

**West Lindsey District Council**  
**Gainsborough Neighbourhood Plan**  
**Strategic Environmental Assessment (SEA)**  
**and/or**  
**Habitats Regulations Assessment (HRA)**  
**Determination April 2020**

1. To determine whether the Gainsborough Neighbourhood Plan (GNP) required a strategic environmental assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 - a screening opinion was undertaken.
2. The screening opinion also considered whether the GNP complied with the Habitats Directive (Directive 92/ 43/ECC) and Birds Directive (Directive 2009/147/EC) and if it needed a Habitats Regulations Assessment (HRA). This is a basic conditions requirement basic under the Neighbourhood Planning Regulations 2012.
3. The report of the screening opinion can be viewed on West Lindsey District Council's (WLDC) webpage for the GNP. Go to:  
<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/gainsborough-town-neighbourhood-plan/>
4. WLDC, as the responsible authority, gave consideration to the screening opinion and agreed with its findings and that the report should go out to consultation, as required by regulations and directives, with Natural England, Historic England and the Environment Agency in the case of SEA and also Natural England in the case of HRA. See consultation email in Appendix A.
5. Responses to the consultation from Natural England, Historic England, and the Environment Agency are shown in Appendices B, C, and D respectively. These confirm that the GNP is unlikely to give rise to any significant environmental effects and/or have significant effects on a European site.
6. On the basis of the screening report and responses from statutory agencies, WLDC has determined that a SEA and/or HRA assessment is not required for the GNP.

## Appendix A - WLDC consultation email



Nev Brown

3 | 03/03/

Gainsborough Neighbourhood Plan - SEA / HRA Screening Report - Statutory Consultation

This is the most recent version, but you made changes to another copy. [Click here to see the other versions.](#)

You forwarded this message on 07/04/2020 10:03.



Dear Sir/Madam,

As one of the statutory consultation bodies", please find attached the Gainsborough Neighbourhood Plan Screening Report assessing the Gainsborough Neighbourhood Plan against relevant European Directives.

This is to determine if the plan requires a Strategic Environmental Assessment (SEA) and or/a Habitats Regulations Assessment (HRA).

Also attached is the working submission draft (regulation 16) version of the Gainsborough Neighbourhood Plan.

Please note that the Screening Report was based on the earlier regulation 14 version of the plan. However apart from some minor policy numbering changes little has changed between the two versions of the plan in terms of objectives and policies. To help cross referencing attached is the contents sheet from the regulation 14 plan which identifies policy numbers, to which the Screening Report refers to, and what they are now in the latest regulation 16 version of the plan attached.

This consultation is open for five weeks and I would be grateful if you could send any observations as soon as possible to me by the 7<sup>th</sup> April 2020.

I look forward to receiving your response.

Regards,  
Nev

## Appendix B - Response from Natural England

Date: 25 March 2020  
Our ref: 301950  
Your ref: none

Nev Brown  
[REDACTED]

BY EMAIL ONLY



Customer Services  
Hombeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Mr Brown

**Planning consultation:** Gainsborough Neighbourhood Plan - SEA & HRA screening

Thank you for your consultation on the above document dated 03 March 2020 which was received by Natural England on 04 March 2020

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 Gainsborough Neighbourhood Plan.

We can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Gainsborough Neighbourhood Plan.

Natural England also agrees with the report's conclusions that the Gainsborough 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 only please contact Sandra Close on 020 8026 0676. For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours sincerely

**SANDRA CLOSE**  
Planning Adviser

## **Appendix C - Responses from and correspondence with Historic England**

Dear Mr Brown

Thank you for your email consulting us on the SEA Screening Report for the Gainsborough Neighbourhood Plan. Further to our email of the 10<sup>th</sup> December 2019, we referred you to our advice on *The Historic Environment and Site Allocations in Local Plans*.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, “Is it likely to have a significant effect on the environment?” in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is likely to be required.

We note that the proposed site allocations are described out as not having any significant effects but that conclusion is drawn based on the assumption that “4.37 Potential adverse impacts on listed buildings and their setting could be addressed at a detailed level through the development management process and policies in the Central Lincolnshire Local Plan”. This is in our view insufficient to demonstrate that the plan is sustainable and may put it at risk. Gainsborough has a very rich historic environment with the high potential for archaeology on the sites in question, with impacts on the settings of designated and non-designated heritage assets, including the grade II\* Elswitha Hall.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

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

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time.

Yours sincerely,

Clive Fletcher, Principal Advisor and Lead Specialist, Historic Places

Mobile phone: [REDACTED]

Historic England | The Axis, Birmingham B1 1TF

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Dear Mr Fletcher

I am the consultant supporting Gainsborough Town Council to prepare their Neighbourhood Plan. Nev Brown from WLDC has forwarded your e-mail of 10 March where you reflect that a SEA may be required. I would like to provide you with more information in the hope that this enables you to reflect on this opinion.

The GNP does not propose any development in addition to those sites allocated in the Central Lincolnshire Local Plan. None of the sites are allocated through the neighbourhood plan they are all sites in the CLLP. The Town Council highly value the heritage in the town and the GNP took the opportunity to embrace the principles in the Gainsborough Heritage Master Plan and the recently updated Gainsborough Town Centre Conservation Area in its analysis in its substantive section on heritage in the NP. As such there is more appreciation of the impact of the potential site allocations on heritage and there was no intent to do anything that was not already assessed within the scope of the SEA undertaken for the Central Lincs Local Plan .

I did have very constructive and detailed meetings with WLDC and there was no suggestion that the neighbourhood plan policies would trigger a SEA. Nev Brown is of the same view and would be pleased to discuss this matter with you. Equally I would be pleased to provide further information if you need it to clarify this position.

The Town Council would be very grateful if you could further reflect on the foregoing. The Plan is almost ready to submit but if an SEA is undertaken it would need to be funded by AECOM (the organisation that did the SEA Screening) and given the current situation this could delay the Plan's progress to being made by very many months. I am also not sure what the position would be in securing this support to get an SEA done when they have concluded that an SEA is not required - this work is all done via the technical support offer of the Locality programme.

In the meantime developers continue to submit planning applications for these sites allocated in the CLLP. It is the Town Council's view that the neighbourhood plan, when made, will

ensure development is more sensitive to the heritage of the parish, of a higher quality and will provide more community gain (green connecting routes etc).

Kind regards

Helen Metcalfe BA (Hons), MA, MRTPI

Planning With People

M: [REDACTED]  
[REDACTED]

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Dear Mr Brown,

I hope you are well. Helen Metcalfe has written to me further to the email we sent you (below) on the Gainsborough Neighbourhood Plan SEA screening consultation, and has drawn our attention to the allocations in question being part of the Central Lincolnshire Local Plan, something I had somehow overlooked. Her email is attached. Please accept my apologies for this oversight. Naturally, this changes the nature of our advice as the sites in question are not new proposals and will already have been subject to SEA as part of the CLLP process. We see no other historic environment reasons necessitating the production of an SEA to support the neighbourhood Plan in line with the conclusions of the screening report.

Yours sincerely,

Clive Fletcher, Principal Advisor and Lead Specialist, Historic Places

Mobile phone: [REDACTED]

Historic England | The Axis, Birmingham B1 1TF

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## Appendix D - Response from Environment Agency



FAO: New Brown  
<by email>

Date: 07 April 2020

Dear Nev

### **Gainsborough Neighbourhood Plan – Strategic Environmental Assessment (SEA) and/or Habitats Regulations Assessment (HRA) Screening Report**

Thank you for consulting us on the Strategic Environmental Assessment screening report for the Gainsborough Neighbourhood Plan.

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area. In particular, we note that the boundary does extend into areas of flood zones 2 and 3 of the River Trent.

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless we recommend the inclusion of relevant policies to cover the management of flood risk.

#### Main River water quality

The Trent from Carlton-on-Trent to Laughton Drain [GB104028058480] watercourse runs through the Plan area. This watercourse is classified within the Humber River Basin Management Plan as having moderate status. Any development within or adjacent to this watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the River Basin Management Plan.

#### Contaminated land

We welcome the inclusion of brownfield sites within the Plan (NPP 1 – Spatial Strategy). Should any proposed sites currently or formerly have been subject to land-uses which have the potential to have caused contamination of the underlying soils and groundwater then any planning application must be supported by a Preliminary Risk Assessment to demonstrate that the risks posed to controlled waters by any contamination are understood by the applicant and can be safely managed.

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

Yours sincerely

**Keri Monger**  
Sustainable Places - Planning Adviser





Environment Agency  
Nene House (Pytchley Lodge Industrial Estate),  
Pytchley Lodge Road, Kettering, Northants, NN15 6JQ  
Email: [LNplanning@environment-agency.gov.uk](mailto:LNplanning@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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