

Date: 23 May 2012

Our ref: 51403

Your ref: SB

Sue Bateman

Wellingborough Borough Council



Natural England
Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
CREWE
CW1 6GJ

T: 0300 060 3900

Dear Ms Bateman

**The Neighbourhood Planning (General) Regulations 2012
Localism Act 2012
Application for the Designation of a Neighbourhood Area –Earls
Barton**

Thank you for your email dated 19 April 2012, and for consulting Natural England regarding the above Neighbourhood Plan and specifically the proposed designated area of the Earls Barton Neighbourhood Plan.

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.

It is noted that the Upper Nene Valley Special Protection Area (SPA) is included in the proposed Neighbourhood Plan Area. This SPA which is of international importance also lies at the core of a Nature Improvement Area. You will be aware it was designated last year because it is an important area for the numbers and types of birds using the old gravel pits throughout the year. It is the intention of Natural England to continue to work with local partners and organisations so that any future development in the area is carefully designed and planned so as not to impact on the area, to fragment the habitat, or disturb the species.

All neighbourhood plans need to be screened under Habitat Regulations to assess as to whether there would be any significant effects and whether therefore Appropriate Assessment is required. As a minimum, screening for Strategic Environmental Assessment (SEA) will also be required for all development.

Where screening indicates Likely Significant Effects as a consequence of the plan, Appropriate Assessment (AA) will be necessary to ensure the plan is in accordance with and will not impact on the qualifying features of the protected Upper Nene Valley SPA, in this case anything that would

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impact on the bird populations and their habitats. In addition, if AA is required, then SEA is mandatory. SEA may also be required in other circumstances and advice should be sought from the Local Authority on this.

These Assessments are undertaken by the appropriate body as part of the evidence for the plan and not by Natural England who will have an advisory role for Appropriate Assessment. It should also be noted that as the Upper Nene Valley SPA is a Prescribed Area (which are excluded from the legislation) any proposed Neighbourhood Development Order cannot apply to the SPA.

The Authority and the Parish Council as the relevant body may wish to consider the proposed Neighbourhood Plan Area in that context.

I hope this advice is helpful, if you have any further queries do not hesitate to contact me.

Yours sincerely

Laura Horner

Lead Advisor Forward Planning Network

For any correspondence or queries relating to this consultation only, please contact Laura Horner at Exeter - Level 9 and 10, Renslade House, Bonhay Road, Exeter, EX4 3AW Tel 0300 060 2018. For all other correspondence, please contact the address above.