



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

**Bulcote Neighbourhood Plan
The Environmental Assessment of Plans and Programmes
Regulations 2004
SEA Screening Statement**

April 2019

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1.0 Introduction

- 1.1 The requirement for a Strategic Environmental Assessment (SEA) to be undertaken on development plans and programmes that may have a significant environmental effect is outlined in European Union Directive 2001/42/EC. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) state that this is determined by a screening process, utilising a specified set of criteria which is outlined in Schedule 1 of the Regulations. The Environmental Assessment of Plans and Programmes Regulations 2004 are commonly referred to as the 'Strategic Environmental Assessment (SEA) Regulations'. The results of this process must be set out in an SEA Screening Statement, which must be publicly available. Newark & Sherwood District Council are the responsible authority under Regulation 9 of the Regulations to carry out this screening.
- 1.2 Newark & Sherwood District Council has produced this Draft Screening Assessment to seek the views of the Environment Agency, Historic England and Natural England on our initial conclusion that the emerging Bulcote Neighbourhood Plan (NP) will not have any significant negative effects on the environment and therefore that a full environmental assessment is not necessary. This determination has been reached by assessing the contents of the emerging submission NP against criteria provided in Schedule 1 of the 2004 Regulations.
- 1.3 The Planning and Compulsory Purchase Act 2004 also requires that a Sustainability Appraisal (SA) is prepared for all spatial plans. It is considered best practice to incorporate requirements of the SEA Directive into an SA. The Government has stated that Sustainability Appraisal is not needed for NPs, but has said that it must be demonstrated how the NP contributes to the achievement of sustainable development in the area.
- 1.4 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 refers to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an appropriate assessment. Paragraphs 2 – 5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to NPs. The regulations do state that the making of an NP is not likely to have a significant effect on a site designated at European level for its biodiversity, however, this needs to be ascertained and this can be done at the time the screening opinion is being sought.

2.0 The scope of the Bulcote Neighbourhood Plan

- 2.1 The NP sets out the local planning policy framework for the parish of Bulcote. When the plan is 'made' by the Local Planning Authority it will become part of the Development Plan for the area and will be used to help determine planning applications in Bulcote. The plan has the following vision:

"In 15 years, Bulcote Parish will remain an historic, rural and peaceful area.

"It will value its residents, the open spaces within the village that are integral to its character and the green fields that surround it. Bulcote will still be a safe, family-friendly place to live.

"It will be a quiet, healthy and beautiful place with easy and immediate access to the countryside and river."

- 2.2 The following objectives have been identified to help realise the vision for Bulcote:

- To ensure that development minimises the impact on the landscape character of the Plan area, recognising the value of long views and vistas into and out of the rural setting of the village and the values open spaces within it.
- To ensure that the heritage of the Plan area is protected and, where possible, enhanced.
- To ensure that all new development is small in scale and designed to a high quality, reinforcing the existing local rural character.
- To seek opportunities to maintain and enhance the social and economic vitality of the Parish by supporting and expanding the range of services and facilities within the Parish. To support the provision of a new community building.
- To protect and enhance the green open spaces within and on the edge of the village and to protect and improve access to the countryside and river.
- To protect and improve the biodiversity of the Parish.
- To encourage developers to consult with the community early in the planning application process (at pre-application stage) via mechanisms outlined in this Neighbourhood Plan.

3.0 Assessment

- 3.1 National Planning Policy Guidance states that, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and the requirements are set out in Regulation 9 of the Regulations.
- 3.2 If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Regulations. One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).
- 3.3 This document will be submitted to the organisations with environmental responsibilities as consultation bodies to ensure that they agree with its conclusions. The relevant organisations are: Historic England, Natural England and the Environment Agency.
- 3.4 Figure 1, below, is a flowchart depicting the Strategic Environmental Assessment process in relation to Neighbourhood Plans.

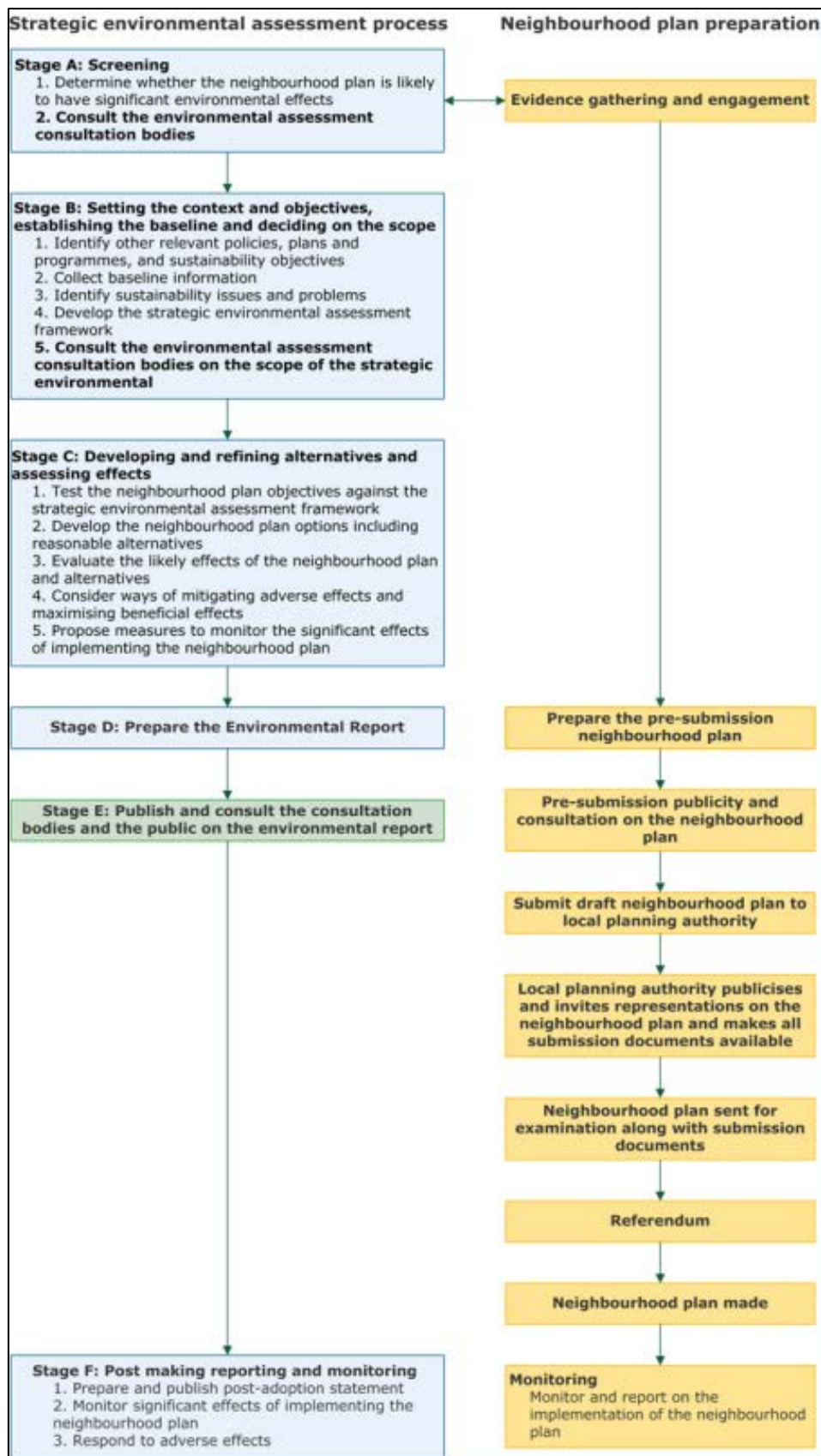


Figure 1: Strategic Environmental Assessment in relation to Neighbourhood Plans process flowchart (National Planning Policy Guidance: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>)

3.5 Table 1, below, seeks to establish whether the Bulcote Neighbourhood Plan is likely to have significant environmental effects and therefore requires a full Strategic Environmental Assessment.

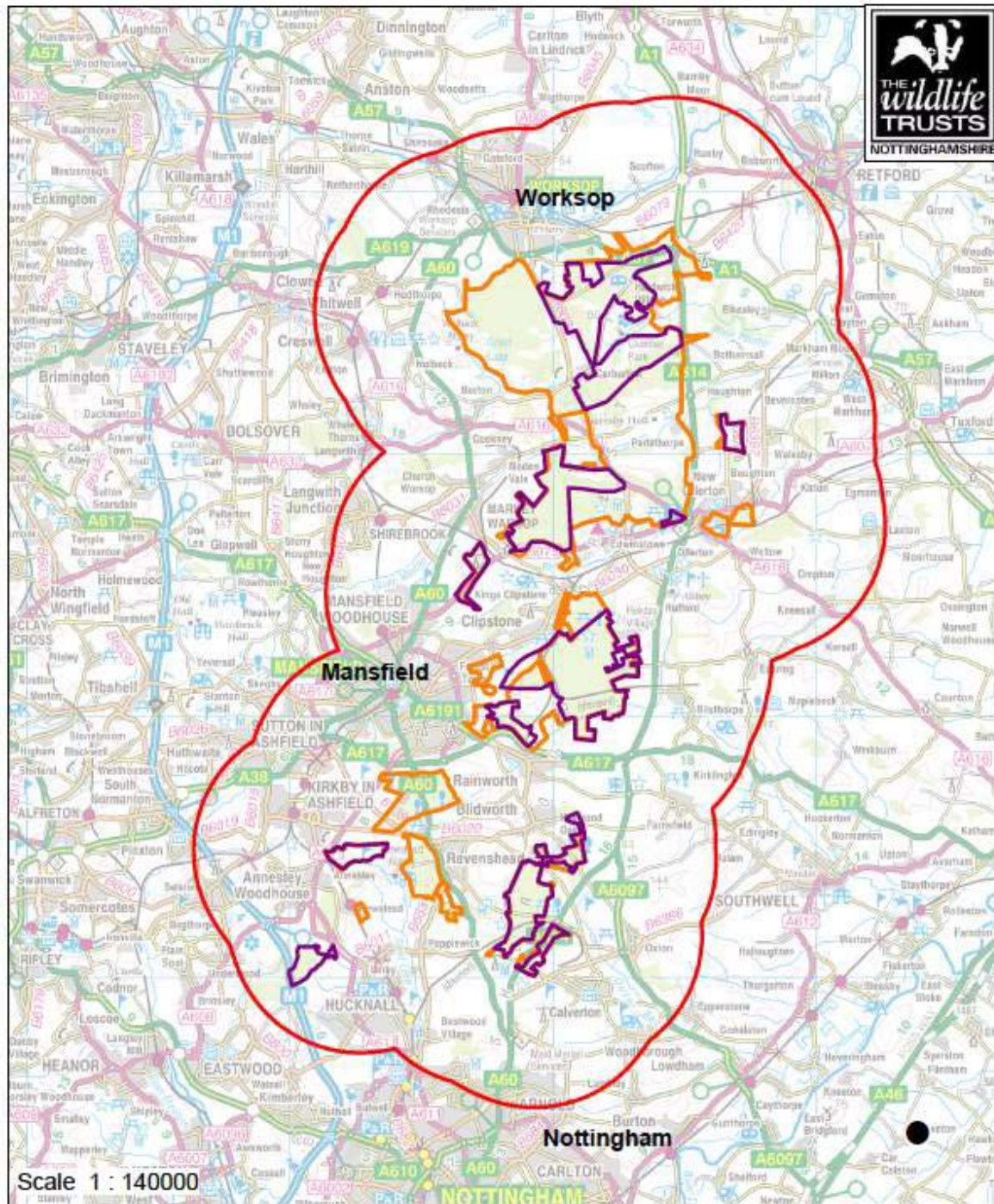
Table 1: Does the Bulcote Neighbourhood Plan require a full Strategic Assessment?

Question	Answer
1) Is the plan or programme (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. The emerging Pre-submission Bulcote Neighbourhood Plan is prepared by a qualifying body – namely Bulcote Parish Council with support and advice from the local planning authority. The legislative procedure is set out in ‘The Neighbourhood Planning (General) Regulations 2012’.
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Communities are encouraged rather than required to develop a Neighbourhood Plan. If a community chooses to develop a neighbourhood plan, there are ‘provisions’ in place that require the neighbourhood plan to be prepared in a formal way.
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))	The PP is prepared for town and country planning or land use, but it does not set a framework for future development consent of projects in Annexes I and II of the EIA Directive.
4) Will the PP, in view of its likely effects on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	The Neighbourhood Plan does not allocate sites for development, and it is not within 15km of the Birklands and Bilhaugh SAC. Further, it is outside the 5km buffer from Woodlark and Nightjar breeding areas (see section 5). This means that an assessment under Article 6 or 7 of the Habitats Directive is not required.
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 - The Neighbourhood Plan sets out land use planning policies, and specifically policies which support well designed sustainable development within the village.
8) Is it likely to have a significant effect on the environment? (Art. 3.5)	No – See Table 2 and Appendix 1 for details.

4.0 Assessment conclusions

4.1 The results of the assessment contained in Table 1 in section 3, indicate that there are no clear significant negative impacts on the environment resulting from the policies and proposals contained in the Bulcote Neighbourhood Plan. Therefore it is the opinion of Newark & Sherwood District Council that there is no requirement to conduct an SEA on the NP.

- 4.2 Given that the NP has been prepared within the framework of the existing Development Plans for the District, the Newark & Sherwood Amended Core Strategy (adopted March 2019) and the Allocations & Development Management Development Plan Document (adopted July 2013) which were subject to Sustainability Appraisal, the District Council does not consider that the NP needs to be subject to the process of Sustainability Appraisal.
- 4.3 Bulcote Parish is more than 15 kilometres away from the Birklands and Bilhaugh SAC and any other Natura 2000 site. There is therefore no legal requirement to carry out a Habitats Regulations Screening. It is also more than five kilometres from the Sherwood Forest ppSPA, so no Habitats Regulations Screening has been carried out.



Key	— RSPB IBA Boundary with 5Km buffer	Plan 1 v2
	— NE Indicative Core Area	
	— RSPB IBA Boundary	
<p>(The use of original data regarding the IBA boundary provided by the RSPB is acknowledged. However, use of this data does not necessarily mean that the RSPB endorses the views expressed here.)</p>		

OS OpenData: Contains Ordnance Survey data © Crown copyright and database rights 2011

Figure 2: Map illustrating Important Bird Areas of Sherwood Forest ppSPA with a 5km buffer zone, submitted as evidence to the Rufford ERF Public Inquiry 2010.

5.0 In Combination effects

- 5.1 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effects. For the Bulcote Neighbourhood Plan the existing plans to be considered are NSDC Amended Core Strategy (2019), Allocations and Development Management DPD (2013) which have both been through rigorous assessment with regards to their impact on the Birklands & Bilhaugh SAC and the Sherwood Forest ppSPA. The Bulcote Neighbourhood Plan has been produced to be in strategic conformity with these documents. In addition to this, no additional sites above those identified by NSDC are directly allocated for development within the Plan. Therefore it is considered there is likely to be no in combination effects as a result of the Bulcote Neighbourhood Plan.
- 5.2 The Bulcote Neighbourhood Plan is also required to be in general conformity with existing strategic policies in NSDC Local Development Framework which has been assessed at a higher level to determine effects on the identified Birklands & Bilhaugh SAC, it is concluded that no significant in-combination likely effects will occur due to the Neighbourhood Plan's implementation.
- 5.3 It is concluded as a result of the above, that the Plan will not lead to a significant effect on the integrity of the Birklands & Bilhaugh SAC or on the Sherwood Forest ppSPA and therefore does not require a full HRA to be undertaken.

Appendix 1 Assessment of the Bulcote Neighbourhood Plan in relation to the criteria for determining the likely significance of effects on the environment

Schedule 1 Criteria for determining the likely significant effects of the Bulcote Neighbourhood Plan	Will the NP have significant environmental effects?	Summary of any effects
The characteristics of the Bulcote NP having regard to:		
(1a) 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 NP would, if 'made', form part of the Statutory Development Plan and as such does contribute towards the framework for future development consent of projects. However this plan sits within the wider framework set by the National Planning Policy Framework and the adopted Amended Core Strategy DPD (March 2019) and the adopted Allocations & Development Management DPD (July 2013) and the projects that this plan helps set a framework for are local in nature and have limited resource implications.
(1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	The NP operates in within the policy hierarchy set out in (1a); it is therefore unlikely to influence the other elements of the development plan. The NP does however provide other policy makers with an indication of potential issues that the community in Bulcote considers important.
(1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	No	The NP operates in within the policy hierarchy set out in (1a); therefore its policies seek to secure sustainable development including protecting and mitigating the impact of such development on the natural and built environment.
(1d) Environmental problems relevant to the plan or programme; and	No	As the Plan is a land use document, the environmental problems of relevance are those that are related to land use in the Plan area. The Bulcote NP seeks to conserve and enhance the environment while

		facilitating sustainable development in line with local and national policy.
(1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The NP is not directly relevant to any of these.
Characteristics of the effects and of the area likely to be affected, having regard, in particular to		
(2a) the probability, duration, frequency and reversibility of the effects;	No	The NP is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development. However they will be of a local scale.
(2b) the cumulative nature of the effects;	No	It is intended that the positive effects will have positive cumulative benefits for the area.
(2c) the trans-boundary nature of the effects;	No	The NP identifies policies for the Civil Parish of Bulcote; trans-boundary effects will be minimal.
(2d) the risks to human health or the environment (for example, due to accidents);	No	There are not significant risks to human health or the environment, indeed the plan seeks to secure sustainable development.
(2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The NP relates to the Civil Parish of Bulcote which had a population of 309 in 2011. It is likely that the effects of the plan will be related to this area.
(2f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	No	The NP is unlikely to have an adverse effect on the value and vulnerability of the area in relation to its natural and cultural heritage. If anything it will provide greater support to and enhance the setting and identity of the area by supporting the enhancement of its existing environmental and community assets. The NP does not provide specific policies in relation to intensive land uses.

<p>(2g)The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>No</p>	<p>There are no areas or landscapes with recognised national, Community or international protection status.</p>
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