

# EAST LINDSEY LOCAL PLAN

21<sup>st</sup> AUGUST 2012

## PART 3 OF STAGE 1 SCREENING ASSESSMENT AND PRELIMINARY POLICY APPRAISAL

### 1 TEST OF LIKELY SIGNIFICANT EFFECT

This section undertakes an assessment of the preliminary policies and options in order to determine potential for significant impacts upon the designated sites. **Table 4.1** forms the core of the screening assessment process. The policy suite is listed by name, before a brief overview of the nature of the policy and its potential effects.

The assessment of Likely Significant Effect (LSE) is provided using the coding as set out below.

**Table 4.1 Assessment of preliminary policies**

<b>Key</b>	
Potential for adverse effect	-
No significant effect	o
Potential positive effect, at the plan level	+

<b>Policy, details and assessment summary</b>	<b>Potential or Likely Significant Effect</b>				
	<i>Site a<sup>1</sup></i>	<i>Site b</i>	<i>Site c</i>	<i>Site d</i>	<i>Site e</i>
<p><b>Vision</b> The vision includes the protection of the District's high quality environment including the coast. Inclusion in a vision statement ensures such protection (which would include the international sites) is an overarching element of the Plan.</p>	o	o	o	o	o
<p><b>Objectives</b> Objectives for the East Lindsey District are to maintain and enhance the District's biodiversity. Also, to conserve and enhance areas of natural landscape importance, in particular the Lincolnshire Wolds Area of Outstanding Natural Beauty, the Coastal Country Park, the Coastal Grazing Marshes.</p> <p>Although the objectives do include landscape features, <i>they could be strengthened to include reference to the SAC, SPA and Ramsar sites</i>. However, given their high level nature and that biodiversity is protected, no likely significant effect is anticipated as a result of the Plan objectives.</p>	o	o	o	o	o

<sup>1</sup> Site a = Humber Estuary SPA, SAC and Ramsar

Site b = Saltfleetby-Theddlethorpe and Gibraltar Point SAC

Site c = Gibraltar Point SPA and Ramsar

Site d = The Wash SPA and Ramsar

Site e = The Wash and North Norfolk Coast SAC

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
<b>Pattern of future growth</b>					
<p><b>A Sustainable Pattern of Places</b></p> <p>The sustainable pattern will guide the distribution, scale and nature of future developments within areas of the District. Towns for development include Louth, Skegness, Horncastle, Mablethorpe and Spilsby. The sustainable pattern also looks to recognize existing settlements identified in the settlement pattern.</p> <p>The supporting text to the policy states that the presence of SPAs and SACs will affect the location of growth. <i>Ramsar sites could also be added to this statement to ensure that they are also protected.</i></p> <p>There is the potential that development within the clusters outlined in the policy could have in-combination effects on the condition of the international sites through increased disturbance from recreational activities and also through water quality and flow impacts. However these elements are considered below in respect of the growth options.</p>					
<p><b>Growth option 1 - Concentrate growth into the five inland towns.</b></p> <p>The five key inland towns for growth are Louth, Alford, Coningsby/Tattershall, Horncastle and Spilsby. By putting as much as possible close together, a more sustainable pattern of development with better access to facilities and services will be established.</p> <p>These sites are located away from the international sites so potential impacts from recreation are limited as people are unlikely to travel significant distances from home to go for walks etc. The impact from water quality and changes in water flows are also likely to be reduced due to the distance from the international sites and the requirement that water infrastructure (e.g. discharge consents) are compliant with the Habitats Regulations.</p> <p>However, as the scale of growth in these areas is not known, a precautionary approach has been adopted and a potential likely significant effect concluded. This will be confirmed once the scale of growth is confirmed, but this option could provide protection for the designated sites, all of which are along the coast. However there is the potential for more concentrated recreational pressures due to the small number of growth locations.</p>	-	-	-	-	-
<p><b>Growth option 2 - Moderately dispersed distribution of growth.</b></p> <p>This option proposes a spread of development across the five inland towns outside of the coastal flood hazard zones. This zone is approximately 8k from the coast, a distance which is likely to reduce the numbers of people visiting the coast and potentially disturbing the features of the international sites.</p> <p>There are limited specific impacts associated with this option, however, as the scale of growth in these areas is not known, a</p>	-	-	-	-	-

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
precautionary approach has been adopted and a potential likely significant effect concluded. This will be confirmed once the scale of growth is confirmed, but this option should provide protection for the designated sites. However, as option 1, the limited number of growth locations could result in more specific recreational pressures. Although potentially more acute, such impacts could also be easier to manage should they occur.					
<p><b>Growth option 3 - More dispersed pattern of growth.</b></p> <p>This option proposes a yet more spread growth, with a focus on the inland towns and large and medium villages.</p> <p>By having development spread out outside the coastal flood hazard zones, it may help to reduce specific recreational disturbance pressures on visited international sites. However, as the scale of growth in these areas is not known, a precautionary approach has been adopted and a potential likely significant effect concluded.</p> <p>Since the international sites are all located in the coastal zone, a more dispersed pattern of growth would mean locating new development closer to the sites – however as with options 1 and 2, the more dispersed nature of this growth could also bring some benefits in terms of alleviating potential visitor pressures.</p>	-	-	-	-	-
<p><b>Growth option 4 - Dispersed pattern of growth including the small rural villages.</b></p> <p>The option proposes that development is spread across the five inland towns as well as the small, medium and large villages outside the coastal flood hazard zone.</p> <p>Whilst again locating individual developments closer to the designated areas, dispersing development will also help to limit the potential for impacts from, for example, additional traffic and visitor pressure on sites. However, as the scale of growth in these areas is not known, a precautionary approach has been adopted and a potential likely significant effect concluded</p>	-	-	-	-	-
<b>Sustainable and thriving communities</b>					
<p><b>Rural exceptions</b></p> <p>The policy supports the development of affordable housing in towns and large and medium villages. The policy also restricts sporadic development in rural areas. Development will comply with other policies relating to siting and scale which should include avoiding impacts to the international sites. This type of affordable development would not result in any more impacts than those associated with ordinary development. This option stipulating affordable housing numbers will not have a likely significant effect on any of the international sites.</p>	o	o	o	o	o
<b>Delivering affordable housing Option 1 - Where 3 or more dwellings are proposed.</b>	o	o	o	o	o

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
<p>The threshold of 3 or more dwellings will ensure that more affordable housing is created. This type of development would not result in any more impacts than those associated with ordinary development and therefore this option stipulating affordable housing numbers will not have a likely significant effect on any of the international sites.</p>					
<p><b>Delivering affordable housing Option 2 - Where 5 or more dwellings are proposed.</b></p> <p>The threshold of 5 or more dwellings will result in less affordable housing being developed than the other option. This type of development would not result in any more impacts than those associated with ordinary development and therefore this option stipulating affordable housing numbers will not have a likely significant effect on any of the international sites.</p>	o	o	o	o	o
<b>Protecting our Natural, Built and Historic Environment</b>					
<p><b>Protecting and Enhancing our Natural, Built and Historic Environment Landscape, Green Infrastructure, Biodiversity and Geodiversity</b></p> <p>The policy seeks to protect existing greenspace and maximise opportunities for new areas. By doing this the potential recreational pressure on international sites from increased population growth should be reduced since people tend to preferentially use sites closer to them for recreation.</p> <p>The policy also seeks to protect international sites unless overriding reasons of public interest for the development are proven (in line with the requirements of the Habitats Regulations). It also states that re-creation, mitigation and enhancement should be undertaken, with new habitat linked to other similar habitats. It should be noted that, under the Habitats Regulations, any compensatory habitat should also be ecologically functioning in advance of any loss; such a principle could be applied more broadly to ensure ecological benefits are gained through the implementation of the plan.</p> <p>This policy will have benefits in relation to reducing recreational pressure and contributing to the resilience and coherence of the international sites.</p>	+	+	+	+	+

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
<p><b>Raising the Quality of Our Built Environment</b></p> <p>The policy supports sustainable development which includes the development of footpaths and cycleways. As this policy is not related to specific development numbers and is a reflection of high level goals of the District it is unlikely to have a significant effect on any of the international sites. Also the supporting text refers to the management of water resources and reducing pollution impacts which could have a positive effect particularly on the Humber Estuary and Wash international sites.</p>	o	o	o	o	o
<p><b>Renewable Energy</b></p> <p>The policy states that renewable energy developments will only be supported where they are located outside and do not have significantly adverse impacts upon sites of landscape importance. It also mentions avoiding impacts on sites or features of natural history importance. <i>The policy could be strengthened with specific reference to the international sites, their habitats and features and the main functions of the sites.</i></p> <p>Reference could also be included, possibly in supporting text, to migrating bird species to ensure that renewable energy sites are located significantly far from international sites and paths of migration. Although individual projects will be required to demonstrate compliance with the regulations, without this policy wording there remains some potential for this policy to lead to a significant effect on all of the international sites.</p>	-	-	-	-	-
<p><b>The Coast</b></p> <p>The policy details the proposed development within the coastal area settlements. These locations are close to international sites and therefore potential impacts in relation to disturbance and water quality/flows could occur. However this is likely to be avoided through the implementation of appropriate infrastructure (see policy below). Two areas of development (Skegness and Mablethorpe) are not located near the international sites and are unlikely to impact the condition of any of them.</p> <p>The creation of a coastal country park will provide alternative, managed areas for tourists and bird watchers to go as well as potentially providing alternative habitat for SPA bird species.</p> <p>The statement regarding permanent living in caravans could be strengthened to ensure that this form of development does not occur within the international sites.</p> <p>The implementation of this policy is not anticipated to have a significant effect on any of the international sites.</p>	o	o	o	o	o

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
<b>Widening the tourist economy</b>					
<p>The policy supports the development of tourism facilities in inland towns, large and medium villages and existing sites for holiday accommodation. Also, the conversion or part conversion of existing buildings and reuse of farm buildings into serviced holiday accommodation will be supported. As development is restricted to existing developed areas it is unlikely that the policy will result in direct impacts to the international sites or impacts to water quality and flows. However, there could potentially be an impact in association with more people present on the coast, causing disturbance issues.</p> <p>The policy should be strengthened to include reference to no increased (adverse) impacts to international sites as a result of tourism development. Without this text it is not possible to conclude that there will not be a likely significant effect on the international sites.</p>	-	-	-	-	-
<b>Gypsies, Travellers and Travelling Show people</b>					
<p>The policy supports permanent Gypsy and Traveller sites and sites for Travelling Show people alongside or close to a town or large village. These sites should be appropriate in scale and form with minimal harm to the character of the area. Further text could be added to include international sites so that their features are not affected. Given the location of these proposed sites it is not expected that there will be a likely significant effect on any of the international sites.</p>	o	o	o	o	o
<b>Diverse inland economy</b>					
<p>The Council will support initiatives that re-use existing buildings for business uses and bring about environmental improvements. It specifically states that this should not impact upon areas of international designation.</p> <p>Rural business development will be appropriate in scale, and be able to accommodate within the environmental constraints of their location.</p> <p>The re-development of buildings reduces the need to develop elsewhere within the District (which could impact on international sites). Also, the consideration of environmental constraints will include impacts on international sites. The policy could be improved by stating that this development should not impact upon areas of international designation as well as protected species. Overall, it is considered that the policy will not have a likely significant effect on the international sites.</p>	o	o	o	o	o

Policy, details and assessment summary	Potential or Likely Significant Effect				
	Site a <sup>1</sup>	Site b	Site c	Site d	Site e
<b>Town Centres</b>					
The policy supports the development of shopping, commercial and community services within town centres if they contribute to the vitality and viability of these towns. Given the location of these facilities within already developed areas, away from international sites and that these features will act as a draw to a number of people, no likely significant effect is anticipated.	o	o	o	o	o
<b>Open space, sport and recreation</b>					
Most large sports and formal recreational facilities will be located in the larger centres of population. Smaller settlements will provide hubs for local residents where there will be sports and recreational facilities at an appropriate scale to help support healthy and active local communities.  This policy provides alternative areas for recreational use which could reduce the pressures on international sites. Also, by locating them within populated areas the need to travel to other areas of the District is reduced. The policy could be further strengthened by adding in reference that open space win new developments will help to alleviate the potential for displaced activity at designated sites.	+	+	+	+	+
<b>Infrastructure</b>					
The Council will seek to avoid any significant adverse impacts from major schemes. Such schemes will need to comply with all relevant legislation including HRA. Major infrastructure schemes will be supported provided they do not impact on areas of biological importance. The Council will only support proposals for development where it has been shown that adequate capacity is available or can be provided by the utility providers to meet the additional loads associated with the development and with the current and future environmental constraints.  This policy protects the environment, limits the potential for impact through pathways such as waste water, and also ensures that infrastructure development will be subject to its own HRA and therefore no likely significant effect is anticipated on any of the international sites.	+	+	+	+	+

## **2 CONCLUSIONS AND NEXT STEPS**

### **2.1 Conclusions**

In the absence of information relating to the quantum of growth, it is not possible at this stage to conclude no likely significant effect in respect of growth options 1-4.

Whilst some objectives and policies do offer protection at the Plan level, we have also identified a number of areas where we recommend further policy strengthening. The potential for significant effect also remains in respect of two further policies:

- Renewable Energy; and
- Widening the Tourist Economy.

We believe that this can be achieved through adopting minor modifications to text in several places, as identified in **Table 4.1**. These will help to strengthen and add clarity to other policies regarding the protection provided to international sites, and ensure a high degree of focus on this issue through the implementation of the plan.

### **2.2 Next steps**

This assessment has been carried out on policies and options proposed for consultation in Autumn 2012. Further policy development and refinement will be informed both by this assessment and by the consultation responses.

Consultation on the issues and options document, and on this screening assessment, will include discussions to be held with Natural England. This will confirm support for the conclusions of this report, and provide input to discussions on the potential impacts associated with different scales of growth and any counteracting measures or mitigation which may usefully be incorporated into the Local Plan to ensure the Council's objectives and ambitions can be achieved whilst maintaining compliance with the Habitats Regulations.



**Department for Communities and Local Government (DCLG) (2006).** *Planning for the Protection of European Sites: Appropriate Assessment - Guidance for Regional Spatial Strategies and Local Development Documents.* Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/planning2>.

Accessed on 25.06.10.

**English Nature (2006).** *The Assessment of Regional Spatial Strategies under the Provisions of the Habitats Regulations – Draft Guidance.*

**Tyldesley D. and Hoskin R. (2008).** *Assessing projects under the Habitats Directive: guidance for competent authorities.* Report to the Countryside Council for Wales, Bangor.

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