

# Claypole Neighbourhood Plan 2021-2036



**SEA Screening Request  
May 2022**

# Claypole Neighbourhood Plan 2021-2036

## SEA Screening Request May 2022

Submission of the Neighbourhood Plan in accordance with  
Regulation 15 of Neighbourhood Planning Regulations 2012

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The Parish Council received professional planning support from NEIGHBOURHOOD-PLAN.CO.UK during the production of this Neighbourhood Plan.



NEIGHBOURHOOD-PLAN.CO.UK

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# Claypole Neighbourhood Plan 2021-2036



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# Introduction

1. Claypole Parish Council have undertaken this SEA screening statement request. It is the role of South Kesteven District Council as the Local Planning Authority (LPA) to undertake a screening of the Neighbourhood Plan to determine whether or not the contents of the Claypole Neighbourhood Development Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
2. This document has been produced to assist the LPA undertake the screening in collaboration with the three designated environmental bodies, namely the Environment Agency; Natural England; and Historic England.
3. The European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain development plans that would have a significant environmental effect. An SEA may be required for a Neighbourhood Plan, dependant on what the plan is proposing.
4. The *Environmental Assessment of Plans and Programmes Regulations 2004* require that the need for an SEA is to be determined by a screening process. This must meet the criteria of Schedule 1 of the Regulations (Appendix 2).
5. For Claypole, it is the responsibility of South Kesteven District Council to determine whether an SEA is required. To make this decision the District Council are required to consult with three statutory consultation bodies: Natural England, Environment Agency and Historic England.
6. This SEA screening statement request comprises of two parts: part one assesses the Neighbourhood Plan against the steps that should be taken to determine the need for SEA in accordance with the Directive and associated regulations, part two assesses the likely significant effects on the environment of the Neighbourhood Plan.
7. This Statement has been prepared to accompany the Claypole Neighbourhood Development Plan ('the Neighbourhood Plan') under the Neighbourhood Planning (General) Regulations 2012 ('the Regulations'). The relevant local planning authority is South Kesteven District Council.

## Designation of Claypole as a Neighbourhood Planning Area

8. A formal application was made by Claypole Parish Council on 21 July 2013 as a 'relevant body' under Section 61G of the Town and Country Planning Act 1990 (as amended) for the designation of a neighbourhood area in order to develop a neighbourhood plan. The area of the Neighbourhood Plan is based upon the parish boundary, which was seen as appropriate as this area is recognised as the distinct community of Claypole. The request was that the Parish Council be recognised as a Neighbourhood Area for the purpose of producing a neighbourhood plan, in accordance with the Neighbourhood Planning Regulations 2012.
9. South Kesteven District Council publicised this application to produce a Neighbourhood Plan as required by statute. South Kesteven [designated](#)<sup>1</sup> the Parish of Claypole as a neighbourhood area on 19 March 2014.

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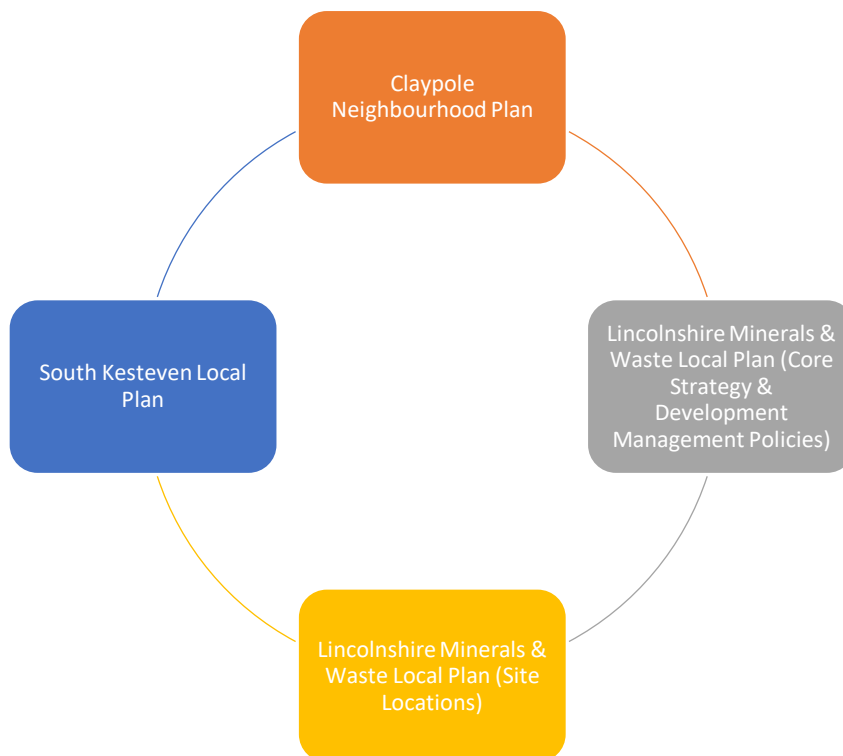
<sup>1</sup> <http://www.southkesteven.gov.uk/index.aspx?articleid=8397>

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9. The Neighbourhood Plan has been prepared by Claypole Parish Council, a qualifying body, (Section 38A (12) of the Planning and Compensation Act 2004) for the Neighbourhood Area covering the Parish of Claypole. The name of the neighbourhood area is the 'Claypole Neighbourhood Area'. It does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.
10. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The document sets out the period of the Neighbourhood Plan which is from 2021 to 2036.

# The Development Plan

11. The South Kesteven Local Plan sets out the vision, objectives, spatial strategy and policies for the future development of the district. It also identifies land and allocates sites for different types of development, such as housing and employment, to deliver the planned growth for South Kesteven 2036. It was adopted in January 2020. The document includes strategic planning policies to guide and control the overall scale, type and location of development including the allocation of strategic sites. It indicates the number of homes to be built by 2036.
12. The 'Development Plan' (including Minerals and Waste) for Claypole is made up of 4 elements as follows:



## The Emerging South Kesteven Local Plan Review

13. The current Local Plan for South Kesteven was adopted in January 2020 and sets out the development strategy for growth of the district to 2036. The Inspector's final report on the current Local Plan (2011 - 2036) committed the District Council to undertake an early

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review of the Local Plan from April 2020 with submission by the end of December 2023. The review enables necessary updates of evidence, and the Council to consider whether its local housing need has changed and needs to be re-evaluated taking into consideration changes to national planning guidance.

14. The timetable for [review](#)<sup>2</sup> of the Local Plan is anticipated to be examined in December 2023 and adopted in December 2024, until the review has been undertaken and a new Local Plan is found sound and adopted by the Council, the current Local Plan (2011 - 2036) will continue to be the development plan for the district and used in determining planning applications.
15. The Local Plan Review will set out the planning framework for the district over the next 20 years up to 2041 and will cover issues such as; housing provision, the economy, retail and town centres, infrastructure provision and the environment. It will also set out policies by which planning applications will be determined, in addition to allocating land for housing, employment and retail uses.

### Strategic policies for the purposes of neighbourhood planning

16. The system of neighbourhood planning allows Parish and Town Councils to produce neighbourhood plans to guide development at a local level. One of the requirements of such plans is that they should be in line with the 'strategic policies' of the adopted development plan for the local area.
17. South Kesteven District Council as the Local Planning Authority defines which policies are to be considered 'strategic' with regard to the production of a Neighbourhood Plan. The Local Plan as specified in paragraph 1.23 identifies 'strategic policies' as being those with the suffix 'SP' in brackets. The policies list on pages vi and vii confirms which policies are strategic policies for the purposes of neighbourhood planning.

## Stage One: Establishing the need for a Strategic Environmental Assessment

19. The Government published Planning Practice Guidance states there is no legal requirement for a Neighbourhood Plan to have a Sustainability Appraisal (SA) as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body, in this case Claypole Parish Council, must demonstrate how its plan or order will contribute to achieving sustainable development. Planning Practice Guidance also states, 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. Consequently, a SEA screening statement has been undertaken using guidance from the Government published advice in 'A Practical Guide to the Strategic Environmental Assessment Directive' (2005).

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<sup>2</sup> <http://www.southkesteven.gov.uk/index.aspx?articleid=15133>



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20. The document ‘A Practical Guidance to the Strategic Environmental Assessment Directive’ was published by the then Office of the Deputy Prime Minister. It sets out guidance on how to comply with the European Directive 2001/42/EC known as the Strategic Environmental Assessment (SEA) Directive. Figure 2 of this practical guidance shows the Directive’s field of application in the form of a diagram (Appendix 2), which provides an outcome of whether a directive does or does not require an SEA.
21. Claypole Parish Council as the designated body have to ‘Determine whether a plan or Order is likely to have significant environmental effect’. In order to do this, we are providing an assessment of the NDP against the diagram provided in Appendix 2 to establish whether an SEA is required. Each stage of the diagram provides a criterion which a ‘yes’ or ‘no’ response is required to progress to the next stage.
22. The table below shows the assessment of whether the NDP will require a full SEA. The questions below are drawn from the diagram in Appendix 2 which sets out how the SEA Directive should be applied and provides justification for the particular path considered suitable by us on behalf of Claypole Parish Council.
23. The views of South Kesteven District Council as the relevant Local Planning Authority will be sought as will the views of the statutory environmental bodies through the consultation on the draft plan and the SEA Screening Statement. It is the responsibility of South Kesteven District Council to determine whether an SEA is required, this screening has been produced to assist them in this process.

**Table 1: Establishing the Need for SEA**

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes to criterion 1	The preparation of and adoption of the plan is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NDP is prepared by Claypole Parish Council (as the ‘relevant body’) and will be ‘made’ by South Kesteven District Council as the Local Planning Authority. The preparation of the NDP is subject to The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (Referendums) Regulations 2012 (as amended).
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	Communities, such as Claypole have a right to be able to produce a Neighbourhood Plan. The plan is not required by legislative, regulatory or administrative provisions. Instead, if ‘made’ the plan would form part of the statutory development plan. Therefore, it is considered necessary to answer the following questions to determine further if an SEA is required.

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Stage	Y/N	Reason
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 criterion 1  No to criterion 2	The NDP is prepared to set out for town and country planning purposes; the NDP set out policies which will influence future development within the parish of Claypole, including development of housing, employment and community land uses. However, the plan will be used as a tool which manages the design details of development rather than the principles of land use. The NDP only allocates a small site for housing and another for community facilities. It does however safeguard land for open space, local green space and for community use.  Furthermore, the NDP will not be a tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	A Habitats Regulations Assessment (HRA) screening assessment, has considered the potential impacts of the NDP on sites covered by the Habitats Regulations. This HRA screening assessment concludes that a HRA is not required for the NDP.
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)	Yes	The NDP does determine the land uses within Claypole in a small way as it contains two land allocations. In addition, the NDP does provide details of the community's preferential locations for local green space and community use at local level.
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	Once the NDP is 'made' by South Kesteven District Council it will form part of the statutory development plan against which planning applications will be determined.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	No	The NDP does not deal with any of these issues.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No (see stage 2 below)	Stage 2 of this SEA Screening Statement will consider the potential effects of the NDP on the environment. This considers the effects of the NDP against the criteria referred to in Article 3.5 of SEA Directive 2001/42/EC.

# Stage Two: Likely significant effects on the environment

24. The table below shows the assessment of the potential significant effects of the environment, as required by Article 3.5 of the SEA Directive.

**Table 2: Assessment of the likely significant effects of the environment.**

SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Assessment Commentary	Likely Significant effect? (Y/N)
<b>The characteristics of plans and programmes, having regard to:</b>		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The NDP would form part of the Statutory Development Plan and therefore would set a framework for future development projects in Claypole. However, the plan sits within a wider framework set out by the National Planning Policy Framework (NPPF) and the South Kesteven Local Plan.</p> <p>The policies of the NDP are in general conformity with the NPPF and the South Kesteven Local Plan. In addition, the projects for which the NDP contributes to setting a planning framework are very local in nature.</p>	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NDP has a low hierarchical position within a number of statutory development plans, therefore the NDP will respond to rather than influence other plans or programmes. Policies set out in the NDP are in conformity with the NPPF and the South Kesteven Local Plan.	No
(c) the relevance of the plan or programme for the integration of The TSP will work to protect and enhance the natural environment and landscape of the plan area	<p>The NDP will work to protect and enhance the natural environment and landscape of Claypole, including statutory environmental designations. The policies of the NDP provide protection for areas of high environmental value, including Local Green Space. The NDP will work to protect and enhance the natural environment of Claypole, including statutory environmental designations. The policies of the NDP will not affect the protection for areas of high environmental value, including the Natura 2000 sites outside of but within the potential wider catchment of the plan area. The built environment of Claypole is also sought to be protected through the NDP.</p> <p>A number of NDP policies will contribute to the social sustainability of Claypole as a distinct community. Therefore, the NDP will provide</p>	Yes

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	<p>socially sustainable development as defined in the NPPF.</p> <p>Therefore, it is considered that the NDP will have a positive impact on local environmental assets and therefore will promote sustainable development.</p>	
(d) environmental problems relevant to the plan or programme	There are no environmental problems directly relevant to this plan. There will be an increase in the number of houses and the level of community facilities in the parish as a result of new development. However, the NDP will help to address wider environmental problems as highlighted in the NPPF at a local level, such as climate change, air pollution, traffic congestion, loss of biodiversity and flooding; without any negative effects.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The NDP is not directly relevant to the implementation of European legislation. This legislation is taken into account by the South Kesteven Local Plan with which the Neighbourhood Plan complies.	No
SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Assessment Commentary	Likely Significant effect? (Y/N)
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects	<p>The NDP will result in positive environmental effects through policies that seek to protect the built heritage character and green spaces. The plan will result in positive social effects through policies which seek to address local highways issues and support the development of community facilities.</p> <p>The duration of the positive effects outlined above are likely to be long term. However, due to the small scale and nature of the issues considered in the NDP, it is considered that any effects will be low in frequency and reversible.</p>	No
(b) the cumulative nature of the effects	<p>A combination of this neighbourhood plan which seeks to protect and enhance the character, environment and setting of Claypole, and wider environmental policy of the South Kesteven Local Plan to 2036, is likely to have cumulative positive environmental effects will have cumulative positive benefits for the area of Claypole.</p> <p>Notwithstanding this, as the NDP deals with issues which are of a small scale and nature, it is considered that the impact of the neighbourhood plan will be limited.</p>	Yes

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(c) the trans boundary nature of the effects	All effects will be very local in impact, having negligible impacts on neighbouring areas.	No
(d) the risks to human health or the environment (for example, due to accidents)	There are no significant risks to human health or the environment. Instead, the plan aims to enhance the environment and to provide the infrastructure required to meet the social needs of local residents.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Neighbourhood Plan relates to an area of approximately 1,200ha. This is a relatively small area with a population of approximately 1,382. Therefore, the magnitude and spatial extent of the plan is small.	Yes
(f) 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; or - intensive land-use	<p>The plan area contains no designated environmental sites such as Sites of Special Scientific Interest or Local Nature Reserves. There are no such designations in neighbouring parishes either.</p> <p>In the vicinity of the Claypole Neighbourhood Plan area there are no European and International designations of interest. In South Kesteven there are the Baston Fen SAC and Grimsthorpe SAC, both near to Bourne. In neighbouring Newark and Sherwood is the Birklands/Bilhaugh SAC which is west of Ollerton. The latter of these is the closest to the Neighbourhood Plan area lying approximately 27km to the north-west. Grimsthorpe SAC is the next closest at some 34km to the south-east.</p> <p>There are 10 Listed Buildings within the Parish of Claypole; 9 Grade II Listed Buildings, no Grade II* Listed Building and one Grade I Listed Building. In addition, there is one Scheduled Monument (SAM). There is no Conservation Area in Claypole. The NDP Policies will provide protection to heritage assets within the entire plan area. In addition, these heritage assets will also be protected by higher tier documents, such as the NPPF, and the South Kesteven Local Plan.</p>	Yes
(g) the effects on areas or landscapes which have a recognized national, Community or international protection status	<p>The plan area contains no designated environmental sites such as Sites of Special Scientific Interest or Local Nature Reserves. There are no such designations in neighbouring parishes either.</p> <p>In the vicinity of the Claypole Neighbourhood Plan area there are no European and International designations of interest. In South Kesteven there are the Baston Fen SAC and Grimsthorpe SAC, both near to Bourne. In neighbouring Newark and Sherwood is the Birklands/Bilhaugh SAC which is west of Ollerton. The latter of these is the closest to the Neighbourhood Plan area lying approximately 27km to the north-west. Grimsthorpe SAC is the next closest at some 34km to the south-east.</p>	No

	The NDP contains policies aimed at protecting open space including Local Green Spaces and for recreation and community use.	
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## Consultation and Conclusion

25. As a result of the assessment undertaken, based on Article 3.5 of the SEA Directive, Claypole Parish Council considered that there would be no significant environmental effects arising from the Neighbourhood Plan. As such, in the view of Claypole Parish Council the NDP does not require a full SEA to be undertaken.
26. Consultation on this SEA Screening Request was undertaken alongside the publication of the draft Neighbourhood Plan during February and March 2022. Consultation included with South Kesteven District Council as the Local Planning Authority; and the Environment Agency; Natural England; and Historic England as the three statutory environmental bodies. None of three statutory environmental bodies or South Kesteven DC expressed any concerns regarding the conclusion the Parish Council reached on SEA Screening. South Kesteven District Council as the Local Planning Authority will, following submission of the Neighbourhood Plan, have to determine following consultation with the Environment Agency; Natural England; and Historic England as the three statutory environmental bodies; as to whether an SEA is or is not required.

# Appendix One: Environmental and Heritage Assets in Claypole

There are 10 Listed Buildings within the Parish of Claypole; 9 Grade II Listed Buildings, no Grade II\* Listed Building and one Grade I Listed Building. In addition, there is one Scheduled Monument (SAM). There is no Conservation Area in Claypole.

## Grade I

Church of St. Peter, Main Street

## Grade II\*

N/A

## Grade II

Cross in Churchyard, Main Street  
Woolpack Public House (Now 33) Main Street  
Barn to Rear of Station Farmhouse, Main Street  
The Nook, Chapel Lane  
Fen Farmhouse, Main Street  
Station Farmhouse and Attached Cottage, Oster Fen Lane  
The Paddocks and Attached Outbuilding, School Lane  
Church View Cottages, 1-3 Main Street  
The Old Rectory, Rectory Lane

## Scheduled Monuments

Churchyard Cross, Main Street, Claypole



Listed Buildings and Scheduled Monuments in Claypole  
Extract Taken from the Historic England website © Historic England

## Claypole Neighbourhood Plan - SEA Screening Request



Flood Risk Zones (Fluvial) © Environment Agency

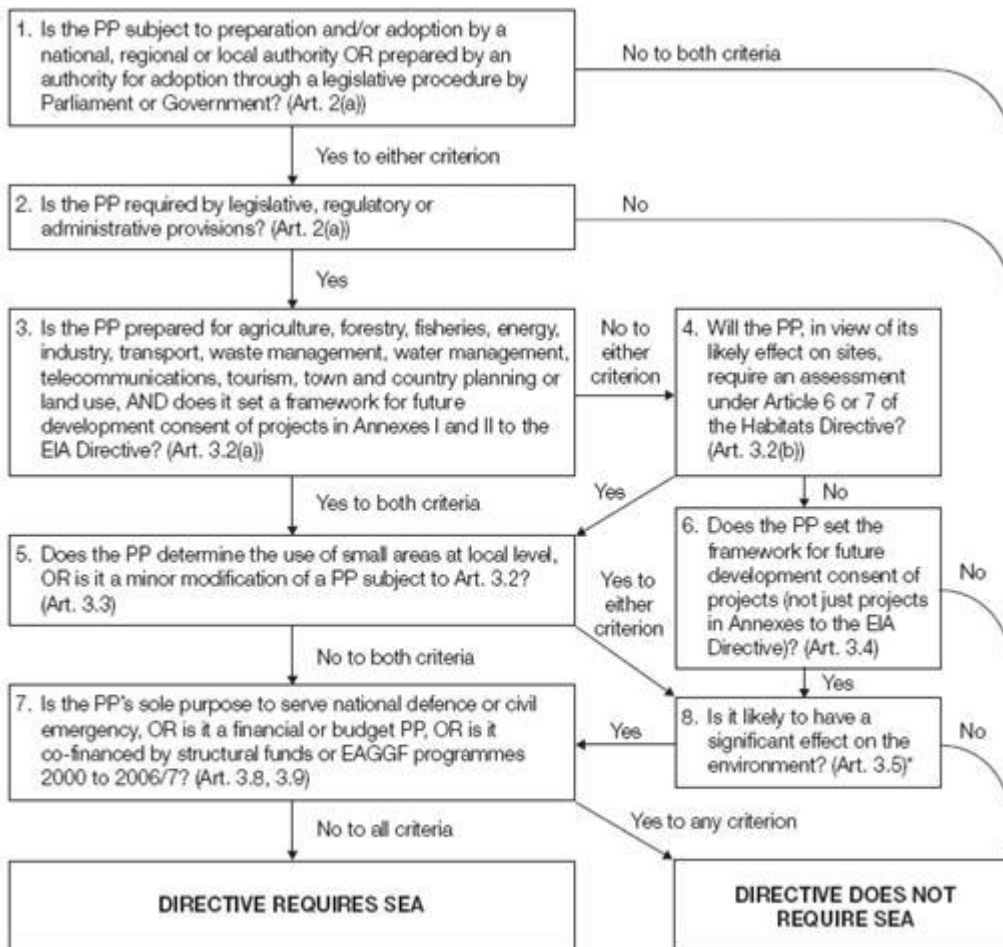


Extent of flooding from surface water  
 ● High ● Medium ● Low ○ Very low

Surface Water Flood Risk © Environment Agency



# Appendix Two: Diagram of the SEA Directive to plans and programmes



\*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.

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