

Lichfield District Council



Local Plan Allocations (Focused Changes) Habitat Regulations Assessment

January 2018

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Summary

A Habitats Regulations Assessment (HRA) of spatial development plans is a requirement of the Habitats Directive (92/43/EEC) as set out in the Conservation of Habitats and Species Regulations 2017 (as amended). This report details the HRA for Lichfield District Council's Local Plan Focused Changes document (the revised Regulation 19 consultation). The Focused Changes document includes:

- Reviewed local plan policies from the 1998 Local Plan;
- Non-strategic housing allocations;
- Nonstrategic employment allocations;
- Non-strategic gypsy traveler and travelling show people allocation;
- Revised policy framework for Lichfield City and Burntwood Town Centre; and
- Policy as regards development at/near Burntwood.

This report sets out the method, findings and conclusions of the HRA undertaken by the Council.

The findings of the HRA work for the Local Plan Strategy was a key consideration and helped to inform this Appropriate Assessment for the Focused Changes document. In the HRA of the Local Plan Strategy, the authority concluded that an adverse effect on the integrity of Cannock Chase and the River Mease SACs would arise from residential development within the zone of influence of Cannock Chase SAC and the catchment of the River Mease SAC in the absence of mitigation.

A previous assessment was undertaken of a Part 2 document to the Local Plan Strategy called the Local Plan Allocations document (March 2017). However following a review of the housing supply and in response to the consultation to the Local Plan Allocations document the opportunity is being taken to consider a Local Plan Part 2 which removes the Green Belt housing allocations and incorporates other suggested changes. These are being presented within a Focused Changes document which is the subject of this HRA, the policies it contains are listed in Appendix B of this assessment.

This document forms part 2 of the Habitats Regulation Assessment (HRA) process setting out the outcomes from the Appropriate Assessment stage of HRA and provides a record of Lichfield District Council's conclusion that the policies and non-strategic allocations proposed through the Focused Changes document, will have no adverse effects on the integrity of the Cannock Chase and River Mease SACs through the implementation of Policies NR7 and NR8 of the Local Plan Strategy and/or a developer contribution scheme utilising both the Community Infrastructure Levy and S106 funding. The Cannock Chase SAC Strategic Access Management and Monitoring Measures (SAMMM) and the River Mease Developer Contributions Scheme (DCS1 and 2) enable mitigation thus ruling out adverse effects on the integrity of these European sites. In addition there will be no adverse effects on the integrity of the Cannock Extension Canal SAC through the implementation of the revised Lichfield Canal policy.

Background

In October 2005, a judgment of the European Court of Justice required the UK to extend the requirements of Article 6(3) and (4) of the Habitats Directive to include the assessment of the potential effects of spatial and land use plans on European sites.

The Lichfield District Local Plan Strategy 2008-2029 was adopted on 17th February 2015 and provides the planning framework and spatial strategy that guides development within the District over the plan period to 2029. The Local Plan Strategy was subject to its own Habitats Regulations Screening Assessment.

Lichfield District Council is currently preparing the second part of its Local Plan. Within the adopted Local Plan Strategy this is referred to as the Local Plan Allocations document. The Local Plan Allocations will inter alia (set out above) allocate non-strategic housing sites, employment sites and a site for gypsy and travellers to meet the requirements as set out in the Local Plan Strategy 2008-2029 and a review of the remaining 1998 Local Plan Policies and review the retail and office policies within the Local Plan Strategy (Lichfield 3 & Burntwood 3). Following a review of the housing supply and in response to the consultation on the Local Plan Allocations Document it was decided to re-consider the potential housing supply available and review the projections associated with delivering the 10,030 dwelling figure to establish whether Green Belt release was required. Subsequently a focused changes document has been prepared which proposes removing the sites allocated for housing which lay in the adopted Green Belt and identifies other suggested changes detailed below in Section 4 and in Appendix B.

The Local Plan Strategy

The Lichfield District Local Plan Strategy sets out the overall level of future growth including strategic development allocations and broad locations for development, providing the broad policy framework and establishing a long-term strategy to manage development, provide services, deliver infrastructure and create sustainable communities. The Strategy consists of a vision and strategic objectives, a spatial development strategy, core policies and development management policies and sets out how the strategy will be implemented and monitored.

The Spatial Strategy concentrates growth in and around Lichfield District's most sustainable settlements and makes best use of existing infrastructure. The Strategic Development Allocations (SDAs) and Broad Development Location (BDL) are located in accordance with the settlement hierarchy and in and around sustainable settlements, namely Lichfield, Burntwood, Fradley, to the East of Rugeley and to the North of Tamworth. Together these sites will deliver almost 6,000 homes within the District within the plan period.

With regard to employment and economic development, the District Council aims to build on the strengths of the existing local economy by allocating land for employment and supporting the redevelopment and modernisation of existing employment sites as well as supporting new and more sustainable working practices.

Other policies within the Local Plan Strategy cover other thematic areas of sustainable transport, homes for the future, economic development, healthy and safe communities, natural resources and the built and historic environment.

The Local Plan Strategy sets out a requirement to deliver a minimum of 10, 030 homes to be delivered across strategic and non-strategic sites.

The HRA screening report on the Local Plan Strategy was consulted upon in March 2014. This assessed the potential for the Plan to affect a number of European sites as follows:

- River Mease (within District)
- Cannock Extension Canal
- Cannock Chase SAC
- Pasturefields Salt Marsh
- West Midlands Mosses and Chartley Moss SAC
- Ensors Pool SAC
- Fens Pool SAC
- Humber Estuary

The HRA of the Local Plan summarised that for the majority of the Natura 2000 sites the Lichfield District Local Plan Strategy would result in no significant effects and no in-combination effects. However potential effects were identified on Cannock Chase SAC and the River Mease SAC as a result of the proposed additional planned housing growth. The HRA Screening Reports for the Local Plan Strategy can be viewed on the Council's [website](#).

Part 2 to the Local Plan Strategy – The Local Plan Allocations (Focused Changes document)

A key element of the Part 2 to the Local Plan Strategy is to add detail to the development strategy set out in the Local Plan Strategy by allocating sites as necessary to meet development needs. Furthermore, the Part 2 to the Strategy also provides the opportunity to review development management policies required to assess and determine planning proposals and applications, particularly where these are not already covered by the general policies set out in the Local Plan Strategy.

The Part 2 to the Strategy sets out detailed development management policies and allocations to meet the needs of the District, which includes retail, housing, employment and provision for a gypsy site. The housing sites which have been allocated comprise sites of 5 dwellings or more, with sites of less than 5 considered as windfall, urban capacity sites within the District's built up areas and further non-strategic allocations beyond existing urban areas. It has been assumed that around 55 windfall dwellings per annum will come forward based on previous delivery rates.

As a Part 2 to the Strategy the Focused Changes document updates the housing supply by removing completed sites and adding these to the completed supply and allocating new sites many of which have received planning permission. The focused changes document still seeks to provide the same overall housing requirement as the adopted Local Plan Strategy which is 10, 030 homes up to 2029, however it includes a greater flexibility in achieving this requirement. The Local Plan Strategy made provision for 10, 244 homes to 2029 and therefore

included an allowance for some flexibility and the Focused Changes document proposes 11,515 homes, this represents an increase in flexibility of 1,271 homes, however it represents an approximate increase of only around 100 dwellings within the 0-15km zone of influence for the Cannock Chase SAC. These modifications within the Local Plan (Focused Changes document) have been considered and are unlikely to have any effect on European sites identified within the scope of this HRA other than Cannock Chase SAC and the River Mease SAC as concluded in the Local Plan Strategy HRA.

The Council has also updated non-Green Belt settlement boundaries where necessary to accommodate sites which have been allocated.

Other detailed development management policies have been included following a review of the saved policies of the 1998 Local Plan and the responses to the consultation. This includes a policy to safeguard a route for the Lichfield Canal. A potential to impact upon the Cannock Extension Canal SAC was identified and this is included within the scope of this assessment.

Purpose of this Report

The findings of the HRA for the Local Plan Strategy was a key consideration and helped to inform the assessment for this Part 2 to the Strategy the Focused Changes document. The HRA of the Local Plan Strategy concluded that the development within the Local Plan Strategy would only have an adverse effect on the integrity of Cannock Chase and the River Mease SACs with effects on other European sites screened out. The Focused Changes document does not propose any additional growth over and above the minimum requirement in the adopted Local Plan Strategy, although it does increase the flexibility in achieving this requirement; and includes a revised policy in relation to the Lichfield Canal which links to the wider canal network and thus Cannock Extension Canal SAC. On this basis the Authority has concluded that it would be sufficient to limit the scope of this screening exercise to potential effects on the Cannock Chase, River Mease and Cannock Extension Canal SACs only.

This report reviews the potential for the Part 2 to the Strategy the Focused Changes document (including the proposed site allocations) to affect the Cannock Chase, River Mease SAC and Cannock Extension Canal SACs and provides a proportionate assessment of this Plan in order to satisfy the Habitats Regulations.

Detailed descriptions of Cannock Chase SAC, River Mease SAC and Cannock Extension Canal SAC are at Appendix A.

The report will consider the following:

- The requirement for HRA and the guidance published to inform the process; and
- The need for further assessment

Habitat Regulations Assessment and the Local Plan Allocations

Article 6(3) of the Habitats Directive requires that any plan or project, which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans

or projects, shall be subject to an ‘appropriate assessment’ of its implications for the European site in view of the site’s conservation objectives. In light of the conclusions of that assessment, and subject to the provisions of Article 6(4) of the Habitats Directive, the Competent Authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, having obtained the opinion of the general public. Article 6(4) provides that if, in spite of a negative assessment of the implications for the site, and in the absence of alternative solutions, the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected.

The Conservation of Habitats and Species Regulations 2017 (often referred to as the Habitats Regulations) transpose the Habitats Directive into national law in England and Wales and require that HRA is applied to all statutory land use plans. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any European site.

Reference in this report to ‘European sites’ should be taken to include the following:

- Special Areas of Conservation (SACs) for habitats and species designated through the EU Habitats Directive;
- Special Protection Areas (SPAs) for the protection of wild birds and their habitats designated through the EU Birds Directive;
- Ramsar sites, identified through the Convention on Wetlands of International Importance;
- Sites that are being considered for designation, referred to as Sites of Community Interest, candidate SACs or proposed SPAs.

This assessment of the Focused Changes document has been carried out in accordance with guidance set out in ‘Planning for the Protection of European Sites: Appropriate Assessment’ which provides guidance in respect of the Habitat Regulations in preparing land use plans. Section 2.1 of this guidance document summarises the HRA process as comprising of three main tasks:

Stage 1: Identifying whether a Plan is likely to have a significant effects

This stage consists of identifying ‘European’ sites which could be affected by the Plan and reviewing the conservation objectives for each feature of the site. The changes that policies and proposals in the plan may cause are appraised and the likely effects on the interest feature of each site, either indirectly, directly, alone or in combination with other projects and plans is considered. Where no likely significant effects occur as a result of implementation, no further assessment is required.

Stage 2: Appropriate Assessment

Undertake an assessment of the implications of the plan (ie those policies and proposals identified in Stage 1 as requiring further assessment) for each European site likely to be affected, in light of their conservation objectives. Review how the plan in combination with other plans or projects will interact and affect the site when implemented and consider how the effects of the plan on the integrity of the site could be mitigated and consider alternatives. If it can be demonstrated that the plan will not have an adverse effect on the European sites,

the plan can be adopted. If the plan is still likely to have an adverse impact on the site(s) the Authority would be required to progress to stage 3 of the process.

Stage 3: Assessment where no alternatives exist

The competent authority must demonstrate that there are no alternative solutions to the plan which are less damaging. The competent authority must establish whether there are *'imperative reasons of overriding public interest'* making it necessary to proceed with the plan or policy and identify and agree compensation measures and how these will be monitored.

This document sets out the Council's findings in respect of Stage 1 of the above process. The following section clarifies the scope of the assessment.

The Habitat Regulations Assessment Process

The Focused Changes document aims to refine the requirements and locations for non-strategic development to meet the level of growth set out in the adopted Local Plan Strategy. The Council previously undertook a Habitat Regulations Screening Assessment on the Local Plan Strategy in 2012 with an addendum in 2014 to take into account modifications arising from its Examination in Public. These HRA's set out in full the scale of growth, its distribution as well as the strategic policies to guide this growth; it also assessed the potential European sites that could be affected in light of their conservation objectives and their specific vulnerabilities. This assessment indicated that the Local Plan Strategy would have likely significant effects on three European sites either alone or in combination with other plans and programmes.

These HRAs produced in 2012 and 2014 assessed the locations of the strategic development allocations and the proposed growth requirements for each of the key rural settlements. There was additional growth required to be accommodated in general within the wider rural area. As the Focused Changes document identifies housing in locations where impacts on the Cannock Chase SAC and River Mease SAC could occur, it is considered appropriate to reconsider the potential for the Focused Changes document to impact on these two European sites.

The third European site is the Cannock Extension Canal SAC, a Heritage Towpath Trail has already been considered as part of the Local Plan Strategy, and the assessment concluded that no significant impacts would arise either alone or in combination with other plans or programmes, the current proposed policy seeks to safeguard a route for the canal associated with the Heritage Towpath Trail, as the route is the same as the Heritage Towpath Trail it is considered appropriate to consider the potential to impact upon the Cannock Extension Canal SAC.

The Local Plan Strategy identified the delivery of 10, 030 houses (Table 8.1) and locations for employment. It should be noted that table 8.1 of the Local Plan Strategy provides slightly in excess of the 10, 030 required at 10, 244. The amount of housing sites identified within the Focused Changes document identifies the delivery of a total number of 11, 515 homes within Lichfield District during the Plan period which is above the housing numbers identified within the Local Plan Strategy, however the 11, 515 provides an appropriate buffer, the provision of such a buffer for flexibility is considered to be good practice in plan making terms. The buffer

proposed within the Focused Changes document is slightly in excess of that shown within the Local Plan Strategy and represents an increase of 1, 271 homes.

Of the total allocations, the Plan has identified a total of 2, 427 homes which remain to be delivered within the 0-15km Zone of Influence of the Cannock Chase SAC ie those without permissions or built. Of this housing, 1,180 homes are to be delivered within the 0-8km Zone of Influence of the Cannock Chase SAC (based on 1,030 allocated sites and a windfall calculation of 150, based as a precautionary measure on the percentage area of Lichfield District covered by the 0-8km zone of influence multiplied by the District's windfall allowance). Evidence commissioned by the Cannock Chase SAC Partnership suggests that the planned level of growth within a 15 kilometre radius of the SAC is likely to have a significant effect on this designated site. The greater part of this effect would arise from development within a 0-8km zone as it has been determined through research that this zone would contribute the most visitors to the SAC¹.

As part of the 2,427 homes required, housing provision has been identified on the recently vacated Rugeley Power Station site with a likely net increase of 350 houses. This site falls within the 0-8km zone of influence of Cannock Chase SAC, however through the Cannock Chase SAC Partnership a [mitigation strategy](#) is in place (Strategic Access Management and Monitoring Measures (SAMMM)) to accommodate the planned growth within the 0-15km Zone of Influence. A charge of £178.60 per dwelling is collected within the 0-8km zone in Lichfield District in order to fund the mitigation and enable housing proposals to meet the requirements of the Habitats Regulations. Evidence in relation the Cannock Chase SAC has been reviewed and considers the mitigation proposed will be effective and there is potential to extend the mitigation package to accommodate future growth within the Zone of Influence should this be necessary within the Plan period. The impacts from new development and the effectiveness of the mitigation strategy are being monitored through the Cannock Chase SAC Partnership. Further evidence is being commissioned which will inform the consideration of the impacts of growth for future Plans. Policy NR7 of the Local Plan Strategy protects the integrity of the Cannock Chase SAC.

A housing allocation for 24 units is proposed in the catchment of the River Mease, and there may be potential for further windfall housing however it is anticipated this will be minimal due to the rural nature of this part of the District. A River Mease SAC Partnership has been formed and a [Developer Contribution Scheme](#) is in place, with charging based on the amount of water and therefore phosphate produced by size of property in order to fund a mitigation strategy to accommodate the planned growth within the River Mease Catchment.

The Appropriate Assessment of the Local Plan Strategy identified that in combination with neighbouring authorities, the housing growth within Lichfield District would have an adverse effect on Cannock Chase SAC and the River Mease SAC. Mitigation for the housing development within the 0-15km Zone of Influence of Cannock Chase SAC and River Mease SAC catchment are currently being delivered through strategic Partnership projects and to ensure that the amount of housing allocated in the Lichfield District Local Plan Strategy will have no adverse impact on the integrity of any European site. The in-combination effect of

¹ Further Analysis of Cannock Visitor Survey Data to Consider Apportioning Costs between Zones – Durwyn Liley, 30th September 2013.

sites within the Focused Changes document has therefore been considered within the context of Local Plan Strategy and the review of the evidence base and therefore need not be repeated in this document.

In respect of the potential for growth to act in combination with other Plans with regard to the River Mease SAC, North West Leicestershire District Council have recently received the Inspectors Report on their Local Plan which once adopted could deliver a further 2,200 homes in the catchment of the Mease with South Derbyshire District Council providing a further 600 within the catchment through their Local Plan Part 2. Both authorities have similar requirements in their Local Plans to those within Lichfield District Council's Local Plan Strategy to ensure developments mitigate for their impact on the River Mease SAC. On this basis development at the level proposed would not lead to likely significant effects in combination with Local Plan Part 2.

A number of saved policies from the Lichfield Local Plan 1998 are still in existence and these have been reviewed as part of the Focused Changes document in response to public consultation. The table in Appendix B lists each policy, with a brief explanation of the policy, and an assessment of whether the policy is likely to have a significant effect upon a European site. Assessment of policies in the Focused Changes document is therefore restricted to assessing each policy alone rather than in combination with others, unless there are specific circumstances suggesting otherwise. The policies included in Focused Changes document are principally for the purpose of guiding development management decisions and due to their non-strategic nature would be unlikely to deliver growth at levels beyond that proposed in the Local Plan Strategy. Any development which may occur will need to accord with the strategic policies in the Local Plan Strategy and the mitigation provided through policies NR7 and NR8 of the Local Plan Strategy will ensure that any proposals for development do not have likely significant effects on any European sites either alone or in combination.

The employment land identified within the Focused Changes document is outside the River Mease catchment and therefore will have no adverse effect on the River Mease SAC. Research has shown that it is only the increase in homes and tourism which affects Cannock Chase SAC through the generation of additional visits and as such, it can be concluded that the employment allocations have no adverse impact on the integrity of Cannock Chase SAC.

The proposed Lichfield Canal policy seeks to safeguard the route for the Lichfield Canal including the Heritage Towpath trail (which has already been safeguarded as part of the Local Plan Strategy). The Lichfield canal will link to the existing canal network which includes the Cannock Extension Canal SAC. As such it needs to demonstrate that there will be no significant impact on the SAC or on the functions of the ecology of the wider canal network. Evidence shows options exist which can enable the scheme to be constructed and operate and further studies will be prepared to ensure the options pursued can be achieved without having any adverse impact upon the SAC and other designated sites as the scheme progresses through the planning application process. The safeguarding of the route will enable this long term restoration project to not be prejudiced. SAC and all designated sites and non-designated priority habitats are safeguarded through the existing policies within the Local Plan Strategy and the proposed Lichfield Canal policy will have no adverse impact on the integrity of the Cannock Extension Canal SAC either alone or in combination.

Timescale

The timescales over which the effects (both alone and in-combination) have been considered are for the period of the Local Plan Strategy 2008-2029.

HRA Conclusions

This report outlines the scope of the Lichfield District Local Plan Allocations Focused Changes document. It has been undertaken in accordance with best practice and guidance and has been informed by the previous Habitat Regulations for the Lichfield District Local Plan Strategy, which considered the potential for the Council's growth strategy to affect European sites.

The HRA for the Focused Changes document has focused on the Cannock Chase, River Mease and Cannock Extension Canal SACs. The other sites as outlined at 2.1 above have previously been considered in the Local Plan Strategy HRA and given the Plan as a whole would have no effect on these European designated sites and as such further appraisal in respect of non-strategic sites and development management policies is not considered necessary.

Further consideration in respect of the River Mease and Cannock Chase SAC was judged appropriate, the Local Plan Strategy identified an amount of growth required within the towns, key rural settlements and 'other rural' and as such the amount of development expected to impact on these designated sites was anticipated and was therefore considered as part of the Local Plan Strategy HRA. The Focused Changes Document does exceed the housing requirement within the adopted Local Plan Strategy and the now known detailed distribution does not increase the amount of growth anticipated within the River Mease SAC water catchment, within the Cannock Chase SAC Zone of influence there will be an increase of approximately 100 dwellings. A review² of the evidence for the Cannock Chase SAC has taken place which has considered revised figures for Lichfield District, mainly proposed at Rugeley Power Station and has considered the in combination effects of the housing numbers with planning permission, in adopted or draft local plans and includes an allowance for windfall permissions across the zone of influence. The study found that the mitigation measures for the Cannock Chase SAC remain fit for purpose for the currently adopted local plans and the local authorities can continue to have confidence that adverse effects from predicted housing growth figures can still be adequately mitigated for.

It is also worth noting that the Focused Changes document will have a lesser impact upon the Cannock Chase SAC than the Local Plan Allocations Document consulted upon in March 2017 as it reduces the amount of development within the 0-8km zone of influence and the increase in the amount of development within the 8-15km zone was approved with a bespoke mitigation package which provided a financial contribution to the SAMMM and on site provision. As such it can be concluded that through the continued approach to mitigating for the impacts arising and monitoring the effects of the development and mitigation that no adverse impacts will arise on the Cannock Chase SAC.

² Cannock Chase SAC – Planning Evidence Base Review. September 2017. Footprint Ecology.

The Focused Changes Document will therefore not have any greater impact upon the designated sites than those previously identified in the Local Plan Allocations document (March 2017) or in the Local Plan Strategy.

Where growth not identified in the Local Plan Strategy or the Focused Changes document does come forward, either through allocations in Neighbourhood Plans, or elsewhere (for example as windfalls) where these do not result in a level of growth in excess of that within the MOU for the Cannock Chase SAC and the Guidance to Mitigate the Impacts arising from Residential Development (for the Cannock Chase SAC) and the Developer Contributions Schemes for the River Mease SAC, the environmental effects associated with this growth will be controlled through existing policies included in the Local Plan Strategy including Policies NR7 and NR8 which cover Cannock Chase SAC and River Mease SAC respectively. In complying with these policies and/or contributing to the respective developer contribution schemes, both of which are monitored to ensure the specified levels are not exceeded ensure that any development does not lead to any effect on the integrity of these SACs.

In respect of the potential for growth to act in combination with other Local Plans, with regard to both the Cannock Chase and River Mease SACs, the respective authorities have similar requirements within their Local Plans to those within Lichfield District Council's Local Plan Strategy to ensure development mitigates for its impact on these European Sites. On this basis development at the level proposed would not lead to likely significant effects in combination with the Lichfield District Local Plan Focused Changes document.

Other than the land allocation policies the policies included in Local Plan Focused Changes document are principally for the purpose of guiding development management decisions and have been reviewed and would be unlikely to deliver growth at levels beyond that proposed in the Local Plan Strategy. The Lichfield Canal policy (IP2) in combination with the existing adopted policies within the Local Plan Strategy and those in Walsall Council's Site Allocations document will not lead to any effect on the integrity of the Cannock Extension Canal SAC.

The Focused Changes document does not propose any additional growth on top of what is already able to be mitigated for through the adopted Local Plan Strategy. It is considered that suitable mitigation is provided through strategic policies in the Local Plan Strategy, development management policies in the Focused Changes document and mitigation and monitoring options available at the project level to ensure that there will be no significant in combination effects on European sites.

This assessment concludes that it can be demonstrated that through the mitigation proposed none of the policies/allocations in the Focused Changes document are likely to have a significant effect alone or in combination with the identified European sites.

Appendix A

Details of European Site potentially affected	
European Site Name	Cannock Chase
Designation Status	Special Area of Conservation (SAC)
Site Code	UK0030107
Date of Designation	2005
Qualifying Features	H4030. European dry heaths H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i> ; Wet heathland with cross-leaved heath
Conservation Objectives	<p>European Site Conservation Objectives for Cannock Chase Special Area of Conservation. Site Code: 0030107</p> <p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</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"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and, • The supporting processes on which the qualifying natural habitats rely <p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
Site condition	Unfavourable recovering
Factors currently influencing the site	The principal impact is visitor pressure leading to loss of the SAC dry heath vegetation to new paths, path expansion, associated erosion and eutrophication. The component of the SAC involved is the dwarf woody shrub community (e.g. heather and bilberry), rather than the extent of bare ground forming the paths and tracks. This means that visitors have an impact on a small proportion of a large habitat component of the site, rather than a large proportion of a

	more restricted feature. Current visitor use of the site is high.
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Details of European Site potentially affected	
European Site Name	River Mease
Designation Status	Special Area of Conservation (SAC)
Site Code	UK0030258
Date of Designation	2005
Qualifying Features	<p>H3260. Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>CallitrichoBatrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot</p> <p>S1092. <i>Austropotamobius pallipes</i>; White-clawed (or Atlantic stream) crayfish</p> <p>S1149. <i>Cobitis taenia</i>; Spined loach</p> <p>S1163. <i>Cottus gobio</i>; Bullhead</p> <p>S1355. <i>Lutra lutra</i>; Otter</p>
Conservation Objectives	<p>European Site Conservation Objectives for River Mease Special Area of Conservation Site Code: UK0030258</p> <p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</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"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.

	<p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
Site condition	Unfavourable recovering
Factors currently influencing the site	<ul style="list-style-type: none"> • Excessive phosphate-rich fine sediment is currently being supplied to the River Mease from within its catchment, primarily from diffuse sources from both agricultural and urban use. • The River Mease is not currently meeting flow targets. • Excessive fine sediment supply can lead to the smothering of coarse substrates and the loss of flora and fauna dependent on them. • There is excess water from discharges entering the river system. This is causing the loss of naturalised low flow conditions which are considered necessary for the long term health and integrity of the site. • High impact species have been found in and along the River Mease and include North American signal crayfish, Japanese knotweed and Himalayan balsam.

Details of European Site potentially affected	
European Site Name	Cannock Extension Canal
Designation Status	Special Area of Conservation (SAC)
Site Code	UK0012672
Date of Designation	2005
Qualifying Features	S1831. <i>Luronium natans</i> floating water plantain
Conservation Objectives	<p>European Site Conservation Objectives for Cannock Extension Canal Special Area of Conservation Site Code: UK0012672</p> <p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</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"> • The extent and distribution of the habitats of qualifying species • The structure and function of qualifying species • The supporting processes on the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
Site condition	Good conservation status habitat
Factors currently influencing the site	<ul style="list-style-type: none"> • Pollution to ground water • Invasive non-native species • Air pollution, air borne, pollutants • Grazing inside the SAC

Appendix B

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Policy IP2	Lichfield Canal	Potential as the project can be delivered in a variety of ways and whilst it appears that it can be delivered without harm to the Cannock Extension Canal SAC as the detail is not yet available, as no study has yet identified the impacts and any mitigation necessary at the detail project level upon the Cannock Extension Canal SAC, a precautionary approach still needs to be taken. The adopted policy protects the SAC/SSSI and the proposed policy recognises this. There will be no significant in combination effects	No
Policy ST3	Road line Safeguarding	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy ST4	Road and Junction Improvements - Lichfield	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy ST5	Road and Junction Improvements - Fradley	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy EMP1	Employment Areas and Allocations	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
		will be no significant in combination effects	
Policy E2	Service access to our centres	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy E3	Shopfronts and Advertisements	The proposed policy promotes good design and will not result in greater pressures on the factors influencing European Sites.	No
Policy NR10	Cannock Chase Area of Outstanding Natural Beauty	Potential as contiguous with the SAC. The policy safeguards the AONB and does not propose development and will not result in greater pressures on the factors influencing European Sites.	No
Policy NR11	National Forest	Potential as in Mease catchment, the policy does not propose development and seeks delivery of the National Forest through enhanced landscaping, existing adopted policies will ensure the Mease SAC is safeguarded. The policy will not result in greater pressures on the factors influencing European Sites.	No
Policy BE2	Heritage Assets	The proposed policy seeks to safeguard heritage assets and will not result in greater pressures on the factors influencing European Sites.	No
Lichfield 3	Lichfield Economy	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Policy LC1	Lichfield City Housing Land Allocations	The proposals accords with the latest evidence review and adopted Local Plan Strategy, suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused Changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Policy LC2	Lichfield City Mixed Use Allocations	The proposals accords with the latest evidence review and adopted Local Plan Strategy, suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused Changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site L1	Beaconsfield House, Sandford Street	The proposals accords with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused Changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site L2	East of Lichfield (Streethay) SDA extension		No
Site L3	Land at Greenhough Road		No
Site L4	Land at Swan Road, Former Sandford Gate		No
Site L5	Land off Limburg Avenue and Sainte Foy Avenue		No
Site L6	St Chad's House, Cross Keys		No
Site L7	Former Day Nursery, Scotch Orchard		No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site L8	Former St Michaels Playing Fields, Deans Croft		No
Site L9	Land off Burton Road (East), Streethay		No
Site L10	Land off Burton Road (West), Streethay		No
Site L12	Land at St Johns Hospital, Birmingham Road		No
Site L13	Lombard Court, Lombard Street		No
Site L14	Former Integra Hepworth, Eastern Avenue		No
Site L16	Former Windmill Public House, Grange Lane		No
Site L17	Land to the rear of The Greyhound Public House, Upper St John Street		No
Site L18	Land at Cross Keys (former What! Store), Cross Keys		No
Site L19	Angel Croft Hotel, Beacon Street		No
Site L20	Land at The Rosaries, Trent Valley Road		No
Site L21	Hawthorn House, Hawthorn Close		No
Site L22	Former Regal Cinema (former Kwik Save), Tamworth Street		No
Site L23	Land off Cherry Orchard		No
Site L24	Trent Valley Buffer Depot, Burton Road, Streethay		No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site L25	Land at 41, Cherry Orchard		No
Site L26	Friarsgate, Birmingham Road		No
Site L27	Former Norgren site, Eastern Avenue		No
Site L28	Former Beatrice Court, St John Street		No
Site L29	Land at Quonians Lane (former Auction Centre), Cross Keys		No
Site L30	Lichfield South Business Park	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Site L31	Land at Davidson Road	The proposals accord with the latest evidence review and adopted Local Plan Strategy, suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused Changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Policy Burntwood 3	Burntwood Economy	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy B1	Burntwood Housing Land Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
		Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	
Policy B2	Burntwood Mixed – use Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	
Site B1	99-101, High Street, Chasetown	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site B2	82-84, Queen Street		No
Site B3	Land at Maple Close, Sycamore Road		No
Site B4	Land at Mount Road/New Road		No
Site B5	Land at rear of Chase Terrace Primary School		No
Site B7	Land South of Cannock Road		No
Site B8	Cottage of Content Public House, Queen Street		No
Site B10	Land off Milestone Way, Chasetown		No
Site B11	Former Greyhound Public House, Boney Hay Road		No
Site B13	Bridge Cross Garage, Cannock Road		No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site B16	Coney Lodge Farm, Rugeley Road		No
Site B18	Land at Baker Street		No
Site B19	Chorley Road, Boney Hay Concrete Works		No
Site B20	Hill Street, 1-3		No
Site B21	High Street, 114		No
Policy NT1	North of Tamworth Housing Land Allocations	The proposal is outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site NT1	Land at Arkall Farm, Ashby Road		No
Site NT2	Land north of Brown's Lane, Tamworth		No
Policy R1	East of Rugeley Housing Land Allocations	The proposals in part accord with the latest evidence and suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies. Mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites. Policy NR7 of the Local Plan Strategy protects the integrity of the Cannock Chase SAC.	No
Site R1	Former Rugeley Power Station	The proposals in part accord with the latest evidence and suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies. Mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites. Policy NR7 of the Local Plan Strategy protects the integrity of the Cannock Chase SAC.	No
Policy F1	Fradley Housing Land Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy.	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
		Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	
Site F1	Bridge Farm, Fradley	The proposals accord with the latest evidence review and suitable adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site F2	Land south of Fradley Park (EMP1)	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Policy A1	Alrewas Housing Land Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site A1	Former Park Road Printers, Park Road, Alrewas	The proposals are outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Site A2	Land north of Dark Lane, Alrewas	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in Focused Changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites. Not all of the site lies within the zone of influence.	No
Site A3	Land at Bagnall Lock, Kings Bromley Road, Alrewas		No
Site A4	The New Lodge, Kings Bromley Road, Alrewas		No
Site A5	Land east of A513/South of Bagnall Lock, Alrewas		No
Site A6 (EMP1)	Land at Main Street, Alrewas		The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects
Policy AH1	Armitage with Handsacre Housing Land Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site AH1	Land adjacent to Hayes Meadow School, Armitage with Handsacre	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Policy FZ1	Fazeley, Mile Oak and Bonehill Housing Land Allocations	The proposals are outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site FZ2	Tolsons Mill, Lichfield Street, Fazeley	The proposals are outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site FZ3	Land at 15, The Green, Bonehill		No
Policy GT1	Gypsy and Traveller Site Allocations		No
GT1	Land at Bonehill Road, Mile Oak		No
Policy S1	Shenstone Housing Land Allocations	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
Site S1	Land at Lynn Lane, Shenstone	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document Local Plan Allocations and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Policy W1	Whittington Housing Land Allocations	The proposals are outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site W2	Former Whittington Youth Centre, Main Street, Whittington	The proposals are outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site W3	Land at Chapel Lane and Blacksmith Lane, Whittington		No
Policy OR1	Other Rural Housing Land Allocations	The proposals when combined with the other allocations accord with the latest evidence and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
H1	Fish Pits Farm, Harlaston	The proposals accord with the adopted Local Plan Strategy, suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in Local Plan Allocations and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site HR1	Land at Uttoxeter Road, Hill Ridware	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site HR2	Land at School Lane, Hill Ridware		
Site OR1	Packington Hall, Tamworth Road	The proposal is outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site OR2	Lamb Farm , London Road, Canwell	The proposal is outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site OR3	Footherley Hall, Footherley Lane	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
		Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	
Site OR4	Derry Farm, Birmingham Road	The proposal is outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No
Site OR5	Station Works, Colton Road	The proposals accord with the latest evidence review and adopted Local Plan Strategy. Suitable mitigation is provided through strategic policies in the Local Plan Strategy and development management policies in the Focused changes document and mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	No
Site OR6	Land east of A38 (EMP1)	The proposals do not relate to any European Sites directly and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects	No
Site OR7	Watery Lane, Curborough, Lichfield	The proposals have planning permission and the cumulative total when combined with the other sites in the Focused Changes Document accord with the latest evidence review and suitable mitigation has been secured and is ensured by the strategic policies in the Local Plan	No

Local Plan Allocations Policy Number	Policy Subject	Comments	Likely Significant Effects
		Strategy and development management policies in the Focused changes document. Mitigation options are available at the project level to ensure that there will be no significant in combination effects on European sites.	
OR8	Levett Road, Lichfield	The proposal is outside the areas identified as having the potential to impact upon the SACs and will not result in greater pressures on the factors influencing European Sites. There will be no significant in combination effects.	No

Habitat Regulations Assessment: Addendum to the Appropriate Assessment of the Lichfield District Allocations DPD Modifications Consultation 2018



Habitats Regulations Assessment – Addendum to the Appropriate Assessment

Lichfield District Allocations Development Plan Document – Modifications October 2018

Introduction

The Lichfield District Allocations Development Plan Document (ADPD) is part 2 to the Lichfield District Local Plan: Strategy (LPS) which was adopted in 2015. Both the LPS and the ADPD have undertaken Habitat Regulations Assessment which have concluded that alone or in combination it can be demonstrated through the mitigation proposed that none of the policies /allocations are likely to have a significant effect alone or in combination with the identified European Sites. These documents have been submitted to the Inspector as CD 1-28, CD1-27 and CD6-31 and CD6-32.

Following consideration of the ADPD (CD1-1, CD1-2 and CD1-3) at Examination the Inspector has suggested main modifications which should be made in order to assist him in finding the ADPD 'sound'. This addendum to the Appropriate Assessment to the ADPD (CD1-28) considers these main modifications and the modifications proposed through the Examination and those submitted prior to the Examination (CD1-3).

Key Documents/Evidence

Further to the publication of the Appropriate Assessment of the Focused changes version of the ADPD, which was submitted to the Secretary of State, a number of minor modifications were proposed and submitted to the Inspector prior to his consideration of the submission ADPD (CD1-3). These were reviewed by the Council and were considered to not impact upon the conclusions of the Appropriate Assessment for the submission ADPD (CD1-28).

The District council received from the Inspector (via the Programme Officer) 7 suggested main modifications which could be made to the ADPD which would enable him to find the Plan 'sound'. This document considers the proposed main modifications in the context of compliance with the Habitat Regulations.

Methodology

Circular 6/2005 states that 'The scope and content of an appropriate assessment will depend upon the nature, location, duration and scale of the proposed project and the interest features of the relevant site.' This document provides an addendum to the Appropriate Assessment to the ADPD submitted to the Examination (CD1-28) and thus considers the proposed modifications against the evidence base and the conclusions drawn on the interest features of the European Sites considered within (CD1-28).

Description of the Main Modifications

The main modifications are included at Appendix A. There are 7 proposed main modifications.

MM1 is a proposed new policy and **MM2** is the supporting text to MM1. MM1 requires a review of the Local Plan to be submitted to the Secretary of State no later than the end of December 2021.

MM3, MM4, MM5 require the addition to the respective policies for a masterplan for each site.

MM6 is an amendment to Policy EMP1 and **MM7** is an addition to the supporting text to EMP1 which safeguards employment and provides flexibility in bringing forward sites in existing/allocated employment use that have no reasonable prospect of being used for such a use and to be consistent with national policy.

Description of the modifications proposed in CD1-3 and during the examination

M1, M2, M5, M7 and **M8** are typographical changes, modifications **M3, M4** and **M6** relate to Policy BE2: Heritage Assets and seek to align it more to the NPPF.

Modification **M9** proposes a change in the typology of floor space for site L30 to reflect the permitted scheme.

Modification **M10** represents a correction to a mathematical error.

Modification **M11** shows a minor change to the alignment of the route of the Lichfield Canal to ensure the route is drawn around an electricity pylon.

Modification **M12** is a factual change to include the adopted Conservation Area boundaries for a number of settlements.

Assessment Findings

The proposed main modifications do not propose any greater scale of development or new locations for development or changes to policies which would result in any greater impact upon the European Sites than has previously been considered through the Appropriate Assessment of the ADPD (CD6-31, CD6-32 and CD1-28). It is recognised that a review of the Local Plan in accordance with MM1 and MM2 will result in an increase in development across the District however this will be undertaken in a separate plan which will be accompanied by further evidence and Habitat Regulations Assessment as necessary.

Policies MM3-5 are considered to have no significant effects as they will result in no increase in the scale of development proposed within the ADPD and which has already been considered through the HRA for the ADPD (CD1-28).

Main modifications MM6 and MM7 - whilst the policy is to safeguard employment land, the policy modifications could generate windfall sites for housing or leisure use. The potential for adverse effects would be assessed on an individual basis at the project level in accordance with the Habitat Regulations and through the existing adopted policies within Local Plan Strategy, against any lawful fallback position. Policies contained within the Local Plan Strategy ensure that European Sites will be protected. Existing policies accompanied by mitigation strategies also ensure that where the site would form part of the windfall allowance as part of the overall housing requirement of the ADPD and where mitigation for any impacts arising from the development is necessary then mitigation can be delivered through existing measures which are already secured.

The proposed modifications listed in (CD1-3) do not propose any changes to policies or maps which would result in any adverse impacts, either alone or in combination, upon the integrity of European Sites.

The Schedule of proposed modifications (March 2018) CD1-3 lists 12 modifications. Modifications **M1, M2, M5, M7** and **M8** are typographical changes and have no effect upon the policy.

Modifications **M3, M4** and **M6** relate to Policy BE2: Heritage Assets. Policy BE2 seeks to safeguard heritage assets and in the Appropriate Assessment of the policy in CD1-28 was considered that it would not result in greater pressures on the factors influencing European Sites, the proposed modifications do not change this assessment.

Modification **M9** proposes a change in the typology of floorspace for site L30 to reflect the permitted scheme. Site L30 relates to Lichfield South Business Park and was considered that it did not relate to any European Sites directly and would not result in greater pressures on the factors influencing European Sites and that there would be no significant effects. The proposed modifications do not change this assessment.

Modification **M10** represents a correction to a mathematical error and has no effect upon the totals used within the Appropriate Assessment undertaken in CD1-28.

Modification **M11** shows a minor change to the alignment of the route of the Lichfield Canal to ensure the route is drawn around an electricity pylon. The route relates to Policy IP2 which the Appropriate Assessment (CD1-28) concludes the policy will have no significant in combination effects, the proposed modifications do not change this assessment.

Modification **M12** is a factual change to include the adopted Conservation Area boundaries for a number of settlements, these proposed modifications will not result in any greater pressures on the factors influencing European Sites either directly or in combination.

Conclusion

The proposed main modifications and minor modifications already considered by the Inspector will have no significant effects alone or in combination upon European Sites and will have no adverse effects upon the integrity of the European Sites.

Appendix

Modification number	Policy/Paragraph	Summary of modification	Any likely significant effects on European sites?	In-combination effects
MM1	New Policy	Date for review of Local Plan and obligations to meet duty to cooperate	No. The policy does not identify a need for further housing/development to be provided as part of this plan which has not already been considered through Appropriate Assessment and is able to be mitigated for through existing policies and mitigation strategies.	No.
MM2	New policy – supporting text		No. As MM1 above.	No

MM3	Policy NT1 Amendment to policy	Addition of a requirement to produce a masterplan for the site	No. The policy does not identify a need for further housing/development to be provided as part of this plan which has not already been considered through Appropriate Assessment and is able to be mitigated for through existing policies and mitigation strategies.	No
MM4	Policy R1 Amendment to Policy	Addition of a requirement to produce a masterplan for the site	No. The policy does not identify a need for further housing/development to be provided as part of this plan which has not already been considered through Appropriate Assessment and is able to be mitigated for through existing policies and mitigation strategies.	No
MM5	Policy OR7 Amendment to Policy	Addition of a requirement to produce a masterplan for the site	No. The policy does not identify a need for further housing/development to be provided as part of this plan which has not already been considered through Appropriate Assessment and is able to be mitigated for through existing policies and mitigation strategies.	No
MM6	EMP 1		No. No additional sites or housing numbers/uses are proposed which could potentially have an adverse effect upon the integrity of a European Site. Adopted policy exists	No. Mitigation schemes for SAC are monitored and evidence which considers in combination effects has been prepared.

			which protects European Sites. Mitigation schemes with associated delivery mechanisms already exist to prevent harm arising should a proposed alternative use generate any likely significant affects upon the European Sites.	Through implementation of the adopted policies and project level HRA no significant affects will arise.
MM7	EMP1 Protection of Employment Land	Addition to supporting text	No. As MM6 above.	No

Draft Main Modifications

MM1: Local Plan Review – new policy

Suggested new policy as follows:

Lichfield District Council shall carry out an early review of the Local Plan for Lichfield that will be submitted to the Secretary of State for Examination in accordance with the latest Local Development Scheme or no later than the end of December 2021. This review shall replace the adopted Local Plan Strategy (LPS) 2008-2029 in all aspects and therefore be a comprehensive review. This Plan will extend the existing plan period to at least 5 years beyond the end of the current LPS and it shall review as a minimum the following matters:

- The housing requirement for Lichfield and the potential for housing land supply to meet this need.
- Any unmet housing need arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA), inclusive of any unmet housing need arising from Tamworth Borough and the appropriate level of contribution within the District of Lichfield in line with ongoing technical work and the requirements of policy TP48 of the adopted Birmingham Development Plan (BDP).
- Employment land requirements for Lichfield as identified through a comprehensive evidence basis.
- Lichfield's potential role in meeting any wider unmet employment needs through the Duty to Co-operate (DTC).
- The appropriateness of the existing settlement hierarchy and the strategic distribution of growth in light of new housing, employment and other service/infrastructure needs.
- Gypsy, Traveller and Travelling Showpeople (GTTS) provision.
- A comprehensive Green Belt Review either in partnership with relevant neighbouring authorities or in close consultation with these authorities through the DTC, to inform any further Green Belt release to accommodate new development within the District.

MM2 Local Plan Review - supporting text

Suggested supporting text, which needs to include reference to and a statement regarding the extent of, the unmet housing needs of Greater Birmingham and the Black Country, with the recognition that the needs of Tamworth form part of this consideration. The text should also include a commitment to continued joint working with the GBHMA authorities, with the aim of working positively towards a Memorandum of Understanding or Statement of Common Ground, for housing and employment land provision, GTTS provision and Green Belt Review.

MM3 Key development principles for the Housing Land Allocation to the North of Tamworth – amendment to policy NT1

Suggested policy amendment as follows:

Within the Arkall Farm Housing Land Allocation, as identified in the inset map attached to policy NT1, the approved Masterplan identifies a range of land uses, open spaces and transport routes and their relationship both to each other and to the existing development in the vicinity of the site.

Proposals should accord with the approved Masterplan, including the following key development considerations:

MM4 Key development principles for the Housing Land Allocation to the East of Rugeley – amendment to policy R1.

Suggested policy amendment as follows:

Within the East of Rugeley Housing Land Allocation, as identified in the inset map attached to policy R1, the approved Masterplan identifies a range of land uses, open spaces and transport routes and their relationship both to each other and to the existing development in the vicinity of the site. Proposals should accord with the approved Masterplan, including the following key development considerations:

MM5 Key development principles for the Housing Land Allocation at Watery Lane – amendment to policy OR7.

Suggested policy amendment as follows:

Within the Watery Lane Housing Land Allocation, as identified in the inset map attached to policy OR7, the approved Masterplan identifies a range of land uses, open spaces and transport routes and their relationship both to each other and to the existing development in the vicinity of the site. Proposals should accord with the approved Masterplan, including the following key development considerations:

MM6 Protection of Employment Land – amendment to policy EMP1

Suggested policy amendment as follows: Add the following text to the end of the existing policy (paragraph 5 onwards):

(Para 5) Development proposals outside the traditional employment use classes (B1, B2 and B8) will be supported on existing and allocated employment sites, where the development proposals clearly demonstrate the potential job creation on these sites, and provided that they do not undermine or constrain the main purpose of the employment allocation. Proposals for retail or leisure uses on existing or allocated employment sites will be permitted providing they are related in scale and use to the primary employment focus of the site and would have no adverse impact on the vitality and viability of the employment area.

(Para 6) Development proposals outside the traditional employment uses classes (B1, B2 and B8) for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of a site, or its development for employment for employment uses, is not viable, through the provision of: (i) details of comprehensive marketing of the site for at least 12 months and appropriate to the prevailing market conditions; and (ii) a financial appraisal that demonstrates that the development of any employment generating use is unviable,

(Para 7) Development proposals outside the traditional employment uses classes (B1, B2 and B8) for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of a site, or its development for employment for employment uses causes/or would lead to site-specific, environmental problems, such as noise,

pollution of traffic generation, recognising the environmental benefits to be gained by redeveloping these sites for non-employment generating uses.

MM7 Protection of Employment Land – supporting text

Suggesting supporting text which needs to include reference to both the need to safeguard employment in the interests of securing a sustainable balanced between the provision of homes and jobs and the need to provide flexibility in bringing forward sites in existing/allocated employment use that have no reasonable prospect of being used for such a use and to be consistent with national policy. It is therefore clear that the Plan needs to set out the parameters of an independent assessment so that existing and allocated employment sites can be considered for alternative uses, such as housing.