmental Impact Assessment)
  - 92/43/EEC (Habitats)
  - 2009/147/EC (Wild Birds)
  - 2008/98/EC (Waste)
  - 2008/50/EC (Air Quality)
  - 2000/60/EC (Water).
- 3.32 Guidance indicates that it is the responsibility of local planning authorities to ensure that a neighbourhood plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive) when it takes the decision on:
- a. whether the plan should proceed to referendum; and
  - b. whether or not to make the plan.

## Strategic Environmental Assessment

- 3.33 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is particularly relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.34 If the neighbourhood plan is likely to have significant environmental effects it may require a Strategic Environmental Assessment in order to meet EU obligations. The Parish Council thereby asked South Kesteven District Council to undertake a screening opinion to ascertain whether the scope of the neighbourhood plan necessitated a Strategic Environmental Assessment.
- 3.35 A screening opinion was subsequently undertaken by the District Council, which was published in December 2016. This report is attached as Appendix 3.
- 3.36 After consultation with the Environment Agency, Natural England and Historic England the District Council Screening Report stated:

7.1 *On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that the Skillington Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA report.*

3.37 The District Council's decision notice is attached as Appendix 4.

## **Habitats Regulations Assessment**

3.38 Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to meeting the basic conditions. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.

3.39 The prescribed condition states that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).

3.40 In addition to the screening of the Skillington Neighbourhood Plans in relation to a SEA, the District Council also assessed the likelihood of any proposals within it would have an adverse impact on any internationally designated wildlife sites. The report stated that:

7.2 *There are no internationally designated wildlife sites within the Neighbourhood Area and there are three within 20km of it. It is not considered that the Skillington Neighbourhood Plan will have an adverse effect on the integrity of these internationally designated sites either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment.*

3.41 The Skillington Neighbourhood Development Plan does not thereby require an Appropriate Assessment under the EU Habitats Regulations.

## **European Convention on Human Rights (ECHR)**

3.42 The Human Rights Act contains a number of articles which are potentially relevant to neighbourhood planning such as:

- the right to respect for private and family life
- freedom of expression
- prohibition of discrimination.

- 3.43 For example all sections of the community should be given the opportunity to get involved in preparing the plan and express their views on it.
- 3.44 The Parish Council confirm that the non statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given the opportunity to express their views. The Steering Group were constantly mindful of the need to engage all sections of the local community and applied different consultation techniques accordingly. These initiatives are documented in the accompanying Consultation Statement.
- 3.45 The Parish Council also wish to confirm that the neighbourhood plan has been prepared to represent the views of the whole community.
- 3.46 It is therefore believed that the Skillington Neighbourhood Development Plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

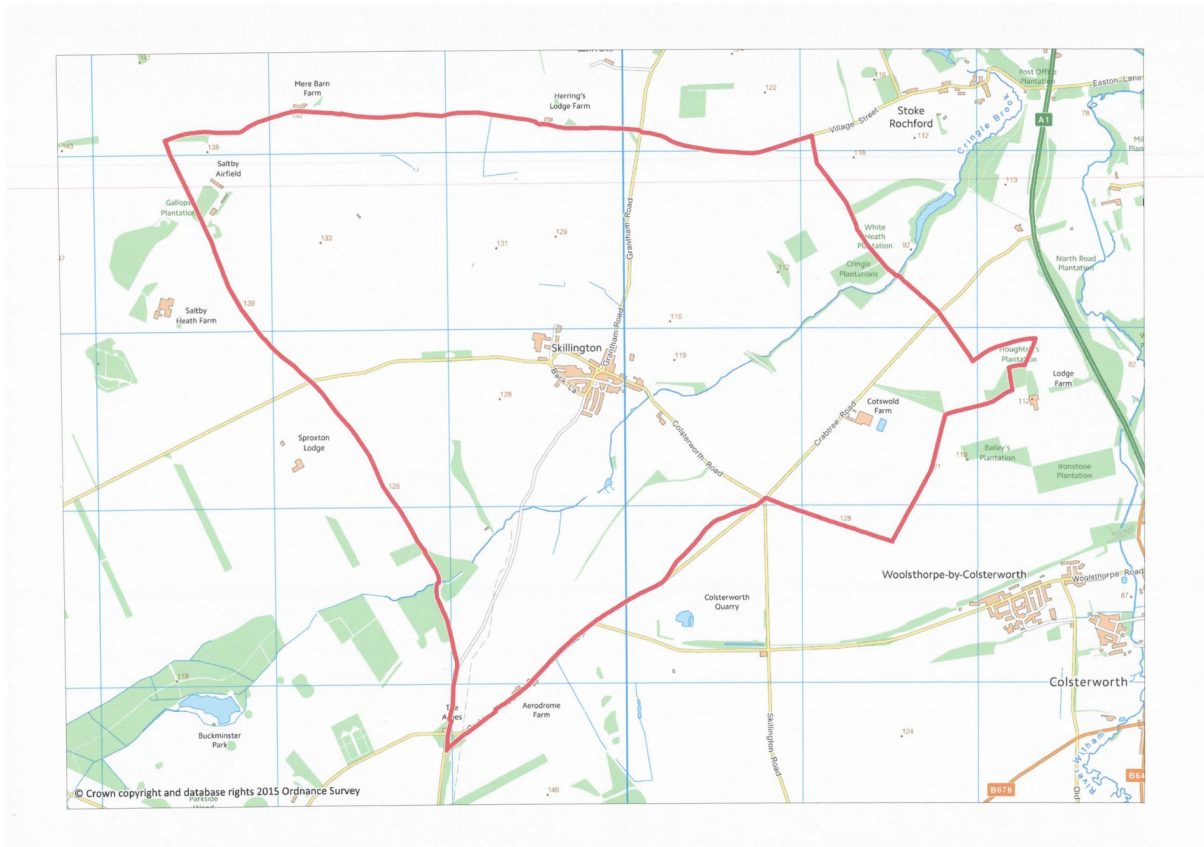
## **Equalities**

- 3.47 The preparation of the neighbourhood plan has had due regard to the provisions of Section 149(1) of the Equalities Act 2010 and the Parish Council is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act.

## 4. Conclusion

- 4.1 In accordance with paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 this Statement demonstrates that the proposed Skillington Neighbourhood Development Plan prepared by Skillington Parish Council meets the requirements of each basic condition and the other legal tests.

## Map of Skillington Neighbourhood Area



Note: The boundary of the Skillington Neighbourhood Area corresponds to the Parish boundary

## **List of Policies in the Skillington Neighbourhood Plan**

### **Policy 1 – Residential Development in Skillington**

A proposal for residential development within the village will be supported providing that it comprises one or more of the following:

- a) the conversion of a redundant or disused building;
- b) a new dwelling required to meet the essential need for a rural worker to live permanently at or near their place of work; or
- c) a small scale site for 3 or fewer houses in an otherwise built-up frontage.

All the above proposals for residential development should:

- 1) be acceptable infill that is located within the built-up part of the village;
- 2) be appropriate to its surroundings and not overshadow or overlook adjoining properties;
- 3) preserve or enhance the character and appearance of the Conservation Area and its setting with regards to form, scale, layout and materials; and
- 4) not affect open land which is of particular significance to the form and character of the settlement.

### **Policy 2 – Affordable Housing on Rural Exception Sites**

A proposal for affordable housing on a rural exception site will be supported if it:

- a. is justified by evidence of need through a local housing needs survey for the village;
- b. is prioritised for those with a local connection;
- c. meets the criteria listed in Policy SAP2 in the Site Allocation and Policies Development Plan Document or listed in a replacement policy on rural exception sites adopted by South Kesteven District Council
- d. is appropriate to its surroundings;
- e. preserves or enhances the character and appearance of the Conservation Area and its setting with regards to scale, layout and materials; and
- f. does not affect open land which is of particular significance to the form and character of the settlement.

### **Policy 3 – The Local Economy**

A proposal for economic development will be supported if it:

- a) supports the viability and expansion of existing businesses and enterprises;
- b) promotes the development and diversification of agricultural activity;
- c) enables and encourages home working; or
- d) improves electronic communications such as superfast broadband and the mobile phone network.

Any adverse impact on the environment should be avoided if possible, or otherwise mitigated.

#### Policy 4 – Local Services and Community Facilities

The expansion of existing services or community facilities will be supported providing that it does not have significant harmful impacts on the amenities of residents or on other neighbouring uses.

The loss of a local service or community facility will only be supported if it can be demonstrated that:

- a) an assessment has been undertaken which has clearly shown it to be surplus to requirements or no longer viable; and
- b) the loss would be replaced by equivalent or better provision in terms of quantity and quality, and in a suitable location to meet the need; or
- c) the development will bring about a community benefit, the needs for which clearly outweigh the loss.

#### Policy 5 – Local Green Space

The following areas are designated as Local Green Space:

- a) the Green
- b) the Square

The boundaries of the Local Green Spaces are shown on Appendix 1.

The development of Local Green Spaces will not be permitted other than in very special circumstances where the benefits of the development clearly outweigh any harm.

#### Policy 6 – Public Footpaths

Support will be given to proposals that improve and extend the existing network of public footpaths where they allow greater access to the village centre, village hall and the surrounding open countryside.

The loss of existing footpaths will be resisted.

#### Policy 7 – Conservation Area

A proposal for development within or adjoining the Conservation Area should preserve or enhance its character and appearance. It must have regard to the historic context in terms of scale, alignment, height, form, style, design and materials. The development should seek to promote or reinforce the local distinctiveness of the village and create a sense of place.

A proposal will be supported if it has no adverse impacts on:

- a) the existing street pattern;
- b) important views and vistas;
- c) important areas of open space;
- d) important tree groups;
- e) a listed building;
- f) a Local List of buildings of architectural or historic interest; or
- g) ridge and furrow earthworks.

The location of the above features is indicated with in Appendix 1. A proposal to alter or extend a building will be supported if it:

- 1) is carried out in building materials appropriate to the location;
- 2) is subordinate to the main building; and
- 3) reflects its character in terms of scale, appearance and detailing.
- 4) it does not have an adverse impact on the street scene or residential amenity.

#### Policy 8 – Conservation Area Design Guidance and Management

A proposal for development in or adjoining the Conservation Area should have regard to:

- 1) The Skillington Conservation Area Appraisal and Management Plan 2016 prepared by South Kesteven District Council; and
- 2) Design Guidance for the Conservation Area prepared by the Parish Council.

Design guidance will be prepared to minimise the adverse impact of development on the character and appearance of the Conservation Area.

The design guidance will address:

- a) the inappropriate installation of satellite dishes;
- b) the removal of overhead cables and replacement by underground cables;
- c) inappropriate alterations (such as windows, doors, chimneys, rendering and boundary treatments);
- d) maintenance schemes in the public realm including the removal of modern lighting columns and replacement with traditional street lighting;
- e) the erosion of boundary features including walls, hedgerows and railings;

- f) the loss of important trees or open space; and
- g) insensitive highway schemes including street clutter, poor quality paving and obtrusive road markings.

The guidance will develop a 'local heritage list' of buildings and monuments that are valued as distinctive elements of the historic environment of Skillington.

A working group will be established to review and recommend how the management of the conservation area can be pro-actively enhanced.

In partnership with South Kesteven District Council and Lincolnshire County Council, the design guidance will address the loss of character arising from inappropriate alterations and encourage best practice if permitted development.

### Policy 9 – Open Countryside

Proposals for development in the open Country side will only be supported:

- a) where it contributes to rural diversification and there is an essential requirement for a rural location;
- b) where it would involve the suitable reuse or extension of an existing building, and that any increase in size would be subordinate to the original building(s) in terms of floor space or massing;
- c) for outdoor sport or recreation where the rural character and openness of the landscape would be maintained;
- d) for a new isolated dwelling where there are special circumstances as specified in paragraph 55 of the National Planning Policy Framework, such as the need for a rural worker to be close to their place of work;
- e) for affordable housing as 'exception sites' that are located adjacent to an existing built-up area; or
- f) for agriculture, forestry or equine purposes.

Development will be supported where it preserves and enhances:

- 1) landscape character and quality including individual features of value;
- 2) sites of ecological value;
- 3) listed buildings, Scheduled Monuments and other sites of archaeological interest including ridge and furrow;
- 4) the intrinsic character, beauty and tranquility of the countryside; and
- 5) the character and appearance of the area in terms of its historic and vernacular built form.'

## **Appendix 3**



## **Skillington Neighbourhood Plan**

### **Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report**

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21 December 2016

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## 1.0 Introduction

- 1.1 A Strategic Environmental Assessment (SEA) is required under European legislation for all plans which may have a significant effect on the environment. This particularly relates to plans, which designate sites for development.
- 1.2 The purpose of SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.3 The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. For example, if a plan proposes a housing development it may have an impact on the wildlife of the area or have an impact on landscape. If a significant effect is possible the assessment requires the consideration of options and for the evaluation of the potential effects on the environment.
- 1.4 To ascertain if SEA is required, a "screening" exercise is undertaken which looks at the proposals in a Neighbourhood Plan to see if a significant effect is likely. The criteria for this screening are set out in the relevant legislation.
- 1.5 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on internationally designated wildlife sites. For the purpose of the HRA, internationally designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar wetland sites.
- 1.6 The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each internationally designated wildlife site within a reasonable distance of the Neighbourhood Plan Area and the potential impact of the proposals within the plan on these.
- 1.7 This report details the assessment of the Skillington Neighbourhood Plan against the need for an SEA or HRA to be produced to accompany the Plan. It concludes that an SEA is not required to accompany the Skillington Neighbourhood Plan and that it would not need to be subject to HRA.
- 1.8 This report has been sent to the three statutory consultees of the Environment Agency, English Heritage and Natural England to elicit their views on its contents. The results of this consultation are included in Appendix 3 and a screening determination has been issued indicating the outcome of the screening stage.

## 2. Strategic Environmental Assessment

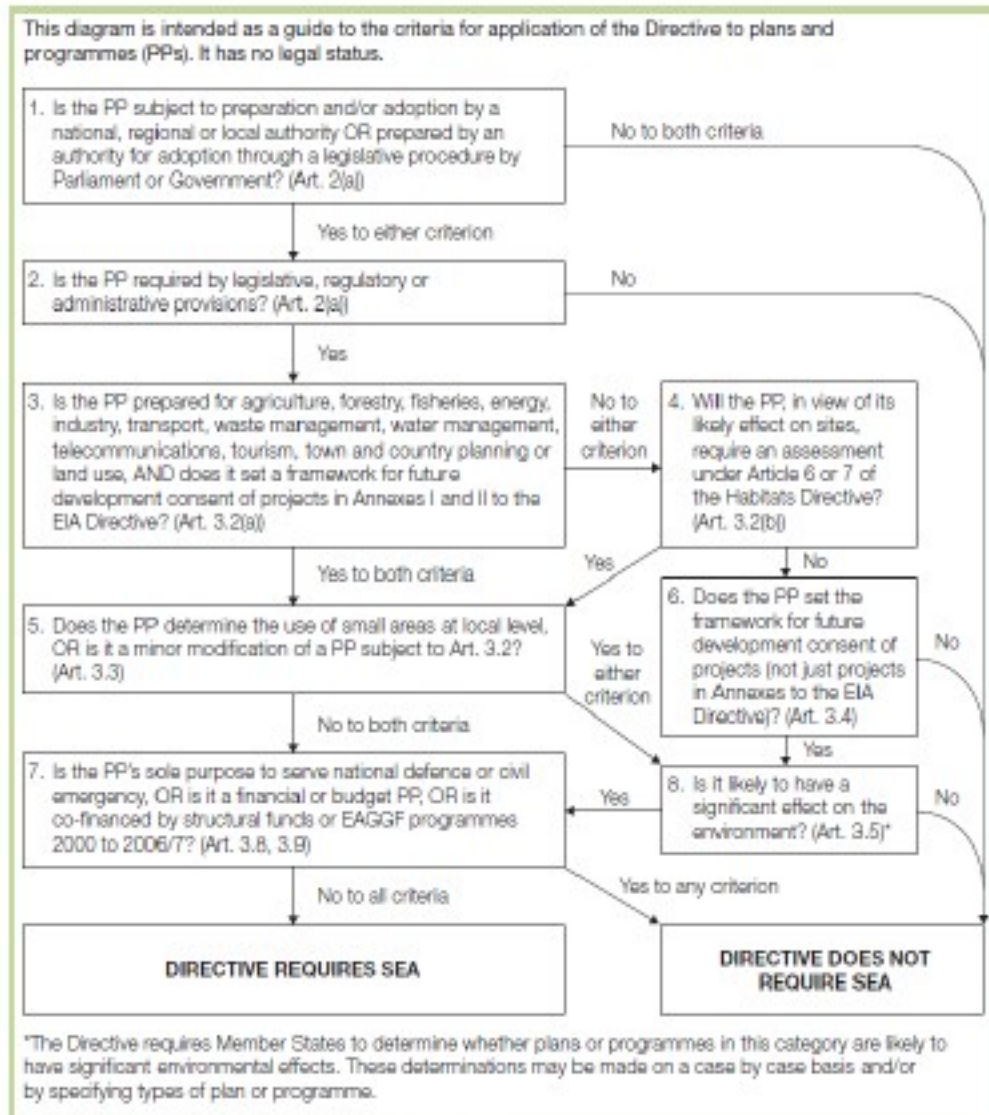
- 2.1 This screening report seeks to determine whether or not a Strategic Environmental Assessment (SEA) is required for the Skillington Neighbourhood Plan in accordance with European<sup>1</sup> and National<sup>2</sup> legislation.
- 2.2 The objective of the SEA Directive is:  
*'to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans... with a view to promoting sustainable development'* EU Directive 2001/42/EC (Article 1).
- 2.3 To establish if a Neighbourhood Plan needs to be accompanied by a full SEA, a "screening" assessment is required against a series of criteria set out in the SEA Directive. Figure 1 (page 4) sets out the screening process and how a plan would be assessed against the SEA Directive criteria.
- 2.4 An assessment of the characteristics of a Neighbourhood Plan against these criteria is set out in Table 1 (on page 5).

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<sup>1</sup> [European Directive 2001/42/EC](#) (SEA Directive)

<sup>2</sup> [Environmental Assessment of Plans and Programmes Regulations 2004](#) (SEA Regulations)

**Figure 1: Application of the SEA Directive to plans and programmes**



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

Table 1: Assessment of Characteristics of a Neighbourhood Development Plan		
Stage	Y/N	Reason
1. Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))	Y	NDPs are prepared by a qualifying body (Parish/Town Councils) under the Town and Country Planning Act 1990 (as amended). A NDP is subject to examination and referendum. If a NDP receives 50% or more 'yes' votes at referendum it will be 'made' by the District Council as Local Planning Authority.
2. Is the Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	N	The preparation of a NDP is optional. However, once 'made' it does form part of the statutory Development Plan for the area and used when making decisions on planning applications.
3. Is the Plan 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? (Article 3.2(a))	Y	A NDP can include these policy areas and could provide at a Neighbourhood Area level the framework for development of a scale that would fall within Annex II of the EIA Directive. Developments that fall within Annex I are 'excluded' development for NDPs (as set out in Section 61k of the Town and Country Planning Act 1990, as amended).
4. Will the Plan, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	N/K	A NDP could potentially have impacts on sites covered by the Habitats Regulations. However, this requires individual assessment of a NDP (see section 6)
5. Does the Plan determine the use of small areas at local OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)	Y	A NDP can determine the use of small areas at a local level.
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)	Y	A NDP 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.
7. Is the Plan'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? (Article 3.8, 3.9)	N	A NDP does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N/K	A NDP could potentially have an effect on the environment. However, whether this is significant depends on the proposals within the NDP. This requires individual assessment of a NDP (see section 5)

2.5 The conclusion of the assessment in Table 1 is that depending on the content of a Neighbourhood Plan, an SEA may be required. For this reason a case by case analysis of Neighbourhood Plans will be required to determine the likely significant effects on the environment.

2.6 Assessment of the significance of the effect of a Neighbourhood Plan will depend on the proposals within it. The criteria for assessing the likely significance of effects are set out in

Annex II of the SEA Directive, Schedule 1 of the Regulations and shown in Figure 2. The proposals within individual Neighbourhood Plans will need to be assessed against these criteria (see Table 2).

Figure 2: Criteria for determining likely significance of effects on the environment (from Article 3.5 of the SEA Directive)

1. The characteristics of neighbourhood plans, having regard, in particular, to
  - the degree to which the plan 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 influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan,
  - the relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or waste 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 trans boundary nature of the effects,
  - the risks to human health of 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.

### 3. Habitats Regulations Assessment

- 3.1 In addition to the screening of Neighbourhood Plans in relation to SEA, there is a need to assess the likelihood of proposals within a Plan having an adverse impact on internationally designated wildlife sites. This Habitats Regulations Assessment (HRA) is required by the European Habitats Directive.
- 3.2 A Habitats Regulations Assessment may be required depending on the contents of the Neighbourhood Plan and the potential impact of the Plan on internationally designated wildlife sites within a reasonable distance from the Neighbourhood Plan area. For the purposes of assessment this will be taken to be sites within 20km of the Neighbourhood Area. As such, a case by case assessment of Neighbourhood Plans will need to be undertaken to see if a full HRA is required.
- 3.3 The approach to assessing the potential impact of a Neighbourhood Plan on an internationally designated wildlife site, and hence the need for an HRA include consideration of the reasons for designation and conservation objectives for each site. The key environmental conditions that support the site are assessed against the proposals within the Plan.

### 4. Skillington Neighbourhood Development Plan

- 4.1 Skillington is located in the South West of South Kesteven District.
- 4.2 The vision for Skillington is:  
'In 2031 Skillington will be an attractive and tranquil village, which has a strong and balanced community that looks after its historical buildings and surroundings.'
- 4.3 The draft Neighbourhood Plan also sets out the following objectives:
1. To support appropriate and affordable residential development in the village
  2. To support a prosperous local economy
  3. To retain and improve local services and community facilities
  4. To protect and enhance the Skillington Conservation Area
  5. To conserve and manage the surrounding Kesteven Uplands landscape
- 4.4 The Plan contains policies that seek to deliver the vision and objectives but it does not identify or propose the allocation of specific development sites. A map of the Neighbourhood Plan Area is provided in Appendix 1.

## 5. SEA Screening Assessment

- 5.1 The policies set out in the draft Neighbourhood Plan have been used to undertake the screening assessment. If the conclusion of the screening exercise is that an SEA is not required, any major changes to the existing policies or introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.
- 5.2 SEAs have been completed as part of the adoption of the South Kesteven Core Strategy and Site Allocation and Policies Development Plan Document (SAP DPD). These previously completed SEAs have been taken into account in undertaking this screening assessment.
- 5.3 The criteria for undertaking a screening assessment are set out in Figure 2 of this report. Table 2 outlines the results of the assessment against these criteria.

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

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Skillington NDP likely to have a significant environmental effect?	Justification for Screening Assessment
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	The Skillington Neighbourhood Plan (SNP) does not include any site specific development proposals, however, it does set out a number of policies that aim to manage development in the parish. These adopted policies should be conformity with the adopted Local Plan. The policies of the adopted Core Strategy and Sites and Policies Development Plan Document have already been the subject of SEA and assessed as having no significant effects.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Plan will sit below the adopted Local Plan and should, therefore, be in general conformity with it. Skillington is a 'less sustainable' settlement in the adopted Local Plan, where development is restricted. The policies within the Neighbourhood Plan seek to permit small scale housing development (3 houses or fewer) within an otherwise built up frontage. This goes beyond what is permitted within the adopted Local Plan, i.e. market housing is permitted. Whilst market housing is not currently permitted, affordable housing is. In addition to this, only very minor developments are proposed to be permitted. It is therefore not considered that the level of additional development proposed by the SNP will have a significant impact on the environment. Site specific environmental issues would be considered at the Planning Application stage.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The SNP contributes to the achievement of Sustainable Development at the neighbourhood level. Policies set out in the SNP are planned to have a possible impact on the local environment. There is therefore limited potential for significant effects to take place.
Environmental problems relevant to the plan or programme.	No	There are no known significant environmental problems.
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	No	The SNP is generally in accordance with the South Kesteven Local Plan, which is in accordance with European Community Legislation.
The probability, duration,	No	The SNP does not contain any specific proposals.

frequency and reversibility of the effects.		however, plan policies are designed to expect any new development to be more sustainable and have minimal environmental effects. The plan timeframe is until 2031, however, permanent effects would exist beyond this.
The cumulative nature of the effects.	No	The plan will not lead to any cumulative effects in combination with any existing or emerging plans or programmes. The emerging Local Plan will be subject to a full Sustainability Appraisal, which will look at these matters in more detail.
The trans-boundary nature of the effects.	No	The proposals within the SNP are unlikely to have significant impacts on neighbouring areas.
The risks to human health or the environment (e.g. due to accidents).	No	No risks to human health have been identified nor have risks to the environment. The policies within the Plan seek to protect the environment.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	No	The effects of the Plan are confined to Skillington and they are unlikely to extend beyond this. The population in Skillington Parish is 343 (2011), therefore there is potential to influence a very small population.
The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>• special natural characteristics or cultural heritage;</li> <li>• exceeded environmental quality standards or limit values;</li> <li>• intensive land-use.</li> <li>• the effects on areas or landscapes which have a recognised national, Community or international protection status.</li> </ul>	No	<p>The following features are present within Skillington:</p> <ul style="list-style-type: none"> <li>➔ 13 Listed buildings</li> <li>▲ 1 Conservation Area</li> </ul> <p>The Plan seeks to achieve sustainable development, which will not have negative effects on the area.</p>

- 5.4 On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Skillington Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA. The main reasons for this conclusion are:
- The Skillington Neighbourhood Plan supports the implementation of policies in the adopted South Kesteven Local Plan (Core Strategy), which has already been subject to SEA and assessed as having no significant environmental effects.
  - The Skillington Neighbourhood Plan represents a lower tier in the hierarchy of planning documents for South Kesteven, and therefore has no or limited influence on other plans or programmes
  - The Skillington Neighbourhood Plan itself is unlikely to have environmental effects; rather it is the specific developments that come forward within the Neighbourhood Area that may result in environmental effects

- The Skillington Neighbourhood Plan seeks to avoid or minimise negative environmental effects of through the provision of guidance on issues which should be considered when making proposals within the Neighbourhood Area. It is, therefore, likely to have an indirect positive environmental effect by setting out how developers can avoid adverse effects on a number of environmental receptors.

## 6.0 Habitats Regulations Assessment

6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. European wildlife sites are:

- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
- Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)

6.2 In addition to SPAs and SACs sites Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

6.3 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a "screening" exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site.

6.4 Under Criteria 6 of the assessment in Figure 2.2, it was concluded that a Neighbourhood Plan may have an impact on internationally designated wildlife sites and that a case by case assessment was required. For the purposes of the "screening" assessment the potential impact of the Neighbourhood Development Plan on sites within 20km of the Neighbourhood Plan area are assessed.

6.5 There is one SAC within 20km of the Skillington Neighbourhood Area. This is within South Kesteven District (Grimsthorpe). There is also a SPA / Ramsar site, Rutland Water, located in Rutland County.

6.6 The Neighbourhood Plan must be in conformity with the adopted Local Plan, which has undergone HRA screening. This can be viewed here: <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=13832&p=0>. In addition to this, it does not propose development allocations and has no scope to influence development outside the Plan area. Whilst some open market housing is proposed, it is not considered that this would give rise to significant levels of development above that permitted by the Core Strategy. Colsterworth and District, an adjoining Parish, are also producing a Neighbourhood Plan. No significant proposals have been identified for development in this Plan either. It is, therefore, not considered that HRA is required for the Skillington Neighbourhood Plan.

**7.0 Conclusions  
SEA Assessment**

- 7.1 On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that the Skillington Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a SEA report.

**Habitats Regulations Assessment**

- 7.2 There are no internationally designated wildlife sites within the Neighbourhood Area and there are three within 20km of it. It is not considered that the Skillington Neighbourhood Plan will have an adverse effect on the integrity of these internationally designated sites either on its own or in combination with other plans and does not need to be subject to a Habitats Regulations Assessment.

Appendix 1: Skillington Neighbourhood Plan Area



Date: 29 September 2016  
Our ref: 197303  
Your ref: SEAHRA



Customer Services  
Hornbeam House  
Great Business Park  
Eaton Way  
Cirencester  
Cirencester  
CWT 6GJ

T 0300 060 3900

Sarah Watson  
Planning Policy Officer  
South Gloucestershire District Council  
[s.watson@southgloucester.gov.uk](mailto:s.watson@southgloucester.gov.uk)

BY EMAIL ONLY

Dear Sarah

#### Skillington Neighbourhood Plan - SEA and HRA Screening Report

Thank you for your consultation on the above document which was received by Natural England on 28 September 2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) for the Skillington Neighbourhood Plan.

I can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Neighbourhood Plan that were not considered and dealt with by the Sustainability Appraisal of the Adopted South Gloucestershire Local Plan Core Strategy.

Natural England also agrees with the report's conclusions that the 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 under the Habitats Regulations would be required.

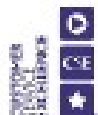
We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter [gally](mailto:roslyn.deeming@naturalengland.gov.uk) please contact Roslyn Deeming on 02990260509. For any new consultations, or to provide further information on this consultation please send your correspondence to [consultations@naturalengland.gov.uk](mailto:consultations@naturalengland.gov.uk).

Yours sincerely

Roslyn Deeming  
Lead Advisor  
Sustainable Development Team  
East Midlands Area

Page 1 of 1



Natural England is accredited to the Civil Servant Office Service Excellence Standard



BY EMAIL:  
S.watson@scot.nhs.uk

Our ref: F100010603  
Your ref:

Telephone: 07768 242872 /  
DLJS 5827773

4th November 2016

Dear Mr Watson

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

Thank you for consulting Historic England on the above 28 September 2016.

For the purposes of this consultation, Historic England will confine its advice to the question 'is it likely to have a significant effect on the environment?' in respect of our area of concern, cultural heritage. I note that the screening assessment does not consider that a SEA is required in this instance. We have identified no significant effects to cultural heritage.

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

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

Yours sincerely

Emily Carr-Wild  
Historic Environment Planning Advice  
E-mail: [emilic@historicengland.org.uk](mailto:emilic@historicengland.org.uk)



Health Department, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 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2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 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3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3381, 3382, 3383, 3384, 3385, 3386, 3387, 3388, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3431, 3432, 3433, 3434, 3435, 3436, 3437, 3438, 3439, 3440, 3441, 3442, 3443, 3444, 3445, 3446, 3447, 3448, 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459, 3460, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 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3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3693, 3694, 3695, 3696, 3697, 3698, 3699, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717, 3718, 3719, 3720, 3721, 3722, 3723, 3724, 3725, 3726, 3727, 3728, 3729, 3730, 3731, 3732, 3733, 3734, 3735, 3736, 3737, 3738, 3739, 3740, 3741, 3742, 3743, 3744, 3745, 3746, 3747, 3748, 3749, 3750, 3751, 3752, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, 3772, 3773, 3774, 3775, 3776, 3777, 3778, 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817, 3818, 3819, 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, 3829, 3830, 3831, 3832, 3833, 3834, 3835, 3836, 3837, 3838, 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**Sarah Watson**

**From:** Planning Liaison, Anglian/Northern [mailto:planningliaison@environment-agency.gov.uk]  
**Sent:** 05 October 2018 13:44  
**To:** Sarah Watson  
**Subject:** RE: Skillington Neighbourhood Plan

Dear Sarah,

Thank you for your email. I can confirm that we agree with the findings of your SEA screening report; i.e. that the plan is unlikely to have a significant environmental effect.

I hope this information is helpful,

Many thanks,

Rob

**Rob Milbank**  
Sustainable Places - Planning Advisor

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**From:** Sarah Watson [mailto:S.Watson@southkescotons.gov.uk]  
**Sent:** 28 September 2018 11:23  
**To:** Farr, Nicola <[nicola.farr@environment-agency.gov.uk](mailto:nicola.farr@environment-agency.gov.uk)>  
**Subject:** Skillington Neighbourhood Plan

Dear Consultant,

Please see attached SEA Screening Report relating to Skillington Neighbourhood Plan. The Neighbourhood Plan can be viewed at the following link:

<https://www.skillingtonllp.co.uk/nbp.html>

I would be grateful if you could provide comments on the screening assessment at your earliest convenience.

Best regards,

**Sarah Watson**  
Planning Policy Officer  
Development and Growth  
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Gantham, Lincolnshire, NG31 6PZ  
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