

# **Strategic Environmental Assessment Screening and Habitats Regulations Assessment Report**

**Central Kettering Neighbourhood Plan**

**1<sup>st</sup> October 2025**

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## 1.0 Introduction

- 1.1 This Strategic Environmental Assessment (SEA) Screening and Habitat Regulations Assessment (HRA) Report has been prepared by ONH on behalf of Kettering Town Council, as the responsible body, in order to inform:
- a) A determination under Paragraph 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) on whether or not a Strategic Environmental Assessment (SEA) is required for the Central Kettering Neighbourhood Plan ('the Neighbourhood Plan'); and
  - b) A determination in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) on whether or not a Habitat Regulations Assessment (HRA) is required for the Plan.
- 1.2 Not every neighbourhood plan needs SEA, however, it is compulsory to provide when submitting a plan proposal to the local planning authority, either:
- a statement of reasons as to why SEA was not required; or
  - an environmental report (a key output of the SEA process).
- 1.3 A neighbourhood Plan must also meet certain 'basic conditions' before they can come into force. These are tested through the independent examination. The basic conditions are:
- have regard to national policy
  - contribute to the achievement of sustainable development
  - general conformity with the strategic policies in the development plan for the area
  - compatible with EU obligations
- 1.4 This report will assist in demonstrating that the Neighbourhood Plan has met the basic conditions.
- 1.5 The development plan for the area currently comprises the North Northamptonshire Joint Core Strategy (adopted July 2016) and the Kettering Site Specific Part 2 Local Plan (adopted December 2021). Both these plans were subject to a Sustainability Appraisal (which included an SEA) and a HRA and these have informed this report.

## 2.0 Central Kettering Neighbourhood Plan

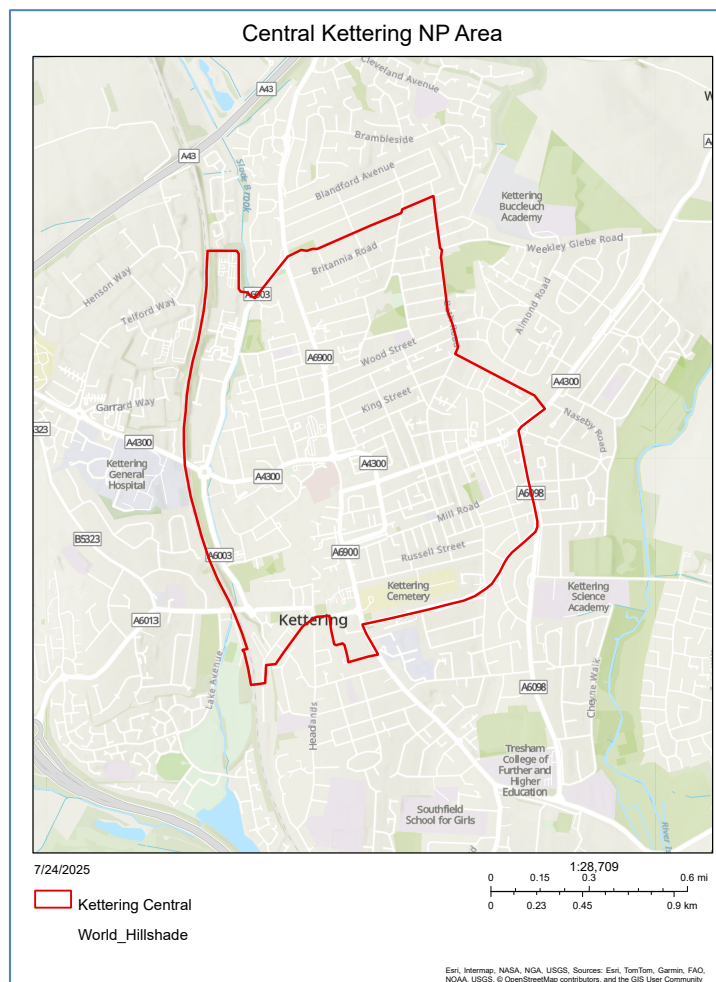
- 2.1 The Central Kettering Neighbourhood Plan (CKNP) Area is located within a built-up area of Kettering situated in the East Midlands about 15 miles north-east of Northampton. The area was designated in October 2024. The area is a mix of commercial and residential, covering the whole of the defined Town Centre as well as surrounding residential streets to the north and west, which contains a mixture of dwelling types. To the immediate southwest of the defined CKNP area is the Headlands Neighbourhood Plan Area. The Headlands Neighbourhood Plan was made in June 2023

The CKNP aims to ensure that Kettering Town Council and the local community will have a greater say over future development in the area, helping to ensure the future prosperity of the town. There is a recognition for the need to undergo a period of transformation within the town centre to protect and enhance the traditional values of a market town, particularly providing a place to bring people together, but with a new focus, to increase accessibility and footfall and the future sustainability and commercial viability of the town centre, which has experienced some

decline over recent years. The CKNP also seeks to safeguard, promote and celebrate the heritage of the town. The CKNP takes a brownfield only approach to development, seeking to restore and redevelop identified key buildings within the town centre and previously developed land in the surrounding residential area, predominately former factory or commercial sites. The Plan is not identifying any greenfield land for development but will contain policies to protect Local Green Spaces, Blue and Green Infrastructure and promote active travel, as well as a number of design policies within the Town Centre.

The agreed scope and policies of the CKNP are:

- KET1 - Key Buildings
- KET2 - Town Centre (Land use mix)
- KET3 - Areas of Special Character
- KET4 - Conservation Area Design
- KET5 - Shopfronts in the Town Centre
- KET6 - Brownfield Redevelopment
- KET7- Local Heritage Assets
- KET8 - Houses in Multiple Occupation
- KET9 - Energy Efficiency
- KET10 - Biodiversity inc. Green Infrastructure
- KET11 - Local Green Spaces
- KET12 - Movement and Connectivity

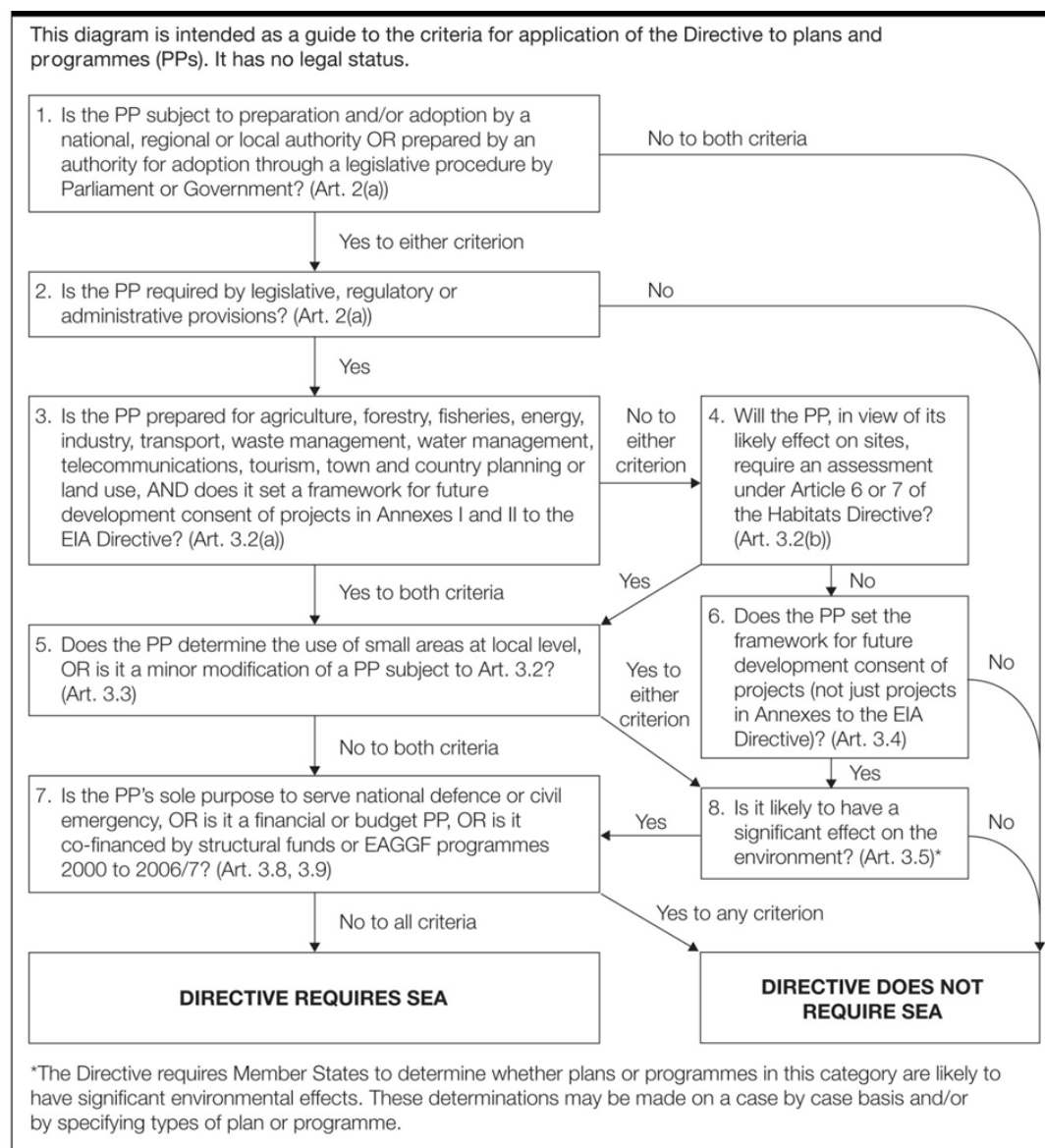


### 3.0 Strategic Environmental Assessment (SEA) Screening

- 3.1 The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects. A determination cannot be made until the three statutory consultation bodies have been consulted: The Environment Agency, Natural England and Historic England.
- 3.2 The SEA screening is a two-stage process. The first part considers the Neighbourhood Plan against the SEA assessment criteria set out in the national guidance, '[A Practical Guide to the Strategic Environmental Assessment Directive](#)' (ODPM 2005). The second part of the assessment considers whether the NP is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programmes Regulations 2004.

#### Part 1

- 3.3 The figure below is reproduced from the practical guide and illustrates the process for screening whether SEA is required. This is used to inform the following table.



| Stage                                                                                                                                                                                                                                                                                                                                                   | Yes or No | Reason                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1:</b> Is the Plan subject to preparation and/or adoption by a national, regional or local authority or prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))                                                                                                                               | Yes       | The NP is being prepared by Kettering Town Council as the qualifying body under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Subject to the outcome of an examination and referendum, it will be 'made' by North Northamptonshire Council as the local planning authority. <b>GO TO STAGE 2</b>                                                                                                                                                                                                                                                                                                                                                                              |
| <b>2:</b> Is the Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))                                                                                                                                                                                                                                                     | No        | Neighbourhood plans are not required by legislation. The Localism Act allows these to be undertaken on a voluntary basis. However, once 'made' the NP will form part of the statutory Development Plan for the area. Therefore, strictly speaking the NP is not required by legislative, regulatory or administrative provisions and so would not require a SEA. However, it is not justified to stop the screening exercise at this point. <b>GO TO STAGE 3</b>                                                                                                                                                                                                                                                              |
| <b>3:</b> Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or and use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a)) | No        | The NP is prepared for town and country planning and land use purposes. Once made, it will form part of the statutory Development Plan for the determination of planning applications. However the NP is unlikely to set a framework for consents for projects in Annex I and II of the EIA Directive. <b>GO TO STAGE 4</b>                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>4:</b> Will the Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))                                                                                                                                                                             | Yes       | A HRA is dealt with in section 4 of this report<br><br>The neighbourhood plan conforms with the policies of the JCS and does not propose any greater level of development than that required by JCS Policy 29. In this context, the impact of residential development on the SPA has already been assessed in the Habitat Regulations Assessment for the JCS and recreational impact will be appropriately mitigated for by contributions to the SAMMs as set out in the SPA mitigation strategy. No functionally linked land is affected by proposals in the plan. The plan will therefore not have an adverse effect on the integrity of the Upper Nene Valley Gravel Pits Special Protection Area.<br><b>GO TO STAGE 5</b> |

|                                                                                                                                                                                                                         |     |                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>5:</b> Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan subject to Art. 3.2? (Art. 3.3)                                                                        | Yes | The NP will assist in the determination of planning applications for the use of small sites at a local level. The plan is also prepared in conformity with the strategic policies of the development plan and as such can be described as a minor modification to an existing plan. <b>GO TO STAGE 8</b>                                                                                                       |
| <b>6:</b> Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)                                                                     | N/A | The Local Plan sets the overall framework for future development and has been the subject of SEA. The NP will contribute towards this framework by establishing more local policies. These policies will be in general conformity with the strategic policies of the Local Plan as required by the regulations. The policies will however be material considerations in the determination of relevant policies |
| <b>7:</b> Is the Plan's sole purpose to serve the 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 2006/7? (Art 3.8, 3.9) | N/A | The NP is not concerned with such issues. Notwithstanding this, stage 7 is bypassed as the response to stage 5 is 'Yes'.                                                                                                                                                                                                                                                                                       |
| <b>8:</b> Is it likely to have a significant effect on the environment? (Art. 3.5)                                                                                                                                      | No  | None identified. See part 2 assessment below to understand the determination of likely significant effects.                                                                                                                                                                                                                                                                                                    |

## Part 2 – Likelihood of significant environmental effects

- 3.4 Stage 8 refers to whether the neighbourhood plan is likely to have a significant effect on the environment. The criteria for determining the likely significance of effects from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 are set out below. The plans should be assessed having regard to these criteria.

### The characteristics of plans and programmes

| Criteria in Annex II of the SEA Directive                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                       | Significant Effect? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| The degree to which the plan or programme sets a framework for projects and other activities, either in regard to location, nature, size and operating conditions or by allocating resources. | The NP only sets the framework for projects in a local context. There is a statutory requirement for the plan to provide policies in the context of the strategic policies of the adopted development plan. To this end it cannot by its nature provide for development that exceeds the intentions of the adopted Joint Core Strategy and instead provides for the local needs of the Parish. | None likely         |

|                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                  |             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| The degree to which the plan or programme influences other plans and programmes including those in the hierarchy.                                                                             | Whilst the NP comprises part of the statutory development plan for the area they are required to conform with the strategic policies of the development plan. They are effectively the bottom tier of the statutory policy pyramid.                                                              | None likely |
| The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.                                    | Neighbourhood Plans are required by legislation to help achieve sustainable development. This is one of the basic conditions against which the Plan will be tested at examination. This includes the environmental objective as identified in the NPPF.                                          | None likely |
| Environmental problems relevant to the plan or programme                                                                                                                                      | There are not considered to be any significant environmental problems which are specific to the area, above and beyond those considered and addressed in the Local Plan. The Neighbourhood Plan includes policies which provide additional environmental protection.                             | None likely |
| The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | The implementation of community legislation is unlikely to be significantly compromised by the Neighbourhood Plan. The policies of the Plan must have regard to these matters and seek to ensure that any development it promotes does not compromise the objectives of higher level strategies. | None likely |

#### The characteristics of the effects and of the area likely to be affected

| Criteria in Annex II of the SEA Directive                         | Response                                                                                                                                                                                                                                     | Significant Effect? |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| The probability, duration, frequency and reversibility of effects | The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant effect.                                                                                                                      | None likely         |
| The cumulative nature of the effects                              | The NP needs to be prepared in general conformity with the strategic policies of the development plan. The JCS and part 2 plan for the area have already had an SEA and HRA which assesses cumulative impact of development across the area. | None likely         |
| The transboundary nature of the effects                           | In context the NP is seeking to manage future development in a small, parish level area. It is unlikely that the plan will have any sort of significant transboundary                                                                        | None likely         |



|                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|                                                                                                                                                                                                                                        | effect, taken primarily to mean impacting on another EU member state, as defined in the EIA Regulations. Even if 'transboundary' were to be defined as impacting on the jurisdiction of other administrative areas within the UK (for example between parishes or local authority area) the effect would be minimal in both instances.                                                                                                                                                                                                    |             |
| The risks to human health or the environment (for example, due to accidents)                                                                                                                                                           | It is highly unlikely that the Plan will give rise to any significant instances of risk to human health. It principally proposes the delivery of small scale development by way of a set of policies that seek to take into account all residual effects on residents including amenity, traffic movement, fumes and pollution.                                                                                                                                                                                                           | None likely |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)                                                                                                                   | The small spatial extent and the magnitude of the population affected are not considered significant for the purpose of the SEA. The effects of the plan are not thought likely to extend beyond the plan area.                                                                                                                                                                                                                                                                                                                           | None likely |
| The value and vulnerability of the area likely to be affected due to<br>(i) special natural characteristics or cultural heritage;<br>(ii) exceeded environmental quality standards or limit values;<br>or<br>(iii) intensive land use. | It is considered unlikely that the NP would adversely impact the special natural characteristics or cultural heritage features within the Neighbourhood Area. The NP would not be expected to cause exceedances of environmental standards or lead to intensive land use.                                                                                                                                                                                                                                                                 | None likely |
| The effects on areas or landscapes which have a recognised national, Community or international protection status.                                                                                                                     | <p>The NP is unlikely to result in any significant adverse impacts on protected area or landscapes.</p> <p>The Neighbourhood Area includes a number of listed buildings, and falls partially within the Kettering Conservation Area. There are no Scheduled Monuments, Registered Parks or Gardens, Registered Battlefields or SSSIs likely to be affected by proposals in the plan.</p> <p>The listed buildings and conservation area are that these would be protected through policies in the JCS and site-specific ones in the NP</p> | None Likely |

|  |                                                                                                                                                                                                    |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | The Upper Nene Valley Gravel Pits SPA would be protected by JCS Policy 4 and the accompanying mitigation strategy. Any potential harm to the SPA would be identified through the HRA in section 4. |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

## **Determination – the requirement for SEA**

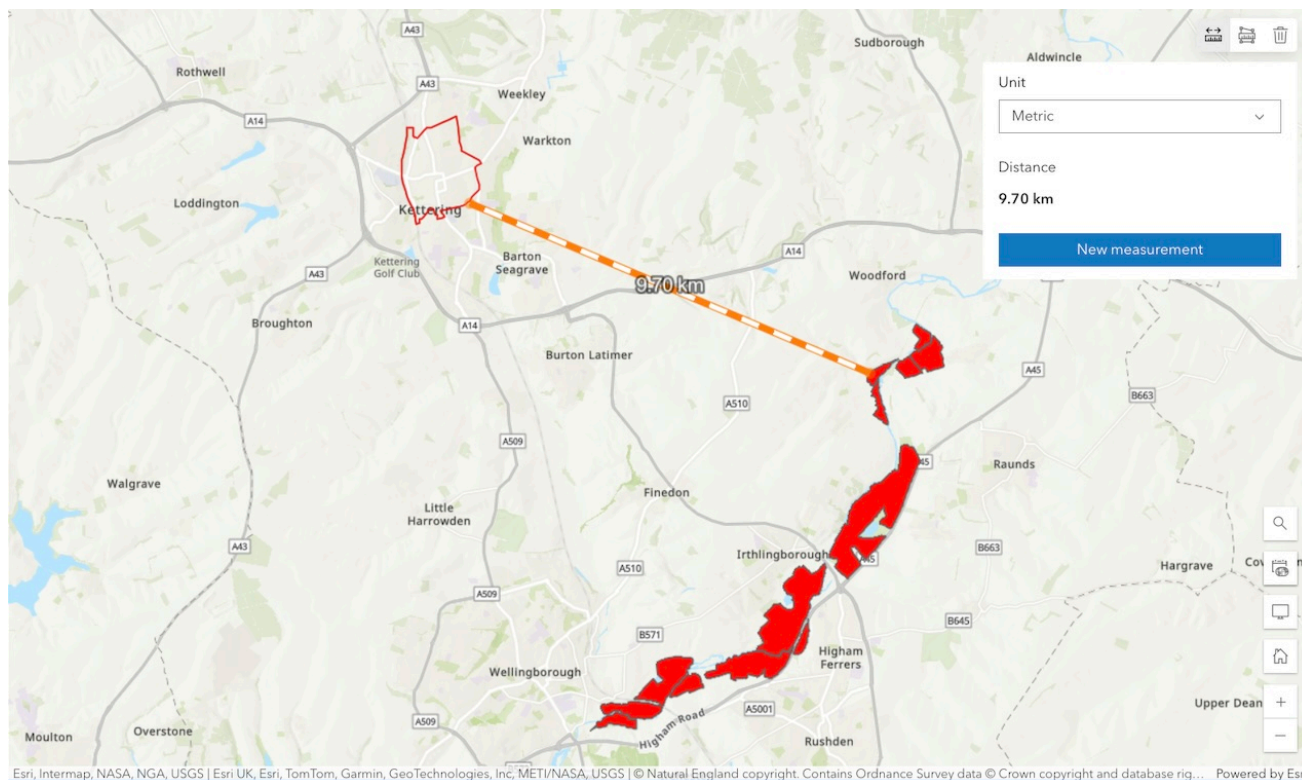
- 3.5 As a result of the assessment set out above, Kettering Town Council, as the responsible authority, determine that the plan will not give rise to any significant effects and therefore an Environmental Report is not required.

## **4.0 Habitats Regulations Assessment (HRA)**

- 4.1 Schedule 2 of The Neighbourhood Planning (General) Regulations 2012 (as amended) states that to meet the basic conditions, the making of a neighbourhood plan must not be likely to have a significant effect on a European site, either alone or in combination with other plans or projects.
- 4.2 There is no formal Government guidance on HRA, although a consultation paper ('Planning for the Protection of European Sites: Appropriate Assessment') was issued in 2006. The consultation paper makes it clear that the HRA process should be undertaken at a level of detail that is appropriate and proportional. The first stage in the process is known as 'screening' and is essentially a risk assessment to decide whether the subsequent stage, known as Appropriate Assessment, is required. The essential question is: "Is the plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"
- 4.3 The objective of screening is to identify those policies that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with such a site. Only if a significant effect is likely would the need for an Appropriate Assessment of the neighbourhood plan be triggered.
- 4.4 European sites form an EU wide network of nature protection areas designated to assure the long-term survival of Europe's most valuable and threatened species and habitats. The sites are designated under the EU Birds Directive (79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora). The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for habitats. Wetlands of International Importance (Ramsar sites) are also part of the Natura 2000 network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Natura 200 network in England.

## The Upper Nene Valley Gravel Pits Special Protection Area

- 4.5 The Central Kettering Neighbourhood Plan Area is located approximately 9.70km from the Upper Nene Valley Gravel Pits Special Protection Area (SPA) at its nearest point. There are no other designated Natura 200 sites within 15km of the neighbourhood area.



- 4.6 The SPA covers an area of 1,358ha and was formally designated by the UK government in April 2011. The following information is derived from the citation and accompanying information from Natural England.

### Site Description

- 4.7 The disused sand and gravel pits extend for approximately 35 kilometres along the alluvial deposits of the River Nene floodplain from Clifford Hill on the southern outskirts of Northampton, downstream to Thorpe Waterville, north of Thrapston. They form an extensive series of shallow and deep open waters which occur in association with a wide range of marginal features, such as sparsely-vegetated islands, gravel bars and shorelines, and habitats including reedswamp, marsh, wet ditches, rush pasture, rough grassland and scattered scrub. This range of habitat and the varied topography of the lagoons provide valuable resting and feeding conditions for major concentrations of wintering waterbirds, especially ducks and waders. Species such as golden plover *Pluvialis apricaria* and lapwing *Vanellus vanellus* also spend time feeding and roosting on surrounding agricultural land outside the SPA.

### Qualifying Species

- 4.8 The site qualifies under article 4.1 of the Directive (Directive 2009/147/EC) as it is used regularly by 1% or more of the Great Britain populations of the following species listed in Annex I in any season:

| Annex 1 species                             | Count and season             | Period                               | % of GB population |
|---------------------------------------------|------------------------------|--------------------------------------|--------------------|
| Bittern<br><i>Botaurus stellaris</i>        | 2 individuals - wintering    | 5 year peak mean 1999/2000 – 2003/04 | 2.0%               |
| Golden plover<br><i>Pluvialis apricaria</i> | 5,790 individual - wintering | 5 year peak mean 1999/2000 – 2003/04 | 2.3%               |

4.9 The site qualifies under article 4.2 of the Directive (Directive 2009/147/EC) as it is used regularly by 1% or more of the biogeographical populations of the following regularly occurring migratory species (other than those listed in Annex I) in any season:

| Migratory species               | Count and season            | Period                              | % of subspecies/population          |
|---------------------------------|-----------------------------|-------------------------------------|-------------------------------------|
| Gadwall<br><i>Anas strepera</i> | 773 individuals - wintering | 5 year peak mean 1999/200 – 2003/04 | 2.0% strepera, NW Europe (breeding) |

4.10 The site qualifies under article 4.2 of the Directive (Directive 2009/147/EC) as it is used regularly by over 20,000 waterbirds (waterbirds as defined by the Ramsar Convention) in any season:

In the non-breeding season, the area regularly supports 23,821 individual waterbirds (5 year peak mean 1999/2000 – 2003/04), including wigeon *Anas penelope*, gadwall *Anas strepera*, mallard *Anas platyrhynchos*, shoveler *Anas clypeata*, pochard *Aythya ferina*, tufted duck *Aythya fuligula*, great crested grebe *Podiceps cristatus*, cormorant *Phalacrocorax carbo*, bittern *Botaurus stellaris*, golden plover *Pluvialis apricaria*, lapwing *Vanellus vanellus* and coot *Fulica atra*.

### Conservation objectives

4.11 The European Site conservation objectives for the SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

### Vulnerabilities

4.12 Significant adverse effects can arise from any of the following causes, alone or in combination:

- **Physical loss of habitats within the SPA** through conversion to other land uses

- **Fragmentation of habitats within the SPA** which isolates waterbirds in small patches and impedes waterbird movement through the site
- **Loss of usable habitat within the SPA** in which the physical extent of habitat remains, yet factors like disturbance or visual barriers reduce the amount of habitat that is actually suitable for waterbirds
- **Loss of supporting habitat adjacent to or outside the SPA** (also known as functionally linked land)
- **Increased disturbance to waterbirds** from human activity (e.g recreational uses), domestic pets, noise, light and other factors that cause birds to spend less time feeding and more energy avoiding the disturbance, compromising long term survival
- **Changes in ecological condition** e.g. due to lack of management, ecological succession or deteriorating water quality, which render the habitat unsuitable for waterbirds
- **Direct waterbird mortality** e.g from collision with structures

## Assessment

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Stage 1 – details of the plan</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Is a European site potentially impacted by the plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Yes, Upper Nene Valley Gravel Pits SPA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Is the plan directly connected with or necessary to the management of the site?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Are there any other projects or plans that together with the plan being assessed could affect the site?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Yes.</p> <p>The HRA for the North Northamptonshire Joint Core Strategy assessed the in-combination effect of residential development within a 3km catchment of the SPA and concluded that such development would have an adverse effect on the integrity of the SPA unless avoidance and mitigation measures are in place.</p> <p>Golden Plover and Lapwing spend part of their time feeding or roosting on grassland and arable land, often outside the SPA. These feeding and roosting areas can be located up to 10km from the SPA and may be considered ‘functionally linked’ to the SPA. Incremental losses of land functionally linked to the SPA are, over time, becoming more significant and detrimental to the SPA. Compensatory habitat may be required.</p> |
| <b>Stage 2 – HRA screening assessment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Test 1: the significance test –a judgement as to whether there could be any potential significant impacts of the plan on the integrity of the SPA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>The plan does not propose a net gain in residential units within 3km (linear distance) of the SPA. ( see map illustrating minimum distance of 9.7km.) and therefore will not have adverse effect on the integrity of the SPA</p> <p>Golden Plover and Lapwing spend part of their time feeding or roosting on grassland and arable land, often outside the SPA. These feeding and roosting areas can be located up to</p>                                                                                                                                                                                                                                                                                                                                               |

10km from the SPA and may be considered 'functionally linked' to the SPA. However, any allocations within the neighbourhood plan are below the 1ha threshold and are only proposed on previously developed land, not farmland, arable or wetlands and therefore due to their location and scale are not likely to be functionally linked to the SPA

The plan proposes no new development which potentially impacts on the integrity of the SPA are anticipated.

Conclusion on the need for an Appropriate Assessment (has evidence shown there is a need for a full HRA?)

No

No residential development proposed within 3km of the SPA or on any land likely to be functionally linked is allocated.

(If yes, continue to Stage 3; if no, continue to Stage 4).

### **Stage 3 - HRA – Appropriate Assessment**

Test 2: the integrity test – If there are any potential significant impacts, provide evidence showing avoidance and/or mitigation measures to allow an assessment to be made. This must provide details which demonstrate any long term management, maintenance and funding of any solution.

Policy 4 of the JCS requires that developments that are likely to have an adverse impact either alone or in combination must satisfy the Habitats Regulations by avoiding or mitigating impacts.

The Neighbourhood Plan is in general conformity with the adopted North Northamptonshire Joint Core Strategy (JCS, July 2016), which is supported by a Habitat Regulations Assessment, and does not provide for any growth additional to that set out in JCS Policy 29. Any new development within the Neighbourhood Plan Area, either delivered through an allocation or as windfall, will engage JCS Policy 4 which requires contributions towards measures to mitigate impacts on the SPA:

The Upper Nene Valley Gravel Pits Supplementary Planning Document (SPD) was adopted on 14 Sept 2015. It has been produced to help local planning authorities, developers and others ensure that development has no adverse effect on the SPA, in accordance with the legal requirements of the Habitat Regulations. The SPD has been developed with Natural England and the RSPB. A mitigation strategy adopted as an addendum to the SPA SPD in December 2016 provides further guidance for development within 3km of the SPA. This details the need for a specific financial contribution for each new dwelling towards Strategic Access Management and Monitoring (SAMM) to avoid and mitigate impact or a bespoke contribution to mitigation measures based on the detail of the scheme.

Provided applicants for new residential development agree to pay the standard financial contribution towards SAMM or have a bespoke package of measures then significant harm can be suitably avoided and mitigated.

### **Stage 4 - Summary of the Appropriate Assessment (To be carried out by the Competent Authority) in liaison with Natural England**

Residential development in the area surrounding the Upper Nene Valley Gravel Pits SPA could lead to increased public access for recreation, e.g. from dog walking, which in turn can lead to disturbance of the notified bird populations and impacts to the ability of birds to use the site for feeding and roosting.

Adequate mitigation measures can be achieved by the payment of the SAMMs contribution per dwelling, in accordance with Policy 4 of the JCS, to fund a range of measures to reduce the recreational impacts of the proposed development.

No functionally linked land is affected by proposals in the plan.

The above allows a conclusion of no adverse effect on the integrity on The Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site.

#### Summary of Natural England's comments

**It is Natural England's advice on the basis of the information supplied with the consultation that:**

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites<sup>1</sup>, either alone or in combination, are unlikely.**

Full response is included in the Appendix

## Determination

- 4.13 The neighbourhood plan conforms with the policies of the JCS and does not propose any greater level of development than that required by JCS Policy 29. In this context, the impact of residential development on the SPA has already been assessed in the Habitat Regulations Assessment for the JCS and recreational impact will be appropriately mitigated for by contributions to the SAMMs as set out in the SPA mitigation strategy. No functionally linked land is affected by proposals in the plan. As a result of the assessment set out above, incorporating the comments of the three consultation bodies (included as Appendix 1), Kettering Town Council, as the competent authority, determines that the plan will therefore not have an adverse effect on the integrity of the Upper Nene Valley Gravel Pits Special Protection Area.



## Appendix 1 – References

[Sustainability Appraisal of the Submission North Northamptonshire Joint Core Strategy](#) (June 2015), URS

[North Northamptonshire Pre-Submission JCS Sustainability Appraisal](#) (Jan 2015) January 2015, URS

[European Site Conservation Objectives: Supplementary Advice on Conserving and Restoring Site Features](#), Upper Nene Valley Gravel Pits Special Protection Area (SPA) Site Code: UK9020296 (24 March 2017)

[North Northamptonshire Joint Core Strategy Habitats Regulations Assessment, January 2015](#), URS

[North Northamptonshire Joint Core Strategy Habitats Regulations Assessment Addendum, June 2015](#), URS

[Visitor Access Study of the Upper Nene Valley Gravel Pits SPA](#) , Footprint Ecology (2014)

[Upper Nene Valley Gravel Pits Special Protection Area SPD](#), adopted 14 Sept 2015

[The Upper Nene Valley Gravel Pits Special Protection Area SPD Addendum: Mitigation Strategy](#), adopted 20 December 2016

[Upper Nene Valley Gravel Pits Visitor Access Study](#), March 2023, Footprint Ecology

[Upper Nene Valley Gravel Pits SPA Birds Disturbance Study](#), March 2023, Wild Frontier Ecology



## Appendix 2 – Consultation Bodies Responses



Historic England

Miss Leah Coney  
ONH  
The Office  
Merriscourt  
Chipping Norton  
Oxfordshire  
OX7 6QX

Direct Dial: 0121 625 6870

Our ref: PL00799494

13 August 2025

Dear Miss Coney

### **CENTRAL KETTERING NEIGHBOURHOOD PLAN SEA & HRA SCREENING OPINION CONSULTATION**

Thank you for your consultation and the invitation to comment on the SEA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

Rose Thompson



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)

*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

Date: 29 August 2025  
Our ref: 521329  
Your ref: Central Kettering Neighbourhood Plan



Ms Leah Coney  
ONH

**BY EMAIL ONLY**  
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Hornbeam House  
Crewe Business Park  
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CW1 6GJ

T 0300 060 3900

Dear Ms Coney

### **Central Kettering Neighbourhood Plan - SEA & HRA Screening Opinion Consultation**

Thank you for your consultation on the above dated and received by Natural England on 29 July 2025.

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 (SEA) and Habitats Regulations Assessment (HRA)**

**It is Natural England's advice, on the basis of the material supplied with the consultation, that:**

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites<sup>1</sup>, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent

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<sup>1</sup> Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".



Leah Coney  
The Office  
Merriscourt  
Chipping Norton  
Oxfordshire  
OX7 6QX

**Our ref:** AN/2022/133336/SE-03/DS1-L01  
**Date:** 07 August 2025

Dear Leah

**Central Kettering Neighbourhood Plan – Strategic Environmental Assessment and Habitats Regulation Assessment Screening Opinion**

Thank you for consulting us on the Strategic Environmental Assessment and Habitat Regulations Assessment report prepared by ONH, dated 29 July 2025 for the Central Kettering Neighbourhood Plan.

We aim to reduce flood risk, while protecting and enhancing the water environment. Our comments on this matter are therefore made solely from these points of view.

**Environment Agency position**

We note you are specifically asking us if we agree with the conclusions in the submitted documentation that neither a full Strategic Environmental Assessment (SEA) nor an Habitats Regulation Assessment (HRA) needs to be undertaken for the Central Kettering Neighbourhood Plan.

We note that the Central Kettering Neighbourhood Plan does not propose any further development than that already required by Policy 29 of the North Northamptonshire Joint Core Strategy (2011 – 2031). It is noted that the impact of residential development on the Upper Nene Valley Gravel Pits Special Protection Area has already been assessed under the HRA for the North Northamptonshire Joint Core Strategy (2011 – 2031).

Having looked at the documentation, and noting the conclusions in it, from the point of view of the topics outlined above that the Environment Agency is commenting on and providing the focus of the Neighbourhood Plan remains the same, we agree with the conclusions that neither a SEA nor an HRA is needed and the plan will therefore not have an adverse effect on the integrity of the Upper Nene Valley Gravel Pits Special Protection Area.

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

Yours sincerely

Amelia Crawford  
Sustainable Places Planning Advisor

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

*Customer services line: 03708 506 506  
Calls to 03 numbers cost the same as calls to standard  
geographic numbers (i.e. numbers beginning with 01 or  
02).*

Cont/d..