

Strategic Environmental Assessment,
Sustainability Appraisal
and
Habitats Regulations Assessment
Screening Opinion
for
Allithwaite and Cartmel Neighbourhood
Plan

South Lakeland District Council, September 2022

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1. Introduction

1.1 Background

1.1.1 This screening opinion report sets out South Lakeland District Council's (SLDC's) assessment of whether or not the Allithwaite and Cartmel Neighbourhood Plan (the Plan) requires a Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) or Habitats Regulations Assessment (HRA)¹. These are assessments that are required for plans being prepared that could have certain environmental effects. The screening tests:

- whether there are likely to be significant environmental effects arising from the policies in the Neighbourhood Plan (SEA);
- whether the Neighbourhood Plan will have impacts on environmental, social or economic sustainability beyond those already assessed in the Local Plan (SA); and
- whether the Neighbourhood Plan is likely to have significant effects on international biodiversity designations (HRA).

1.1.2 The Plan will cover the parish of Allithwaite and Cartmel. Lower Allithwaite Parish was designated as a Neighbourhood Area in February 2015 (note the Parish name changed to Allithwaite and Cartmel in April 2019)

1.1.3 The Plan will set out the local planning policy framework for Allithwaite and Cartmel Neighbourhood Area. If the Plan is 'adopted' by the local planning authority, it will become part of the Development Plan for South Lakeland District outside the National Parks. It will be used in the decision-making process for assessing planning applications within Allithwaite and Cartmel Parish.

1.1.4 The vision for the Plan as set out in the July 2022 Submission version is:

By 2032 Allithwaite and Cartmel will include two very different villages and a number of small rural settlements scattered throughout the countryside. The quality of the landscape has been protected from intrusive developments.

'In Allithwaite the village will be enhanced by a number of developments which are well integrated, linked directly to the village with pedestrian circulation having been significantly enhanced. Traffic management has resulted in a quieter, safer village.

In Cartmel, the heritage aspects of the village have been enhanced, protected and reflected in the wider village area. Traffic and parking management schemes have

¹ The Conservation of Habitats and Species Regulations 2010 (known as the Habitats Regulations) transposes the requirements of the Habitats Directive (Directive 92/43/EEC on the Conservation of Natural Habitats and of wild fauna and flora) into UK Law.

improved access to the many businesses; and residents and visitors benefit from improved circulation’.

1.1.5 The key objectives of the Plan are:

1. to protect the built environment both in the villages and in the wider countryside and raise awareness of Cartmel’s Conservation Area;
2. to protect locally significant green spaces and views both within the villages and in the surrounding countryside from inappropriate development;
3. to protect and enhance the locally, nationally and internationally recognised natural environments;
4. to protect and enhance existing levels of access to the local countryside;
5. to promote safer use of the wider road network, to ensure safer pedestrian and cycle access within the Parish, improve and enhance the cycle network, and improve disabled access to the footpath network;
6. to ensure housing stock meets local affordable needs and enables people of all ages to continue to resident within the local area;
7. to ensure new housing developments are of a scale, design and density that reflects the character of the surrounding area;
8. to ensure the proportion of permanent dwellings to holiday homes remains at a level that supports a sustainable local community;
9. to ensure caravan and chalet parks are well contained in the landscape and remain proportional to the size of the residential villages and hamlets;
10. to ensure a range of local businesses thrive and are well supported by broad band connections;
11. to ensure the tourist economy grows in a way which supports and enhances the environment and does not adversely impact on traffic and parking issues; and
12. to ensure community facilities support and enhance the wellbeing of residents of all ages.

1.1.6 In order to achieve these objectives, the Plan comprises policies that seek to:

- influence the design of development, including through a new design code ;
- protect and enhance the qualities of Cartmel Conservation Area (reference is made to the emerging Cartmel Conservation Area Management Plan);
- protect and enhance landscape character including significant views
- protect local green spaces
- protect and enhance green infrastructure and biodiversity, incorporating it within new development;
- minimise light pollution;
- enhancement of pedestrian and cycle access;
- influence housing development;
- restrictions on the occupancy of new housing – controls they are principle residence only ;
- manage the location, design and impacts of caravan and chalet parks; and
- maintain and enhance infrastructure

1.2 Screening Outcome

1.2.1 Having regard to:

- the SEA Directive² and Schedule 1 and 2 of the Environmental Assessment of Plans and Programmes Regulations 2004;
- SA guidance;
- HRA Regulations;
- Planning Policy Guidance (PPG) on screening Neighbourhood Plans for SEA/HRA;
- Planning Advisory Service (PAS) guidance on screening Neighbourhood Plans for SEA/HRA;
- the location and scale of the Allithwaite and Cartmel Neighbourhood Plan, and its current content; and
- the fact that the Plan is required to be in general conformity with, and will sit beneath the current South Lakeland Local Plan 2003-2025, which has already been subject to the required assessments
- The views of Natural England, Environment Agency and Historic England on the Interim SEA/HRA March 2021, and subsequent views on the updated SEA/HRA August 2022 (based on the Submission version of the Plan)

1.2.2 It is considered that there is no need for the Plan to be subject to SEA or HRA. This conclusion was determined following a methodological assessment, which is set out in the following pages and the views of Natural England, Environment Agency and Historic England. It is also recommended that a simple assessment of the plan's contribution to sustainability should be undertaken.

1.3 Consultation and reaching a final screening decision

1.3.1 Comments on the March 2021 screening opinion were sought from Natural England, the Environment Agency and Historic England between 18 March 2021 and 22 April 2021. Advice received was used by the Council to determine a position on whether SEA, SA or HRA was required at the draft plan stage. The views received by the three bodies is available to view in the Appendices. At that stage it was concluded there is no need for the Plan to be subject to SEA or HRA. Views were then sought from Natural England, the Environment Agency and Historic England between 3 August and 7 September 2022 on the updated SEA/HRA August 2022 (based on the Submission Plan). These views are available to view in the Appendices. The Council has used this advice to determine a position on whether SEA/HRA of the Submission Plan is required. It is concluded that SEA and HRA are not required for the

² Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

Allithwaite and Cartmel Neighbourhood Plan, as the possibility of significant effects can be ruled out.

2. Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)

2.1 SEA

- 2.1.1 SEA is undertaken to establish whether a plan, policy, project or programme is likely to have significant effects on the environment. The SEA regulations transpose the European Union's SEA Directive into law. National Planning Policy Guidance stipulates that SEA may be required for Neighbourhood Plans, where they are likely to cause significant environment effects. More ambitious and complex Neighbourhood Plans may also trigger the Habitats Directive. Draft Neighbourhood Plans should be screened to determine whether significant environmental effects are likely. The requirements for this are set out in regulation 9 of the Environmental Assessment of Plans and Programmed 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.
- 2.1.2 In light of the judgement of the Court of Justice of the European Union concerning Article 6(3) of the Habitats Directive³, measures that may be intended to avoid or reduce the harmful effects of a plan or project on a European Site can only be considered as part of the appropriate assessment stage of HRA, and not at the preceding screening stage. This means it is no longer appropriate to rely on these measures when deciding whether a plan or project is likely to have a significant effect on a European site(s).
- 2.1.3 A SA that included the requirements of SEA has been undertaken on higher-tier plans (The [South Lakeland Local Plan – Core Strategy](#) The [South Lakeland Local Plan – Land Allocations](#)) and the [Development Management Policies](#) beneath which the Plan will sit and with which it must be in general conformity.
- 2.1.4 One of the basic conditions for neighbourhood plans that the independent examiner will test is whether the neighbourhood plan is compatible with European Union obligations, including the Strategic Environmental Assessment Directive.
- 2.1.5 In order to assess the likely significance of the Plan on the environment, the Plan has been appraised against the criteria detailed in the Environmental Assessment of Plans and Programmes Regulations 2004 and Strategic Environmental Assessment Directive. This analysis has been made in Table 1 below.

³ People over Wind, Peter Sweetman v Coillte Teoranta Case C-323/17

SEA Screening

The characteristics of plans and programmes, having regard, in particular, to:

Criteria	Plan Objectives & Policies	Likely Significant Effect?
<p>a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</p>	<p>The Plan will not set a framework for other projects or plans outside of the parish but will be used to guide development within the parish. It is expected however, to seek to enhance pedestrian and cycle connectivity, which will inevitably have links to areas outside of the parish.</p>	<p>No</p>
<p>b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>Neighbourhood Plans must have regard to national policy including the National Planning Policy Framework (NPPF) and be in general conformity with the strategic policies in the development plan including SLDC's Core Strategy. The Plan is therefore at the bottom of the hierarchy and does not have the power to influence other plans and programmes.</p>	<p>No</p>
<p>c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The Plan seeks to protect some green open spaces and designate these as local green space, promote and enhance active travel routes (walking and cycling) with links to the local countryside, protection and enhancement of landscape features, minimise light pollution, protect and enhance the conservation of Cartmel, incorporation of existing green infrastructure and protection and enhancement of biodiversity and wildlife habitats/wildlife corridors, including net gains and provision of broadband and digital communications in new development. The Neighbourhood Plan will have to be in general conformity with policies promoting sustainable</p>	<p>No</p>

Criteria	Plan Objectives & Policies	Likely Significant Effect?
	development in both the Core Strategy and in the NPPF. The Plan will need to take into account the international biodiversity designations, listed buildings/structures/the conservation area and flood risk within the Plan area but the Plan does not propose anything likely to cause significant impacts to these, including in the light of other protective policies.	
d) environmental problems relevant to the plan or programme; and	The Plan has a strong emphasis on protecting and enhancing local character and distinctive characteristics of Cartmel and Allithwaite, in terms of design. It is supported by a Design Code which identifies important features that need protecting, and how development should respect local townscape and landscape character. It seeks to protect significant views, and the heritage of Cartmel Conservation Area. It also has a strong reference to the need to provide and enhance cycle and pedestrian access. It specifically refers to the value of the surrounding countryside. A further key strand relates to housing restricting new build so it is principal residence only in order to control the number of second homes. It also seeks to influence the provision of new or extensions to existing caravan or chalet parks. No site allocations are included. The Plan will need to take into account the international biodiversity designations, listed buildings/structures/the conservation area and flood risk within the Plan area but the Plan does not propose anything likely to cause significant impacts to these, including in the light of other protective policies.	No
e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and	Not applicable to the Neighbourhood Plan	No

Criteria	Plan Objectives & Policies	Likely Significant Effect?
programmes linked to waste management or water protection).		



Characteristics of the effects and of the area likely to be affected, having regard, in particular, to;

Criteria	Plan Objectives & Policies	Likely Significant Effect?
<p>a) the probability, duration, frequency and reversibility of the effects;</p>	<p>The Plan will help guide the location and appearance of development in the parish until 2032, together with other adopted development plan documents. The effects of the Plan's policies will come about when relevant planning applications are determined by the Local Planning Authority and implemented. The Plan seeks to have a positive effect on the Parish's natural and built environment in particular. The Plan will be reviewed in 2032 but developments shaped by the policies are likely to remain in place for some years, and thus, so could any resultant effects. The probability, duration, frequency and reversibility of the effects will depend on many factors, including the amount and location of development, how long the development remains in situ and any measures available to mitigate or remediate any effects that occur. The Plan will need to take into account the international biodiversity designations, listed buildings/structures/the conservation area and flood risk within the Plan area but the Plan does not propose quantum or locations of development beyond those already identified and assessed in the existing development plan. Similarly, the Plan does not propose anything likely to cause significant impacts, including in the light of other protective policies.</p>	<p>No</p>
<p>b) the cumulative nature of the effects;</p>	<p>The Sustainability Appraisal of the SLDC Core Strategy considered the impact of various options for proportions of development taking place in Local Service Centres such as Cartmel and Allithwaite. The Sustainability Appraisal of the SLDC Land Allocations considered the impact of several sites for development in Allithwaite and Cartmel. The level and location of</p>	<p>No</p>

Criteria	Plan Objectives & Policies	Likely Significant Effect?
	<p>development proposed to be supported in the Neighbourhood Plan is consistent with the amounts and locations set out in policy CS1.2 of the South Lakeland Core Strategy and the Land Allocations DPD, which were deemed the most sustainable options as assessed through Sustainability Appraisal. The Plan does not propose development on any additional sites additional to those set out in the Land Allocations DPD. The Sustainability Appraisal of the Development Management Policies DPD considered the impact of several Development Management policies, many of the policies in the Neighbourhood Plan are complemented by these policies.</p>	
<p>c) the trans boundary nature of the effects;</p>	<p>The Plan includes some proposals that could affect other Parishes. These include active travel routes, enhancement of green infrastructure (wildlife corridors) which might include new habitat creation and features beyond the parish boundary, and possible impacts on Morecambe Bay which could affect habitat and waters in Neighbouring Parishes. However, it is unlikely that significant cross-boundary effects will occur. There is also some intention to enhance active travel connectivity, which will by its very nature, possibly open up more access to the open countryside and link with other areas, however, the environmental effects of this are potentially positive in terms of effects on other areas e.g. reduced air pollution, carbon emissions; though it would need to be considered carefully what impacts this may have for designated sites.</p> <p>No neighbouring authorities objected to the final Core Strategy. SLDC has supported Allithwaite and Cartmel Parish Council in the preparation of their Neighbourhood Development Plan.</p>	<p>No</p>

Criteria	Plan Objectives & Policies	Likely Significant Effect?
d) the risks to human health or the environment (for example, due to accidents);	The Plan does not propose anything likely to cause significant impacts to human health or the environment, including in the light of other protective policies.	No
e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Plan covers Allithwaite and Cartmel Parish, which comprises the villages of Allithwaite and Cartmel and parts of the surrounding rural area with a resident population of just over 1800. Its impacts are likely to be of limited magnitude and spatial extent.	No
f) the value and vulnerability of the area likely to be affected due to: (I) special natural characteristics or cultural heritage; (II) exceeded environmental quality standards or limit values; or (III) intensive land-use; and	<p>The Neighbourhood Plan Area lies within the setting of the LDNP (itself a designated World Heritage site) and includes SSSI, SAC, SPA and Ramsar designations, including Morecambe Bay. Within the parish, Roundsea Wood and Mosses is a National Nature Reserve (NNR), SSSI and SAC. Wart Barrow and Humphrey Head and Outley Mosses are also designated SSSIs, as is Old Park Wood /Barker Scarr. There is a statutory Limestone Pavement Orders (LPO's) within the parish boundary at Humphrey Head. The Wart Barrow and Kirkhead LPO is partly within and partly adjoining the parish boundary. Within the parish plan area there are also other designations, such as Ancient Woodland – examples being Kirkhead and Hesketh woods. Areas of priority habitat include; coastal and floodplain grazing marsh, coastal saltmarsh and deciduous woodland) are scattered across the parish (both within the parish and adjoining it)</p> <p>Heritage Assets - There are statutory listed buildings – with a particularly large single concentration in the centre of Cartmel, mostly grade II, with the exception of the grade I Cartmel Priory. There are a few grade II* listed buildings within the parish; including Wraysholme Tower and two within</p>	No

Criteria	Plan Objectives & Policies	Likely Significant Effect?
	<p>Cartmel. A grade II* listed building (Cark Hall) on the eastern edge of Cark is near to the parish boundary. There are, to a lesser extent, scheduled monuments; including a few in Cartmel and one at Cark Airfield.</p> <p>The parish adjoins Morecambe Bay and the coastal strip, as well as areas immediately inland of the coast are prone to flood risk – other parts of the parish are also prone to flood risk⁴, There are areas of fluvial flooding (mostly flood zone 3 and some flood zone 2) in Cartmel village along the valley of the River Eea (a main river) south west towards Cark and to the north/north west of Cartmel. There is also an area of flood zone 3 and 2 in the western part of the parish, west of the B5278 road.</p> <p>The Plan has a strong emphasis on protecting and enhancing local character and distinctive characteristics of Cartmel and Allithwaite, in terms of design. It is supported by a Design Code which identifies important features that need protecting, and how development should respect local townscape and landscape character. It seeks to protect significant views, and the heritage of Cartmel Conservation Area It also has a strong reference to the need to provide and enhance cycle and pedestrian access. It specifically refers to the value of the surrounding countryside. A further key strand relates to housing restricting new build so it is principal residence only in order to control the number of second homes. It also seeks to influence the provision of new or extensions to existing caravan or chalet parks. No site allocations are included. The Plan will need to take</p>	

⁴ Source: Gov.UK – Flood Map for Planning.



Criteria	Plan Objectives & Policies	Likely Significant Effect?
	<p>into account the international biodiversity designations, listed buildings/structures/the conservation area and flood risk within the Plan area but the Plan does not propose anything likely to cause significant impacts to these, including in the light of other protective policies.</p> <p>In addition, the level and location of development proposed to be supported in the Neighbourhood Plan is consistent with the amounts and locations set out in policy CS1.2 of the South Lakeland Core Strategy and the Land Allocations DPD. The Plan will need to take into account the international biodiversity designations, listed buildings/structures/the conservation area and flood risk within the Plan area but the Plan does not propose anything likely to cause significant impacts to these, including in the light of other protective policies. Sustainability Appraisal of the Development Management Policies DPD considered the impact of several Development Management policies, many of the policies in the Neighbourhood Plan are complemented by these policies</p>	
<p>g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>As above (f)</p>	<p>No</p>

Conclusion

2.1.6 Based on the objectives and policies of the Plan as proposed South Lakeland District Council concludes the possibility of significant environmental effects can be ruled out and so it will not be necessary to subject the Plan to SEA.

2.2 SA

- 2.2.1 Under UK legislation, SA incorporates the requirements of the SEA Directive, but rather than considering only significant impacts on the environment, a SA is an appraisal of the social, economic **and** environmental impacts of a plan, policy, project or programme.
- 2.2.2 SA for Local Plans is required by section 19 (5) of the Planning and Compulsory Purchase Act and has been undertaken (including the requirements of SEA) on higher-tier plans ([South Lakeland Local Plan – Core Strategy](#), the [South Lakeland Local Plan – Land Allocations](#) and the [Development Management Policies](#) beneath which the Plan will sit, and with which it must be in general conformity.
- 2.2.3 The PPG confirms that there is no legal requirement for Neighbourhood Plans to be subject to Sustainability Appraisal. However, it must be demonstrated how a plan or will contribute to achieving sustainable development and the PPG suggests that a sustainability appraisal might be an appropriate way to do this and that the guidance on sustainability appraisal of Local Plans should be referred to.

Conclusion

- 2.2.4 As there is no legal requirement for SA to be undertaken on Neighbourhood Plans, provided a simple assessment of the Plan's performance against sustainability criteria is performed, including environmental, social and economic factors, it is concluded that a full SA is not required for the Plan. For consistency, it is recommended that a simplified approach based on SLDC's approach to SA is used to carry out a basic assessment of the Plan.

3. Habitats Regulations Assessment and Appropriate Assessment

- 3.1 Habitats Regulations Assessment (HRA) is undertaken to establish whether a plan, policy, project or programme is likely to have significant effects, whether alone or in combination with other plans or strategies, on internationally protected sites of biodiversity conservation importance (protected sites). The Habitats Regulations transpose the European Union's Conservation of Natural Habitats and of wild fauna and flora (known as the Habitats Directive), into UK Law.
- 3.2 Guidance on how the HRA apply to neighbourhood plans is clear that not all neighbourhood plans will require HRA (Locality Neighbourhood Plans Roadmap Guide). The requirement may be triggered when plans cover, or are close to, an area that includes protected sites or set out particularly large, ambitious or complex proposals. However, draft neighbourhood plans should be screened to determine whether they should be subject to a HRA.
- 3.3 In light of the judgement of the Court of Justice of the European Union concerning Article 6(3) of the Habitats Directive⁵, measures that may be intended to avoid or reduce the harmful effects of a plan or project on a European Site can only be considered as part of the appropriate assessment stage of HRA, and not at the preceding screening stage. This means it is no longer appropriate to rely on these measures when deciding whether a plan or project is likely to have a significant effect on a European site(s).
- 3.4 To meet the requirements of the Habitats Regulations and Directive, HRA follows the basic process below:
- **Screening for likely significant effects.** A stage 1 and Stage 2 approach is advocated, Stage 1 is undertaken to demonstrate whether any significant effects are thought likely, and if not, no further steps are required. No further steps can only be established if no mitigation measures are considered necessary, if these are then Stage 2 needs to take place which is the Appropriate Assessment.
 - If significant effects are thought likely and cannot be ruled out, and **Appropriate Assessment** must be undertaken to determine the likelihood, extent and implications of the effects on the integrity of protected/designated sites.
 - If it is concluded that there will be significant negative effects on protected sites, **alternative solutions and mitigation measures** to prevent the effects must be identified. This would normally involve the relevant proposals being removed from the plan, unless, in exceptional cases, there are overriding

⁵ People over Wind, Peter Sweetman v Coillte Teoranta Case C-323/17

reasons of significant public interest that mean the proposals should go ahead.

- 3.5 The HRA process is underpinned by the precautionary principle. Therefore if, based on the evidence available, it is not possible to rule out risk of harm to a protected site, it is assumed a risk may exist.
- 3.6 One of the basic conditions for neighbourhood plans that the independent examiner will test is whether the neighbourhood plan is compatible with European Union obligations, including the Habitats Directive.
- 3.7 In order to assess whether the Plan should be subject to a formal HRA, the Plan has been examined considering: HRA already undertaken for higher tier plans beneath which the Plan sits; the crucial factors relating to the integrity of protected sites within or in close proximity to the Plan area; other relevant plans and strategies affecting the Plan area; and the possible effects of the Plan and likelihood of impacts on protected sites. This assessment has been made below.

HRA Screening

HRA already undertaken for higher tier plans

3.8 The South Lakeland Local Plan – Core Strategy, the South Lakeland Local Plan – Land Allocations and the Development Management Policies DPD were subject to HRA. These assessments concluded that the documents would not have any significant effects on any protected sites.

Crucial factors relating to the integrity of protected sites within or in close proximity to the plan area

3.9 Site: Morecambe Bay Site of Special Scientific Interest (SSSI), Site of Special Protection Area (SPA), Special Area of

Conservation (SAC), and Ramsar site. <5km from the Plan area.

SPA

- Appropriate management, including grazing, mowing, vegetation clearance an appropriate level;
- The absence or control of introduced or invasive species;
- Current extent and distribution of suitable feeding and roosting habitat (e.g. saltmarsh, mudflats);
- Sufficient prey availability (e.g. small fish, crustaceans and worms);
- Minimal levels of disturbance;
- Water quality necessary to maintain intertidal plant and animal communities; and

- Water quantity and salinity gradients necessary to maintain saltmarsh conditions suitable for bird feeding and roosting.

SAC

- Good water quality;
- No change in land use, habitat loss or fragmentation;
- The absence or control of invasive or introduced species;
- Lack of disturbance or erosion from tourism and recreation;
- Appropriate management, including grazing, mowing, vegetation clearance, burning at an appropriate level, low nutrient input; and
- Other potential threats include: commercial fisheries, aggregate extraction, gas exploration, adverse effects on interest features as a result of coastal and flood defences.

Ramsar

- Appropriate management, including grazing, mowing, vegetation clearance an appropriate level;
- The absence or control of introduced or invasive species;
- Current extent and distribution of suitable feeding and roosting habitat (e.g. saltmarsh, mudflats);
- Sufficient prey availability (e.g. small fish, crustaceans and worms);
- Minimal levels of disturbance; and
- Water quality necessary to maintain intertidal plant and animal communities; and
- Water quantity and salinity gradients necessary to maintain saltmarsh conditions suitable for bird feeding and roosting.

Site: Morecambe Bay Pavements SAC <5km from the Plan area

- Appropriate land management;
- Low nutrient input; and
- Limited air pollution.

Site: Witherslack Mosses SAC <5km from the Plan area

- Appropriate management, including grazing, mowing, vegetation clearance, presence or absence of burning at an appropriate level;
- Low nutrient input;
- Adequate water supply; and
- Limited air pollution.

Site: Roudsea Wood and Mosses SAC <5km from the Plan area

- Appropriate management;
- Low nutrient input;
- Adequate water supply to maintain water tables; and
- Limited air pollution.

Site: Leighton Moss SAC and Ramsar site <5km from the Plan area

- Appropriate management, including grazing, mowing, vegetation clearance, presence or absence of burning at an appropriate level, low nutrient input;
- Adequate water supply;
- Good water quality; and
- No change in land use, habitat loss or fragmentation.

Other relevant plans and strategies

3.10 Key other relevant plans/strategies include: The South Lakeland Local Plan – Core Strategy, the South Lakeland Local Plan – Land Allocations, South Lakeland Development Management Policies, the Lake District National Park Local Plan Part 1 – Core Strategy, the Lake District National Park Local Plan Part 2 – Allocations of Land and pre-submission Lake District Local Plan 2020-2035. A number of other plans and strategies were considered in the HRAs of these documents, and were found to have no likely significant in-combination effects. As the Neighbourhood Plan must be in general conformity with these higher tier plans and because it relates to a much more localised area, it is thought unlikely that any assessment of likely in-combination effects relating to the Neighbourhood Plan would result in a different outcome.

Possible effects of Neighbourhood Plan

Policies

3.11 Policy AC1 – Design principles– Supporting design that has no detrimental impact on the character of the area, including taking account of a Design Code, making a positive contribution to local identity and sense of place, protecting and enhancing amenity, supporting reduction in carbon emissions through design and ensuring improvements to pedestrian facilities and linkages between villages - this is in line with policies in the Core Strategy and also the Development Management Policies DPD, which has already been assessed. Note the commentary relating to Policy AC7 – Improving pedestrian movement with reference to linkages

Policy AC2 – Development within Cartmel Conservation Area and its setting - Ensuring development within the Cartmel Conservation Area or affecting its setting maintains and where possible enhances the positive attributes of the Conservation Area. This is in line with policies in the Core Strategy and Development Management Policies DPD, which has already been assessed – not likely to have any significant effects.

Policy AC3 Protecting and enhancing landscape character around Allithwaite and Cartmel - Protecting and enhancing local landscape character including protection of

locally significant views and landscape features - not likely to have any significant effects.

Policy AC4 – Protecting local green spaces— Designating eight - local green spaces - not likely to have any significant effects.

Policy AC5 – Protecting and enhancing green infrastructure and biodiversity – not likely to have any significant effects.

Policy AC6 – Dark Skies - Minimising light pollution and maintenance of night time skies - not likely to have any significant effects.

Policy AC7 - Improving pedestrian movement - Expectation all new proposals should provide pedestrian and cycle links which reflect most direct routes to village facilities and access to potential new routes to be further identified –It is important that such enhancements also result in no adverse impacts on the integrity and qualities of designated protected sites and species. It is also important these new routes safeguard these qualities. It is recommended therefore the policy includes such clause.

Policy AC8- Principle residence requirement - Establishes a principle residence occupancy requirement on new open market housing excluding replacement dwellings within Cartmel – not likely to have any significant effects.

Policy AC9– Caravans and Chalet Parks - Sets out criteria for caravan and chalet park development – not likely to have any significant effects.

Policy AC10– Maintaining and Enhancing infrastructure - includes a requirement for developers to provide best available broadband and digital communications to new properties and start-up businesses, consideration of impact on utilities, highways and healthcare– not likely to have any significant effects.

Other supporting documents

3.12 The Plan also includes a Design Code which includes a set of design principles to guide new development. It contains no proposals, and is not likely to result in any significant effects.

Likely significant effects to sites (including potential ‘in-combination’ impacts)?

3.13 Due to the nature of crucial factors relating to the integrity of protected sites in close proximity to the Plan area, careful consideration was needed regarding the possible effects of the Plan and likelihood of impacts of these on protected sites. HRA has already been undertaken for higher tier plans (The South Lakeland Local Plan – Core Strategy and Local Plan - Land Allocations and Development Management Policies DPD) beneath which the Plan sits, including an assessment of other relevant plans and strategies affecting the Plan area. In addition, the Plan does

not propose quantum or locations of development not already set out in the adopted Development Plan. Furthermore, existing protective policies will continue to apply. As such, the potential for the policies of the Allithwaite and Cartmel Neighbourhood Plan to have significant effects on identified protected sites would appear to be very limited.

Conclusion

3.14 Based on the objectives and policies of Allithwaite and Cartmel Neighbourhood Plan as proposed, South Lakeland District Council concludes that the possibility of significant effects on protected sites can be ruled out and therefore, it will not be necessary to subject the Plan to HRA.

4. Overall Conclusions

- 4.1 Based on the assessments undertaken in the preceding sections, it is concluded that SEA and HRA are not required for the Allithwaite and Cartmel Neighbourhood Plan, as the possibility of significant effects can be ruled out.
- 4.2 A basic assessment of the Plan against wider sustainability objectives using a simplified approach to SA based on SLDC's SA approach is recommended as good practice.

Appendices

Appendix 1 Responses from Environment Agency, Natural England and Historic England

Environment Agency

March – April 2021 Consultation

Allithwaite and Cartmel Neighbourhood Development Plan Consultation on initial SEA, SA and HRA Screening Opinion request

Thank you for referring the SEA, SA and HRA Screening Opinion Report which have been prepared for the Allithwaite and Cartmel Neighbourhood Development Plan. We received your consultation request on 18 March 2021 and following review of the documents received, we can comment as follows:

We support your conclusions. These reflect the fact the draft plan is underpinned by SEA/HRA and SA of higher-tier level plans, and given it is not allocating sites, or it is considered sensitive environmental assets may be directly affected by the policies and proposals in the plan, and is not likely to have significant environmental effects not already addressed through the SA of the Local Plan.

Yours sincerely

Mr Jeremy Pickup
Planning Advisor - Sustainable Places

E-mail cplanning@environment-agency.gov.uk

August – September 2022 Consultation

Submission Allithwaite and Cartmel Parish Neighbourhood Plan - Final opinion SEA, SA and HRA Screening Opinion Report

Thank you for your consultation request which was received on 03 August 2022. We have reviewed the documents received with your request and can comment as follows:

We agree with your conclusions which reflect the fact the plan is underpinned by SEA/HRA and SA of higher-tier level plans (Core Strategy, Land Allocations and Development Management Policies), and given it is not allocating sites, or it is considered sensitive environmental assets may be directly affected by the policies and proposals in the plan, and is not likely to have significant environmental effects not already addressed through the SA of the relevant Local Plan.

Yours sincerely

Mr Jeremy Pickup
Planning Advisor - Sustainable Places

E-mail clplanning@environment-agency.gov.uk **Natural England**

March – April 2021

Allithwaite and Cartmel Parish Neighbourhood Development Plan – SEA, SA and HRA Screening Opinion

Thank you for your consultation on the above, dated and received by Natural England on 18 March 2021.

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.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

Based on the information provided, Natural England agree with the conclusions reached through the South Lakeland District Council’s Strategic Environmental Assessment Screening Opinion, Sustainability Appraisal and Habitat Regulations Assessment.

Should the Neighbourhood Plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

Design Code Document

Natural England welcomes the Green and Blue infrastructure references throughout the design code. Within Code GB2 Biodiversity, reference to Biodiversity Net Gain should be made as this relates to the 'creation of habitat and wildlife corridors' section that is explained within paragraph three of Code GB2. Further information is needed to explain how new development proposals will have to provide evidence for how they will carry out the 10 percent gain in Biodiversity, either within the site boundary or through local offsetting. The developing Cumbria Local Recovery Nature Strategy (LNRS) should also be mentioned here as delivery of BNG should be carried out in such a way that it has a meaningful contribution to the Nature Recovery Network.

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 Niamh Keddy on Niamh.Keddy@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely Niamh Keddy

Sustainable Development Lead Advisor

Natural England

August – September 2022

Allthwaite and Cartmel Submission Neighbourhood Plan - Screening Option SEA/SA and HRA July 2022

Thank you for your consultation on the above dated 03 August 2022 which was received by Natural England on 03 August 2022

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 & Sustainability Appraisal

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (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 Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). 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 new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Dominic Rogers Consultations Team Natural England

Historic England

March – April 2021

Allithwaite & Cartmel Parish Neighbourhood Development Plan - Consultation on initial SEA, SA and HRA Screening Opinion Report (March 2021).

We write in response to your e-mail of 18 March 2021, seeking a screening opinion from Historic England as to whether SEA, HRA and SA are required for Allithwaite and Cartmel Parish Neighbourhood Development Plan. As the public body that advises on England's historic environment, we are pleased to offer our view.

In relation to the SEA screening, for the purposes of this consultation, Historic England will confine the advice given to the question, "is it likely to have a significant effect on.

the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied at this time within the Screening Opinions and accompanying draft plan.

The Neighbourhood Plan area includes a significant number of designated heritage assets including Grade I listed Cartmel Priory, a small number of Grade II* listed structures and Cartmel Conservation Area. There are also likely to be other features of local historic, architectural or archaeological value and consideration should also be given to the wider historic landscape.

In the context of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 [Annex II of SEA Directive], and on the basis of the information supplied, it is considered that the plan appears to propose no site allocations or policies that would have significant environmental effects upon the historic environment, and so we are of the opinion that in relation to our interests (cultural heritage), that there are unlikely to be any significant environment effects arising from Allithwaite and Cartmel's Neighbourhood Plan. So we would not require Strategic Environmental Assessment of the plan.

We would like to stress that this opinion is based on the information made available. To avoid any doubt, this decision does not preclude Historic England providing further advice on later stages of the SEA process, should this be required, nor objecting to specific proposals that may subsequently arise (either as a result of this

consultation or in later versions of the plan/guidance), where we consider that these would have an

adverse effect upon the historic environment. The views of all statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made.

In relation to HRA and SA, we concur with your conclusions.

Historic England advises the plan makers that the conservation and archaeological staff of South Lakeland District Council and Cumbria County Council should also be closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on: local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how policies or proposals can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We request that you please send Historic England a copy of your determinations.
Yours sincerely,

Pippa Brown

Historic Places Adviser

Historic England

August – September 2022

Consultation on SEA, SA and HRA Screening Opinion for Allithwaite & Cartmel Neighbourhood Plan (August 2022)

We write in response to your e-mail of 3 August 2022, seeking a screening opinion from Historic England as to whether SEA, HRA and SA are required for Allithwaite and Cartmel Neighbourhood. As the public body that advises on England's historic environment, we are pleased to offer our view.

For the purposes of this consultation, Historic England will confine the advice given to the question, "Is it likely to have a significant effect on the environment?", in respect to our area of concern, cultural heritage. Our comments are based on the information supplied at this time within the Screening Opinion and accompanying submission version of the plan (July 2022).

The Neighbourhood Plan area includes a significant number of designated heritage assets including Grade I listed Cartmel Priory, a small number of Grade II* listed structures and Cartmel Conservation Area. There are also likely to be other features of local historic, architectural or archaeological value and consideration should also be given to the wider historic landscape.

In the context of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 [Annex II of SEA Directive], and on the basis of the information supplied, it is considered that the plan appears to propose no site allocations or policies that would have significant environmental effects upon the historic environment, and so Historic England concur with your conclusions, that SEA is not required.

We have no comments to make in respect of other aspects of the Screening Opinion.

We would like to stress that this opinion is based on the information made available in the email dated 3 August 2022. To avoid any doubt, this decision does not preclude Historic England providing further advice on later stages of the SEA process, should this be required, nor objecting to specific proposals that may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance), where we consider that these would have an adverse effect upon the environment. We note that the views of the other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made.

Historic England advises the plan makers that the conservation and archaeological staff of South Lakeland District Council and Cumbria County Council should be closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on: local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how policies or proposals can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We request that you please send us a copy of the determination as required by Reg 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Yours sincerely,

Pippa Brown

Historic Places Adviser

Historic England