

## Rutland Local Plan

### Draft Sustainability Appraisal/Strategic Environmental Assessment - Baseline and Scoping Report

#### Comments of SEA Consultation Bodies and Council Response to them

Organisation	Part of document	Comment	Council Response
Environment Agency	Baseline Data	We consider the baseline data within the Scoping Report to be appropriate and believe the Plans and Programmes identified comprehensively reflect those relevant to our remit.	Comments noted.
Natural England	Area profile/ Appendix 2: Baseline Information	<p>We welcome the inclusion of landscape character within the baseline information but suggest that it makes reference to the National Character Areas (NCAs) which divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. The NCAs that fall within Rutland are as follows:</p> <p>74: Leicestershire and Nottinghamshire Wolds 75: Kesteven Uplands 89: Northamptonshire Wolds 93: High Leicestershire</p>	<p>The Area Profile of the SA has been amended to state:</p> <p>‘England is divided into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. The NCAs that fall within Rutland are as follows:</p> <p>74: Leicestershire and Nottinghamshire Wolds 75: Kesteven Uplands 89: Northamptonshire Wolds 93: High Leicestershire</p>

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Natural England	Area Profile	We generally welcome the section on Environmental Characteristics which recognises that Rutland has 19 Sites of Special Scientific Interest (SSSI) including Rutland Water which is an internationally designated wetland site with importance for wintering and passage wildfowl. We suggest that the actual European and international designations are set out in the Sustainability Appraisal for clarity i.e. Rutland Water is a Special Protection Area (SPA) and a Ramsar site as well as a SSSI	The text within Area Profile section of the report has been altered to state:  <i>'Rutland has 19 Sites of Special Scientific Interest (SSSI) including Rutland Water which is an internationally designated wetland site with importance for wintering and passage wildfowl. As well as the SSSI designation, Rutland Water is also designated a Special Protection Area (SPA); and a Ramsar site.'</i>
Historic England	Area Profile	We note the discussion and reference within paragraph 8 to the designated heritage assets found in the County. We consider that this should better reflect the assets in the area – as written, this doesn't reflect the full historic environment resource in the County. Specifically, no reference is made to non-designated heritage assets.	The text has now been altered to make reference to the non-designated heritage assets which now states that:  <i>'Rutland County has a wealth of designated and non-designated heritage assets'.</i>
Historic England	Area Profile/Figure 2: Strengths, Weaknesses, Opportunities & Threats facing Rutland.	Figure 2 could also make reference to the historic environment in relation to opportunities for enhancement and threats from impacts upon heritage assets (including those at risk).  Details of such assets are held on the Leicestershire Historic Environment Record (HER) and information on heritage at risk can be found at <a href="https://www.historicengland.org.uk/images-books/publications/har-2014-registers/">https://www.historicengland.org.uk/images-books/publications/har-2014-registers/</a>	Figure 2 has been altered to make reference to include:  <i>'Threat: Impact upon heritage assets, including those at risk.'</i>  <i>Opportunities: Enhancement of the historic environment'</i>  Comments noted regarding the Heritage at Risk register.

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Natural England	Stage A1/Appendix 1: Review & Update of Relevant Policies, Plans & Programmes	We are pleased to note that all the relevant legislation pertaining to the natural environment will be taken into account including the Conservation of Habitats and Species Regulations 2010 (the Habitats Directive), European Union (2009) Conservation of Wild Birds (Birds Directive) 2009/147/EC, the Ramsar Convention on Wetland of International Importance (1971) in relation to Rutland Water, the Wildlife and Countryside Act (as amended) 1981, the Countryside and Rights of Way (CROW) Act 2000, Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services (DEFRA, 2011), Safeguarding our Soils: A Strategy for England (DEFRA 2009), the Natural Environment and Rural Communities Act 2006 and the Natural Environment White Paper (2011).	Comments noted.
Natural England	Stage A1/Appendix 1: Review & Update of Relevant Policies, Plans & Programmes	We suggest that the topic of Ecosystem Services should be mentioned within the Sustainability Appraisal. Natural England promotes the ecosystem approach as it seeks to identify the range of ways the natural environment provides benefits to society and provides a framework for looking at whole ecosystems in decision making. Given that the SA appraises environmental effects and the interactions between effects there is an opportunity to account for the natural processes within ecosystems. An ecosystems approach emphasises the need to consider the limits of finite natural resources and services and could therefore help to identify the significance of effects as well as synergistic and cumulative effects, both important aspects of SA.	Appendix 1 has been amended to include the review of 'Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services (DEFRA 2011).

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Historic England	Stage A1/Appendix 1: Review & Update of Relevant Policies, Plans & Programmes	We note the contents of appendix 1. There are only very few sources identified relating to the historic environment and these are generally limited to local documents. Reference to the relevant Acts Planning (Listed Building and Conservation Areas) Act 1990 and Ancient Monuments and Archaeological Areas Act 1979 should be given, as well as other relevant documents such as heritage at risk, Leicestershire Historic Landscape Assessment and other relevant documents.	<p>Appendix 1 has been amended to include review of the following documents:</p> <ul style="list-style-type: none"> <li>• Planning (Listed Building and Conservation Areas) Act 1990 and Ancient Monuments and Archaeological Areas Act 1979</li> <li>• Heritage at Risk Register</li> <li>• Leicestershire Historic Landscape Assessment</li> </ul> <p>Stage A1 has also been amended to state that:</p> <p><i>'It should be noted that the review of other relevant policies, plans and programmes and sustainability objectives is non-exhaustive as legislation and guidance is a moveable feast. Other documents will therefore be considered during the evolution of the Local Plan, and Sustainability Appraisal process, where relevant.'</i></p>

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Environment Agency	Stage A2/Appendix 2: Review & Update of Baseline Information	We suggest that the Indicator for Sustainability Appraisal 13 – set out in Appendix 2 (Page 59 of the Report) which currently reads “Rivers of good or fair chemical and biological water quality” is deleted and replaced with “Water bodies should be of good ecological status or protection”. This would be consistent with the new targets we work towards, as prescribed in the Water Framework Directive. Correspondingly the data source column for this should change from “GQA for rivers in England and Wales” to “River Basin Management Plans and Water Framework Directive classifications” (which we will be able to provide).	<p>The indicator associated with Sustainability Objective 13, has been altered to:</p> <p><i>‘Water bodies should be of good ecological status or protection. % of river and lake water bodies at good ecological status or potential.’</i></p> <p>The data source column has been changed to</p> <p>‘River Basin Management Plans and Water Framework Directive classifications (2014)’.</p>
Natural England	Stage A2/ Appendix 2: Review & Update of Baseline Information.	We note that the update of baseline information is contained in Appendix 2. Whilst we generally support the range of information contained in the baseline information we would expect to see Green Infrastructure featured more strongly. Green Infrastructure (GI) should be an integral part of the creation of sustainable communities and we consider that it is important that the Sustainability Appraisal should reflect this by ensuring that GI is an integral, cross-cutting theme throughout the assessment. Green Infrastructure can provide many social, economic and environmental benefits close to where people live and work.	Comments noted. Green Infrastructure is a multifunctional asset which can be achieved across many of the Sustainability Objectives and associated criteria set out within the baseline information. The SA should be read as a whole document and each objective and criteria considered in conjunction with one another.

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Historic England	Stage A2/ Appendix 2: Review & Update of Baseline Information.	We note the contents of Appendix 2 which provides an update of the baseline from 2011. We consider that for cultural heritage, the information is scant and provides only a quantitative analysis on a very localised scale – it does not adequately reflect the baseline information in relation to the current future likely state of the historic environment. It is unclear why reference to heritage at risk falls under the objective for biodiversity. The reference as written to conservation areas with management plans isn't particularly helpful – how many more studies and plans have been produced since the previous baseline? Our guidance provides further information on what should be addressed in relation to baseline information for cultural heritage, as well as providing detailed information on future indicators which should be set out as part of the scoping exercise. Going forward, future indicators should be set out and these existing ones will need revising as part of this.	<p>Appendix 2 has now been amended to show how many Conservation Areas with Management Plans have been produced since the last baseline was produced in 2011.</p> <p>The criteria does focus on local issues as the Local Plan covers the administrative area of Rutland.</p> <p>The heritage at risk criteria was located under biodiversity in error and has now been relocated under Objective 12.</p>

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Natural England	Stage A3: Identify Sustainability Issues & Problems	We generally support the list of issues and problems that have been identified particularly the need to protect wildlife and its habitats and important natural features. We would emphasise the importance of establishing coherent ecological networks as a way of making positive gains for nature. We note that the provision of green spaces and infrastructure have been mentioned in the context of towns and villages which is welcome but we suggest the wider multi-functional benefits of Green Infrastructure should also be included as discussed in A2 above.	<p>Comments noted. Green Infrastructure is a multifunctional asset which can be achieved across many of the Sustainability Objectives and associated criteria set out within the baseline information. The SA should be read as a whole document and each objective and criteria considered in conjunction with one another.</p> <p>Section A3 has been amended to state:</p> <p><i>'Green open spaces and infrastructure in the towns and villages need to be maintained and enhanced as well as the wider ecological network as a way of making positive, multifunctional gains.'</i></p>

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Organisation	Part of document	Comment	Council Response
Natural England		<p>Natural England welcomes the revised list of Sustainability Objectives and Criteria in Table 2. We strongly support the following commitments:</p> <p>10. To increase biodiversity and geodiversity            11. To protect and enhance the natural heritage and built environmental assets of the area and their setting            12. To protect and enhance the character, diversity and local distinctiveness of the rural landscape of Rutland            13. To protect the natural resources of the region – including water, air, soil and minerals</p> <p>There are also a number of objectives here which demonstrate a strong commitment to climate change mitigation and adaptation which Natural England supports:</p> <p>14. To minimise waste, increase recycling and promote sustainable waste management            15. To minimise energy usage and promote the use of renewable energy sources            16. To reduce the risk and impact of flooding            17. Reduce emissions of greenhouse gases that cause climate change and adapt to its effect.</p>	<p>Comments noted. The ‘Environmental’ Objectives have been amended to:</p> <p><i>10. To conserve or enhance the historic environment, heritage assets and their settings.</i>  <i>11. To increase biodiversity and geodiversity.</i>  <i>12. To protect and enhance the character, diversity and local distinctiveness of the natural environment and rural landscape or Rutland.</i>  <i>13. To protect the natural resources of the region – including water, air and soil.</i>  <i>14. To minimise waste, increase recycling and promote sustainable waste management.</i>  <i>15. To minimise energy usage and promote the use of renewable energy sources.</i>  <i>16. To reduce the adverse effects of traffic and improve transport infrastructure.</i>  <i>17. To reduce the risk and impact of flooding</i>  <i>18. Reduce emissions of greenhouse gases that cause climate change and adapt to its effects.</i>  <i>19. Progressively restore mineral development land seeking to maximise beneficial opportunities.</i></p>

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Historic England	Stage A3: Identify Sustainability Issues & problems	We note the sustainability issue identified in Table 1 relating to heritage. We consider due to a lack of detailed identification of plans etc. in stage A1, and limited analysis of the baseline in stage A2, that on the basis of our comments above, the sources of information do not directly relate to heritage assets and cultural heritage. The issues identified are very broad – please see comments below on the SA objective which has been formulated out of this.	<p>The Local Plan is a strategic document covering a wide range of sustainability issues concerning the County. The issues identified should be read in conjunction with one another.</p> <p>The Sustainability Issues in Table 1 have been amended to include Heritage at Risk and states:</p> <p><i>‘There are heritage assets at risk within the County. Continue to monitor and react to Heritage at Risk within the County.’ – Heritage at Risk Register 2014’</i></p> <p>The baseline information and assessment criteria have now been expanded.</p>
Environment Agency	Stage A4:Developing the SA Framework	We suggest an additional Assessment Criteria is inserted for Sustainability Objective 13 “To protect the natural resources of the region-including water, air, soil and minerals” (Page 9 of the Report). We suggest this should be “Will it clean up land affected by contamination”. We think this would provide a more pro-active focus on the remediation of land that might be contaminated.	<p>The criteria associated with Sustainability Objective 13 has been amended to include:</p> <p><i>‘Will it clean up land affected by contamination?’</i></p>

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Historic England	Stage A4: Developing the SA Framework	<p>We note the revised framework as set out in table 2. We are very concerned at objective 11 which states ‘to protect and enhance the natural heritage and built environmental assets of the area and their setting.’ We consider this to be far too broad in nature (the table cites that it alone covers 5 SEA directive topics). As stated in our guidance, we stress the importance of a specific objective for the historic environment so that the appraisal does not mask adverse impacts by blending several topics together. We recommend the following objective <i>“to conserve or enhance the historic environment, heritage assets and their settings.”</i> You will also require separate objectives for the other combined topics, where these are not addressed elsewhere.</p> <p>We are also very concerned at the wider framework – this is very broad in its scope. Given the new Local Plan will set out strategic and development management policies, as well as site allocations and minerals planning matters, there is a need for the criteria to be far more detailed than at present. The criteria for SA objective 11 which states ‘Will it help to protect natural, heritage and environmental assets of the area and their setting?’ is far too broad. It is interesting to note that other criteria for other objectives include a greater number of assessment criteria and these are far more specific. Consideration should be given, as part of a revised SA objective dedicated to the historic environment, to further detailed criteria.</p>	<p>A specific historic environment objective has been inserted and states:</p> <p><i>Objective 10: To conserve or enhance the historic environment, heritage assets and their settings.</i></p> <p>The associated Assessment Criteria have been altered to:</p> <ul style="list-style-type: none"> <li>• <i>Will it contribute to the local character of the area?</i></li> <li>• <i>Will it tackle Heritage at Risk?</i></li> <li>• <i>Will it avoid harm to heritage assets and their settings?</i></li> </ul> <p>Objective 9 now reads:</p> <p><i>To provide opportunities for people to value, enjoy and participate in Rutland’s cultural &amp; recreational activities, whilst preserving and enhancing the environment.</i></p>

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		<p>It is also a great concern to us that it is not made clear about how impacts will be evaluated – for example the document does not set out how policies or site allocations will be assessed?</p>	<p>Please note that The Local Plan is a strategic document covering a wide range of sustainability issues concerning the Borough. The Objectives identified should be read in conjunction with one another</p> <p>We note that Historic England considers that it has not been made clear how impacts will be evaluated. The Stage A4 text has been expanded to state:</p> <p><i>'Policies within the Local Plan will be assessed through the combination of evidence and professional judgement. This will include the identification of potential significant effects, both positive and negative.'</i></p>
Historic England	N/A	<p>Please note that Historic England have produced revised guidance in 2013 entitled 'Strategic Environmental Assessment, Sustainability Appraisal and The Historic Environment.'</p>	Comments noted