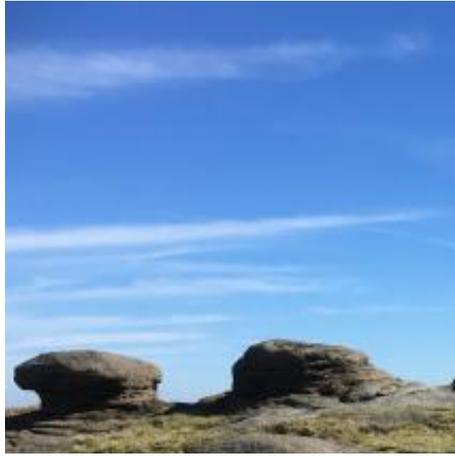


# Pendle Neighbourhood Plans



SEA and HRA  
Screening  
Report  
Trawden Forest  
Neighbourhood Plan



January 2018



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The completion of this document demonstrates that the requirements of **European Directive 2001/42/EC** on the assessment of the effects of certain plans and programmes on the environment have been considered in the preparation of the:

**Trawden Forest Neighbourhood Plan**

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## 1. Introduction

A neighbourhood plan must meet a set of Basic Conditions, which includes demonstrating that it does not breach, and is compatible with, EU obligations.

The screening report seeks to determine whether a Neighbourhood Plan is likely to have significant environmental effects and assess the likelihood of proposals within the Plan having an adverse impact upon internationally designated wildlife sites, as required by the European Habitats Directive.

## 2. Legislative Background

### Strategic Environmental Assessment (SEA)

As statutory development plan documents (DPDs), Neighbourhood Plans have legal status.

Since 2004, there has been a legal requirement for DPDs to be assessed against the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC). Article 1 of the Directive seeks to:

*“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development”.*

The SEA Directive was incorporated into national law through [The Environmental Assessment of Plans and Programmes Regulations 2004](#) (SI 2004 No. 1633).

The process of carrying out SEA screening will form part of the evidence base for the Neighbourhood Plan. It will consider the positive and negative effects that the plan may have on any local environmental assets.

### Habitat Regulations Assessment (HRA)

Article 6(3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site.

In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on protected European Sites.

## National Guidance

Screening is the first stage in the SEA process. Its purpose is to test whether or not SEA is required. The document, "[A Practical Guide to the Strategic Environmental Assessment Directive](#)" (ODPM, September 2005) explains the process of screening for SEA.

The guidance explains the types of plans etc. which are covered by European Directive 2001/42/EC (the "SEA Directive"). It explains that land use and spatial plans (including Neighbourhood Plans) would normally be subject to SEA. Critically, however, the guidance also states that:

*"Plans and programmes...which determine the use of small areas at local level, or which are minor modifications to [existing] plans and programmes...only require SEA if they are judged likely to have **significant** environmental effects"* (Appendix 1).

[Planning Practice Guidance](#) provides clarity on the need for SEA in relation to Neighbourhood Plans. Specifically it 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 Environmental Assessment of Plans and Programmes Regulations 2004](#).

If likely significant environmental effects are identified, an environmental report must be prepared in accordance with [paragraphs \(2\) and \(3\) of regulation 12 of those 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).

**Paragraph: 027 Reference ID: 11-027-20150209**

The Government has also published guidance to help determine whether a Neighbourhood Plan may also require a [Habitats Regulations Assessment](#), as set out in the [Conservation of Habitats and Species Regulations 2010 \(as amended\)](#) if it is considered likely to have significant effects on European habitats or species.

### 3. Support from Pendle Council

The Council's Neighbourhood Planning Protocol (2016) sets out the support that Pendle Council will offer to a town or parish council, or neighbourhood forum preparing a Neighbourhood Plan. In respect of SEA it states on page 9 that:

- Where consultants have not been appointed, the Council will carry out screening / scoping to identify if there is a need to carry out a Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) or Habitat Regulations Assessment (HRA). Where consultants have been appointed they will be expected to carry out this work.
- Pendle Council is unable to prepare a SEA, SA or HRA, if scoping / screening identifies that one or more of these documents is required.

### 4. SEA Screening

For Neighbourhood Plans screening is a two stage process:

#### 1. Generic application of the SEA directive

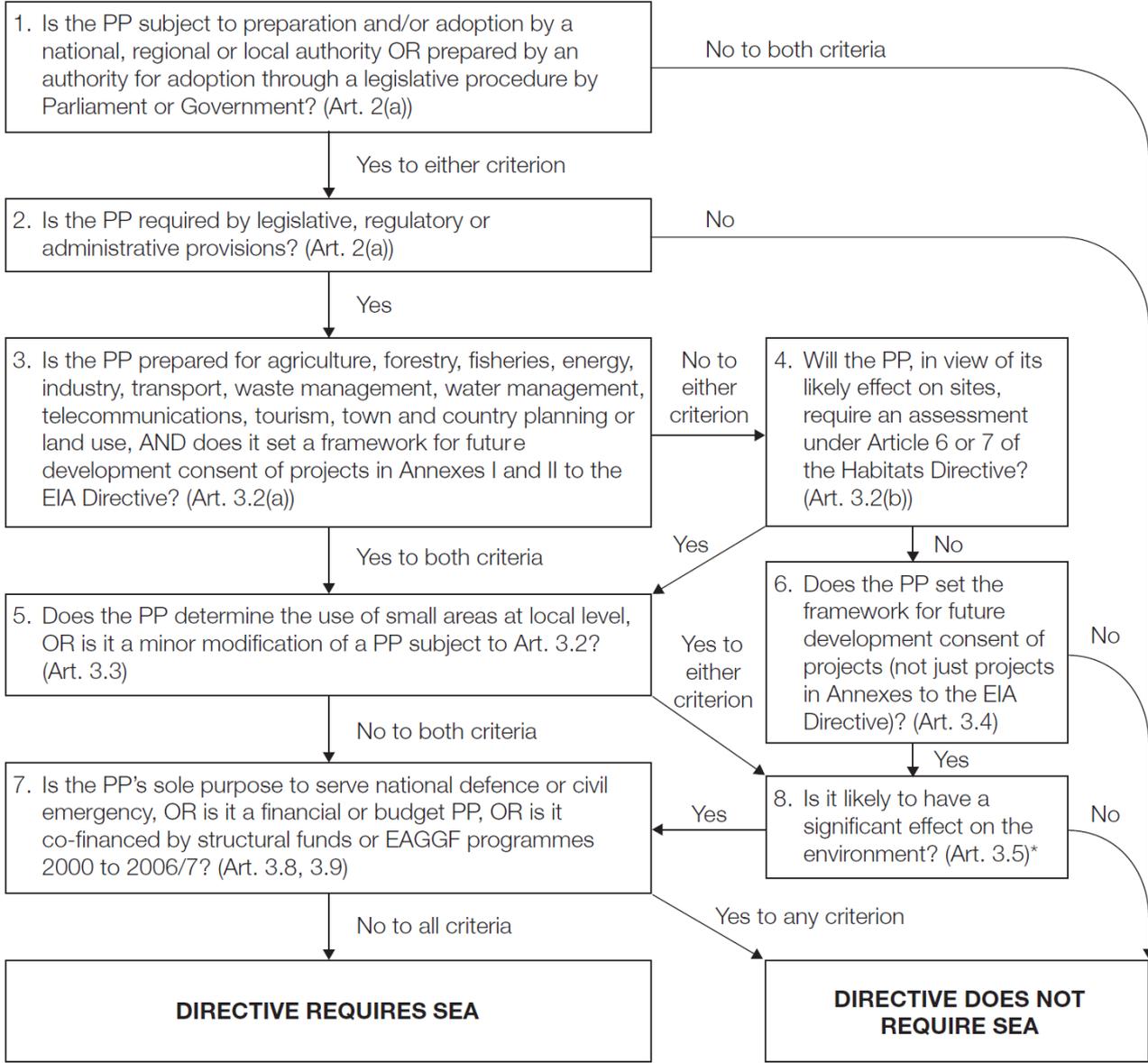
To determine whether full SEA is required the form considers Neighbourhood Plans generically against the SEA Assessment criteria as set out in Figure 2 of the national guidance – [A Practical Guide to the Strategic Environmental Assessment Directive](#) (see Stage 1 below).

#### 2. Application of criteria for determining the likely significance of effects (SEA Directive Article 3(5) Annex II)

For SEA Screening Stage 1, where it is determined that there is potential for a Neighbourhood Plan/ NDO to have a significant effect on the environment, then it is necessary to progress to Stage 2 in the SEA Screening process. This involves testing the relevant Neighbourhood Plan/ NDO against the relevant criteria for determining the likely significance of environmental effects, as specified in SEA Directive Article 3(5) Annex II.

### Stage 1: Establishing the need for SEA

The following assessment considers the likelihood of the Trawden Forest Neighbourhood Plan (as published at the date of this report) to have significant effects on the environment. Figure 1 sets out the process to follow to determine whether SEA is required.



\*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.

## Screening

SEA Assessment Criteria	Assessment	
<p>1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority</p> <p><b>OR</b></p> <p>prepared by an authority for adoption through a legislative procedure by Parliament or Government?</p>	<b>Yes</b>	<p>Neighbourhood Plans are prepared by a ‘qualifying body’ (Town/Parish Council or designated Neighbourhood Forum) under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011.</p> <p>As the local planning authority, Pendle Council has a statutory obligation to ‘make’ (adopt) a Neighbourhood Plan if it has successfully gone through the relevant stages prescribed in <a href="#">The Neighbourhood Planning (General) Regulations 2012</a>, as amended.</p> <p>After the Neighbourhood Plan has been formally ‘made’ it becomes part of the statutory development plan.</p> <p>As such the preparation of the Neighbourhood Plan is directed by a legislative procedure.</p>
<p>2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions?</p>	<b>Yes</b>	<p>The preparation of a Neighbourhood Plan is not mandatory – i.e. a Town or Parish Council can chose whether or not it wishes to prepare a plan for the whole or part of its administrative area.</p> <p>However, if a Town or Parish Council decides to prepare a Neighbourhood Plan it is required to follow the procedures set out in the Regulations.</p> <p>The European Court of Justice ruling in the <a href="#">Case C-567/10</a> makes clear that as such a Neighbourhood Plan is considered to be ‘required’ by legislative, regulatory or administrative provisions.</p>
<p>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use</p> <p><b>AND</b></p> <p>does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?</p>	<b>Yes</b>	<p>The Neighbourhood Plan is prepared for town and country spatial and land use planning purposes. It sits within a wider policy framework established by the National Planning Policy Framework (NPPF) and the Pendle Local Plan.</p> <p>Once made, the Neighbourhood Plan will form part of the statutory development plan, which is the basis for the determination of planning applications in the borough.</p> <p>The Neighbourhood Plan sets a specific framework for future development consents. Whilst it does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive, it may address development which does.</p>

SEA Assessment Criteria	Assessment	
4. Will the Neighbourhood Plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	<b>No</b>	A separate HRA screening process for Pendle Local Plan Part 1: Core Strategy (LP1) assessed the potential impact that proposals in the plan may have on the South Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC) and other European Sites in the wider area. This concluded that Appropriate Assessment was not required.  The nature, location and quantum of development proposed in the Trawden Forest Neighbourhood Plan is in general conformity with that set out in LP1. It is therefore not significant enough to trigger the need to carry out a separate assessment under the Habitats Directive.
5. Does the Neighbourhood Plan determine the use of small areas at local level <b>OR</b> is it a minor modification of an existing plan/ programme?	<b>Yes</b>	The Neighbourhood Plan sets out detailed policies to reflect community aspirations and address locally specific concerns and issues.  It also seeks to allocate specific sites for future development.
6. Does the Neighbourhood Plan set the framework for future development consent of projects?	<b>Yes</b>	When the Neighbourhood Plan has been 'made' it becomes part of the statutory development plan and the detailed policies within it will provide a framework for future development consent in the neighbourhood area.
7. Is the Neighbourhood Plan's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/07? (Article 3.8, 3.9)	<b>N/A</b>	Not applicable
8. Is the Neighbourhood Plan likely to have a significant effect on the environment?	The relevant criteria for determining whether a Neighbourhood Plan is likely to have a significant environmental effect are set out in Article 3(5) Annex II of the SEA Directive.  The potential environmental effects will largely depend on two factors – location and/or scope of the Neighbourhood Plan.  Stage 2 of this screening assessment will determine whether or not the proposals in the Neighbourhood Plan are likely to lead to any significant effects on the environment and, therefore, needs to be accompanied by a full SEA.	

## Conclusion

SEA is more likely to be necessary if:

- a neighbourhood plan allocates sites for development (for housing, employment etc.) that haven't already been appraised through the sustainability appraisal (SA) of the relevant Local Plan.
- the neighbourhood plan area contains sensitive environmental assets that may be affected

by the policies and proposals in the neighbourhood plan.

- the neighbourhood plan is likely to have significant environmental effects not already addressed through the sustainability appraisal of the relevant Local Plan.

### Does the Neighbourhood Plan require SEA?

Stage 1 Screening reveals that there **is** a presumption that SEA will be required when preparing a Neighbourhood Plan, unless it can be satisfactorily and objectively demonstrated that the scope of the Plan will:

- **not** require an assessment under Article 6 or 7 of the Habitats Directive (**Q4**), whereby if a full HRA is deemed necessary, any Neighbourhood Plan must also be subject to full SEA;
- **only** determine the use of small areas at a local level – i.e. involves minor/small scale land allocations/designations, or detailed, locally distinctive design criteria (**Q5**);
- **not** have a significant effect on the environment (**Q6**).

### Stage 2: Determining the likely significance of effects on the environment

SEA Directive (Article 3(5)) requires the relevant body (i.e. Pendle Council and/or the relevant Town Council, Parish Council or Neighbourhood Forum) to:

*“ensure that plans and programmes [i.e. the Neighbourhood Plan] with likely significant effects on the environment are covered by this Directive”.*

The SEA Screening Report is a key part of the plan making process. It provides stakeholders with details of how the plan evolved and acts as a buffer against legal challenge. The proposed scope of the Neighbourhood Plan, the policies and any site allocations within it, will form the basis for determining whether a full SEA is required.

Stage 2 of the SEA screening process considers whether the emerging Neighbourhood Plan will:

- only determine the use of small areas at a local level – i.e. involves minor / small scale land allocations / designations, or detailed, locally distinctive design criteria (whereby a full SEA **would not** be required); or
- be likely to have a significant effect on the environment (whereby a full SEA **would** be required).

The assessment of significant effects should be done in a proportionate way. There may be gaps in the available data, but this will only be a problem where these, or any uncertainties arising from them, are such that it is not possible to reasonably assess the likely significant effects of a plan. The report [Screening Neighbourhood Plans for Strategic Environmental Assessment \(Locality, 2016\)](#) provides a list of useful sources for data that can be used in the screening process (pages 13-14).

[The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) include some thresholds under which development proposals do not need to be screened to determine whether an EIA should be required. These can be used as a starting point in assessing the significance of effects. In the case of ‘urban development’ projects, these need to be screened to determine whether EIA is required where:

- (i) The development includes more than 1 hectare of urban development which is not dwelling house development
- (ii) the development includes more than 150 dwellings
- (iii) the overall area of the development exceeds 5 hectares.

Under these thresholds there is no obligation to screen projects for EIA. In terms of Neighbourhood Plans, these thresholds could be used as a guide to whether the plan is likely to have significant effects. It is, however, advisable to treat these thresholds as totals so that the **cumulative impact** of the plan is considered (see example below).

**Example:**

If your Neighbourhood Plan is seeking to allocate a single 7 hectare site then the Plan is likely to have significant effects as this is above the threshold identified above.

Similarly, should the Plan propose two 3.5 hectare sites the plan is also likely to have significant effects, but the distances between the two sites may mitigate for any cumulative effects – this will need to be explained in the SEA screening report.

**What does significant mean?**

The prediction and evaluation of potential environmental effects will help to shape what is included within the Neighbourhood Plan.

Once data on the environmental constraints and assets in the area has been gathered, it should be possible to determine whether there are likely to be any significant effects (positive and/or negative) on the environment.

The following steps offer a systematic approach for identifying, evaluating and managing environmental effects.

**1. Identification of environmental effects**

All aspects of the Neighbourhood Plan need to be considered; as does the potential for any cumulative impacts in combination with other plans and programmes.

The identification of environmental effects often involves the consideration of emissions into the air; releases into watercourses; capacity of the utility networks (e.g. water supply and sewerage); the generation of waste; the loss of land and possible impacts on biodiversity etc.

**2. Evaluation of significant environmental effects**

The purpose of evaluating the likely significant environmental effects of a plan is to focus attention on what matters the most. Their significance is an outcome of the characteristics of the impact that an individual policy, or the plan as a whole, will have and this will be influenced by its 'scale', and the 'sensitivity' of the area in which the impact is felt. To help determine significance the following points should be considered:

- the potential to cause environmental harm;
- the size and frequency of the effect;
- the importance of the environmental attribute to the local and wider community; and

- the requirements of relevant environmental legislation.

### **3. Managing significant environmental effects**

The Neighbourhood Plan should seek to avoid or minimise any adverse environmental impacts through management, adaptation and mitigation. The proposed policy response should be appropriate to the nature and risk of the significant environmental effect identified.

## Screening

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
<b>1</b>	<b>Characteristics of the Neighbourhood Plan</b>		
A	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	<b>No</b>	When the Neighbourhood Plan has been 'made' it becomes part of the statutory development plan and the detailed policies within it will provide a framework for future development consent in the neighbourhood area. The Neighbourhood Plan includes a range of policies as set out below. The Neighbourhood Plan seeks to allocate land for residential development and has designated a number of Local Green Spaces. However the Neighbourhood Plan proposes only slightly more development than that identified within the emerging Pendle Local Plan and the nature and overall scale of that development is fully in line with that proposed in the Local Plan. As such the SA/SEA carried out by Pendle Council for the Local Plan is considered to be sufficient.
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan allocate land for future development?</li> </ul>	-	<p>Yes</p> <p>Policy 2: Housing Site Allocations allocates five sites for new housing development. The sites are allocated for 20 homes or less and range in size from 0.05ha to 0.65ha. Cumulatively the sites will provide for a total of 50 dwellings taking up 1.4 hectares of land. The sites are distributed throughout Trawden village with a slight concentration around Black Carr Mill. However, the scale of development is well below the thresholds set out by the EIA regulations for when environmental assessment is required. The location of the proposals in the Neighbourhood Plan is somewhat isolated from development elsewhere in the borough and there will be no cumulative impacts with other plans except the Local Plan. The proposed allocations in the plan are therefore unlikely to have any significant environmental effects.</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan designate land for protection because of its environmental, historic or local significance (e.g. Local Green Space, amenity open space; playing pitches; other green infrastructure assets)?</li> </ul>	-	<p>Yes</p> <p>Policy 6: Heritage Assets – this policy protects those assets of historic / local significance. The policy sets out a requirement to prepare a local list of heritage assets to be protected.</p> <p>Policy 7: Areas of Townscape Character – this policy designates areas of significant townscape character where proposals should have regard to the potential impact they may have on the local character of an area.</p> <p>Policy 9: Protecting Designated Open Spaces &amp; Local Green Spaces – this policy protects open space and Local Green Space from development.</p> <p>These policies will all have a positive effect on the environment.</p>
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan contain detailed policies addressing design, including any requirements to meet published standards or codes?</li> </ul>	-	<p>Yes</p> <p>Policy 3: Housing Windfall Sites – this policy contains specific design criteria which proposals for new housing should meet. It addresses issues relating to scale, layout, open space, materials, flood risk, the natural and historic environment, energy efficiency and carbon emissions.</p> <p>Policy 7: Areas of Townscape Character – this policy looks to protect those important features within the four designated areas of townscape character.</p> <p>These policies will have a positive effect on the environment.</p>
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan address the protection or enhancement of the landscape?</li> </ul>	-	<p>Yes</p> <p>Policy 7: Areas of Townscape Character – this policy looks to protect those important features within the local townscape. It also looks to protect the views of the wider landscape around Trawden Forest.</p> <p>This policy will have a positive effect on the environment.</p> <p>Policy 9: Protecting Designated Open Spaces &amp; Local Green Spaces – this policy aim to help preserve landscape character by protecting key open spaces in the Parish.</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan address key linkages (e.g. transport routes, wildlife corridors)?</li> </ul>	-	<p>Yes</p> <p>Policy 9: Protecting Designated Open Spaces &amp; Local Green Spaces – this policy indirectly aims to address key linkages for people and wildlife. This policy will have a positive effect on the environment.</p>
	<ul style="list-style-type: none"> <li>Does the emerging Neighbourhood Plan address the provision, or protection, of community assets (e.g. retail frontages, employment areas, community facilities)?</li> </ul>	-	<p>Yes</p> <p>Policy 8: Protection of Locally Valued Resources – this policy protects a number of defined community assets from being redeveloped for alternative uses. This policy will have a positive effect on the environment.</p> <p>Policy 9: Protecting Designated Open Spaces &amp; Local Green Spaces – this policy protects a number of open space and Local Green Spaces in the Parish many of which are valuable community facilities (e.g. the Trawden Forest Recreation Ground).</p>
	<ul style="list-style-type: none"> <li>Are there any other environmental issues that may arise from the adoption of the Neighbourhood Plan and implementation of the policies within it?</li> </ul>	-	No
B	Degree to which the plan influences other plans and programmes including those in a hierarchy	<b>No</b>	<p>When made the Neighbourhood Plan will form part of the statutory development plan for Pendle.</p> <p>The Neighbourhood Plan covers a relatively small geographical area. It is part of an approach to planning that is driven by the local community but is required to have regard to, and be in general conformity with, “higher level” policies and programmes. Whilst its content is influenced by the Pendle Local Plan, the Neighbourhood Plan may influence the preparation of future Local Plans for the area.</p> <p>The Neighbourhood Plan has allocated sufficient land to deliver the Objectively Assessed Need for housing in the neighbourhood area (parish) up to 2030.</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
C	Relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	<b>No</b>	<p>The “basic conditions” require Neighbourhood Plans to “have regard” to sustainable development. An Examiner must be satisfied that the effective implementation of a Neighbourhood Plan will give rise to sustainable development, thereby ensuring that any adverse effects cannot be regarded as significant.</p> <p>The plan integrates a number of aspects of development including the provision of new housing, green infrastructure and community facilities.</p>
D	Environmental problems relevant to the plan	<b>No</b>	<p>The environmental impacts of the proposals within the neighbourhood Plan are likely to be minimal due to the nature and scale of the development proposed (see detailed responses to [A] above).</p> <p>Policies within the plan assist in determining the scale and location of future development, which would be the determining factor in the magnitude of any environmental impact. The Neighbourhood Plan proposes only slightly more development than that identified within the emerging Pendle Local Plan and the nature and overall scale of that development is fully in line with that proposed in the Local Plan. As such the SA/SEA carried out by Pendle Council for the Local Plan is considered to be sufficient.</p>
E	Relevance for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)	<b>No</b>	<p>Strategies relating to waste disposal or water protection are primarily dealt with by Lancashire County Council. Pendle Council is signatory to a number of strategies relating to waste minimisation and environmental protection. Local issues or concerns of this nature are addressed in the Neighbourhood Plan.</p> <p>The Neighbourhood Plan must be in general conformity with the Local Plan, which has to have regard to European legislation on the environment.</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
2	Characteristics of the effects and of the area likely to be affected		
F	Probability, duration, frequency and reversibility of any effects	<b>No</b>	Neighbourhood Plans provide a framework for encouraging sustainable development. They have a local focus and do not replace the requirement for the local planning authority (Pendle Council) to produce a Local Plan. Any development policies that are likely to have significant environmental effects will be addressed through the Local Plan. The Neighbourhood Plan addresses small scale, locally specific issues to ensure that: <ul style="list-style-type: none"> <li>any development coming forward will deliver the maximum local benefits and minimise any effects on its immediate surroundings; and</li> <li>local development management policies complement the higher level strategic policy framework already established through the adopted Local Plan and national policies (NPPF), which seek to ensure that new development is delivered to high levels of sustainability.</li> </ul>
G	Cumulative nature of any effects	<b>No</b>	The Neighbourhood Plan relates to a relatively small and discrete administrative area. The Neighbourhood Plan proposes only slightly more development than that identified within the emerging Pendle Local Plan. The NPPF (paragraphs 184-185) requires Neighbourhood Plans to include non-strategic policies to address specific local issues. As such a quantum of development leading to cumulative effects of a sufficient scale and extent to fall within the requirements of the SEA directive would not be appropriate for inclusion in the Neighbourhood Plan. Development on this scale would be of a strategic nature and addressed through either the Pendle Local Plan or the Lancashire Minerals & Waste Local Plan.
H	Transboundary nature of any effects	<b>No</b>	The Neighbourhood Plan relates to a relatively small and discrete administrative area. The potential for any environmental impacts is likely to be local, limited and minimal. No cross-boundary issues of any significance have been identified.

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
			<p>The NPPF (paragraphs 184-185) requires Neighbourhood Plans to include non-strategic policies to address specific local issues.</p> <p>Cross boundary issues generally relate to strategic matters, which by definition are beyond the scope of a Neighbourhood Plan. The Local Plan – specifically the Duty to Cooperate process – is the correct forum for addressing any potential cross boundary issues in planning.</p>
I	Risks to human health or the environment (e.g. due to accidents)	<b>No</b>	<p>None identified. Locally specific environmental concerns or issues are not generally issues that will be addressed through a Neighbourhood Plan.</p> <p>Strategies relating to waste disposal or water protection are primarily dealt with by Lancashire County Council and Pendle Council is signatory to a number of strategies relating to waste minimisation and environmental protection.</p>
J	Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<b>No</b>	<p>The Neighbourhood Plan relates to a relatively small and discrete administrative area. The potential for any environmental impacts is likely to be local, limited and minimal.</p> <p>The NPPF (paragraphs 184-185) requires that it includes non-strategic policies to address specific local issues.</p> <p>A quantum of development leading to cumulative effects of sufficient scale and extent to fall within the requirements of the SEA directive would not be appropriate for inclusion in a Neighbourhood Plan. Development on this scale would be of a strategic nature and should be addressed through the Local Plan.</p> <p>The Neighbourhood Plan proposes only slightly more development than that set-out in the Pendle Local Plan, being sufficient to meet identified local needs within the boundary of the neighbourhood area. As such there is no requirement for adjacent areas to deliver further development.</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
K	<p>Value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>• special natural characteristics or cultural heritage</li> <li>• exceeded environmental quality standards</li> <li>• intensive land use</li> </ul>	<b>No</b>	<p>The policies in the Neighbourhood Plan seek to offer greater levels of protection for those elements of the natural and historic environment, not specifically addressed in the Pendle Local Plan.</p> <p>The plan allocates sites for additional housing up to 2030. These sites are distributed around the village of Trawden, with the largest site accommodating 20 dwellings. Issues relating to intensive land-use are therefore not a significant consideration.</p>
L	Effects on areas or landscapes which have a recognised national, Community or international protection status	<b>No</b>	<p>A statutory designation will often preclude many types of development in an area valued for its natural or historic interest.</p> <p>Development within the curtilage of, or likely to affect the setting of, a listed building, conservation area or other “designated heritage asset” is one exception.</p> <p>Much of the neighbourhood area lies within the Trawden Forest Conservation Area. As such proposals in the Neighbourhood Plan could be considered to act as a trigger for a “significant effect” and therefore require a full SEA to be undertaken. However, the proposals are of a small scale (provision of 50 dwellings) which is unlikely to have a significant effect. The policies in the Neighbourhood Plan address the protection of heritage assets and therefore will ensure any effects are minimised.</p> <p>The South Pennine Moors Site of Special Scientific Interest (SSSI) covers a significant tract of land in the south of the neighbourhood area. Overlapping designations include the Special Protection Area (Phase 2) for upland birds and Special Area of Conservation for heath and bog habitats.</p> <p>The Natural England direction regarding Habitat Regulations Assessment (HRA) “buffer zones” provide an appropriate specification for areas where a full SEA will be required (i.e. if HRA is deemed necessary, then full SEA will also be required).</p> <p>Potential development proposals which are subject to Environmental Impact</p>

	SEA Directive (Annex II) Criteria	Conclusion Have any significant environmental effects been identified?	Commentary
			<p>Assessment (EIA) screening should be regarded as having a significant environmental impact (i.e. if EIA is deemed necessary, then full SEA will also be required).</p> <p>The proposed allocations are all (except one) located within the existing village boundary of Trawden and well away from the South Pennines Moors. The location and scale of the proposals in the plan are unlikely to have a significant effect on the surrounding landscapes.</p> <p>The plan seeks to protect some Open and Local Green Spaces highly valued by the local community.</p>

## Conclusion

The need to ensure compliance with statutory legislation, including European Union Directives, is one of the major challenges associated with Neighbourhood Planning. The requirements of the SEA Directive are potentially far-reaching, but many aspects are unlikely to be applicable in the case of Neighbourhood Plans, given their non-strategic, local context.

The answers to questions **A, D, K and L** in Part 2 of this report will help to provide a brief summary of the findings and enable a conclusion to be drawn as to whether the emerging Neighbourhood Plan will have a **significant** environmental impact and whether a full SEA is needed to accompany the Neighbourhood Plan.

## Summary

The Trawden Forest Neighbourhood Plan allocates sites for residential development and designates several sites as Open and Local Green Space. It also designates areas of townscape character and sites of settlement character to help protect the historic environment.

The amount of development proposed is just slightly more than set out in the Pendle Local Plan Part 1: Core Strategy but is of the general scale envisaged for that area. However, the overall scale of new development to be located in the area is small (50 dwellings over the lifetime of the plan).

The impacts of the allocations, designations and other policies within the plan are unlikely to result in any major adverse impacts and it is considered that overall the plan will not result in any significant effects on the environment.

The outcome of the screening process for the Trawden Forest Neighbourhood Plan demonstrates that:

- (1) It is unlikely that the plan will have any significant impact beyond the boundary of the designated neighbourhood area.
- (2) No significant effects on the environment are likely to arise from the implementation of the plan that have not already been considered and dealt with by the Sustainability Appraisal for the Pendle Local Plan Part 1: Core Strategy, which was formally adopted by Pendle Council in December 2015.

## Is a full Strategic Environmental Assessment required?

The results of the screening assessment indicate that the Trawden Forest Neighbourhood Plan does **not** require a full SEA to be carried out.

The three Statutory Consultees have been consulted and agree with the conclusions of the above screening exercise. The responses from Natural England, Historic England and the Environment Agency are set out in Appendix 6.

## 5. Habitat Regulations Assessment

Alongside the SEA screening process there is a need to assess whether the Neighbourhood Plan would have an adverse impact upon internationally designated wildlife sites, as required by the European Habitats Directive.

In carrying out the screening assessment, the following requirements, as set out in the European Commission guidance have been addressed:

1. Description of the plan
2. Characteristics of the European site
3. Assessment of significance.

### Stage 1: Description of the plan

#### The Parish

The Trawden Forest Neighbourhood Plan area is coincidental with the parish boundary (Appendix 1). It is one of the largest (25km<sup>2</sup>) and most sparsely populated parishes (2,765 inhabitants) in the borough.

The agricultural village of Trawden (population 1,831) is by far the largest settlement. In recent years several former textile mills have been redeveloped for housing, but the village continues to support a number of businesses. In the summer months it hosts an annual Garden Festival on the first weekend in July and an Agricultural Show on the second Sunday in August. The rural hamlets of Cotton Tree, Winewall and Wycoller, the latter a major tourist 'honey pot' due to its strong association with the Brontë sisters, are the only other settlements of note.

The parish includes a number of historic and environmental assets, some of which are of national importance.

The historic environment includes 39 Listed Buildings (six listed as Grade II\*) and four ancient monuments (Appendix 2). The conservation area is extensive recognising that many features in the local landscape (farmhouses, barns, vaccary walls and bridges) and their setting are of special architectural and historic interest (Appendix 3).

To the south the area around Boulsworth Hill forms part of the South Pennine Moors Site of Special Scientific Interest (SSSI) the largest area of unenclosed moorland in the north of England. Extensive areas of blanket bog occur on the upland plateaux and are punctuated by species rich acidic flushes and mires. There are also wet and dry heaths and acid grasslands. Three habitat types which occur on the site are rare enough within Europe to be listed on Annex 1 of the EC habitats and Species Directive (92/43) EEC. This mosaic of habitats supports a moorland breeding bird community which, because of the range of species and number of breeding birds it contains, is designated as a Special Protection Area (SPA) in recognition of its regional, national and international importance.

## The Plan

The key aim of the Neighbourhood Plan is to provide a strategic and long-term plan for the area that reflects the values of those living there. Whilst the objectives of the Plan recognise the need for housing, they also seek to direct this development to the most sustainable locations, taking into consideration local needs and the special environmental qualities.

The key objectives of the plan are to:

- Protect the existing character and distinctiveness of the villages within the Parish of Trawden Forest;
- Meet the demand for housing;
- Address the serious parking problems in the villages;
- Support Trawden Forest's amenities;
- Encourage tourism and protect open spaces.

## Stage 2: Characteristics of the European Site(s)

Recognising that the small scale and localised nature of the development proposed in the Trawden Forest Neighbourhood Plan, HRA screening has only considered those European sites within a 10km radius of the Neighbourhood Plan area.

Parts of the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA) lie within the boundary of the Neighbourhood Area (Appendix 4).

The following table considers the specific characteristics of these European Sites, outlining the reasons for their designation and identifying any particular site vulnerabilities.

## Assessment of Likely Environmental Impacts on European Sites

European Site	Reason For Designation	Conservation Objectives	Site Vulnerability
South Pennine Moors SAC [UK0030280]	<p>Features that are the primary reason for selection include the presence of European dry heath (4030), blanket bog (7130), old sessile oak woods with Ilex and Blechnum, (91A0).</p> <p>Qualifying features that are not a primary reason for selection include northern Atlantic wet heaths with <i>Erica tetralix</i> (4010) and transition mires and quaking bogs (7140).</p>	<ul style="list-style-type: none"> <li>To maintain the current extent of blanket bog habitats.</li> <li>For there to be no loss of ancient semi natural woodland stands.</li> <li>To maintain the current extent of dry heath habitats.</li> <li>To maintain the current extent of wet heath habitats.</li> </ul>	<ul style="list-style-type: none"> <li>Recreational pressure resulting in physical damage to habitats, trampling, erosion, fragmentation and accidental fires.</li> <li>Overgrazing by sheep can result in direct damage to vegetation and burning as a tool for grouse moor management can cause habitat damage.</li> <li>Heathland and blanket bog are vulnerable to changes in hydrological conditions such as agricultural drainage causing changes in the water table.</li> <li>Nitrogen enrichment from air pollution can lead to changes in the vegetation while the application of fertilisers and pesticides can also potentially damage habitats.</li> </ul>
South Pennine Moors SPA [UK9007021]	<p>Supports breeding populations of golden plover <i>Pluvialis apricaria</i>, merlin <i>Falco columbarius</i>, short eared owl <i>Asio flammeus</i> (Article 4.1 of 79/409/EEC) and dunlin <i>Calidris alpina schinzii</i> (Article 4.2 of 79/409/EEC)</p>	<p>To maintain the mosaic of upland habitats including acid grassland, bog, bracken, heathlands, fen, rivers and streams. The extent of these habitats should be maintained unless loss is as a result of restoration to another notified habitat type.</p>	<ul style="list-style-type: none"> <li>Habitat Loss - Breeding bird species are susceptible to habitat loss and degradation. This could be caused by many factors including recreational pressure, overgrazing, poor management and hydrological changes.</li> <li>Agricultural intensification around the edge of the moors can result in a reduction in feeding habitat for birds.</li> <li>Increased visitor numbers also have the potential to lead to a rise in nesting</li> </ul>

### Stage 3: Assessment of Significance

The intention is for the Trawden Forest Neighbourhood Plan to reinforce the emerging Pendle Local Plan by ensuring that development takes place in the most sustainable locations and that the historic and natural assets of the area are protected. As such it is unlikely to increase the vulnerability of any European Sites through pollution, visitor disturbance and/or recreation (see table below).

European Site	Vulnerabilities				
	Habitat Loss	Impact on Protected Species	Air Quality	Water Quality and Quantity	Invasive Species
South Pennine Moors SAC [UK0030280]	The Trawden Forest Neighbourhood Plan: <ul style="list-style-type: none"> <li>Only allocates small sites for new housing development, primarily on Brownfield sites and is therefore unlikely to have adverse effect on the integrity of the European Site.</li> <li>Supports new settlement boundaries (the final boundaries will be defined in the emerging Pendle Local Plan), reducing the likelihood of future development beyond the existing built areas.</li> <li>Includes policies designed to manage the scale, form and location of windfall development within designated Settlement Boundaries.</li> <li>Supports the protection of open space and designates new Local Green Space, which help to conserve and enhance local biodiversity.</li> <li>Seeks to manage the potential for adverse effects of increased traffic as a result of future development.</li> </ul>				
South Pennine Moors SPA [UK9007021]					

It is recognised that both Merlin *Falco columbarius* and Golden Plover *Pluvialis apricaria* spend some of their time feeding outside the SPA on adjacent areas of in-bye land. The small scale development sites proposed for allocation in the Trawden Forest Neighbourhood Plan will not impact areas of land that are likely to be used for this purpose.

### HRA Screening Conclusion

**The results of the assessment suggest that Trawden Forest Neighbourhood Plan is unlikely to have any significant effect on the European Sites identified and that a full Appropriate Assessment is not required.**

**The three Statutory Consultees have been consulted and agree with the conclusions of the above screening exercise. The responses from Natural England, Historic England and the Environment Agency are set out in Appendix 6.**

## 6. Conclusions

When submitting the Neighbourhood Plan to Pendle Council – in its role as the local planning authority – the relevant body must provide, either:

- a statement of reasons as to why SEA and/or Appropriate Assessment was not required; or
- a full Environmental Impact Assessment (a key output of the SEA process).

This Screening Report fulfils the role of the statement of reasons. It was made available for comment alongside the Regulation 14 draft of the Neighbourhood Plan when it was published for consultation in November 2017.

The response to the consultation has confirmed that the emerging Neighbourhood Plan is unlikely to have a significant effect on the environment and therefore a full SEA and Appropriate Assessment is **not required**.

## 7. References

### Sources of information on the natural environment

The [Magic](#) website provides authoritative geographic information about the natural environment from across government. The information is presented on an interactive map, with the most relevant layers for consideration being:

- Agricultural Land Classification
- Ancient Woodland
- Areas of Outstanding Natural Beauty
- Local Nature Reserves
- National Trails
- Priority Habitat Inventory
- Public Rights of Way (on the Ordnance Survey base map)
- Sites of Special Scientific Interest (including their impact risk zones).

The [Lancashire Environmental Record Network \(LERN\)](#) holds a range of additional information on the natural environment.

### Habitats

[Priority Habitats](#) are those habitats of particular importance for nature conservation. Most are mapped as **Sites of Special Scientific Interest (SSSI)**, on the Magic website or are designated as local wildlife sites (several types exist) on the [Local Plan Proposals Map](#).

Where the potential for adverse impact on a designated wildlife site or other priority habitat is identified (e.g. [Sites of Special Scientific Interest \(SSSI\)](#) or [Ancient Woodland](#)) you will need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

### Species

In England many of our rarest and most threatened species are listed under Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act, and commonly referred to as [Priority Species](#). Natural England has produced [advice](#) to help understand the impact of particular types of development on protected species.

### Landscapes

[National Character Areas \(NCAs\)](#) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity.

Lancashire County Council has also prepared a local [Landscape Character Assessment](#) to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. This information can help to inform, plan and manage change.

If your neighbourhood area is within or adjacent to an [Area of Outstanding Natural Beauty \(AONB\)](#), the relevant Management Plan for the area will set out useful information about the protected landscape.

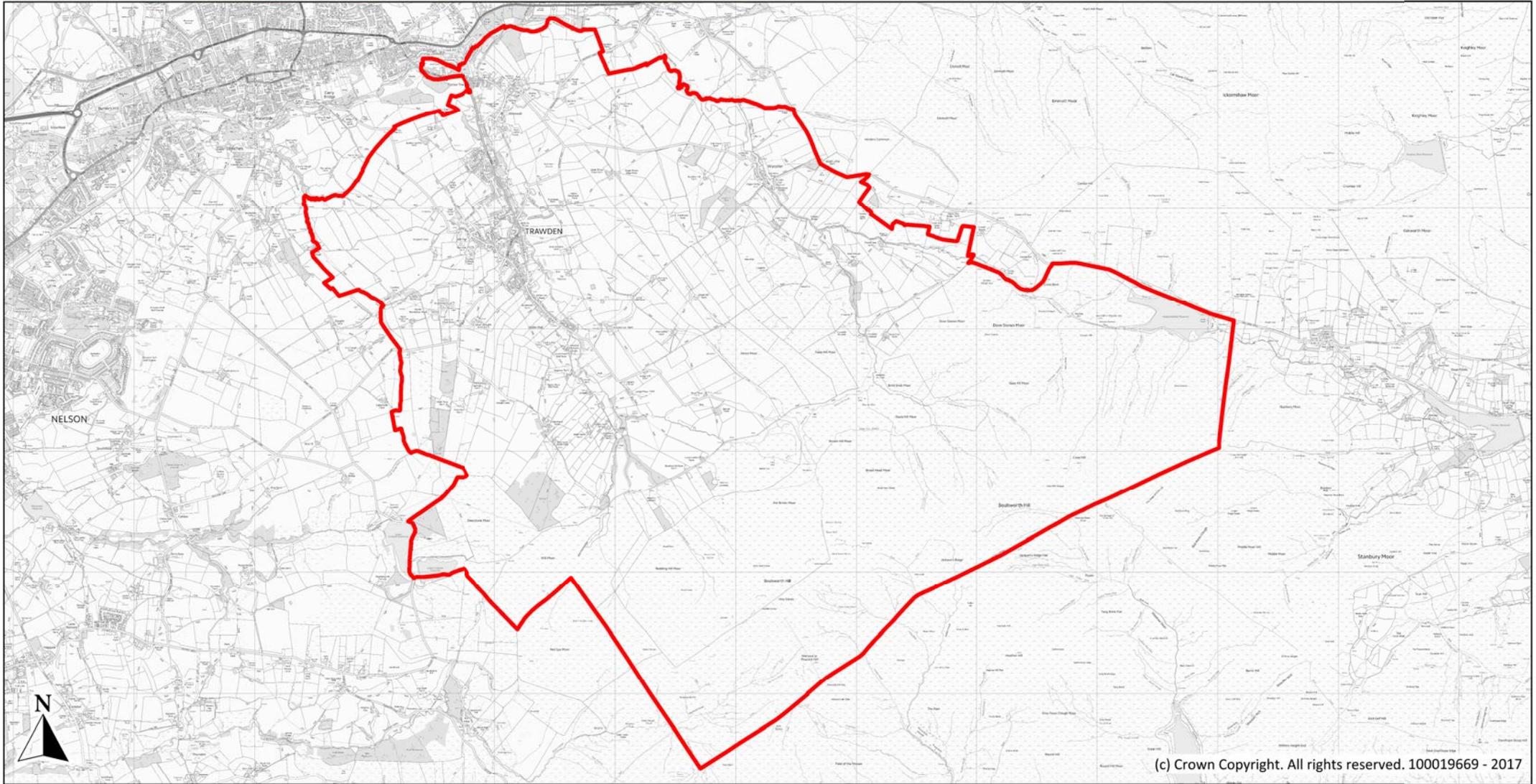
### **Agricultural Land and Soils**

Mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the [Magic](#) website and also from the [LandIS website](#), which contains more information about obtaining soil data. For more information, see the Natural England publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#).

**Appendix 1**

Map of the Trawden Forest Neighbourhood Area

# TRAWDEN FOREST NEIGHBOURHOOD PLAN



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Description

**Trawden Forest Neighbourhood  
Plan Boundary**

Key

 Neighbourhood Plan Boundary

Scale

SCALE: 1:1,500 @ A4

Date

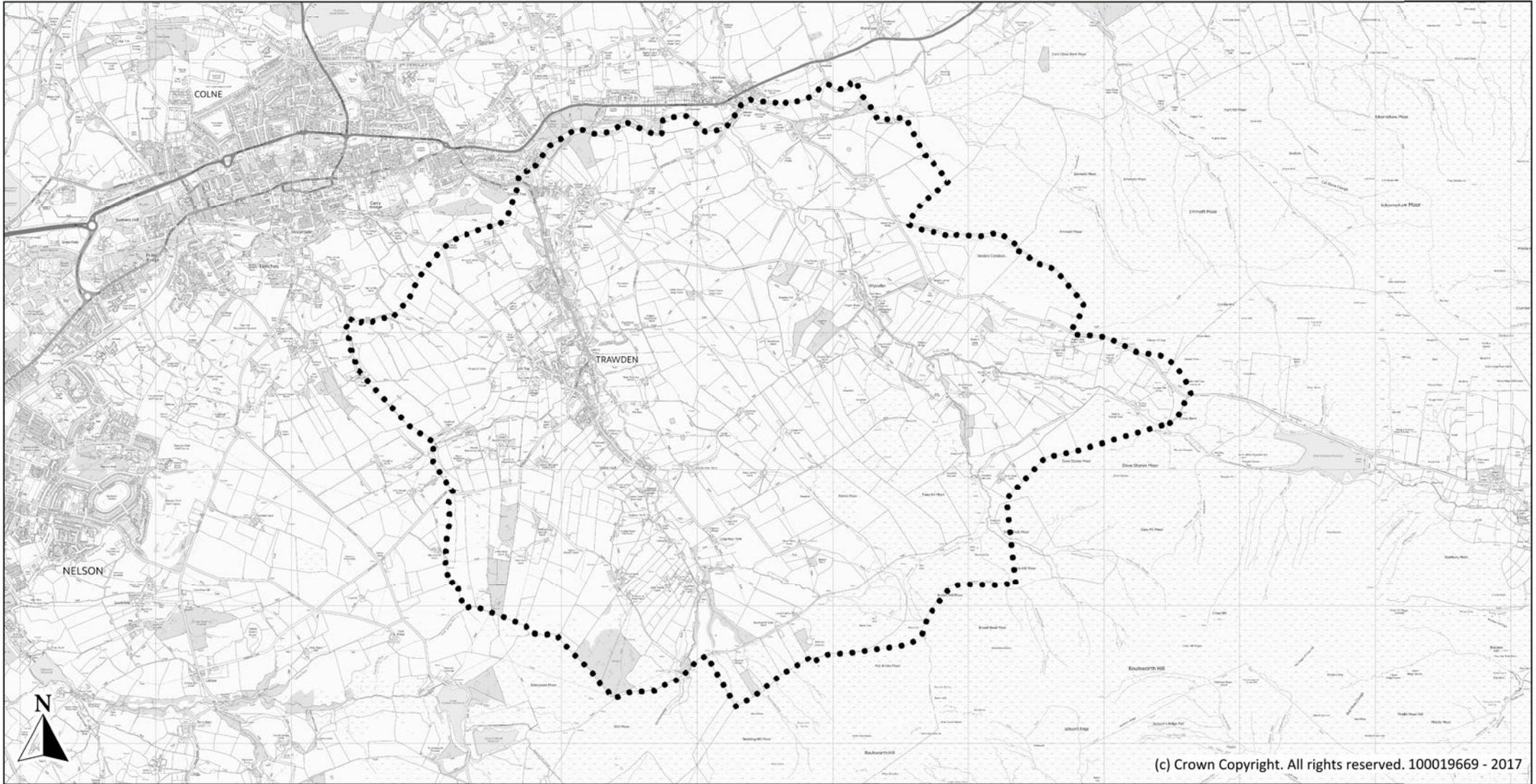
25th October 2017



**Appendix 2**

Map of the Trawden Forest Conservation Area

# TRAWDEN FOREST NEIGHBOURHOOD PLAN



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Description  
**Trawden Forest Neighbourhood Plan**  
**Trawden Forest Conservation Area**

Key  
 Conservation Area

Scale  
 SCALE: 1:40,000 @ A4

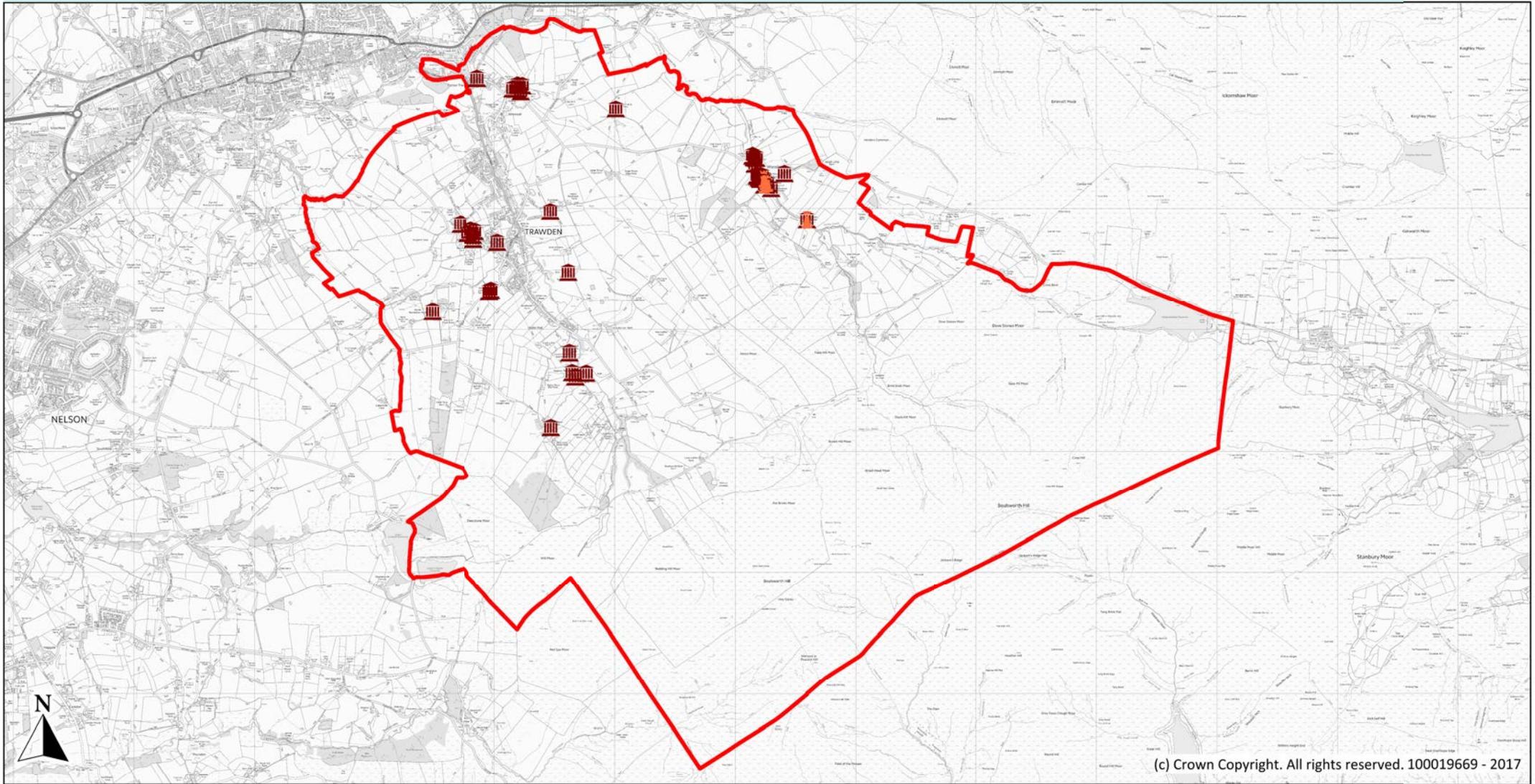
Date  
 25th October 2017



## **Appendix 3**

Map showing the location of Listed Buildings and Scheduled Monuments

# TRAWDEN FOREST NEIGHBOURHOOD PLAN



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Description  
**Trawden Forest Neighbourhood Plan  
 Listed Buildings and Scheduled  
 Monuments**

Scale	Date
SCALE: 1:45,000 @ A4	25th October 2017

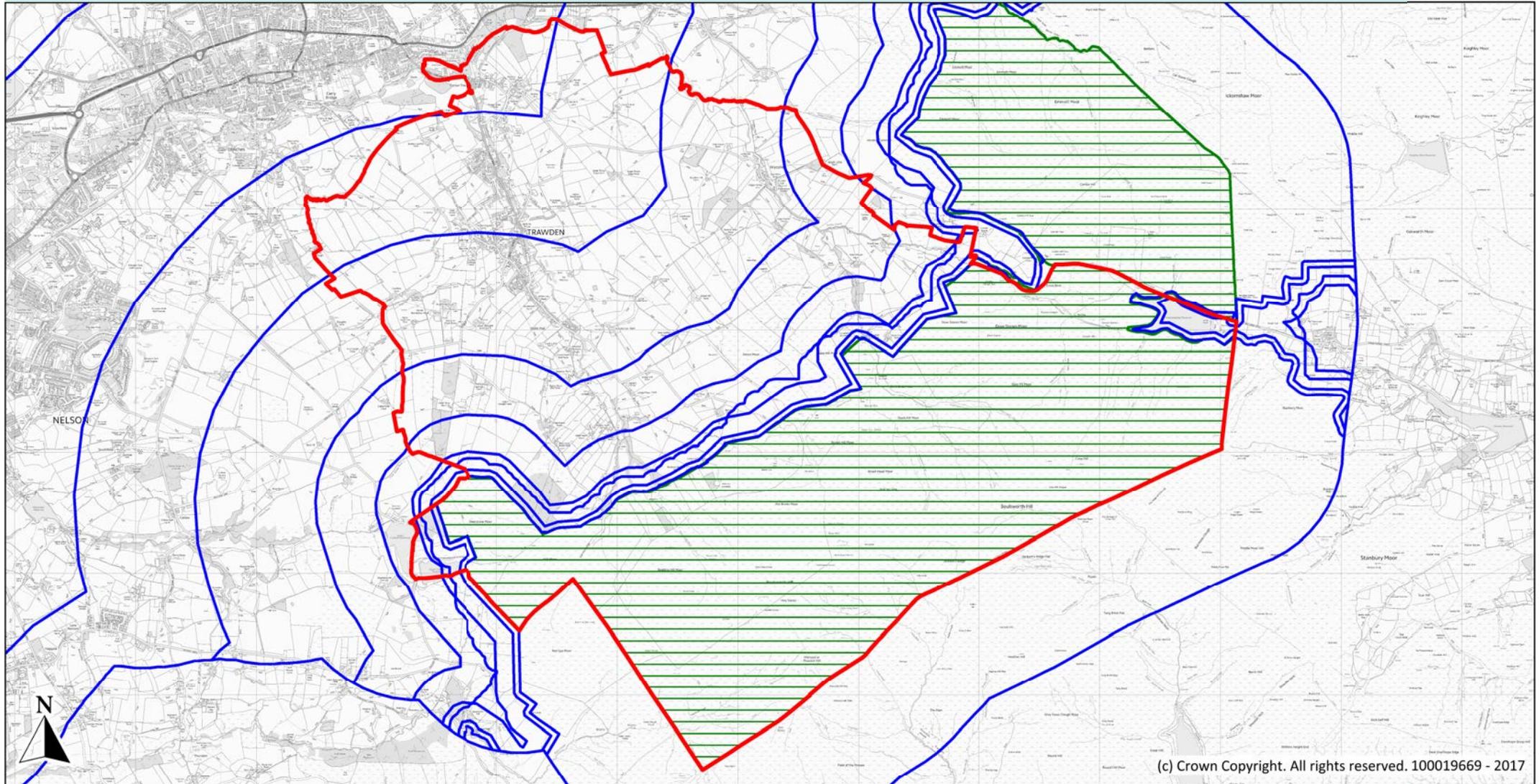
- Key
-  Trawden Forest Neighbourhood Plan Bound
  -  Scheduled Monument
  -  Listed Building



## **Appendix 4**

Map showing the extent of the South Pennine Moors SSSI, SAC, SPA and Impact Risk Zones

# TRAWDEN FOREST NEIGHBOURHOOD PLAN



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## Description

**Trawden Forest Neighbourhood Plan  
Extent of the South Pennine Moors SSSI,  
SAC, SPA and Impact Risk Zones**

## Scale

SCALE: 1:45,000 @ A4

## Date

25th October 2017

## Key

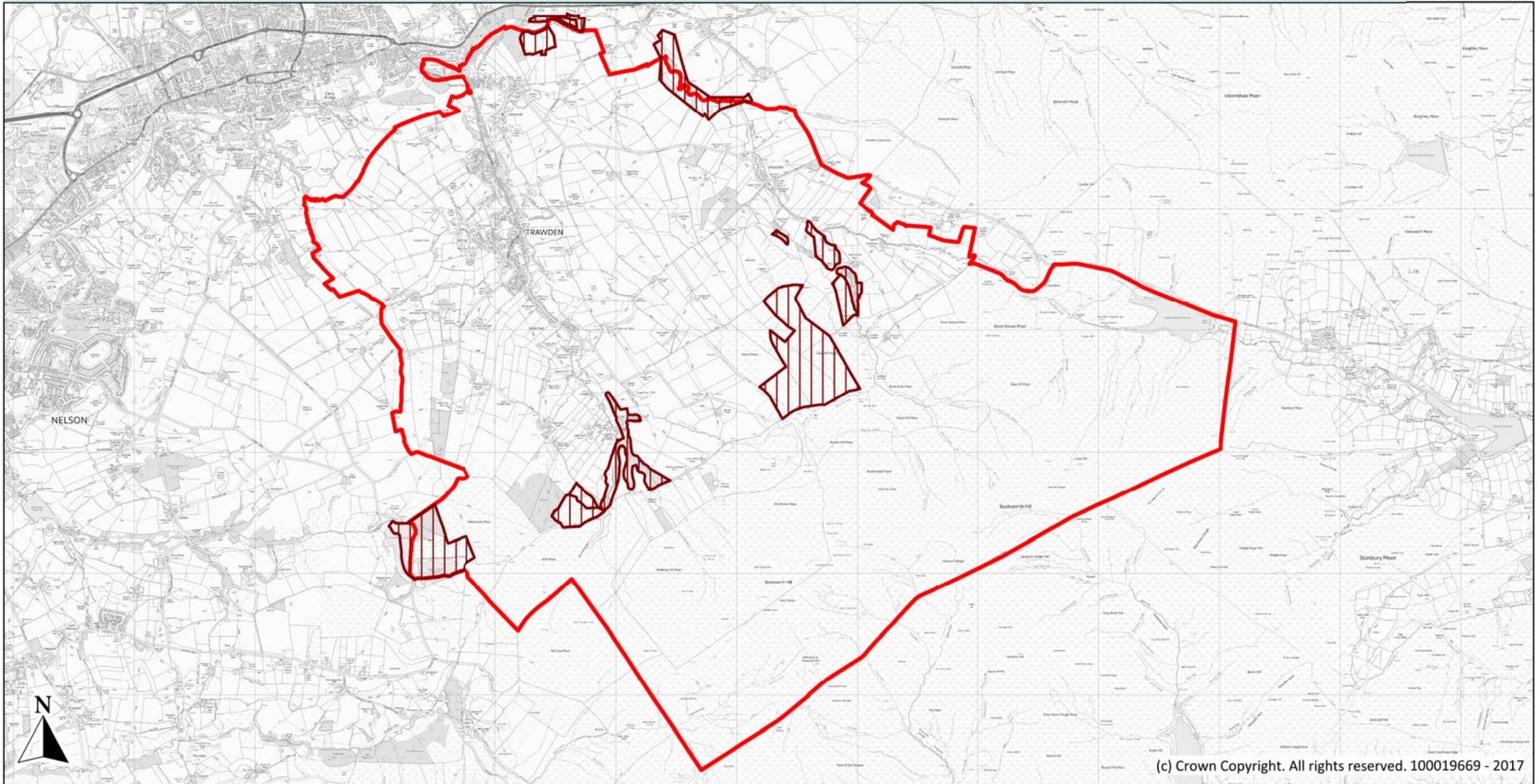
-  Trawden Forest Neighbourhood Plan Boundary
-  Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI)
-  Site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZs)



## **Appendix 5**

Map showing other designated ecological and geological sites

# TRAWDEN FOREST NEIGHBOURHOOD PLAN



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## Description

**Trawden Forest Neighbourhood Plan  
Designated Nature Conservation Areas**

## Scale

SCALE: 1:45,000 @ A4

## Date

25th October 2017

## Key



Trawden Forest Neighbourhood Plan Boundary

Designated Nature Conservation Sites



Biological Heritage Site (BHS), Local Geological Site (LGS), Local Nature Reserve (LNR), Site of Local Natural Importance (LNI)



**Appendix 6**

Response from Statutory Consultees

Date: 11 December 2017  
Our ref: 232549  
Your ref: Trawden Forest Neighbourhood Plan SEA Screening



Jonathan Dicken  
Pendle Borough Council  
[ldf@pendle.gov.uk](mailto:ldf@pendle.gov.uk)

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 3900

Dear Mr Dicken

### **Trawden Forest Neighbourhood Plan SEA Screening**

Thank you for your consultation on the above dated 22 November 2017 which was received by Natural England on the same day.

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.

#### **Screening Request: Strategic Environmental Assessment**

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) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

#### **Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance<sup>1</sup>. 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 contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

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/SA 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.

For any queries relating to the specific advice in this letter or for any new consultations please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer.  
We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Jacqui Salt  
Consultations Team

---



Historic England

Adele Waddington  
Neighbourhood Plan  
Unit 2A Black Carr Mill  
Skipton Road  
Trawden, Colne  
Lancashire  
BB8 8QU

Our ref: PL0030282 & PL00237522  
Your ref: Letter dated 27<sup>th</sup> Nov 17  
Telephone:

11<sup>th</sup> Dec 2017,

Dear Adele,

Re: SEA Screening Opinion and Draft Trawden Forest Neighbourhood Plan

Thank you for consulting Historic England about your Neighbourhood Plan. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process.

Your Neighbourhood Plan falls within the boundary of 3 Conservation Areas, the boundary also contains 4 scheduled monuments, 6 buildings or structures listed in Grade II\* and 33 listed in Grade II. We recommend that you confirm the precise number and grade of nationally designated heritage assets in Appendix 2 of your plan. We also recommend that you provide a table of non-designated heritage assets as part of your evidence base.

We are pleased to see that you are considering the potential for a Local List. Please note that Local Heritage Listing (HEAN 7) advises in Para. 19 that: *"The Localism Act 2011 has increased the role of communities in determining how planning decisions are made at the local level, including those involving heritage assets. Communities can play a key role in preparing neighbourhood plans which establish the general planning policies for the development and use of land in a neighbourhood and work in preparing a Neighbourhood Plan may indicate buildings and sites which merit inclusion on the local list."*



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW

Telephone 0161 242 1416 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



In short, a “local list” is for the Local Planning Authority and not something you can include in your Neighbourhood Plan! However, the community can, and we would encourage you to, prepare your own schedule of locally valued heritage assets which can be part of a NP in their own right or adhere to the Local Authorities criteria of eligibility which allows the authority to then add them to their “Local List”. If they exist in isolation they are not a “Local List” in terms of the meaning within the NPPF, so a different term needs to be employed to avoid confusion and to ensure compliance/eligibility. I note your inclusion of Pendle Councils Local List Criteria at Appendix 14.

It will be important that the strategy you put together for this area safeguards those elements which contribute to the significance of historic assets. This will ensure that they can be enjoyed by future generations of the area and make sure it is in line with national planning policy.

The conservation officer at Pendle Council will be the best placed person to assist you in the development of the Plan with respect to the historic environment and can help you to consider and clearly articulate how a strategy can address the area’s heritage assets. Although the neighbourhood area does contain a number of designated heritage assets, at this point we don’t consider there is a need for Historic England to be involved in the development of the strategy for your area, but we offer some general advice and guidance below.

If you have not already done so, we would recommend that you speak to the staff who hold the Lancashire Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway ([www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)). It may also be useful to involve local voluntary groups such as the local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan.

A Neighbourhood Plan is an important opportunity for a community to develop a positive strategy for the area's locally important heritage assets that aren't recognised at a national level through listing or scheduling. This includes identifying any non-statutorily designated historic buildings, sites, views or places of importance to the local community, and setting out what factors make them special. These elements can then be afforded a level of protection from inappropriate change through an appropriately worded policy in the plan. The plan could also include consideration of any Grade II listed buildings or locally-designated heritage assets which are at risk or in poor condition, and which could then be the focus of specific policies aimed at their enhancement.



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Telephone 0161 242 1416 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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Green spaces are often integral to the character of place for any given area, and your plan could include policies that identified any deficiencies with existing green spaces or access to them, or aimed at managing development around them. Locality has produced helpful guidance on this, which is available here:

<https://mycommunity.org.uk/resources/neighbourhood-planning-local-green-spaces>.

You can also use the neighbourhood plan process to identify any potential Assets of Community Value in the neighbourhood area. Assets of Community Value (ACV) can include things like local public houses, community facilities such as libraries and museums, or again green open spaces. Often these can be important elements of the local historic environment, and whether or not they are protected in other ways, designating them as an ACV can offer an additional level of control to the community with regard to how they are conserved. There is useful information on this process on Locality's website here:

<http://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/>.

Communities that have a neighbourhood plan in force are entitled to claim 25% of Community Infrastructure Levy (CIL) funds raised from development in their area. The Localism Act 2011 allows this CIL money to be used for the maintenance and on-going costs associated with a range of heritage assets including, for example, transport infrastructure such as historic bridges, green and social infrastructure such as historic parks and gardens, civic spaces, and public places. As a Qualifying Body, your neighbourhood forum can either have access to this money or influence how it is spent through the neighbourhood plan process. Historic England recommends that the community therefore identifies the ways in which CIL can be used to facilitate the conservation of the historic environment, heritage assets and their setting, and sets this out in the neighbourhood plan. More information and guidance on this is available from Locality, here:

<https://mycommunity.org.uk/resources/community-infrastructure-levy-neighbourhood-planning-toolkit/>

Further information and guidance on how heritage can best be incorporated into Neighbourhood Plans has been produced by Historic England. This signposts a number of other documents which your community might find useful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found here:

<http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

The following general guidance also published by Historic England may also be useful to the plan forum in preparing the neighbourhood plan, or considering how best to develop a



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strategy for the conservation and management of heritage assets in the area. It may also be useful to provide links to some of these documents in the plan:

HE Advice Note 2 - making changes to heritage assets: <https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/>

HE Good Practice Advice in Planning 3 - the setting of heritage assets:

<https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/>

This guide is particularly useful for Neighbourhood Plans covering historic places that are subject to housing growth. It is important to understand the particular attributes of 'setting' that you wish to protect when establishing policy.

HE Advice Note 3 - site allocations in local plans: <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans>

HE Advice Note 7 - local listing: <https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7>

We recommend the inclusion of a glossary of relevant terminology contained in the NPPF and details about the additional legislative and policy protections that heritage assets enjoy.

Finally, the Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the *Environmental Assessment of Plans and Programmes Regulations* 2004. The draft Opinion prepared by your Forum concludes that Strategic Environmental Assessment is not required. We note that the Plan appears to propose no site allocations/policies which would have significant environmental effects upon the historic environment and as such we concur that in this regard Strategic Environmental Assessment is *not* required.

We should like to stress that this advice is based on the information provided by in your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment. If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Darren Ratcliffe RIBA  
Historic Places Adviser



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW

Telephone 0161 242 1416 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



**DickenJonathan**

---

**From:**  
**Sent:** 29 November 2017 11:41  
**To:** # LDF  
**Subject:** SEA screening Trawden Forest NP

## **SEA SCREENING REPORT FOR TRAWDEN FOREST NEIGHBOURHOOD PLAN**

Thank you for consulting us on the above document.

### **Environment Agency position**

We have reviewed the document submitted and agree with the conclusion of the screening assessment that the Trawden Forest Neighbourhood Plan does not require a full SEA to be carried out.

Regards

**Liz Locke**  
**Planning Advisor - Sustainable Places Team**  
**Cumbria and Lancashire**



 [clplanning@environment-agency.gov.uk](mailto:clplanning@environment-agency.gov.uk)

 **Environment Agency** Ghyll Mount, Gillan Way, Penrith 40 Business Park, Penrith, Cumbria , CA11 9BP

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**Liberata**