

**Strategic Environmental Assessment Screening Report
Burton Overy Neighbourhood Plan Review**



**Burton Overy Neighbourhood Plan
Review
Strategic Environmental Assessment
Screening Report**

**Prepared by
Harborough District Council
On behalf of
Burton Overy Parish Council**

December 2024

Strategic Environmental Assessment Screening Report Burton Overy Neighbourhood Plan Review

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Strategic Environmental Assessment Screening Report

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1. Introduction

- 1.1 This screening report is used to determine whether or not the contents of the draft of the Burton Overy Neighbourhood Plan as submitted in December 2024 requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the Burton Overy Neighbourhood Plan Review is to bring the Burton Overy Neighbourhood Plan up to date and take account of changes both locally and as part of the legislative environment. The review will ensure the neighbourhood gets the right types of development in the right locations.
- 1.3 The first-ever Neighbourhood Plan (NP) for the Parish of Burton Overy was "Made" by Harborough District Council in January 2019. The significant policy changes incorporated in the present document, the NP Review, as compared to those in the Made NP, are summarised here.
- 1.3.1 POLICY S1: SETTLEMENT BOUNDARY – the Settlement Boundary remains the same as in the Made NP (although previously referred to as the Limits to Development). This NP Review policy consolidates policies S1, S2 and H3 from the Made NP. The provisions contained in the new policy are largely the same as in the Made NP.
- 1.3.2 POLICY S2: SUPPORT FOR DEVELOPMENT ON BROWNFIELD SITES – this replaces Policy H2 from the Made NP and is the same except for the policy now applying to the whole of the Neighbourhood Area rather than within the Settlement Boundary only, and five criteria being added to the policy to ensure that any development proposal is of an appropriate scale and safeguards are in place.
- 1.3.3 POLICY HD1: HOUSING MIX – this new policy replaces Policy H1 from the Made NP and draws on evidence gathered through the Housing Needs Assessment (HNA). The policy continues to support dwellings of 3 bedrooms or fewer and single storey accommodation suitable for older people, whilst strengthening the presumption against larger homes and supporting the provision of dwellings which meet Category M4(2) standards for accessibility and adaptability, in line with the recommendations of the HNA.
- 1.3.4 POLICY HD2: AFFORDABLE HOUSING EXCEPTION SITE – this new policy provides Burton Overy-specific criteria for the support of an Affordable Housing Exception site, including the First Homes discount recommended through the HNA.
- 1.3.5 POLICY HD3: DESIGN – this replaces Policy DBE1 from the Made NP and draws on the Design Codes and Guidance Report commissioned as part of the NP Review.
- 1.3.6 POLICY ENV1: LOCAL GREEN SPACES – this policy refers to the same set of six Local Green Spaces (LGS) as in the Made NP. The policy is basically

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unchanged apart from minor edits to the wording. Supporting details are now contained in an Appendix to the main report (see below)

- 1.3.7 POLICY ENV2 IMPORTANT OPEN SPACES (OPEN SPACE, SPORT & RECREATION SITES) – This new policy 4 builds on the COMMUNITY ACTION 2 in the Made Plan. Added to make a clear distinction between Local Green Spaces and Open Space, Sport & Recreation sites, having regard for National Planning Policy Framework (NPPF) December 2023 paragraph 103.
- 1.3.8 POLICY ENV 3 SITES AND FEATURES OF NATURAL ENVIRONMENT SIGNIFICANCE and POLICY ENV 5 SITES OF HISTORIC ENVIRONMENT SIGNIFICANCE – these two policies replace Policy ENV2 OTHER SITES OF ENVIRONMENTAL SIGNIFICANCE in the Made Plan, for clarity and to reflect the different approaches appropriate for their protection.
- 1.3.9 POLICY ENV4 BIODIVERSITY AND HABITAT CONNECTIVITY – this policy replaces policy ENV3 BIODIVERSITY GENERAL in the Made Plan. It has been updated to have regard for Biodiversity Net Gain and other new measures in NPPF December 2023 paras 180, 181, 185, 186.
- 1.3.10 POLICY ENV4 also now incorporates policy ENV4 BIODIVERSITY, WOODLAND, TREES AND HEDGES in the Made Plan, for clarity and simplicity.
- 1.3.11 POLICY ENV 6 RIDGE AND FURROW – this policy replaces and updates POLICY ENV5 RIDGE AND FURROW in the Made Plan; updated and re-surveyed for 2024.
- 1.3.12 POLICY ENV 7 NON-DESIGNATED HERITAGE ASSETS – this is a new policy. A set of potential candidate assets has been identified and evidence gathered, having regard for NPPF December 2023 paras 192, 203, 205 and local practice (Leicestershire and Rutland Historic Environment Record). The evidence base is presented in an Appendix (see below).
- 1.3.13 POLICY ENV 8 IMPORTANT VIEWS – this policy is essentially the same as POLICY ENV6 PROTECTION OF IMPORTANT VIEWS in the Made Plan with very minor updates following community consultation and fieldwork, and the map has been redrawn for clarity about view directions and extents.
- 1.3.14 POLICY ENV 9 – FOOTPATHS, BRIDLEWAYS AND OTHER WALKING ROUTES – this is a new policy which seeks to protect existing networks whilst promoting the extension of the footpath network.
- 1.3.15 POLICY ENV 10 AREA OF SEPARATION – this is a new policy which has been included to take account of the recent expansion of the neighbouring village of Great Glen towards the western boundary of the Burton Overy Neighbourhood Area. This new policy identifies a narrow but crucial "area of separation" between the two settlements. A much larger "area of separation" proposed in the original NP was not accepted by the examiner, but since that time the eastward expansion of Great Glen has gathered pace.
- 1.3.16 POLICY ENV 11 FLOOD RISK RESILIENCE – this policy replaces POLICY ENV8 FLOODING in the Made Plan. The policy has been updated and expanded using new Environment Agency mapping and having regard for NPPF December 2023 paras 157, 165, 166-173 and HDC Local Plan policy CC.
- 1.3.17 POLICY CF1: THE RETENTION OF COMMUNITY FACILITIES AND AMENITIES – this policy replaces Policy CF1 in the Made NP. It remains the same as the old policy, except for the addition of two new facilities (the Dairy and

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the Egg shop) that have been added to the list of facilities to which the policy applies.

- 1.3.18 POLICY E1: FARM DIVERSIFICATION – this policy is the same as Policy E1 in the Made NP except for 5 an amendment to criteria a) which previously said, ‘The use proposed is appropriate to the rural location’ and now says ‘The use proposed, and the scale of development is appropriate to the rural location’.
- 1.3.19 POLICY E2: BROADBAND INFRASTRUCTURE – The only change to the policy E2 from the Made NP is that the sentence ‘Every individual dwelling in new housing developments should have a connection installed capable of supplying broadband operation at speeds of 30 megabytes per second (as at the date of publication) or better to reflect higher minimum speeds that may be recommended through the lifetime of the Plan’ has been changed to ‘Every individual dwelling in new housing developments should have a connection installed capable of supplying broadband operation of at least a minimum speed of 30 Mbps or any higher figure commensurate with the minimum industry standard pertaining at the time’.
- 1.3.20 POLICY E3: WORKING FROM HOME – this policy is the same as Policy E3 from the Made NP except for the addition of a criterion against which support for the proposal will be considered and which says ‘Such development will not result in unacceptable traffic movements and that appropriate parking provision is made’.
- 1.3.21 APPENDICES:
1. Housing Needs Assessment - Newly commissioned report
 2. Design Codes and Guidance Report - Newly commissioned report
 3. Environmental Inventory - Comprehensively updated with latest "Existing Designations" and a full review of local detail.
 4. Local Green Spaces - Full supporting details of the six identified sites
 5. Statutorily Protected Heritage Assets - Full list of Grade-II Listed Buildings and Scheduled Monuments in Burton Overy (included for completeness)
 6. Non-Designated Heritage Assets (NDHAs) - the evidence base for the proposed set of NDHAs in Burton Overy

1.4 The key priorities of the plan as identified by residents are as follows

- Ensure that development takes place in the most sustainable locations;
- Encourage the right types of development that meet local needs;
- Protect important buildings and structures of historic and architectural interest;
- Protect important community facilities and shops;
- Promote high quality design in new development;
- Protect the countryside and special landscape; and
- Protect open spaces that are important to the community and/or wildlife.

1.5 These locally formulated policies are specific to Burton Overy Parish and reflect the needs and aspirations of the community.

1.6 In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions. There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, qualifying bodies may find this a useful approach

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for demonstrating how their draft plan or order meets the basic conditions. Material produced as part of the Sustainability Appraisal of the Local Plan may be relevant to a neighbourhood plan.

1.7 The SEA Directive and NPPG guidance is clear in that a SEA Environmental Report need only be as detailed as appropriate to the content and level of detail of the neighbourhood plan¹. An environmental report must identify, describe and evaluate the likely significant effects on the environment of implementing the neighbourhood plan policies and of the reasonable alternatives taking into account the objectives and geographical scope of the neighbourhood plan². NPPG guidance goes on to state that reasonable alternatives must also be sufficiently distinct, realistic and deliverable³.

1.8 At no point does the SEA legislation or guidance state that reasonable alternatives are a requirement for each and every policy area in a plan and it is considered that a proportionate approach, taking into account legislation and guidance above, should be satisfactorily undertaken.

1.9 Regulations state that the Environmental Report should consider whether certain matters are more appropriately assessed at different levels of the planning system to avoid duplication⁴.

1.10 Each policy of the Burton Overy Plan at the date of this assessment has been individually assessed for its effects on Habitat Regulations (and other environmental effects) (see appendix 3). The HRA for the Local Plan 2011 to 2031 have determined that no European sites lie within Harborough District. Outside the district, the nearest European site is Rutland Water SPA and Ramsar site, which is located 7km to the north-east of the district boundary but 22km from the main population centres (Market Harborough and Thurnby/Scraftoft) as the district is largely rural with a fairly sparsely distributed population.

1.11 The HRA for the Local Plan concluded in 2017 that:

It is possible to conclude that development in the Harborough Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in combination with other plans and projects. These conclusions are based on the findings of this screening which conclude that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district e.g. Rutland Water SPA/Ramsar to development within Harborough District. Therefore an Appropriate Assessment is not required

¹ Para 030 of <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

² Para 039 - http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/#paragraph_033

³ Para 038 - http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/#paragraph_033

⁴ Regulation 12(3)(d) - http://www.legislation.gov.uk/uksi/2004/1633/pdfs/uksi_20041633_en.pdf

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- 1.12 The CJEU ruling (People Over Wind and Sweetman v Coillte Teoranta (C-323/17) (April 2018)) states that:

“In the light of all the foregoing considerations, the answer to the question referred is that Article 6(3) of the Habitats Directive must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site” (paragraph 40).

- 1.13 This SEA Screening Report dated December 2024 for the Burton Overy Neighbourhood Plan Review does not take account of measures intended to avoid or reduce the harmful effects of the Plan. The harmful effects, if any, have been considered in the preparation of the Screening Report of December 2024 and the LPA believes they have been demonstrated to be nil or very minor to the natural and historic environment, Natura 2000 sites and Habitat Regulations.

- 1.14 The legislation set out below outlines the regulations that require the need for this screening exercise. Section 4 provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA.

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is [European Directive 2001/42/EC](#) and was transposed into English law by the [Environmental Assessment of Plans and Programmes Regulations 2004](#), or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication [‘A Practical Guide to the Strategic Environmental Assessment Directive’ \(ODPM 2005\)](#).

- 2.2 Schedule 2 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the Habitats Directive. The Directive requires that any plan or project, likely to have a significant effect on a European site, must be subject to an appropriate assessment. To achieve this, paragraph 1 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site. Paragraphs 2 to 5 of the Schedule amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and neighbourhood plans. In particular paragraph 4 inserts new regulation 78A which provides that a neighbourhood development order may not grant planning permission for development which is likely to have a significant effect on a European site or a European offshore marine site.

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2.3 Schedule 3 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the [Environmental Impact Assessment \(EIA\) Directive](#). The Directive requires that EIA development must be subject to a development consent process. To enable this, Schedule 3 prescribes a basic condition that applies where development which is the subject of a proposal for a neighbourhood development order is of a type caught by the EIA Directive, and applies the relevant provisions of the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011\(3\)](#) (“the EIA Regulations”) with appropriate modifications ([regulation 33](#) and paragraphs [1 to 4 and 6 of Schedule 3](#)). Paragraphs 5 and 7 to 13 of Schedule 3 correct errors in the EIA Regulations

2.4 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed in light of the Sustainability Appraisal and Strategic Environmental Assessment undertaken for the Local Plan. A copy of the SA Report can be viewed here; [Harborough District Council - Sustainability Appraisal \(SA\) and Strategic Environmental Assessment \(SEA\)](#)

3. Criteria for Assessing the Effects of Neighbourhood Plans (the ‘plan’)

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of neighbourhood plans (“plan”), having regard, in particular, to

- the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan influences other plans and programmes including those in a hierarchy,
- the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan,
- the relevance of the plan for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

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

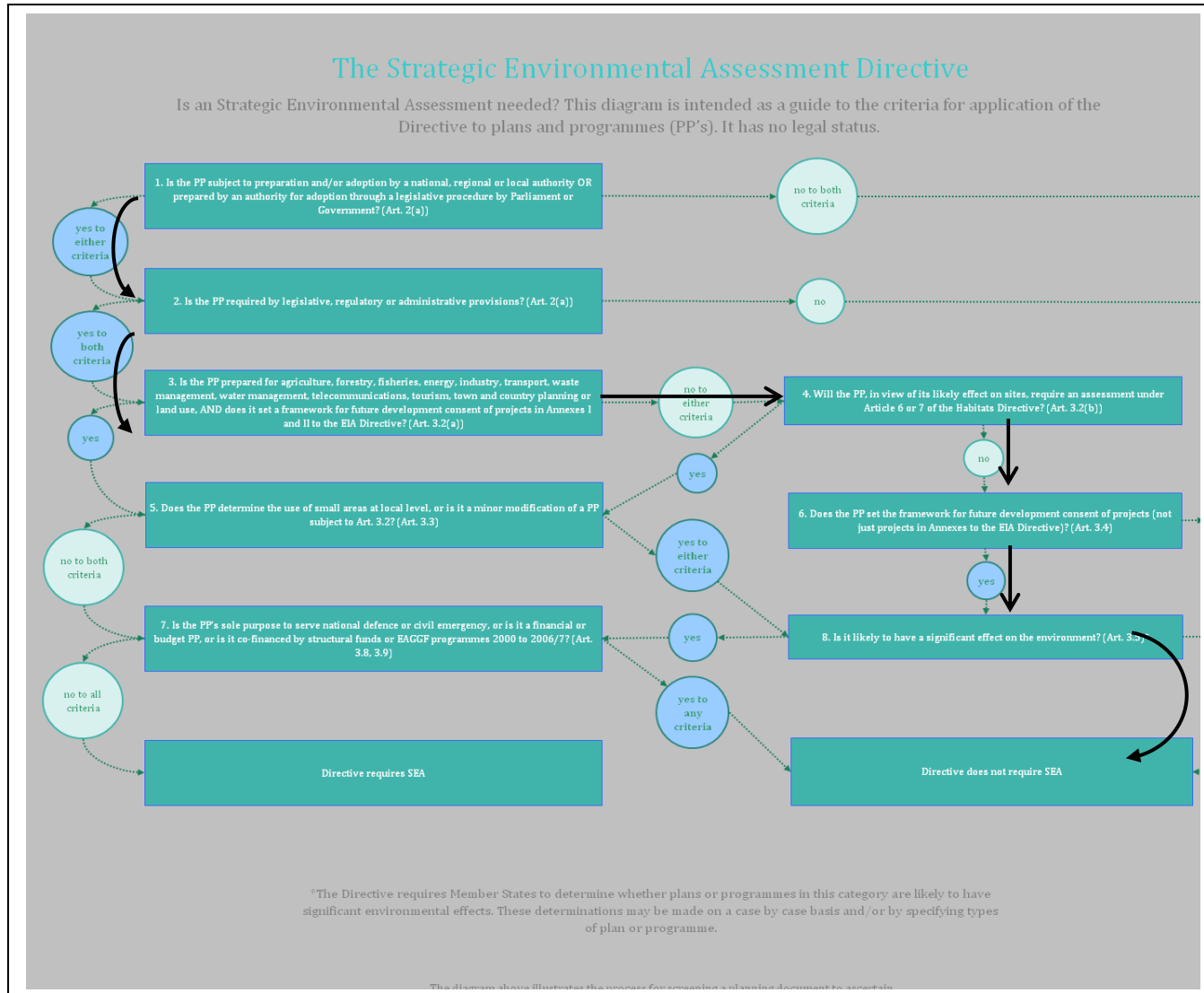
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the trans boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),

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- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

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4. Assessment
4.1 Black arrows indicate the process route for Burton Overy Neighbourhood Plan SEA Screening Assessment.

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4.2 The table below shows the assessment of whether the Neighbourhood Plan (NP) will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Stage	Y/N	Reason
1. Is the NP 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))	Y	The preparation of and adoption of the NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP has been prepared by Burton Overy Parish Council (as the 'relevant body') and will be 'made' by HDC as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will if 'made', form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land 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))	N	Whilst the NP covers a wide range of land use issues and allocations, it does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list).
4. Will the NP, 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))	N	<p>Burton Overy NP is unlikely to have a substantial effect on the Natura 2000 network of protected sites. The Plan does not allocate sites for housing but contains policies that influence where development might take place, the type of housing that should be encouraged and the design of new development. It is unlikely that the policies will cause significant detrimental effects on the historic and natural environments</p> <p>The Burton Overy Plan contains policies to protect assets of significant historic or environmental importance.</p> <p>A Habitat Regulations Assessment (HRA) has been undertaken as part of the Local Plan preparation. The assessment concludes that the Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in conjunction with other plans and projects. These conclusions are based on the fact that no such sites are located</p>

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		<p>within the district and no impact pathways were identified linking internationally important wildlife sites outside of the district (e.g. Rutland Water SPA/Ramsar site) to development within Harborough District.</p> <p>The Local Plan HRA considered but dismissed the following sites from the analysis due to a combination of distance and absence of impact pathways linking it to the District:</p> <ul style="list-style-type: none"> • Ensor's Pool SAC; • The Upper Nene Valley Gravel Pits SPA and Ramsar; and • River Mease SAC. <p>The HRA looked into the potential effects of the plan on Rutland Water SPA and Ramsar site in more detail. However it concluded that the Local Plan will not have a likely significant effect on the site as no impact pathways were identified linking it to development within Harborough District. Given that the Burton Overy lies some 30 km from Rutland Water SPA/Ramsar, it is considered that the NP will not affect any Natura 2000 sites in line with the findings of the HRA. Therefore, it is concluded that a full Appropriate Assessment is not deemed to be required.</p> <p>The Local Plan Habitat Regulations Assessment is available at: https://www.harborough.gov.uk/downloads/download/1170/s7_habitat_regulations_assessment</p>
5. Does the NP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	Determination of small sites at local level.
6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	The NP is to be used for determining future planning applications
7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	<p>The Local Plan does not allocate sites to Burton Overy, but Neighbourhood Plans are permitted to allocate sites in addition to any Local Plan housing allocation. .</p> <p>The Plan also contains polices to permit and influence infill housing.</p>

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	<p>The level of development anticipated through these policies is not going to impact on any Natura 2000 site.</p> <p>The Neighbourhood Area does not have any sites of special scientific interest, but Natural England has mapped two areas of deciduous woodland, one traditional orchard and one lowland meadow as priority habitats. A number of Local Green Spaces have been identified and receive protection as part of ENV2.</p> <p>Other sites of local environmental importance have been identified and receive protection as part of the policies of the Plan.</p> <p>Where flood risk is an issue in Burton Overy policy ENV11 helps address this. New development should take full account of flood risk and its impact on the water environment. Development sites should be built to manage surface water sustainably and utilise resources sustainably during use. Use of SUDs for habitat creation is also required from new development.</p> <p>The Neighbourhood Area has also identified sites of historical and/or environmental significance and policies have been developed to protect these. Policy ENV7 identifies non designated heritage assets for protection against harm or loss. Policy ENV5 seeks to protect features of historical significance and any benefit of development should be balanced against the harm to these sites.</p> <p>Ridge and Furrow fields are also identified as heritage assets and for protection from harm in ENV6.</p> <p>The listed buildings and Scheduled Monument within the Burton Overy Neighbourhood Area are recognised and further protected within the NP along with other buildings considered to be non designated heritage assets. The Conservation area of Burton Overy is recognised in the BONP</p> <p>While the Sustainability Appraisal for the Local Plan does not specifically consider Burton Overy as part of the appraisal, the village is below the level of Selected Rural Village in the settlement hierarchy. It is the consideration of the Local Authority that the Plan holds sufficient safeguards to ensure any minor effects on the natural or historic environment will be properly dealt with through the planning application process.</p>
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5. Screening Outcome

- 5..1 As a result of the assessment in Section 4, it is unlikely there will be any significant environmental effects arising from the Burton Overy Neighbourhood Plan review as submitted at the date of this assessment, that were not covered in the Sustainability Appraisal for the Local Plan. As such, it is the opinion of the Council that the Burton Overy Neighbourhood Plan does not require a full SEA to be undertaken.
- 5..2 The Environment Agency, Natural England and Historic England will be consulted on this Screening Report prior to the Councils determination and their responses will be made available through the Burton Overy Neighbourhood Plan Evidence base.
- 5..3 If the issues addressed in the Neighbourhood Plan should change then a new screening process will need to be undertaken determine whether an SEA will be required. Please contact Harborough District Council for advice in this circumstance.

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Appendix 1

SSSI/LISTED BUILDINGS/SAMs WITHIN THE PARISH OF BURTON OVERY REVIEW

Other Settlement features:	Occurrence
<p>Conservation Area</p>	<p>Burton Overy village is set in a hollow amidst trees, some two kilometres from the A6 Market Harborough to Leicester Road.</p> <p>Although linked to other villages by very minor roads Burton Overy gives the impression of being a cul-de-sac village; indeed the northern part of the village is so. The village has a tapering linear form 0.8km long with a long loop at its northern end and two significant loops at the wider southern base forming backlanes. Granite kerbs and brick walls are a feature on many of the village streets. The building development runs along Main Street, around the loops and along short cul-de-sac lanes leading off the main thoroughfares.</p> <p>The buildings of the village display considerable variety in age, style, building materials and relationship with the streets. Some are close against the road, as the range in Bell Lane and adjacent Main Street, others are set back with small front gardens, others are further back, often at a higher level. The slight curves in the roads and the changes in levels, as southwards from the church, result in attractive groupings and placing of buildings. There are several examples of the timber frame tradition of the 16th and 17th centuries with brick and mud infill panels and partitions; these are thatched and include South View standing high</p>

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near the southern entrance to the village and the former butcher's shop and cottage in the Main Street. Some of the older properties have lost their thatch which has been replaced by slate. Apart from the iron-stone and limestone church and the churchyard wall which is constructed in granite, stone (ironstone and river cobbles) is confined to the plinths and lower walls of some of the older buildings. The rest is red brick of varying ages, that of the later 19th century with interesting brick detailing such as The Springs in Carlton Lane. Roofing is of Welsh or Swithland slates. Some plots in the village have been infilled with later twentieth century buildings.

There are several significant open areas between the buildings. These include most of the southern most loop (an area of garden with mature trees subject to a Tree Preservation Order), the field in the centre of the village and an enclosed area of paddock within the loop of Scotland Lane and Elms Lane. At the end of Scotland Lane (deriving from the mediaeval scot or tax) are a number of assarts (medieval land clearances). Alongside the north churchyard wall is a small intimate area, Rectory End, which ends abruptly with an old cottage that serves as the front of the village hall; here is a mature clump of trees (Horse Chestnut, Lime, Sycamore and Scots Pine). A large walnut tree stands in Town Street and another about half way down Main Street opposite the field.

Farms are found at the entrances to the village. The Conservation Area not only includes the settlement along the roads but also some of the narrow fields at the back of the houses and gardens or roads. An example of such would be from Carlton Road and Elms Lane behind Main Street, or alongside Scotland Lane, which areas provide a setting for the built up area.

The churchyard itself forms an interesting space with the elegant former Rectory behind it and farm buildings flanking its southern side. Although not in

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	<p>the Conservation Area there is an area of field beyond Rectory End, crossed by a public footpath, which provides an important open space at the edge of the village alongside the village hall.</p>
Scheduled Monuments	<p>Name: Medieval manorial fishponds at The Banks</p> <p>List entry Number: 1018835</p> <p>Location</p> <p>County: Leicestershire</p> <p>District: Harborough</p> <p>District Type: District Authority</p> <p>Parish: Burton Overy</p> <p>Date first scheduled: 09-Oct-1981</p> <p>Date of most recent amendment: 19-Mar-1999</p> <p>List entry Description</p> <p>Summary of Monument</p> <p>Reasons for Designation</p> <p>A fishpond is an artificially created pool of slow moving freshwater constructed for the purpose of cultivating, breeding and storing fish to provide a constant and sustainable supply of food. They may be dug into the ground, embanked above ground level, or formed by placing a dam across a narrow valley. Groups of up to twelve ponds variously arranged in a single line or in a cluster and joined by leats have been recorded. The ponds may be of the same size or of several different sizes with each pond being stocked with different species or</p>

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ages of fish. The size of the pond was related to function, with large ponds thought to have had a storage capability whilst smaller, shallower ponds were used for fish cultivation and breeding. Fishponds were maintained by a water management system which included inlet and outlet channels carrying water from a river or stream, a series of sluices set into the bottom of the dam and along the channels and leats, and an overflow leat which controlled fluctuations in water flow and prevented flooding. Buildings for use by fishermen or for the storage of equipment, and islands possibly used for fishing, wildfowl management or as shallow spawning areas, are also recorded. The tradition of constructing and using fishponds in England began during the medieval period and peaked in the 12th century. They were largely built by the wealthy sectors of society with monastic institutions and royal residences often having large and complex fishponds. The difficulties of obtaining fresh meat in the winter and the value placed on fish as a food source and for status may have been factors which favoured the development of fishponds and which made them so valuable. The practice of constructing fishponds declined after the Dissolution of the Monasteries in the 16th century although in some areas it continued into the 17th century. Most fishponds fell out of use during the post-medieval period although some were re-used as ornamental features in 19th and early 20th century landscape parks or gardens, or as watercress beds. Documentary sources provide a wealth of information about the way fishponds were stocked and managed. The main species of fish kept were eel, tench, pickerel, bream, perch, and roach. Large quantities of fish could be supplied at a time. Once a year, probably in the spring, ponds were drained and cleared. Fishponds are widely scattered throughout England and extend into Scotland and Wales. The majority are found in central, eastern and southern parts and in areas with heavy clay soils. Fewer fishponds are found in coastal areas and parts of the country rich in natural lakes and streams where other sources of fresh fish were available. Although 17th century manuals suggest that areas of waste ground were suitable for fishponds, in practice it appears that most fishponds were located close to villages, manors or monasteries or within parks so that a watch could be kept on them to prevent poaching. Although approximately 2000 examples are recorded nationally, this is thought to be only a small proportion of those in existence in medieval times. Despite being relatively common, fishponds are important for their associations with other classes of medieval monument and in providing evidence of site economy.

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Many early houses had gardens associated with them. The creation of gardens has an early history in England, the earliest examples known being associated with Roman villas. However, the major development in gardening took place in the late medieval and early post-medieval periods when the idea of the garden as a 'pleasure ground' developed. Early gardens take a variety of forms. Some involved significant water management works to create elaborate water gardens which could include a series of ponds or even ornamental canal systems. At other sites flower gardens were favoured, with planting in elaborately shaped and geometrically laid out beds. Planting arrangements were often complemented by urns, statues and other garden furniture. Such sites were often provided with raised walkways or prospect mounds which provided vantage points from which the garden design could be seen and fully appreciated. Whilst gardens were probably a common accompaniment to high status houses from the late medieval period onwards, continued occupation of houses and related use and re-modelling of gardens in response to changing fashions means that early remains rarely survive undisturbed. Gardens provide a valuable insight into contemporary aesthetics and views about how the landscape could be modified to enhance the surroundings. Their design often mirrors elements of the design of the associated house; particularly following the symmetry of the buildings. In view of their rarity, great variety of form, and importance for understanding high status houses and their occupants, all surviving examples of early date will be identified to be nationally important.

The remains of the fishponds and formal gardens associated with the medieval manorial site at The Banks survive as a series of earthworks and buried deposits. The formal garden remains represent an extremely rare survival in that contemporary documentary sources show them to be demonstrably early in comparison to other similar sites. The earthworks remain largely undisturbed by subsequent activity with the result that the preservation of archaeological deposits relating to their construction and use will be good. In addition, waterlogging in the area of the ponds suggests a high level of survival for organic remains which might contain information about the economy of the site and its contemporary environment. The earthworks also offer a good opportunity to understand the development and status of the manorial site

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	<p>whilst providing an important insight into the wealth and social status of its occupants in the medieval period.</p> <p>History</p> <p>Details</p> <p>The monument includes the earthworks and buried remains of two medieval manorial fishponds and medieval garden remains situated on a westerly slope immediately east of a stream in an area known as The Banks.</p> <p>The fishponds comprised a part of the medieval gardens known to exist from documentary sources and the formal layout of the earthworks visible on the site. The ponds are defined by parallel banks, lie 60m apart and are orientated on a NNE-SSW axis.</p> <p>The eastern pond is situated at the top of the slope and measures up to 40m in length and 10m in width. Its eastern bank is 65m in length, 8m in width and a maximum of 2.5m in height. At its southern end the bank has been reduced in height to 0.3m for a length of approximately 25m. The bank forming the western side of the pond is 38m in length, 7m in width and 2m in height. A faint bank continuing for 30m on the same axis from its southern end probably represents one side of a drainage channel leading from the pond. A second pond 60m in length, 13m in width and 2m in depth is cut into the base of the slope with a retaining bank on its eastern side. A section of leat connecting the southern end of the pond to the stream is defined by a narrow channel up to 0.8m in width, 0.6m in depth and 10m in length. The southern side of the slope between the ponds shows faint traces of earlier medieval cultivation in the form of ridge and furrow.</p> <p>In the Domesday survey of 1086 the village of Burtone or Burton Overy was in the ownership of Hugh de Grentmesnil. After his death it passed to Robert, Earl of Leicester, eventually being divided between the sisters of the last male heir on his death in 1204. One of these was the wife of William de Ferrers, Earl of Derby. In 1307 Robert de la Warde was recorded as having held a manor at Burton from the Ferrers family. A document dated to 1307 clearly mentions</p>
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Listed buildings	<p>`...the great garden on the west' and records the payment of a dower to Ida, the widow of Robert de la Warde. The size and nature of the ponds and garden features suggests that they were located in relation to a building of high status such as a manor house, and together with the documentary references, that it was probably that of the Ferrers family.</p> <p>All fences are excluded from the scheduling, although the ground beneath these features is included.</p> <p><u>BURTON HOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061586• Heritage Category: Listing• Grade: II• Location: BURTON HOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>K6 TELEPHONE BOX</u></p> <ul style="list-style-type: none">• List Entry Number: 1250978• Heritage Category: Listing• Grade: II• Location: K6 TELEPHONE BOX, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>BARN AT AND CIRCA 20 METRES EAST OF KINGARTH FARMHOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061593• Heritage Category: Listing• Grade: II• Location: BARN AT AND CIRCA 20 METRES EAST OF KINGARTH FARMHOUSE, TOWN STREET, Burton Overy, Harborough, Leicestershire <p><u>IVY COTTAGE</u></p> <ul style="list-style-type: none">• List Entry Number: 1180104
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	<ul style="list-style-type: none">• Heritage Category: Listing• Grade: II• Location: IVY COTTAGE, Burton Overy, SCOTLAND, Harborough, Leicestershire <p><u>RIDGEFIELD THE COTTAGE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061589• Heritage Category: Listing• Grade: II• Location: RIDGEFIELD, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>SMITH'S COTTAGE ADJOINING FORGE MEWS TO THE EAST AND APPROXIMATELY 10 METRES NORTH OF THE OLD HOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061625• Heritage Category: Listing• Grade: II• Location: SMITH'S COTTAGE ADJOINING FORGE MEWS TO THE EAST AND APPROXIMATELY 10 METRES NORTH OF THE OLD HOUSE, BELL LANE, Burton Overy, Harborough, Leicestershire <p><u>THE BANKS FARM HOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1360718• Heritage Category: Listing• Grade: II• Location: THE BANKS FARM HOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>OVERTON COTTAGE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061585• Heritage Category: Listing• Grade: II• Location: OVERTON COTTAGE, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>BARN AND WALL AT THE BANKS FARM HOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061588• Heritage Category: Listing
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	<ul style="list-style-type: none">• Grade: II• Location: BARN AND WALL AT THE BANKS FARM HOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>SOUTH VIEW</u></p> <ul style="list-style-type: none">• List Entry Number: 1061592• Heritage Category: Listing• Grade: II• Location: SOUTH VIEW, THE GRAVEL, Burton Overy, Harborough, Leicestershire <p><u>MANOR HOUSE FARMHOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1061626• Heritage Category: Listing• Grade: II• Location: MANOR HOUSE FARMHOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>1, SCOTLAND LANE</u></p> <ul style="list-style-type: none">• List Entry Number: 1180129• Heritage Category: Listing• Grade: II• Location: 1, SCOTLAND LANE, Burton Overy, Harborough, Leicestershire <p><u>THE ELMS</u></p> <ul style="list-style-type: none">• List Entry Number: 1360660• Heritage Category: Listing• Grade: II• Location: THE ELMS, ELMS LANE, Burton Overy, Harborough, Leicestershire <p><u>WHITE HOUSE FARMHOUSE</u></p> <ul style="list-style-type: none">• List Entry Number: 1360698• Heritage Category: Listing• Grade: II• Location: WHITE HOUSE FARMHOUSE, BACK LANE, Burton Overy, Harborough, Leicestershire
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THE MANOR FARMHOUSE

- List Entry Number: 1061624
- Heritage Category: Listing
- Grade: II
- Location: THE MANOR FARMHOUSE, BACK LANE, Burton Overy, Harborough, Leicestershire

KINGARTH FARMHOUSE

- List Entry Number: 1295055
- Heritage Category: Listing
- Grade: II
- Location: KINGARTH FARMHOUSE, TOWN STREET, Burton Overy, Harborough, Leicestershire

POST OFFICE THATCHED COTTAGE

- List Entry Number: 1061590
- Heritage Category: Listing
- Grade: II
- Location: THATCHED COTTAGE, MAIN STREET, Burton Overy, Harborough, Leicestershire

THE OLD HOUSE

- List Entry Number: 1360680
- Heritage Category: Listing
- Grade: II
- Location: THE OLD HOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire

HIGHER HOUSE

- List Entry Number: 1360717
- Heritage Category: Listing
- Grade: II
- Location: HIGHER HOUSE, MAIN STREET, Burton Overy, Harborough, Leicestershire

PARISH BOUNDARY POST CIRCA 30 METRES SOUTH OF THE BOUNDARY HOUSE

- List Entry Number: 1180202

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	<ul style="list-style-type: none">• Heritage Category: Listing• Grade: II• Location: PARISH BOUNDARY POST CIRCA 30 METRES SOUTH OF THE BOUNDARY HOUSE, LONDON ROAD, Great Glen, Harborough, Leicestershire <p><u>THE OLD RECTORY</u></p> <ul style="list-style-type: none">• List Entry Number: 1061591• Heritage Category: Listing• Grade: II• Location: THE OLD RECTORY, Burton Overy, SCOTLAND, Harborough, Leicestershire <p><u>CHURCH OF ST ANDREW</u></p> <ul style="list-style-type: none">• List Entry Number: 1061587• Heritage Category: Listing• Grade: II*• Location: CHURCH OF ST ANDREW, MAIN STREET, Burton Overy, Harborough, Leicestershire <p><u>Local Heritage Assets (ENV7)</u></p> <p>a) The ancient brick wall bounding the farmyard bordered by Elms Lane and Main Street</p> <p>b) The mud wall in the yard of Manor House Farm</p> <p>c) The former butcher's paddock (inventory site 046; see also policy ENV1) as 'pump' on 1903 Ordnance Survey map</p>
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Appendix 2

Annex I

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for the permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast-iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads (1) and lines for long-distance railway traffic and of airports (2) with a basic runway length of 2 100 m or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or land fill of toxic and dangerous wastes.

(1) For the purposes of the Directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.

(2) For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

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Annex II

1. Agriculture

- (a) Projects for the restructuring of rural land holdings.
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
- (c) Water-management projects for agriculture.
- (d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
- (e) Poultry-rearing installations.
- (f) Pig-rearing installations.
- (g) Salmon breeding.
- (h) Reclamation of land from the sea.

2. Extractive industry

- (a) Extraction of peat.
- (b) Deep drillings with the exception of drillings for investigating the stability of the soil and in particular:
 - geothermal drilling,
 - drilling for the storage of nuclear waste material,
 - drilling for water supplies.
- (c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
- (d) Extraction of coal and lignite by underground mining. (e) Extraction of coal and lignite by open-cast mining. (f) Extraction of petroleum.
- (g) Extraction of natural gas.
- (h) Extraction of ores.
- (i) Extraction of bituminous shale.
- (j) Extraction of minerals other than metalliferous and energy-producing minerals by open-cast mining.

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- (k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
- (l) Coke ovens (dry coal distillation).
- (m) Installations for the manufacture of cement.

3. Energy industry

- (a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I).
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables.
- (c) Surface storage of natural gas.
- (d) Underground storage of combustible gases.
- (e) Surface storage of fossil fuels.
- (f) Industrial briquetting of coal and lignite.
- (g) Installations for the production or enrichment of nuclear fuels.
- (h) Installations for the reprocessing of irradiated nuclear fuels.
- (i) Installations for the collection and processing of radioactive waste (unless included in Annex I).
- (j) Installations for hydroelectric energy production.

3. Processing of metals

- (a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I).
- (b) Installations for the production, including smelting, refining, drawing and rolling, of nonferrous metals, excluding precious metals.
- (c) Pressing, drawing and stamping of large castings.
- (d) Surface treatment and coating of metals.
- (e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
- (g) Shipyards.
- (h) Installations for the construction and repair of aircraft.
- (i) Manufacture of railway equipment.
- (j) Swaging by explosives.
- (k) Installations for the roasting and sintering of metallic ores.

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5. Manufacture of glass

6. Chemical industry

- (a) Treatment of intermediate products and production of chemicals (unless included in Annex I).
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
- (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry

- (a) Manufacture of vegetable and animal oils and fats.
- (b) Packing and canning of animal and vegetable products.
- (c) Manufacture of dairy products.
- (d) Brewing and malting.
- (e) Confectionery and syrup manufacture.
- (f) Installations for the slaughter of animals.
- (g) Industrial starch manufacturing installations.
- (h) Fish-meal and fish-oil factories.
- (i) Sugar factories.

8. Textile, leather, wood and paper industries

- (a) Wool scouring, degreasing and bleaching factories.
- (b) Manufacture of fibre board, particle board and plywood.
- (c) Manufacture of pulp, paper and board.
- (d) Fibre-dyeing factories.
- (e) Cellulose-processing and production installations.
- (f) Tannery and leather-dressing factories.

9. Rubber industry

Manufacture and treatment of elastomer-based products.

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10. Infrastructure projects

- (a) Industrial-estate development projects.
- (b) Urban-development projects.
- (c) Ski-lifts and cable-cars.
- (d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I).
- (e) Canalization and flood-relief works.
- (f) Dams and other installations designed to hold water or store it on a long-term basis.
- (g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
- (h) Oil and gas pipeline installations.
- (i) Installation of long-distance aqueducts.
- (j) Yacht marinas.

11. Other projects

- (a) Holiday villages, hotel complexes.
- (b) Permanent racing and test tracks for cars and motor cycles.
- (c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
- (d) Waste water treatment plants.
- (e) Sludge-deposition sites.
- (f) Storage of scrap iron.
- (g) Test benches for engines, turbines or reactors.
- (h) Manufacture of artificial mineral fibres.
- (i) Manufacture, packing, loading or placing in cartridges of gunpowder and explosives.
- (j) Knackers' yards.

12. Modifications to development projects included in Annex I and projects in Annex II undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year