

Elford Neighbourhood Plan

Strategic Environmental Assessment (SEA) &
Habitat Regulations Assessment

Screening Report
(January 2018)

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1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Elford Neighbourhood Plan (hereafter known as 'ENP') 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 ENP 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. The River Mease SAC is within 15km of the ENP boundary, the north eastern edge of the ENP boundary is within 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 ENP is to provide a set of statutory planning policies to guide development within Elford Parish over the life of the plan. The Plan sets out the community's views on how the village can meet the challenges of the future and seeks to protect and enhance important elements of the Parish environment, establishes where development is most appropriate and sets standards for the type and quality of development. The ENP describes the changes which should or should not take place, provides the community's views on these and, where appropriate, identifies policies which any proposed development or change should comply with for the period to 2029. This SEA & HRA screening report has been undertaken in the ENP 'Draft Referendum Submission' which was provided by the Qualifying Body for the purposes of this report.
- 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 ENP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the ENP 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 and the second will cover the screening process for the HRA. 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 Elford Neighbourhood Plan.
- 2.3 The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; English Heritage, 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 ENP 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 ENP has been prepared by the Elford Neighbourhood Plan Steering Group on behalf of the Qualifying Body (Elford Parish Council). The Plan includes 22 Planning Policies within five policy sections which relate to the whole of the designated Neighbourhood Area:
 - Local services and the rural economy;
 - Housing development;
 - Building design, local character and heritage;
 - The Natural Environment; and
 - Managing development.

3. SEA Screening

Criteria for Assessing the Effects of ENP

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

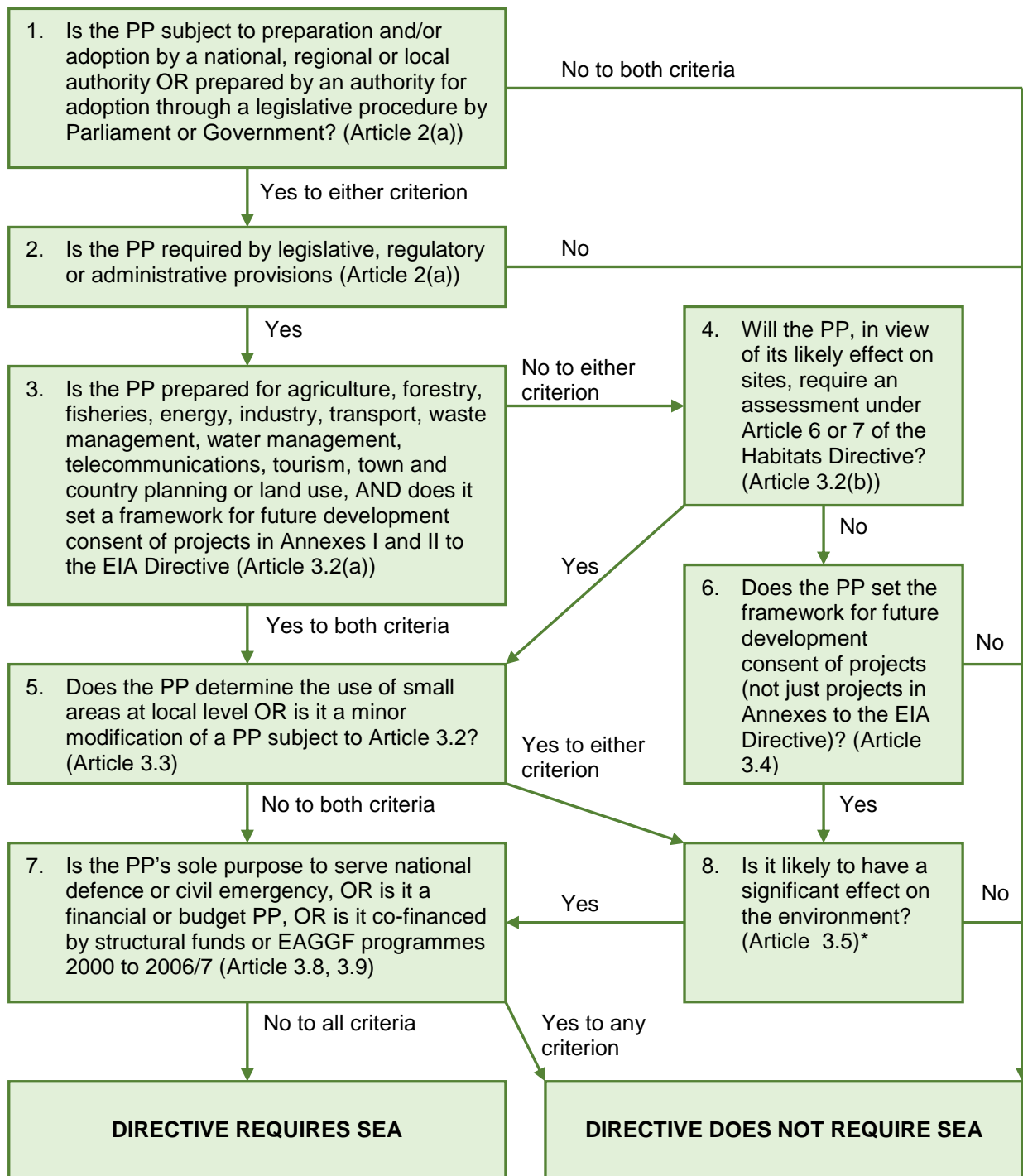
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which 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.
- 3.3 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.

3.4 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 ENP 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 Elford 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 ENP 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 ENP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Elford Neighbourhood Area. Once 'made' the ENP 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.

Stage	Yes/No	Reason
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)	Yes	The ENP identifies the use of small areas at the local level, including the designation of Local Green Spaces. Once 'made' the Elford Neighbourhood Plan 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)	Yes	The ENP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Elford 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)	No	The Elford Neighbourhood Plan 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)	Yes	The ENP could potentially have a significant effect on the environment not just within the neighbourhood area but also within the District. The ENP could impact upon River Mease SAC a Natura 2000 sites, (see HRA section) however ENP is in accordance with the LPS and would be subject to the requirements of Policy NR8 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.

3.5 A number of the criteria above suggest that SEA of the Elford Neighbourhood Plan may be required. Criteria 8 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment 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 ENP.

3.6 The following assessment will consider the likelihood of the Elford 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
The characteristics of the plans, having regard to;	
<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 ENP will set out the framework which will be used to determine proposals for development within the neighbourhood area regarding housing, community facilities, commercial developments and protection of specific open spaces. The ENP provides protection to the character of the area which will influence 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). The plan does provide support for development beyond the settlement boundary to the north of the village without specifically allocating the land. The small scale proposals which this policy could support our broadly in conformity with the adopted Local Plan, although these proposals are beyond the identified settlement boundary and would therefore be subject to policy within the adopted Local Plan. 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 ENP 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 ENP 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 ENP will help to deliver the overall aims of the Local Plan. Elford is not identified within the Local Plan as a settlement to take a significant proportion of growth.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Summary of Significant effects
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	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.
Environmental problems relevant to the plan.	Any environmental impacts of the proposals within the ENP are unlikely to arise.
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 ENP 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.
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.	Development is supported within the ENP 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 ENP seeks to minimise the effects of development on its immediate surroundings.
The cumulative nature of the effects.	The cumulative effects of proposals within the ENP are unlikely to be significant on the local environment given the limited level of development which is generally in conformity with that within the LPS for smaller settlements such as Elford.
The trans boundary nature of the effects.	Effects will be local with limited effects on neighbouring areas as the policies within the ENP only apply to the designated area.

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Summary of Significant effects
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 ENP.
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 ENP 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.
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - special natural characteristics or cultural heritage - exceeded environmental quality standards - intensive land use 	<p>The ENP is unlikely to adversely affect the value and vulnerability of the area in relation to the special natural characteristics or cultural heritage. Policy within the ENP seek to provide greater protection and enhancement of the historic landscape.</p> <p>The level of development proposed through the ENP is unlikely to lead to intensive land use and as such not affect the value and vulnerability of the area.</p>
The effects on areas or landscapes which have a recognised national, community or international protection status.	<p>Part of the River Mease SAC Water Catchment falls within the designated neighbourhood area. This represents a very small area at the northern extent of the neighbourhood area. Development envisaged within the ENP would be subject to the requirements of Policy NR8 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.</p> <p>The ENP boundary is within 15km of the Cannock Humber Estuary. There will be no significant effects from the proposals within the ENP on these European Sites.</p>

Screening Outcome

- 3.7 The ENP does not allocate sites for development, although the plan does provide support for small scale development to the north of the village without identifying a specific site for this. Such proposals would also be determined in accordance with adopted policy within the LPS. The plan also proposes the designation of a number of Local Green Spaces.
- 3.8 The conclusions of the above screening assessment on the 'Draft Referendum Submission' indicate that Strategic Environmental Assessment will not be required for the ENP.

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 ENP. 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 ENP 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 Elford Neighbourhood Area are;
- River Mease SAC – approximately 400m to the east
 - Humber Estuary SAC –River Trent whose catchment is part of the Humber Estuary SAC is within the ENP boundary.
- 4.7 The ENP boundary is partially 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 ENP 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 Elford Neighbourhood Area¹

Name of Site	Reason for Designation	Conservation Objectives	Identified Impacts
<p>River Mease SAC</p>	<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"> ▪ Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation <p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Spined loach <i>Cobitis taenia</i> ▪ Bullhead <i>Cottus gobio</i> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> ▪ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> ▪ Otter <i>Lutra lutra</i> 	<p>Maintain the river as a favourable habitat for floating formations of water Crowfoot (<i>Ranunculus</i>), populations of bull head, spined loach and white clawed crayfish and the river and adjoining land as habitat for populations of otter.</p>	<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 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>

¹ Extracts from the Habitat Regulations Assessment: Lichfield District & Tamworth Borough (May 2012)

<p>Humber Estuary</p>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Estuaries ▪ Mudflats and sandflats not covered by seawater at low tide <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"> ▪ Sandbanks which are slightly covered by sea water all the time ▪ Coastal lagoons * Priority feature ▪ Salicornia and other annuals colonising mud and sand ▪ Atlantic salt meadows (Glauco- Puccinellietalia maritimae) ▪ Embryonic shifting dunes ▪ Shifting dunes along the shoreline with Ammophila arenaria (`white dunes`) ▪ Fixed dunes with herbaceous vegetation (`grey dunes`) * Priority feature 	<p>Sandbanks which are slightly covered by sea water all the time - for which the area is considered to support a significant presence.</p> <p>Estuaries, for which this is considered to be one of the best areas in the United Kingdom.</p> <p>Mudflats and sandflats not covered by seawater at low tide, of which this is considered to be one of the best areas in the United Kingdom.</p> <p>Coastal lagoons, for which the area is considered to support a significant presence.</p> <p>Salicornia and other annuals colonising mud and sand, for which the area is considered to support a significant presence.</p> <p>Atlantic salt meadows (Glauco -Puccinellietalia maritimae) for which the area is considered to support a significant presence.</p> <p>Embryonic shifting dunes, which are considered to be</p>	<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, 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, &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>
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	<ul style="list-style-type: none"> ▪ Dunes with <i>Hippophae rhamnoides</i> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> ▪ Sea lamprey <i>Petromyzon marinus</i> ▪ River lamprey <i>Lampetra fluviatilis</i> ▪ Grey seal <i>Halichoerus grypus</i> 	<p>rare as its total extent in the United Kingdom is estimated to be less than 1000 hectares, for which the area is considered to support a significant presence.</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes"), for which the area is considered to support a significant presence.</p> <p>Fixed dunes with herbaceous vegetation ("grey dunes"), for which the area is considered to support a significant presence.</p> <p>Dunes with <i>Hippophae rhamnoides</i>, which is considered to be rare as its total extent in the United Kingdom is estimated to be less than 1000 hectares, for which the area is considered to support a significant presence.</p> <p><i>Petromyzon marinus</i>, for which the area is considered to support a significant presence.</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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		<p>Lampetra fluviatilis for which the area is considered to support a significant presence.</p> <p>Halichoerus grypus for which the area is considered to support a significant presence.</p>	
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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 ENP, 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 4-5 set out the assessment based on the effects of the ENP on the four sites detailed above.

Table 4: 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 ENP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination with other plans	None. The Local Plan Strategy includes policy to ensure that development is only permitted where it can be demonstrated that there will not be an adverse effect upon the integrity of the SAC.							
Assessment of effects and why not considered significant	Whilst the River Mease SAC water catchment (as identified at appendix 1) is partially within the neighbourhood area, this is only a very small area at the very northern extent of the neighbourhood area. The neighbourhood plan does not specially propose development within this area, additionally the adopted Local Plan Strategy includes Policy NR8 (River Mease Special Area of Conservation) which ensures that development will only be permitted where it can be demonstrated that it will not lead to adverse effect on the integrity of the SAC. Due to the scale of development proposed and that this would be outside of the water catchment area of the SAC no significant effects are likely.							
Conclusion: No significant effects								

Table 5: 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 ENP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination	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.							

with other plans	
Assessment of effects and why not considered significant	Site is over 20km from the ENP 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 ENP 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 4-5 do not identify any significant effects upon the identified European sites as a result of the ENP (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 ENP. The assessment concludes that none of the policies within the ENP 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 ENP.

5. Conclusions and recommendations of the Screening Assessments

- 5.1 This report contains the detail of the assessment of the need for the Elford 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 'Draft Referendum Submission' version of the Elford Neighbourhood Plan which was produced in January 2018 for the purposes of this screening assessment. 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.

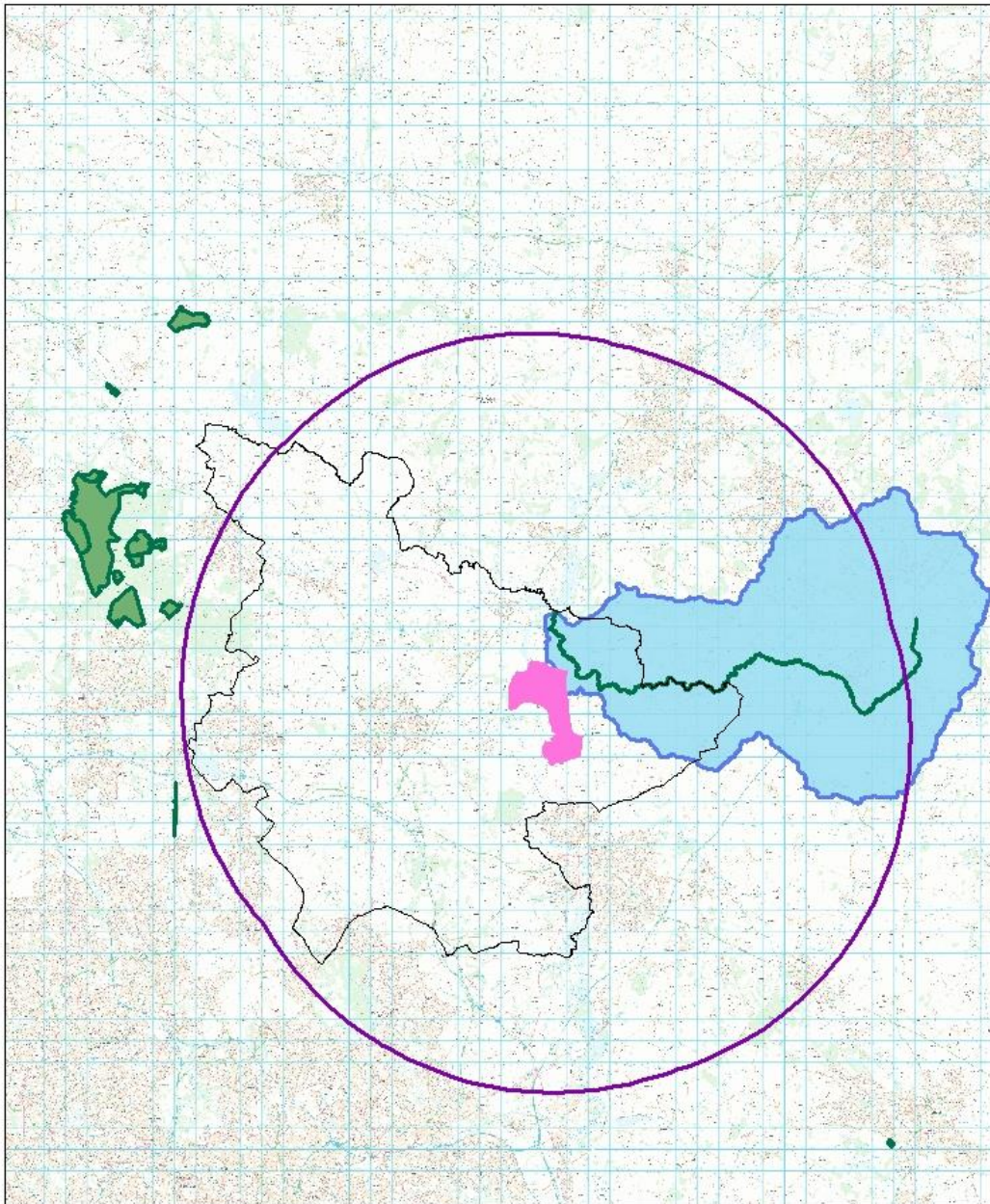
Strategic Environmental Assessment (SEA)

- 5.3 In relation to the requirement for the Elford Neighbourhood Plan to be subject to Strategic Environmental Assessment, the assessment detailed in Section 3 of this report concludes that as the plan in its current form is not likely to have significant environmental effects and therefore SEA will not be required. The statutory consultees confirmed that they concurred with the conclusions of the SEA screening.






Habitat Regulations Assessment (HRA)

- 5.4 In relation to the requirement for the Elford 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. The statutory consultees confirmed that they concurred with the conclusions of the HRA screening.

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



Key

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

Lichfield
district council
www.lichfielddc.gov.uk

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Appendix 2 – HRA review of Proposed Policies in Elford Neighbourhood Plan

ENP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
<i>SP1: Parish Strategic Policy</i>	Supports development within identified settlement boundary and specific development outside of the settlement boundary in accordance with adopted Local Plan policy. Policy supports additional growth where it is consistent with a later policy within the plan (HD3) – see below.	No – The policy does not itself propose development. It provides support for proposals which are in conformity with the Local Plan.
<i>LS1: Encouraging Appropriate Local Enterprise</i>	Supports economic developments within the neighbourhood area where these comply with other policies.	No – The policy does not itself propose development. It provides support for proposals which are unlikely to have impact upon any European sites.
<i>LS2: Community Facilities</i>	Supports the retention of identified community facilities.	No – The policy does not itself propose development.
<i>LS3: Support Improvements to Leisure Facilities</i>	Provides support for proposals which improve existing leisure facilities. Also provides support for new sport and leisure facilities.	No – The policy does not itself propose development.
<i>LS4: Agricultural Activities</i>	Provides support for 'traditional' agricultural activities and developments.	No – The policy does not itself propose development.
<i>HD1: Housing Types Mix</i>	Supports residential proposals which deliver housing mix to meet the needs of the community. Additionally states that schemes of four or more dwellings will not be supported unless meeting the criteria set out in further neighbourhood plan policy.	No – The policy does not itself propose development. The Policy restricts residential development to smaller sites.

ENP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
HD2: Infill Policy	Proposes criteria which development should satisfy if it is to be considered infill development and as such supported.	No – The policy does not itself propose development.
HD3: Edge of Settlement Housing Development	Policy supports the delivery of approximately 20 dwellings to the north of the village subject to a number of criteria.	No – The policy does not itself directly propose development. It does however, propose to support development to the north of the village subject to criteria. The area referred to within the policy would not fall within the zone of influence or water catchment of SAC. Additionally adopted policy within the Local Plan seeks to ensure appropriate mitigation is provided where necessary.
HD4: Replacement Dwellings	Sets criteria which any proposal for replacement dwellings should comply with.	No – The policy does not itself propose development.
DH1: Design of New Development	Requires new developments to be of high quality design.	No – The policy does not itself propose development.
DH2: Heritage Assets	Requires new development to take account of its impact on identified heritage assets, seeking to protect and enhance them where possible.	No – The policy does not itself propose development.
DH3: Key Views	Supports developments where these are demonstrated to be sympathetic to their impact on identified key views.	No – The policy does not itself propose development.
DH4: Design for Streets and Footpaths	Supports schemes that enhance the public realm subject to criteria being met.	No – The policy does not itself propose development.
E1: Renewable Energy Development	Applications for small scale renewable energy schemes must	No – The policy does not itself propose development.

ENP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
	demonstrate specific criteria have been considered.	
E2: Local Green Space	Proposes the designation ten Local Green Spaces within and adjacent to the village.	No – The policy does not itself propose development. The policy seeks to protect locally important open spaces.
E3: Green infrastructure Network and Green Links	Protects and enhances existing green infrastructure and supports the delivery of new green infrastructure within development.	No – The policy does not itself propose development.
E4: Biodiversity	Requires development to consider its impacts upon biodiversity seeking to maintain or enhance existing levels.	No – The policy does not itself propose development.
MD1: Parking Standards	Policy provides parking standards which should be achieved for new development within the parish.	No – The policy does not itself propose development.
MD2: Sustainable Transport	Provides support for proposals which encourage accessibility and a modal shift towards sustainable modes of transport.	No – The policy does not itself propose development.
MD3: Sustainable Design & Construction	New development should seek to embrace modern techniques in design and construction. Schemes should include elements to reduce their carbon footprint.	No – The policy does not itself propose development.
MD4: Flood Risk Management	Where appropriate development must demonstrate that it does not increase flood risk within the Parish. Proposals for development should incorporate design features to reduce flood risk.	No – The policy does not itself propose development.

Elford Neighbourhood Plan Strategic Environmental Assessment & Habitat Regulations
Assessment Screening Report

ENP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
MD5: Traffic	Requires all proposals, regardless of size or scale, to demonstrate that they consider the wider impacts of traffic on the Parish and specified key junctions.	No – 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 Letter (07 February 2018)**
- 3.2 Natural England Response (07 March 2018)**
- 3.3 Environment Agency Response (02 March 2018)**
- 3.4 Historic England Response (05 March 2018)**

Appendix 3.1: SEA & HRA Screening Opinion Letter (07 February 2018)

Your ref Elford neighbourhood plan
Our ref ENP-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

07 February 2018

Dear Sir/Madam,

Elford neighbourhood plan – screening opinion for an SEA & HRA

Elford Parish Council has requested Lichfield District Council to undertake screening for SEA & HRA of the draft Elford Neighbourhood Plan. The District Council has undertaken a screening process and produced the attached Screening Report which concludes that SEA and HRA of the Elford 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 9 March 2018 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](#)

Appendix 3.2: Natural England Response (07 March 2018)

Date: 07 March 2018
Our ref: 238440
Your ref: Elford NDP SEA HRA Screening



Patrick Jervis
Principal Spatial Policy & Delivery Officer
Lichfield District Council

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

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Jervis,

Planning consultation: Elford Neighbourhood Plan Strategic Environmental Assessment and Habitat Regulations Assessment Screening.

Thank you for your consultation on the above dated 07/02/2018.

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:

- The River Mease SAC
- The Humber Estuary SAC

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 Tom Amos on 02080 260961. For any new consultations, or to provide further information on this consultation please send your correspondences to 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,

Tom Amos
Planning for a Better Environment
West Midlands Team

Appendix 3.3: Environment Agency Response (02 March 2018)

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

Our ref: UT/2007/101798/SE-22/FS1-
L01

Date: 2nd March 2018

Dear Mr Jervis

Elford Neighbourhood Plan SEA & HRA Screening Report January 2018.

Thank you for referring the above screening opinion for a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) which was received 7th February 2018.

We have reviewed the Elford Neighbourhood Plan- SEA and HRA Screening Report (January 2018) and have the following comments to make on the need for a SEA and HRA.

We agree with the findings of the Screening Report (2018) that the Elford Neighbourhood Plan in its current form is unlikely to have a significant environmental effect and does not pose any significant risk therefore concur with the conclusions of the report that a Strategic Environmental Assessment or a Habitat Regulations Assessment are not required.

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

Yours sincerely

Mr Kazi Hussain
Planning Specialist

Direct dial 020 3025 3030
Direct e-mail swwmplanning@Environment-Agency.gov.uk

Yours sincerely

Appendix 3.4: Historic England Response (05 March 2018)



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: PL00312362

5 March 2018

Dear Mr Jervis

ELFORD NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING

Thank you for your consultation and the invitation to comment on the SEA/HRA 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 Historic England 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://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

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

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



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