

# **Fradley Neighbourhood Plan**

## Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment

Screening Report  
(October 2017)

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## 1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Fradley Neighbourhood Plan 2017-2032 (hereafter known as 'FNP') 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 This report will also screen to determine whether the FNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA. Cannock Chase Special Area of Conservation (SAC), Cannock Extension Canal SAC and Humber Estuary SAC are within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the FNP boundary, the FNP boundary is outside the water catchment area. Appendix 1 shows the Plan Boundary in relation to the 15km radius of Natura 2000 sites.
- 1.3 The purpose of the FNP is to provide a set of statutory planning policies to guide development within the Fradley neighbourhood area over the life of the plan. The Plan sets out the community's vision of how the area will look by 2032. The FNP also provides support for improved facilities to serve the community, improvement of movement networks and seeks to protect and enhance important elements of the local environment.
- 1.4 The legislative background set out in the following section outlines the regulations that require the need for this screening exercise. Section 3, provides a screening assessment of both the likely significant environmental effects of the FNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the FNP and the need for a Habitats Regulation Assessment.
- 1.5 This report will be split into two parts. The first will cover the screening for the SEA (see section 3) and the second will cover the screening process for the HRA (see section 4). A summary of findings and conclusions for both screening processes can be found in the conclusions chapter at section 5.

## 2. Legislative Background

### **Strategic Environmental Assessment (SEA)**

- 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 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's), but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations. The purpose of this report is to determine if SEA is required for the Fradley Neighbourhood Plan.
- 2.3 The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; Historic England, Natural England and Environment Agency on whether a SEA is required, Details of the consultation bodies responses can be found at Appendix 3.

### **Habitat Regulation Assessment (HRA)**

- 2.4 It is required by article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.5 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the FNP upon European Sites (Natura 2000 sites) a screening assessment has been undertaken and is set out in section 4 of this report.
- 2.6 The legislation requires where there is a "risk" of a significant effect on a European Site, either individually or in combination with other plans or projects then there will be requirement for the plan to progress from HRA screening to an Appropriate Assessment. This is known as the precautionary principle.

### **Description of the Plan or Programme**

- 2.7 The FNP has been prepared by the Fradley Neighbourhood Plan Steering Group on behalf of the Qualifying Body (Fradley & Streethay Parish Council). For the purposes of this screening report Fradley & Streethay Parish Council provided the Fradley Neighbourhood Plan 2017-2032 (Draft 4 – September 2017). It should be noted that any subsequent changes to the plan could require this screening process to be updated or undertaken again. The Plan includes 13 Planning Policies within five policy themes which relate to the whole of the designated Neighbourhood Area. These themes are; Spatial Strategy, Community Infrastructure, Character and Environments, Economy and Movement.
- 2.8 The policies relate to the Neighbourhood Area and seek to provide planning policies to be a material consideration in the determination of planning applications. The policies seek to guide development within a defined settlement boundary, provide support for

proposals which enhance community facilities. There are a number of policies relating to the neighbourhood areas character and seek to protect character and identify key local green spaces.

### 3. SEA Screening

#### Criteria for Assessing the Effects of FNP

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

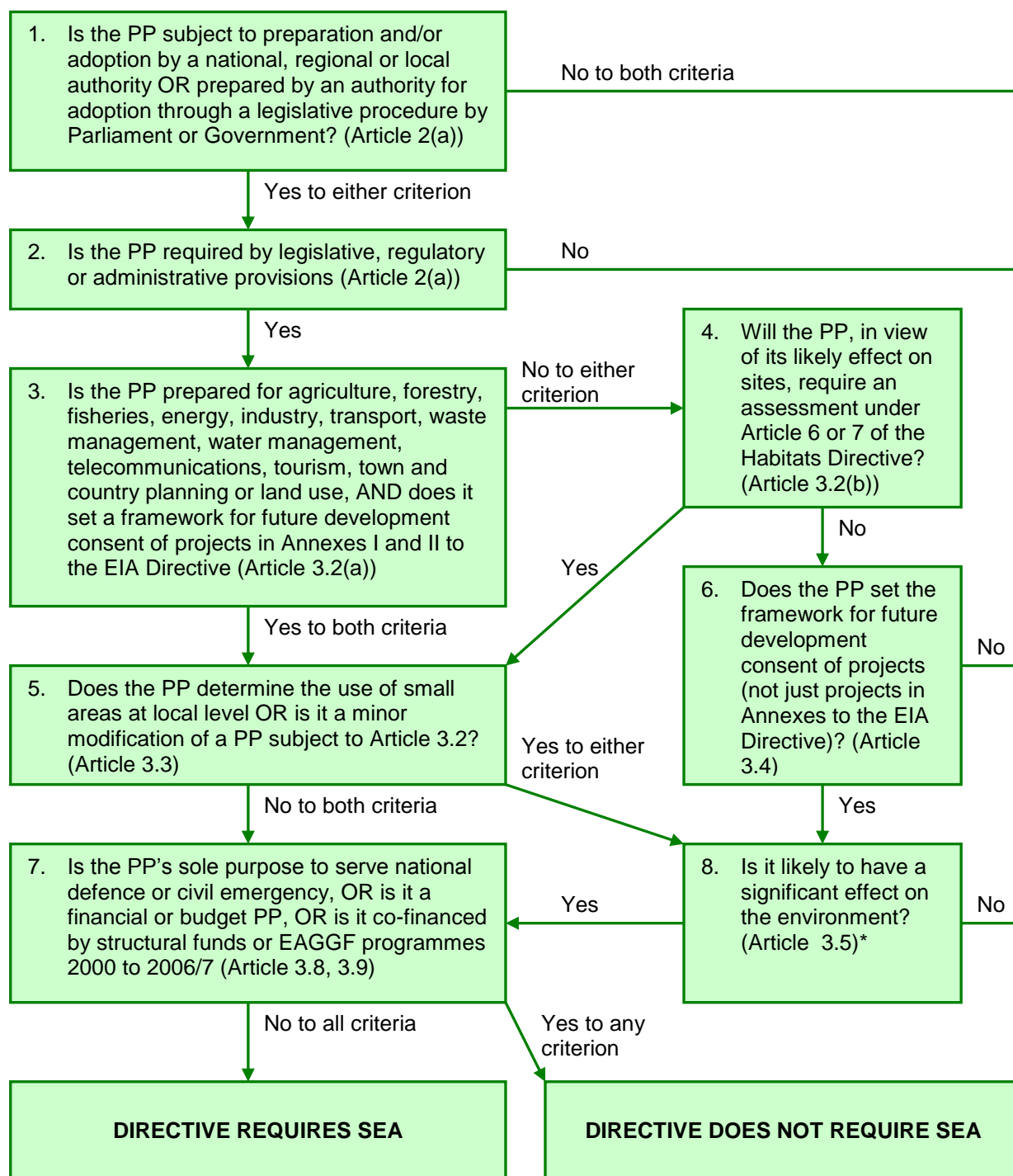
1. The characteristics of plans and programmes, having regard, in particular, to
  - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - the relevance of the plan or programme 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 transboundary nature of the effects,
  - the risks to human health or the environment (e.g. due to accidents),
  - 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

### **Assessment**

- 3.2 It is required by the Localism Act that Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. The development plan for Lichfield District is currently made up of the adopted Lichfield District Local Plan Strategy (LPS) which includes some saved policies from the 1998 Lichfield District Local Plan (saved September 2007). Therefore the Neighbourhood Plan must be in general conformity with these policies. The Local Plan Strategy (LPS) was subject to a full Sustainability Appraisal which included a SEA assessment. This ensured that there were no likely significant effects which would be produced from the implementation of the Local Plan and if so ensured mitigation measures were in place.
- 3.4 Guidance upon SEA's written by the Department of the Environment produces a diagram to the process for screening a planning document to ascertain whether a full SEA is required, see figure1.

Figure 1. Application of the SEA Directive to plans and programmes (PPs)



\* The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

- 3.5 The process in figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the FNP will require a full SEA. The questions in table 1 are drawn from the diagram above which sets out how the SEA Directive should be applied.



**Table 1: Establishing the Need for SEA**

Stage	Yes/No	Reason
1. Is the PP (plan or programme) 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	This Neighbourhood Plan is prepared by Fradley & Streethay Parish Council (as the Qualifying Body) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the plan is 'made' subject to examination and having received 50%+ or more 'yes' votes through a referendum it will be adopted by Lichfield District Council and become part of the Statutory Development Plan for the area.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Communities have a right to produce a Neighbourhood Plan; however communities are not required by legislative, regulatory or administrative purposes to produce a Neighbourhood Plan. However, once 'made' the Fradley Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications within the Neighbourhood Area. Therefore it is considered necessary to answer the following questions to determine further if an SEA is required.
3. Is the PP 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 to the EIA Directive? (Art 3.2(a))	Yes	The FNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Fradley Neighbourhood Area. Once 'made' the FNP would form part of the statutory development plan, and will be used when making decisions on planning applications which may include development which may fall under Annex I and II of the EIA directive.
4. Will the PP, 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	The Neighbourhood Plan could potentially have an impact on internationally designated wildlife sites covered by the Habitats Regulations. See screening assessment for HRA in following section of this report.

5. Does the PP 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)	<b>Yes</b>	The FNP identifies the use of land at the local level with regards to the designation of Local Green Spaces. Once 'made' the FNP would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Yes</b>	The FNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Fradley Neighbourhood Area. Therefore the Neighbourhood Plan will set the framework for future developments.
7. Is the PP'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)	<b>No</b>	The FNP does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>Yes</b>	The FNP could potentially have a significant effect on the environment not just within the neighbourhood area but also within the District as Fradley is identified as one of the key settlements within the Local Plan Strategy. The FNP will impact upon Cannock Chase SAC a Natura 2000 sites, (see HRA section) however FNP is in accordance with the LPS and would be subject to the requirements of Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures.

3.6 A number of the criteria above suggest that SEA of the Fradley Neighbourhood Plan may be required. Criteria 6 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment, particularly relating to Natura 2000 sites. Depending on the proposals within the plan and a case by case assessment may be made on a case by case basis. The criteria for undertaking such an assessment are drawn from Article 3(5) of the SEA Directive as set out at paragraph 3.1 of this report. Table 2 outlines the result of this assessment in relation to the Fradley Neighbourhood Plan January 2017.

3.7 The following assessment will consider the likelihood of the Fradley Neighbourhood Plan (as published at the date of this report) to have significant effects on the environment.

**Table 2: Assessment if likelihood of significant effects on the environment**

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Summary of Significant effects
<b>The characteristics of the plans, having regard to;</b>	
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>Once 'made; the FNP will set out the framework which will be used to determine proposals for development within the neighbourhood area regarding housing, employment and community facilities. The FNP also provides protection to the character of the area which will influence potential development across the plan period. There is therefore the potential for an effect on the environment resulting from the proposals in the plan.</p> <p>However the plan does not propose development in excess of that identified within the adopted Local Plan Strategy (LPS) nor does it allocate sites for development. As such the SA/SEA carried out by the District Council for the LPS could be considered sufficient.</p>
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>The FNP must be in general conformity with the Lichfield District Local Plan and the National Planning Policy Framework. The Local Plan Allocations document has not yet been submitted as such the neighbourhood plan cannot be influenced by it, however the neighbourhood plan generally conforms with the emerging Local Plan Allocations document. The FNP only provides policies for the area it covers and the Local Plan Strategy will provide the necessary strategic context when determining planning applications.</p> <p>The FNP will help to deliver the overall aims of the Local Plan. Fradley is identified as a key settlement within the Local Plan Strategy and the Neighbourhood Plan does not propose to restrict development which is considered to be in broad conformity with the LPS.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Any Neighbourhood Plan is required to contribute to the achievement of sustainable development and therefore the likelihood of significant effects on the environment is minimised. This plan contains policies to protect the environment and does not seek to allocate sites for development and as such the impact of the plan on the environment is minimal.</p>
<p>Environmental problems relevant to the plan.</p>	<p>Any environmental impacts of the proposals within the FNP are unlikely to arise.</p>

The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The FNP has to be in general conformity with the Local Plan. The adopted Local Plan has had regard to European Community legislation on the environment and therefore this legislation will not be relevant for the Neighbourhood Plan.
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular to;</b>	
The probability, duration, frequency and reversibility of the effects.	Development is supported within the FNP and therefore an element of environmental change will occur, the impacts of which will depend upon the proposals and will be subject to the policies within the LPS. The FNP seeks to minimise the effects of development on its immediate surroundings.
The cumulative nature of the effects.	The cumulative effects of proposals within the FNP are unlikely to be significant on the local environment given the level of development does not exceed that within the LPS.
The trans boundary nature of the effects.	None.
The risks to human health or the environment (e.g. due to accidents).	There is limited risk to human health or the environment as a result of the FNP.
The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).	The scale of development proposed through the FNP is small and therefore effects are likely to be localised. It is unlikely that the effects of proposals within the neighbourhood plan will be large scale and extensive.
The value and vulnerability of the area likely to be affected due to:  - special natural characteristics or cultural heritage - exceeded environmental quality standards - intensive land use	The FNP is unlikely to adversely affect the value and vulnerability of the area in relation to the special natural characteristics or cultural heritage.  The level of development proposed through the FNP is unlikely to lead to intensive land use and will not affect the value and vulnerability of the area on this criteria.
The effects on areas or landscapes which have a recognised national, community or international protection status.	The Cannock Chase SAC and AONB lies within 15km of the FNP boundary. Developments within the Cannock Chase SAC 15km zone of influence will in combination have an effect on the integrity of the SAC, development envisaged within the FNP is in accordance with the LPS and would be subject to the requirements of Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures.

	The FNP boundary is within 15km of the Cannock Extension Canal SAC, Humber Estuary and outside the River Mease SAC water catchment. There will be no significant effects from the proposals within the FNP on these European Sites.
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**Screening Outcome**

- 3.8 The FNP does not propose more development than is set out within the Local Plan Strategy, nor does it allocate sites for development. The plan proposes the designation of a number of Local Green Spaces.
- 3.9 The conclusions of the above screening assessment on the Fradley Neighbourhood Plan 2017-2032 (Draft 4 – September 2017) indicate that a Strategic Environmental Assessment will not be required.

#### 4. HRA Screening

- 4.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. The assessment must determine whether the plans would adversely affect, or are likely to affect, the integrity of a site(s) in terms of its nature conservation objectives. Where negative effects are identified other options should be examined to avoid any potential damaging effects.
- 4.2 Under Criteria 4 of Figure 1 and Table 1 it was concluded that the Neighbourhood Plan may have an impact upon internationally designated sites and as such a 'case by case' assessment is required.
- 4.3 The HRA process is generally divided into three stages. The initial stage of the HRA process is called the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
- 4.4 The Lichfield Local Plan Strategy was subject to HRA during its production. This assessment looked at all internationally designated sites which could be impacted by development within Lichfield District. [The Habitat Regulations Assessment: Lichfield District & Tamworth Borough \(May 2012\)](#) was updated by the [Addendum to Habitat Regulations Assessment \(January 2014\)](#) which concluded that the Local Plan Strategy (as modified by the proposed Main Modifications) would have no likely significant effects upon European sites.
- 4.5 This section of the report provides a "screening" assessment for the FNP. It looks at the potential impacts of the plan's proposals on European Sites within 15km of the Neighbourhood Plan area; these sites are illustrated at Appendix 1. The following screening assessment will determine if the FNP will have any likely significant effects to determine whether the subsequent stages will be required.

##### **Relevant Natura 2000 sites**

- 4.6 The relevant Natura 2000 sites within 15km of the Fradley Neighbourhood Area are;
- Cannock Chase SAC – approximately 11km to the west
  - Cannock Extension Canal – approximately 13km to the south-west
  - River Mease SAC – approximately 400m to the east
- 4.7 The Cannock Chase Special Area of Conservation (SAC), The Cannock Extension Canal SAC and the River Mease SAC are within a 15km radius of the Fradley Neighbourhood Area boundary. However, the FNP boundary is not within the River Mease water catchment area (as illustrated at Appendix A). The River Trent whose water catchment is part of the Humber Estuary SAC is within the FNP boundary. Therefore the HRA screening assessment needs to identify if any likely significant effects on the reasons for these sites to be designated will be caused by the implementation of the plan. This assessment has been undertaken having regard to the results and information in the HRA

and HRA addendum prepared for the Local Plan Strategy and is set out at Table 3.

**Table 3: Sites within 15km of Fradley Neighbourhood Area**

Name of Site	Reason for Designation	Conservation Objectives	Identified Impacts
<b>Cannock Chase SAC</b>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>European dry heaths</li> </ul> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>Wet heathland with cross leaved heath</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats</li> <li>The structure and function (including typical species) of qualifying natural habitats, and,</li> <li>The supporting processes on which the qualifying natural habitats rely</li> </ul>	<p>Visitor pressures include dog walking, horse riding, mountain biking and off-track activities such as orienteering, all of which cause disturbance and result in erosion, new track creation and vegetation damage. Bracken invasion is significant, but is being controlled. Birch and pine scrub, much of the latter from surrounding commercial plantations, is continually invading the site and has to be controlled. High visitor usage and the fact that a significant proportion of the site is Common Land, requiring Secretary of State approval before fencing can take place, means that the reintroduction of sustainable management in the form of livestock grazing has many problems. Cannock Chase overlies coal measures which have been deep-mined. Mining fissures continue to appear across the site even though mining has ceased and this is thought to detrimentally affect site hydrology.</p> <p>Furthermore the underlying Sherwood Sandstone is a major aquifer with water abstracted for public and industrial uses and the effects of this on the wetland features of the Chase are not fully understood.</p>
<b>Cannock Extension Canal SAC</b>	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>Floating water-plantain</li> </ul> <p>Luronium natans</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site</p>	<p>The population of <i>Luronium natans</i> in this cul-de-sac canal is dependent upon a balanced level of boat traffic. If the canal is not used, the abundant growth of other</p>



		<p>contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of qualifying species</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site</li> </ul>	<p>aquatic macrophytes may shade-out the <i>Luronium natans</i> unless routinely controlled by cutting. An increase in recreational activity would be to the detriment of <i>Luronium natans</i>. Existing discharges of surface water run-off, principally from roads, cause some reduction in water quality.</p>
<b>River Mease SAC</b>	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot</li> </ul>	<p>the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of</li> </ul>	<p>The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site. The SSSI assessment report undertaken in 2007 notes the site's adverse condition and</p>

	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Spined loach <i>Cobitis taenia</i></li> <li>▪ Bullhead <i>Cottus gobio</i></li> </ul> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> <li>▪ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i></li> <li>▪ Otter <i>Lutra lutra</i></li> </ul>	<p>qualifying species</p> <ul style="list-style-type: none"> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>identifies the following issues: drainage, invasive freshwater species, water pollution – agriculture/run-off, water pollution – discharge. Significant new development could take place within the catchment as a result of new housing and employment development in North-West Leicestershire, South Derbyshire and East Staffs which may impact upon water quality and quantity. The continuing creation of the National Forest will lead to further catchment wide changes in land use.</p>
<b>Humber Estuary</b>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Estuaries</li> <li>▪ Mudflats and sandflats not covered by seawater at low tide; intertidal mudflats and sandflats</li> </ul> <p>Annex I habitats present as a qualifying feature, but not a primary</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of</li> </ul>	<p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Management intervention is therefore necessary to enable the estuary to recover and to secure the ecological resilience required to respond to both natural and anthropogenic change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and function of the estuary (due to sea level rise,</p>

	<p>reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks</li> <li>▪ Coastal lagoons * Priority feature</li> <li>▪ Salicornia and other annuals colonising mud and sand; glasswort and other annuals colonising mud and sand</li> <li>▪ Atlantic salt meadows (Glauco- Puccinellietalia maritima)</li> <li>▪ Embryonic shifting dunes</li> <li>▪ Shifting dunes along the shoreline with Ammophila arenaria (‘white dunes’); shifting dunes with marram</li> <li>▪ Fixed dunes with herbaceous vegetation (‘grey dunes’) * Priority feature; dune grassland</li> <li>▪ Dunes with Hippophae rhamnoides; dunes with sea- buckthorn</li> </ul> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> <li>▪ Sea lamprey Petromyzon</li> </ul>	<p>qualifying species</p> <ul style="list-style-type: none"> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>flood defence works, dredging, and the construction, operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development, and damage and disturbance arising from access, recreation and other activities. Coastal squeeze is being addressed through the development and implementation of the Humber Flood Risk Management Strategy. All proposals for flood defence, development, dredging, abstractions and discharges which require consent from any statutory body, and land use plans which may have impacts upon the site are subject to assessment under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 (the “Habitats Regulations”). Diffuse pollution will be addressed through a range of measures including implementation of the Waste Water Framework Directive and Catchment Sensitive Farming initiatives.</p> <p>Other issues are addressed via a range of measures including regulation of on-site land management activities and implementation of the Humber Management Scheme, developed by all relevant statutory bodies to assist in the delivery of their duties under the Habitats Regulations.</p>
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	<ul style="list-style-type: none"><li>▪ marinus River lamprey Lampetra fluviatilis</li><li>▪ Grey seal Halichoerus grypus</li></ul>		
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- 4.8 The likelihood of significant effects have been assessed in relation to the specific features and environmental conditions of the protected sites, as could be effected by the FNP, or in combination with other known plans, taking particular account of the sites conservation objectives. As part of establishing what effects are significant, the probability of impact, duration of the impact, frequency of any impact and reversibility of impact have been considered.
- 4.9 Tables 4-7 set out the assessment based on the effects of the FNP on the four sites detailed above.

**Table 4: Cannock Chase SAC**

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is FNP likely to impact upon this site	No	No	No	No	Yes	No	No	No
Possible effects in combination with other plans	The site is influenced by traffic and visitors from a wide area. Evidence has been produced which demonstrates that any new residential development within 15km of the SAC will, alone or in combination, have an impact upon the integrity of the SAC due to the potential for increasing visitors to the SAC. The FNP recognises the requirement to deliver sufficient housing to meet the needs of the adopted Local Plan Strategy which will generate increased visitor pressure on the SAC.							
Assessment of effects and why not considered significant	The Fradley Neighbourhood Area is approximately 11km east of the Cannock Chase SAC. Evidence has highlighted there are vulnerabilities from recreational pressures. Where there is potential for development within the 15km zone of influence identified by evidence for the Lichfield Local Plan Strategy this is in accordance with the scale and nature of the adopted Local Plan Strategy which contains Policy NR7and mitigation agreed as part of the adopted Local Plan will ensure any necessary mitigation is delivered and no significant harm will arise alone or in combination upon the factors influencing European Sites.							
Conclusion: No Significant effects								

**Table 5: Cannock Extension Canal SAC**

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is FNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination	None							

<b>with other plans</b>	
<b>Assessment of effects and why not considered significant</b>	The pressures on the Cannock Extension Canal SAC are very localised and relate to increase boat movements and impact upon water quality. The Fradley Neighbourhood area is 13km from the SAC and does not include proposals which are likely to result in any significant effects upon the factors influencing this SAC.
<b>Conclusion: No significant effects</b>	

**Table 6: River Mease SAC**

Table 1: River Mease SAC								
	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is FNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination with other plans	None.							
Assessment of effects and why not considered significant	Whilst the Fradley Neighbourhood Area is within 15km of the River Mease SAC, however it is outside the River Mease SAC Water catchment area (as identified at appendix 1). As such no significant effects are likely.							
Conclusion: No significant effects								

**Table 7: Humber Estuary SAC**

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is FNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination with other plans	None - The site is currently managed as a National Nature Reserve. It would be vulnerable to on site physical alterations to the water quality and quantity. There are many plans still being developed along the length of the River system.							
Assessment of effects and why not considered significant	Site is over 20km from the FNP boundary. Development proposals within the neighbourhood area will not affect the site physically as any effects would be through discharges into the River Tame and Trent as this eventually flows to the Humber. As the FNP does not propose more growth than the Local Plan it is unlikely this position would change.							
Conclusion: No significant effects								



**Screening Outcome**

- 4.10 Tables 4-7 do not identify any significant effects upon the identified European sites as a result of the FNP (as published at the date of this report).
- 4.11 Appendix 2 sets out a detailed assessment of the likely significant effects on European sites as a result of each policy within the FNP. The assessment concludes that none of the policies within the FNP are likely to have significant impacts upon the European sites identified within the assessment.
- 4.12 The conclusions of the screening assessment above indicate that no further stages of Appropriate Assessment are required for the FNP.

## **5. Conclusions and recommendations of the Screening Assessments**

- 5.1 This report contains the detail of the assessment of the need for the Fradley Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.
- 5.2 The assessment of both of these requirements has been undertaken on the Fradley Neighbourhood Plan 2017-2032 (Draft 4) which was produced in September 2017. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

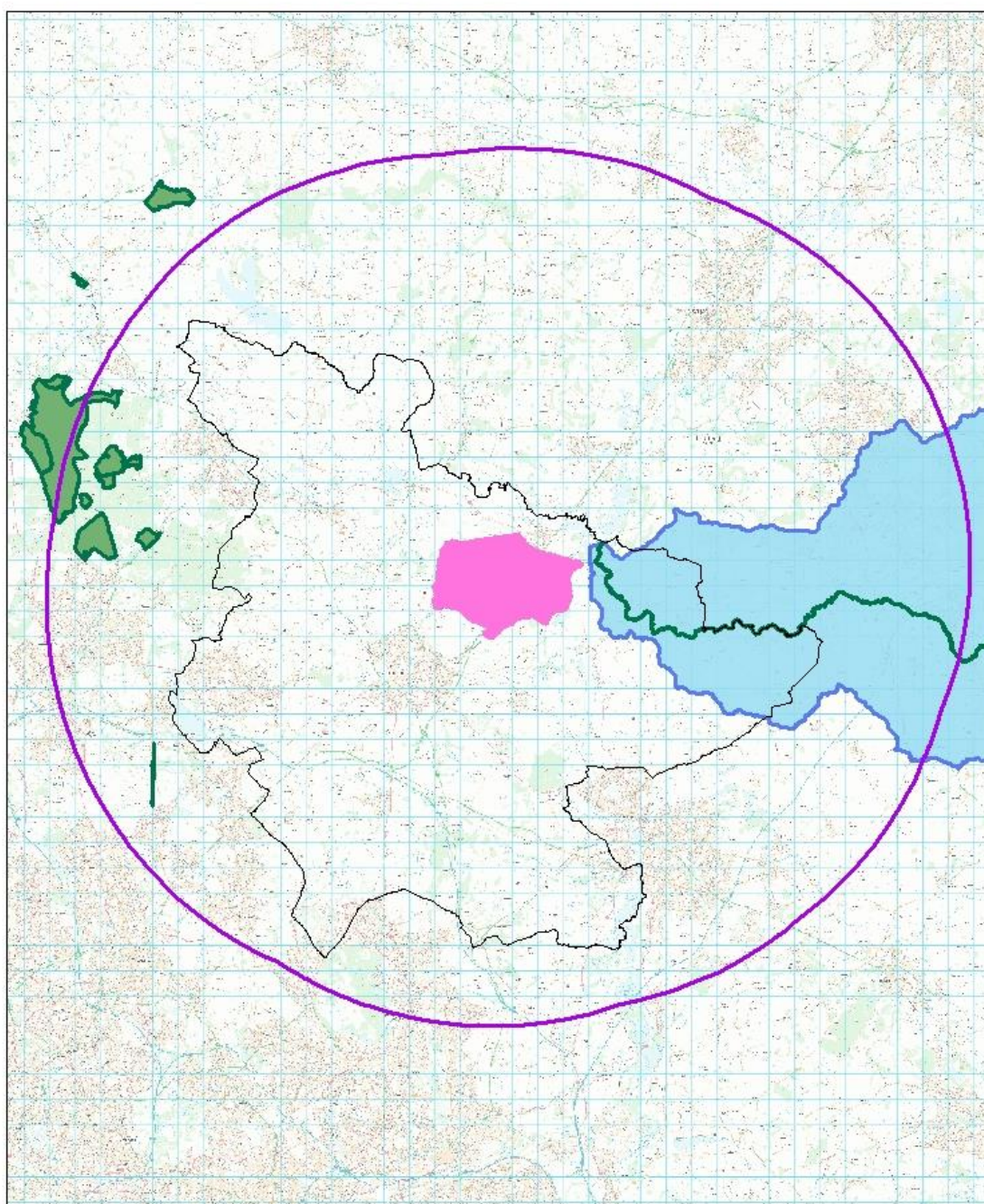
### **Strategic Environmental Assessment (SEA)**

- 5.3 In relation to the requirement for the Fradley Neighbourhood Plan to be subject to Strategic Environmental Assessment, the assessment detailed in Section 3 of this report concludes that the plan in its current form is not likely to have significant environmental effects and therefore SEA will not be required.

### **Habitat Regulations Assessment (HRA)**

- 5.4 In relation to the requirement for the Fradley Neighbourhood Plan to be subject to Habitat Regulations Assessment, the assessment detailed at Section 4 of this report concludes that there are no potential significant effects upon European Sites and no further work as part of the compliance with the Habitat Regulations will be required.

**Appendix 1 – Map of Natura 2000 sites within 15km of Neighbourhood Plan Boundary**



**Key**

-  Fradley neighbourhood area
-  15km zone
-  Lichfield District Boundary
-  Special Areas of Conservation
-  River Mease SAC Water Catchment

*Lichfield*  
district council  
[www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

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**Appendix 2 – HRA review of Proposed Policies in Fradley Neighbourhood Plan**

FNP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
<b>FRANP1</b>	<b>Fradley Settlement Boundary</b> - The policy provides support for development within a defined settlement boundary.	<b>No</b> – The policy does not itself propose development. The policy seeks to support development within a defined settlement boundary which is consistent with that within the emerging Local Plan. The policy does not propose more development than is set out within the adopted Local Plan.
<b>FRANP2</b>	<b>Existing Community Facilities</b> - Policy provides protection to existing community facilities.	<b>No</b> – The policy does not itself propose development.
<b>FRANP3</b>	<b>Provision of New/Expanded Sports Facilities</b> - The policy provides support for new and expanded sports facilities within the neighbourhood area based on a small number of criteria.	<b>No</b> – The policy does not itself propose development. It provides support for proposals which are unlikely to have impact upon any European sites.
<b>FRANP4</b>	<b>Provision of Community Hub</b> - Policy provides support for additional community facilities. The policy suggests a preferred location for such facilities but does not seek to allocate this and provides support for such provision at alternative locations.	<b>No</b> – The policy does not itself propose development. It provides support for proposals which are unlikely to have impact upon any European sites.
<b>FRANP5</b>	<b>Provision of Plan and Youth Facilities</b> - Policy provides support for new and/or improved play facilities for children and young people.	<b>No</b> – The policy does not itself propose development. It provides support for proposals which are unlikely to have impact upon any European sites.
<b>FRANP6</b>	<b>Character Areas</b> - The policy provides a number of criteria which should be considered as part of any planning application in terms of protecting the character of the neighbourhood area.	<b>No</b> – The policy does not itself propose development.

<b>FRANP7</b>	<b>Local Green Spaces -</b> Proposes the designation of seven Local Green Spaces within the neighbourhood area.	<b>No</b> – The policy does not itself propose development. The policy seeks to protect seven locally important open spaces.
<b>FRANP8</b>	<b>Minimising the Environmental Impact of Development -</b> The policy expects developments to have regard to nearby natural features and support green infrastructure.	<b>No</b> – The policy does not itself propose development.
<b>FRANP9</b>	<b>Small-scale Commercial Development –</b> Policy provides support for small scale commercial development.	<b>No</b> – The policy does not itself propose development.
<b>FRANP10</b>	<b>Provision for Distribution Vehicles –</b> Requires developments for distribution warehouses to provide off-road parking and driver facilities.	<b>No</b> – The policy does not itself propose development.
<b>FRANP11</b>	<b>Cycling, Walking and Disability Access Routes –</b> Policy supports proposals which improve cycling and walking links throughout the neighbourhood area.  Policy also requires development to link to the identified key movement routes where possible to improve accessibility within the neighbourhood area.	<b>No</b> – The policy does not itself propose development.
<b>FRANP12</b>	<b>Highway Capacity at Key Road Junctions –</b> Requires transport assessments/statements to address to the satisfaction of statutory consultees the cumulative impact of development on road junctions.	<b>No</b> – The policy does not itself propose development.
<b>FRANP13</b>	<b>Residential Parking –</b> Provides specific parking standards for residential development.	<b>No</b> – The policy does not itself propose development.

### ***Appendix 3: SEA & HRA Screening Opinion and Statutory Consultee Responses***

The following appendix includes the screening opinion requests from Lichfield District Council to the Statutory Bodies (Natural England, Historic England and Environment Agency) who have been consulted through the SEA & HRA process and their responses.

- 3.1 SEA & HRA Screening Opinion with Screening report Letter 28/09/2017***
- 3.2 Environment Agency Response 30/10/2017***
- 3.3 Historic England Response 19/10/2017***
- 3.4 Natural England Response 24/10/2017***



Your ref Fradley neighbourhood plan  
Our ref FNP-SEA/HRA  
Ask for Patrick Jervis  
Email Patrick.jervis@lichfielddc.gov.uk



District Council House, Frog Lane  
Lichfield, Staffordshire WS13 6YZ

Customer Services 01543 308000  
Direct Line 01543 308192

28 September 2017

Dear Sir/Madam,

### **Fradley neighbourhood plan – screening opinion for an SEA & HRA**

Fradley & Streethay Parish Council has requested Lichfield District Council to undertake screening for SEA & HRA of the draft Fradley Neighbourhood Plan. The District Council has undertaken a screening process and produced the attached Screening Report which concludes that SEA and HRA of the Fradley Neighbourhood Plan (as currently drafted) will not be required.

Under the Environmental Assessment of Plans and Programmes Regulations 2004 (SI No.1633) Lichfield District Council ('the responsible authority') is required to consult with the consultation bodies in determining whether or not the plan is likely to have significant environmental effects and will therefore require an SEA. The Parish Council also requested screening opinion with regards to the need for a Habitat Regulations Assessment (HRA)

I am therefore requesting that you consider the attached Screening Report and provide any comments on its conclusions to assist in determining whether or not the plan is likely to have significant environmental effects and will therefore require an SEA. I would also welcome your comments on the need for a HRA.

If you have any comments I would ask for these to be sent within the next 21 working days (by 30 October 2017) and if you have any queries please contact myself on 01543 308196. If no reply is received by 5pm Monday 30<sup>th</sup> October 2017 it will be assumed that you concur with the conclusions of the Screening Report.

Yours faithfully,

Patrick Jervis  
Principal Spatial Policy & Delivery  
Spatial Policy & Delivery - Economic Growth



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[lichfield\\_dc](https://twitter.com/lichfield_dc)



MyStaffs App

Mr Patrick Jervis - Planning Officer  
Lichfield District Council  
Planning Policy  
PO Box 66  
Lichfield  
Staffordshire  
WS13 6QB

**Our ref:**UT/2007/101798/SE-19/SC1-L01

**Your ref:**

**Date:** 30<sup>th</sup> October 2017

Dear Mr Jervis

## **Fradley Neighbourhood Plan**

### **SEA and HRA Draft Screening Report, September 2017**

Thank you for giving the Environment Agency the opportunity to comment on the above document.

The Environment Agency is the main agency providing advice on improving resilience and adaptation to the effects of climate change, with particular regard on flood risk, water resources, water quality and aquatic biodiversity.

We strive to make a positive contribution through our statutory consultee role and we hope you will find our comments useful.

The River Tame and Mare Brook (main rivers) form the east / south-east boundary of the plan area and the Curborough Brook (main river) forms the northern boundary. All three watercourses have associated floodplains within the plan area, with that of the River Tame being large and well-defined.

There are also a number of ordinary watercourses and areas at risk of surface water flooding across the plan area. Staffordshire County Council as Lead Local Flood Authority should be consulted on these matters.

In line with national planning policy we would wish to see any new development directed away from those areas at highest flood risk, i.e. towards Flood Zone 1. In addition any new development, including infill development and small scale development should take account of the potential effects of climate change and incorporate sustainable drainage systems (SuDS) to reduce flood risk and manage surface water.

Any policies, proposals or projects that may be considered during the Neighbourhood

Environment Agency  
Sentinel House 9 Wellington Crescent, Fradley Park, LICHFIELD, WS13 8RR.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
Cont/d..



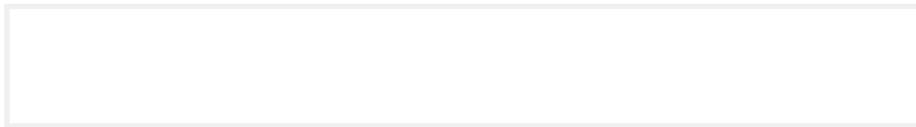
plan process will need to take account of these factors.

With regards to the SEA & HRA screening report we do not consider the Neighbourhood Plan is likely to result in significant environmental impacts and therefore concur with the conclusions of the report.

If you have any queries regarding the above please contact me on the details below.

Yours sincerely

**Mr Kazi Hussain**  
**Planning Specialist**





Historic England

WEST MIDLANDS OFFICE

Mr Patrick Jervis  
Lichfield District Council  
Spatial Policy & Delivery  
District Council House  
Frog Lane  
Lichfield  
WS13 6YZ

Direct Dial: 0121 625 6887

Our ref: PL00182702

19 October 2017

Dear Mr Jervis

**FRADLEY NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING**

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 English Heritage 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://historicengland.org.uk/images-books/publications/strategic-environmental-assessment-sustainability-appraisal-historic-environment/>

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

Yours sincerely,

Peter Boland  
Historic Places Advisor



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)





Historic England

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*Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*

Date: 24 October 2017  
Our ref: 227374



Patrick Jervis  
**Principal Spatial Policy & Delivery Officer**  
Lichfield District Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Patrick

**Planning consultation: Fradley Neighborhood Plan SEA & HRA screening**

Thank you for your consultation on the above dated 28/09/2017

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.

**Strategic Environmental Assessment Screening**

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [National Planning Practice Guidance](#).

**Habitats Regulations Assessment Screening**

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites:

- River Mease Special Area of Conservation (SAC)
  - Due to the neighbourhood plan area not being within the water catchment area for the River Mease SAC
- Cannock Chase SAC
  - Due to the area being subject to the requirements of Policy NR7 of the Lichfield District Council local plan 2008 - 2029

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Felicity Bingham on 02082 256387. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Felicity Bingham  
**Sustainable Development Advisor**  
**East Midlands Team**

