BRIGG NEIGHBOURHOOD PLAN

Strategic Environmental Assessment Screening Opinion and Habitats Regulations Assessment Screening Report

30 SEPTEMBER 2016

Undertaken By North Lincolnshire Council Spatial Planning Team, Civic Centre, Scunthorpe, North Lincolnshire, DN16 1AB
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NOTE TO QUALIFYING BODY:

This document should be read in conjunction with 'Strategic Environmental Assessment - Background Information for Qualifying Bodies' (North Lincolnshire Council, September 2016)
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 such as a Local Plan or Neighbourhood Plans produced by a town or parish council.

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. 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 doing this 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 (SPAs), Special Areas of Conservation (SACs) and Ramsar wetland sites.

1.6 This report details the assessment of the Brigg Neighbourhood Plan against the need for an SEA or HRA to be produced to accompany the Plan. The three statutory consultees were consulted to invite their views on its contents: Environment Agency; Historic England; and Natural England. The results of the consultation have been included in the report and a formal screening opinion will be issued to Brigg Town Council indicating the outcomes of the screening stage.

1.7 The result of this initial screening is that an Environmental Report covering the requirements of the SEA Directive IS REQUIRED to accompany the Brigg Neighbourhood Plan, and that an Habitats Regulations Assessment IS NOT REQUIRED.

1.8 Any changes to the amount or degree of development being proposed should be subject to further screening to ensure that increased significant effects are not likely.
## Summary of the Screening Opinion for the Brigg Neighbourhood Plan

### Local Authority Details

<table>
<thead>
<tr>
<th>Name and job title of officer undertaking screening opinion</th>
<th>Dave Lofts, Senior Planning Officer, North Lincolnshire Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of initial assessment</td>
<td>19/08/2016</td>
</tr>
</tbody>
</table>

### Conclusion of assessment

1. That an Environmental Report covering the requirements of the SEA Directive IS REQUIRED; and
2. That an Habitats Regulations Assessment is NOT REQUIRED.

### Reason for conclusion

1. The Screening Opinion Assessments demonstrate that SEA is necessary;
2. As a precautionary measure to ensure that the SEA Directive is met;
3. To ensure that all site options are considered against environmental factors to ensure that the most suitable sites, in environmental terms, are delivered;
4. To provide evidence and justification that the Brigg Neighbourhood Plan has been prepared with sustainability at the forefront of its preparation, a key consideration in the National Planning Policy Framework; and
5. Proposals within the Plan will not adversely affect any internationally designated wildlife sites.

### Name and job title of officer approving screening opinion

<table>
<thead>
<tr>
<th>Chris Barwell, Spatial Planning Manager, North Lincolnshire Council</th>
</tr>
</thead>
</table>

### Date of approval

| 30/09/2016 |
The ‘Screening’ Process

2.1 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 such as a Local Plan or Neighbourhood Plans produced by a town or parish council.

2.2 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.

2.3 This screening report determines whether or not the Brigg Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. These require an SEA to be undertaken on any land use plan or programme which ‘sets the framework for future development consent of projects’.

2.4 The key to the screening decision is the determination of whether the Brigg Neighbourhood Plan is likely to have significant environmental effects, using the criteria set out in Annex II of the Directive and Schedule 1 of the 2004 Regulations. Consultation responses from the statutory bodies have also been considered and incorporated into the report.

2.5 Whilst this document specifically assesses the environmental implications of the Brigg Neighbourhood Plan, reference should also be made to the generic document ‘Strategic Environmental Assessment Background Information for Qualifying Bodies’ which explains the background to Strategic Environmental Assessment for town and parish councils or neighbourhood forums. The diagram in Appendix 1 outlines the key steps that have been followed during the SEA Screening Process of the Brigg Neighbourhood Plan.

2.6 Paragraph 167 of the National Planning Policy Framework advises that assessments should be proportionate and should not repeat policy assessments that have already taken place. Both the North Lincolnshire Core Strategy DPD (June 2011) and the North Lincolnshire Housing & Employment Land Allocations DPD (March 2016) were subject to extensive Sustainability Appraisals incorporating Strategic Environmental Assessments. Indeed, sites for approximately 820 houses and just over 20ha of employment land in Brigg were environmentally assessed as part of the H&ELA DPD.
2.7 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 (SPAs), Special Areas of Conservation (SACs) and Ramsar wetland sites. 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.

Significant environmental effects of a draft neighbourhood plan

2.8 The process of carrying out an SEA on the Brigg Neighbourhood Plan will form part of the evidence base for the Plan and can be an important tool in the plan making process. There are four main themes:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- prudent use of natural resources; and
- maintenance of high and stable levels of economic growth and employment.
3.1 National Planning Practice Guidance advises that a Neighbourhood Development Plan should be screened early. Although policies that will shape the future of the market town are still evolving and developing, the Brigg Neighbourhood Plan has been environmentally screened based on a comprehensive list of Objectives that were developed following an extensive public consultation. These in turn evolved from a Vision for the town that also came out of that consultation process and was further developed by the Steering Group. A future round of public consultation (scheduled for late 2016) will help the Plan to move forward with policies that will be based on community engagement.

Summary of the Brigg Neighbourhood Plan themes

3.2 The Brigg Neighbourhood Plan contains themes that aim to guide development in the town. It is anticipated that the Plan will allocate sites for housing to enable the town to grow in a way that is supported by the local community and to help fund initiatives and improvements around the town.

The themes cover the following Objectives grouped under seven Topic Areas:

1) Traffic Management:
   - Be a safe place for all users to get around by all modes of transport.
   - Be an accessible and efficient town for all users.
   - Seek ongoing improvements to transport infrastructure.
   - Improve access through the town by provision of new footpaths and cycle lanes.
   - Address the issue of improving road safety by deterring through-traffic.
   - Work with neighbouring communities to address weaknesses in public transport.

2) Brigg Station:
   - Upgrade The Railway Station and approach.
   - Introduce appropriate residential and employment development in the Station vicinity.

3) Town Centre:
   - Encourage attractive and appropriate development in the Town Centre including independent retail development.
   - Provide design guidance for Town Centre development including for shop fronts and for the rear of business premises.
   - Maintain and enhance the Conservation Area.
   - Propose a site for a national chain fast food outlet.
   - Continue to act as a hub for the surrounding area.

4) River Bank:
   - Introduce appropriate riverside development.
   - Maximise use of the Old River Ancholme.
   - Encourage flood alleviation proposals.
5) Recreation Provision:
Maximise use of the Recreation Ground.
Encourage new recreation provision including a new ice rink, new athletics track, and new cycle lanes/routes.

6) Built Environment:
Propose sites for new residential development.
Propose sites for new employment development.
Provide design guidance for new housing.
Encourage development of appropriate brownfield sites (including the Smith Parkinson site and the former Falcon Cycles site).
Sustain and improve local facilities for existing and new residents.
Retain the character and scale of the built environment.

7) Natural Environment:
Encourage appropriate tree planting and landscaping.
Statutory Consultees

4.1 The initial Screening Opinion was sent to the three statutory consultees on 19 August 2016 to invite their views on its contents (Environment Agency, Historic England, and Natural England). The results of the consultation form part of the final assessment, and a formal screening opinion will be issued to Brigg Town Council indicating the outcomes of the screening stage and including the consultation comments and the responses to those consultation comments.

4.2 A summary of the consultations comments is as follows:

**Environment Agency**
- The emerging Plan has the potential to have significant effects on more than just the historic environment and highway capacity (with all other potential effects being avoided by compliance with the Local Plan and the NPPF).
- The Plan contains objectives to: introduce appropriate riverside development; maximise use of the Old River Ancholme; and encourage flood alleviation proposals. These all have the potential to have environmental impacts.
- Areas of Brigg are at risk of flooding when considering the allocation of sites for housing.
- As the Screening Opinion has indicated that an SEA is required, we recommend that sections are included on flood risk and the water environment (water quality and ecology).
- The flood risk section should cover fluvial and surface water flood risk; the fluvial element will need to look at potential impacts beyond the Plan boundary to ensure the flood risk is appropriately considered.
- Reference should be made to the Humber River Basin Management Plan and the Grimsby and Ancholme Catchment Flood Management Plan.

**Historic England**
- No comments received. Any comments received following approval will be considered at the Scoping Stage of the SEA.

**Natural England**
- There are unlikely to be significant environmental effects from the proposed plan.
- However, at this stage there is little information on the nature and scale of proposals in the plan with which to make this judgement.
Guidance on the assessment of Neighbourhood Plans contained within the National Planning Practice Guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the Plan; and
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

The proposals/allocations contained within the Plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect. As there is no evidence of these effects having been assessed within a Local Plan, there should now be an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects.

Not aware of significant populations of protected species which are likely to be affected by the policies/proposals within the Plan.

Information supporting this screening decision should be provided sufficient to assess whether protected species are likely to be affected.

Natural England does not routinely maintain locally specific data on all potential environmental assets. Environmental issues that have not been identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character should be raised and considered.

Natural England reserves the right to provide further comments on the environmental assessment of the Plan beyond this SEA screening stage, should NE views be sought on the scoping or environmental report stages. This includes any third party appeal against the screening decision.

With regards to Habitats Regulations Assessment, the Plan is unlikely to have any likely significant effects on European Designated Sites.

The Plan area lies a considerable distance from the closest European Designated Sites, and the likelihood that the Plan will include proposals that would have a likely significant effect at such a distance is low.

Natural England is content with the screening at this stage but advises that it is revised as the Plan progresses.
Responses to Consultation Comments Received for the Screening Opinion of the Brigg Neighbourhood Plan

<table>
<thead>
<tr>
<th>Statutory Consultee</th>
<th>Response to Comments</th>
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| Environment Agency reply received on 12/09/2016 (see Appendix 4) | • Reference added to this Report that the emerging Plan has the potential to have significant effects on flood risk and not just on the historic environment and highway capacity.  
  • Reference added to this Report that the introduction of appropriate riverside development, maximising use of the Old River Ancholme, and encouraging flood alleviation proposals all have the potential for environmental impacts.  
  • Reference added to this Report that areas of Brigg are at risk of flooding when considering the allocation of sites for housing.  
  • Flood risk and the water environment (water quality and ecology) should be comprehensively addressed in the SEA Scoping Report. The flood risk section should cover fluvial and surface water flood risk, and the fluvial element will need to look at potential impacts beyond the Plan boundary to ensure the flood risk is appropriately considered.  
  • Reference has been made in this Report to the Humber River Basin Management Plan and the Grimsby and Ancholme Catchment Flood Management Plan. |
| Historic England - No comments received | • N/A at Screening Stage. |
| Natural England reply received on 15/09/2016 (see Appendix 4) | • Reference added to this Report that proposals/allocations contained within the Plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect.  
  • Reference added to this Report that there should now be an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects.  
  • Reference added to this Report that there does not appear to be any significant populations of protected species which are likely to be affected by the policies/proposals within the Plan.  
  • Reference added to this Report that environmental issues that have not been identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character should be raised and considered.  
  • Reference added to this Report that it is not considered that the Plan is likely to have any likely significant effects on European Designated Sites.  
  • Reference added to this Report that the Plan area lies a considerable distance from the closest European Designated Sites and, therefore, the likelihood that the Plan will include proposals that would have a likely significant effect at such a distance is low. |
Assessment 1: Establishing the Need for a Strategic Environmental Assessment of the Brigg Neighbourhood Plan

<table>
<thead>
<tr>
<th>Stage</th>
<th>Y/N</th>
<th>Reason</th>
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<tbody>
<tr>
<td>1. Is the Neighbourhood Plan (NP) 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))</td>
<td>Yes</td>
<td>The preparation of neighbourhood plans is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012. The preparation and adoption of the NP is allowed under the Town and Country Planning Act 1990 (as amended by the Localism Act 2011). The NP will be prepared by Brigg Town Council as the ‘qualifying body’ and will be ‘made’ by North Lincolnshire Council as the local authority. GO TO STAGE 2</td>
</tr>
<tr>
<td>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</td>
<td>No</td>
<td>Whilst the NP is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 it will, if ‘made’, form part of the Development Plan for North Lincolnshire. It is, therefore, important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive. GO TO STAGE 3</td>
</tr>
<tr>
<td>3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste 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))</td>
<td>Yes</td>
<td>The NP is being prepared for town and country planning and land use and is likely to propose sites for development (e.g. housing or employment uses). As such, the NP contains a framework for future development consent of urban development projects (listed as 10(b) in Annex II of the EIA Directive). Developments which fall under Annex I of the EIA Directive are “excluded” as set out in Section 61k of the Town and Country Planning Act 1990 (as amended by the Localism Act). GO TO STAGE 5</td>
</tr>
<tr>
<td>4. Will the NP, 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))</td>
<td>NOT APPLICABLE</td>
<td></td>
</tr>
<tr>
<td>5. Does the NP determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (Art. 3.3)</td>
<td>Yes</td>
<td>The NP is expected to propose the development of small sites at a local level. GO TO STAGE 8</td>
</tr>
<tr>
<td>6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)</td>
<td>Yes</td>
<td>The Neighbourhood Plan will be used to determine future planning applications.</td>
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<tr>
<td>Stage</td>
<td>Y/N</td>
<td>Reason</td>
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<td>7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)</td>
<td>No</td>
<td>A NP does not deal with any of these categories of plan.</td>
</tr>
<tr>
<td>8. Is it likely to have a significant effect on the environment? (Art 3.5)</td>
<td>Yes</td>
<td>See Assessment 2: Likely significant effects on the environment.</td>
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### Criteria for determining the likely significance of effects on the environment (SEA Screening) of the Brigg Neighbourhood Plan (from Article 3.5 of the SEA Directive):

<table>
<thead>
<tr>
<th>Significant effect criteria</th>
<th>Assessment</th>
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<tbody>
<tr>
<td><strong>Characteristics of the plans, having regard to:</strong></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td>The Brigg Neighbourhood Plan would, if adopted, form part of the Statutory Development Plan and as such contributes to the framework for future development consent of projects. However, the Plan sits within the wider framework set by the National Planning Policy Framework, the adopted North Lincolnshire Core Strategy 2011 and the adopted Housing &amp; Employment Land Allocations DPD 2016 and the projects for which this Plan helps to set a framework are local in nature and have limited resource implications.</td>
</tr>
<tr>
<td>The degree to which the Plan influences other plans and programmes including those in a hierarchy.</td>
<td>The Brigg Neighbourhood Plan will be in conformity with the National Planning Policy Framework as well as North Lincolnshire Council’s strategic policies set out in the adopted North Lincolnshire Core Strategy 2011 and the adopted Housing &amp; Employment Land Allocations DPD 2016.</td>
</tr>
<tr>
<td>The relevance of the Plan for the integration of environmental considerations in particular with a view to promoting sustainable development.</td>
<td>Although policies are yet to evolve, the Brigg Neighbourhood Plan contains objectives relating to environmental considerations such as biodiversity, the historic environment, flood risk and sustainability. Any policies will be in conformity with national and local policies as required by the basic conditions. The Neighbourhood Plan will also have to contribute to the achievement of sustainable development to be approved at examination and “made” by North Lincolnshire Council. Development would also be subject to policies in the adopted North Lincolnshire Core Strategy 2011 and the adopted Housing &amp; Employment Land Allocations DPD 2016 and, therefore, all environmental considerations would be covered by policy. There does not appear to be any significant populations of protected species which are likely to be affected by the policies/proposals within the Plan, and it is not considered that the Plan is likely to have any likely significant effects on European Designated Sites. The Plan area lies a considerable distance from the closest European Designated Sites and, therefore, the likelihood that the Plan will include proposals that would have a likely significant effect at such a distance is low.</td>
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</table>
### Significant effect criteria

<table>
<thead>
<tr>
<th>Characteristics of the plans, having regard to:</th>
<th>Assessment</th>
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<tbody>
<tr>
<td>Environmental problems relevant to the plan or programme; and</td>
<td>The Neighbourhood Plan will include an exercise scoping any local environmental issues so that these can be addressed in the Plan. There are no designated Local Wildlife Sites in the Town and there are no national landscape designations in the Town.</td>
</tr>
<tr>
<td></td>
<td>There is a concentration of Listed Buildings in the town (mostly located within the Brigg Conservation Area which also occupies much of the town’s central shopping area). On this basis the Neighbourhood Plan has the potential to have significant effects on the historic environment which should be assessed in reviewing potential development sites.</td>
</tr>
<tr>
<td></td>
<td>The emerging Plan has the potential to have significant effects on flood risk; the introduction of appropriate riverside development, maximising use of the Old River Ancholme, and encouraging flood alleviation proposals all have the potential for environmental impacts.</td>
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<tr>
<td></td>
<td>Areas of Brigg are at risk of flooding when considering the allocation of sites for housing. Flood risk and the water environment (water quality and ecology) should be comprehensively addressed in the SEA Scoping Report. The flood risk section should cover fluvial and surface water flood risk, and the fluvial element will need to look at potential impacts beyond the Plan boundary to ensure the flood risk is appropriately considered. The Humber River Basin Management Plan and the Grimsby and Ancholme Catchment Flood Management Plan should be referred to in any subsequent assessment.</td>
</tr>
<tr>
<td></td>
<td>Proposals/allocations contained within the Plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect. As a result, there should be an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects.</td>
</tr>
<tr>
<td></td>
<td>Environmental issues that have not been identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character should be raised and considered.</td>
</tr>
<tr>
<td></td>
<td>An assessment to determine the potential impact on sensitive sites and what possibilities exist for the avoidance/mitigation of the effects will be undertaken at the SEA Scoping Stage. Similarly, an assessment will be made to determine whether protected species are likely to be affected.</td>
</tr>
<tr>
<td>The relevance of the Plan or programme for the implementation of Community legislation on the environment (for e.g. plans and programmes linked to waste management or water protection).</td>
<td>The Brigg Neighbourhood Plan has to be in conformity with the North Lincolnshire Local Development Framework (adopted North Lincolnshire Core Strategy 2011 and the adopted Housing &amp; Employment Land Allocations DPD 2016) which have had regard to EC Legislation.</td>
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</table>
Criteria for determining the likely significance of effects on the environment (SEA Screening) of the Brigg Neighbourhood Plan (from Article 3.5 of the SEA Directive): (Continued)

<table>
<thead>
<tr>
<th>Significant effect criteria</th>
<th>Assessment</th>
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<tbody>
<tr>
<td><strong>Characteristics of the effects and of the area likely to be affected having regard, in particular, to:</strong></td>
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<tr>
<td>The probability, duration, frequency and reversibility of the effects.</td>
<td>The Neighbourhood Plan is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development, and they will be of a local scale.</td>
</tr>
<tr>
<td>The cumulative nature of the effects of the Plan.</td>
<td>It is intended that the positive effects will have positive cumulative benefits for the area. There is likely to be a cumulative impact of increased traffic in Brigg and nearby villages.</td>
</tr>
<tr>
<td>The transboundary nature of the effects.</td>
<td>Development in Brigg is likely to have an impact on neighbouring parishes with regard to traffic impact, given the important role it plays as a market town and service centre. Brigg is also adjacent to the neighbouring West Lindsey District Council/Lincolnshire County Council administrative areas.</td>
</tr>
<tr>
<td>The risks to human health or the environment (e.g. due to accidents).</td>
<td>The Plan is likely to improve human health by providing suitable and appropriate homes and additional recreational facilities, and by increasing the local and natural built environment. Issues regarding the risk of flooding and the water environment (quality and ecology) will be addressed.</td>
</tr>
<tr>
<td>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) of the Plan.</td>
<td>The Neighbourhood Plan relates to the Town of Brigg. The magnitude and spatial extent of the effects are likely to be small.</td>
</tr>
<tr>
<td>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.</td>
<td>In considering sites for housing development it must be demonstrated that the plan has had regard to the significance of the Brigg Conservation Area and any listed buildings in the vicinity and mitigation should be suggested, where appropriate. It is unlikely that the Plan will have a detrimental effect on natural characteristics or the cultural heritage of the town. There are no areas or landscapes with recognised national, Community or international protection status within or adjacent to the Neighbourhood Plan Area.</td>
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Introduction

5.1 The Local Authority is the ‘competent authority’ under the Conservation of Habitats and Species Regulations 2010, and needs to ensure that the Neighbourhood Plan has been assessed through the Habitat Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance, also referred to as Natura 2000.

5.2 This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the adopted North Lincolnshire Core Strategy 2011 and the adopted Housing & Employment Land Allocations DPD 2016. As part of the assessment, North Lincolnshire Council will determine whether the Brigg Neighbourhood Plan is likely to result in significant impacts on Natura 2000 sites and therefore whether an ‘Appropriate Assessment’ is required.

Legislative Basis

5.3 Article 6(3) of the EU Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”
Assessment

5.4 The Habitats Regulations Assessment Stage 1 Screening of the North Lincolnshire Core Strategy Submission Draft concluded that there is the potential for likely significant effects on the Humber Estuary SAC/SPA/Ramsar site and the Thorne Moor SAC, Hatfield Moor SAC and Thorne and Hatfield Moors SPA ‘in combination’ with other projects and plans (particularly the two Able UK planning applications for areas within the South Humber Bank Strategic Employment site). Following the review of the Core Strategy DPD Submission Draft it was considered that none of the Policies or the Spatial Objectives in the Plan would lead to likely significant effects on the integrity of the Humber Estuary Natura 2000 sites and Ramsar sites or on the Thorne and Hatfield Moors Natura 2000 sites. It is, therefore, considered that the Brigg Neighbourhood Plan is not likely to result in significant impacts on Natura 2000 sites.

Conclusions

Conclusions and Recommendations of the Screening Assessments

5.5 Both the North Lincolnshire Core Strategy and the North Lincolnshire Housing & Employment Land Allocations DPD have been subject to extensive Sustainability Appraisals incorporating Strategic Environmental Assessments. Sites for approximately 820 houses and just over 20ha of employment land in Brigg are proposed for development as part of the H&ELA DPD in addition to sites that are expected to come forward as part of this Neighbourhood Plan. In its present state, the Brigg Neighbourhood Plan is likely to propose new development and, therefore, will present environmental effects.

5.6 The Brigg Neighbourhood Plan has the potential to have significant effects on the historic environment, on highway capacity, and on flood risk in the neighbourhood area and beyond, depending on which sites are allocated for development and how many dwellings are proposed for development. On this basis, the Neighbourhood Plan should be accompanied by a Strategic Environmental Assessment that examines the effects that sites would have on the historic environment, on highway capacity, and on flood risk in the local area. The results of the assessment should then be used to determine which sites are appropriate to be allocated for development.

5.7 The Brigg Neighbourhood Plan is to determine the use of small areas at a local level but, as a result of the Screening Assessment, it is concluded that there is the potential for environmental effects to arise as a result of the Plan in its current form.

5.8 Proposals contained within the Plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect, and there should be an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects.

5.9 Environmental issues that have not been identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character should be raised and considered.

5.10 It is determined that as a result of the screening undertaken by North Lincolnshire Council a Strategic Environmental Assessment IS REQUIRED for the Brigg Neighbourhood Plan, particularly to address potential impacts on the historic environment, on highway capacity, and on flood risk in the local area.

STRATEGIC ENVIRONMENTAL ASSESSMENT SUMMARY:
In its present form the Brigg Neighbourhood Plan REQUIRES A FULL SEA to be undertaken.
5.11 This conclusion has been reached based on the following:

i. The Screening Opinion Assessments demonstrate that SEA is necessary;

ii. As a precautionary measure to ensure that the SEA Directive is met;

iii. To ensure that all site options are considered against environmental factors to ensure that the most suitable sites, in environmental terms, are delivered; and

iv. To provide evidence and justification that the Brigg Neighbourhood Plan has been prepared with sustainability at the forefront of its preparation, a key consideration in the National Planning Policy Framework.

5.12 As this Screening opinion concludes that SEA is required, the Brigg Neighbourhood Plan will, in its present form, need to prepare an SEA Scoping Report.

5.13 This screening opinion was undertaken at a ‘snapshot’ in time, and if the issues addressed in the Neighbourhood Plan should change (for example, if the development of new and/or larger sites is proposed) then a new screening process will need to be undertaken to determine whether further SEA is required.

5.14 The Brigg Neighbourhood Plan is not likely to result in significant impacts on Natura 2000 sites and, therefore, an Appropriate Assessment is not required.

HABITATS REGULATIONS ASSESSMENT SUMMARY:

In its present form the Brigg Neighbourhood Plan DOES NOT REQUIRE AN HABITATS REGULATIONS ASSESSMENT to be undertaken.

5.15 This conclusion has been reached based on the following:

i. Proposals within the Plan will not adversely affect any internationally designated wildlife sites.

5.16 There are no Special Areas of Conservation in or adjacent to the Brigg Neighbourhood Plan Area and, due to the location of the town and the local nature of proposals in the Plan, it will not impact on internationally designated wildlife sites.
Appendices
Appendix 1 - Key steps of the Neighbourhood Plan SEA Screening Process:

1. Is the PP 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))
   - Yes to either criterion
   - No to both criterion

2. Is the PP required by legislative, regularity or administrative provisions? (Art. 2(a))
   - Yes
   - No to all criteria

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))
   - Yes to both criteria
   - No to both criteria

4. Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))
   - Yes
   - No to all criteria

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(a))
   - Yes to both criteria
   - No to both criteria

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)
   - Yes
   - No to all criteria

7. Is the PP's sole purpose to serve 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/?? (Art. 3.8, 3.9)
   - Yes
   - No to all criteria

8. Is it likely to have a significant effect on the environment? (Art. 3.5)*
   - Yes to any criterion
   - No to all criteria

DIRECTIVE REQUIRES SEA

DIRECTIVE DOES NOT REQUIRE SEA

* 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.

NOTE:
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.
Appendix 2 - Strategic Environmental Assessment process:

Strategic environmental assessment process

Stage A: Screening
1. Determine whether neighbourhood plan is likely to have significant environmental effects
2. Consult the environmental assessment consultation bodies

Stage B: Setting the context and objectives, establishing the baseline and deciding on the scope
1. Identify other relevant policies, plans and programmes, and sustainability objectives
2. Collect baseline information
3. Identify sustainability issues and problems
4. Develop the strategic environmental assessment framework
5. Consult the environmental assessment consultation bodies on the scope of the strategic environment

Stage C: Developing and refining alternatives and assessment effects
1. Test the neighbourhood plan objectives against the strategic environmental assessment framework
2. Develop the neighbourhood plan options including reasonable alternatives
3. Evaluate the likely effects of the neighbourhood plan and alternatives
4. Consider ways of mitigating adverse effects and maximising beneficial effects
5. Propose measures to monitor the significant effects of implementing the neighbourhood plan

Stage D: Prepare the Environmental Report

Stage E: Publish and consult the consultation bodies and the public on the environmental report

Stage F: Post making reporting and monitoring
1. Prepare and publish post-adoption statement
2. Monitor significant effects of implementing the neighbourhood plan
3. Respond to adverse effects

Neighbourhood plan preparation

Evidence gathering and engagement

Prepare the pre-submission neighbourhood plan

Pre-submission publicity and consultation on the neighbourhood plan

Submit draft neighbourhood plan to local planning authority

Local planning authority publicises and invites representatives on the neighbourhood plan and makes all submission documents available

Neighbourhood plan sent for examination along with submission documents

Referendum

Neighbourhood plan made

Monitoring
Monitor and report on the implementation of the neighbourhood plan

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Appendix 3 - Government guidance ‘A practical guide to the Strategic Environmental Assessment Directive’ sets out the following approach to be taken in determining whether SEA is required:

**DIAGRAM 1: KEY STEPS OF THE NEIGHBOURHOOD PLAN SEA SCREENING PROCESS**

1. **Will the neighbourhood plan lead to projects that will need EIA?**
   - **No**
   - **Yes**

2. **Does neighbourhood plan only cover a small area?**
   - **No**
   - **Yes**

3. **Will the neighbourhood plan require Habitats Regulations Assessment?**
   - **No**
   - **Yes**

4. **Will the neighbourhood plan lead to major development in the future?**
   - **No**
   - **Yes**

5. **Is it likely to have a significantly positive or negative environment effect?**
   - **No**
   - **Yes**

6. **SEA required**
7. **SEA Not required**
Appendix 4 - Consultation Comments Received from Statutory Bodies:
Mr Dave Lofts  
Regeneration and Planning  
North Lincolnshire Council  
Development Control Team  
Civic Centre  
Scunthorpe  
DN16 1AB  

Dear Mr Lofts

Draft Brigg Neighbourhood Plan SEA Screening Report

Thank you for your consultation of 19 August 2016 on the above document.

The document appears to conclude that the emerging Plan has the potential to have significant effects on the historic environment and highway capacity only, all other potential effects being avoided by compliance with the Local Plan and the NPPF. We would appreciate clarification of this.

We note that the Plan contains objectives to:

- introduce appropriate riverside development
- maximise use of the Old River Ancholme
- encourage flood alleviation proposals

These have the potential to have environmental impacts.

It should also be noted that areas of Brigg are at risk of flooding, when considering allocation of sites for housing.

As the Screening Opinion has indicated that an SEA is required, we would recommend that sections are included on flood risk and the water environment (water quality and ecology).

The flood risk section should cover fluvial and surface water flood risk. The fluvial element will need to look at potential impacts beyond the Plan boundary to ensure the flood risk is appropriately considered.

Reference should be made to the Humber River Basin Management Plan and the Grimsby and Ancholme Catchment Flood Management Plan.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Waterside House, Waterside North, Lincoln, LN2 5HA  
Customer services line: 03708 506 506  
Email: planning.lincoln@environment-agency.gov.uk  
www.gov.uk/environment-agency
Yours sincerely

Nicola Farr  
Sustainable Places - Planning Advisor

Direct dial 02030 255023
Direct e-mail nicola.farr@environment-agency.gov.uk
Hello Dave,

Apologies for the delay in getting back to you.

Strategic Environmental Assessment Screening

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there are unlikely to be significant environmental effects from the proposed plan. However please note that, at this stage, there is little information on the nature and scale of proposals in the plan with which to make this judgement.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals/allocations contained within the plan will / will not have significant effects on sensitive sites that Natural England has a statutory duty to protect. As we have no evidence of these effects having been assessed within a Local Plan, we consider that there should now be an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Habitats Regulations Assessment

As with the SEA screening, at this stage we do not consider that the plan is likely to have any likely significant effects on European Designated Sites. However we note that the plan area lies a
considerable distance from the closest European Designated Sites and consider that the likelihood that the plan will include proposals that would have a likely significant effect at such a distance is low.

Natural England is content with the screening at this stage but advises that you consider revising the screening as the plan progresses.

I hope this response is helpful? If you have any further queries please do not hesitate to contact me using the contact details below.

Yours sincerely,

Merlin Ash
Lead Adviser
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Yorkshire and Northern Lincolnshire
Natural England
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