

# **Hammerwich Neighbourhood Plan**

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

Screening Report  
(September 2016)

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## 1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Hammerwich Neighbourhood Plan (hereafter known as 'HNP') 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. This screening assessment has taken place on draft '*Hammerwich Neighbourhood Plan (As at Feb 2016)*' as provided by Hammerwich Parish Council for the purposes of this screening assessment in September 2016.
- 1.2 This report will also screen to determine whether the HNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA. Cannock Chase Special Area of Conservation (SAC), Cannock Extension Canal SAC and Humber Estuary are within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the HNP boundary, the HNP boundary is outside the water catchment area. Appendix 1 shows the Plan Boundary in relation to the 15km radius of Natura 2000 sites.
- 1.3 The purpose of the HNP is to provide a set of statutory planning policies to guide development within Parish of Hammerwich over the life of the plan. The Plan provides a series of policies under several themes which it hopes will guide development.
- 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 HNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the HNP and the need for a Habitats Regulation Assessment.
- 1.5 This report will be split into two parts. The first will cover the screening for the SEA (see section 3) and the second will cover the screening process for the HRA (see section 4). A summary of findings and conclusions for both screening processes can be found in the conclusions chapter at section 5.

## 2. Legislative Background

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

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's), but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations. The purpose of this report is to determine if SEA is required for the Hammerwich Neighbourhood Plan.
- 2.3 The National Planning Practice Guidance (PPG) contained specific guidance in relation to neighbourhood plans and SEA. This guidance has been considered and taken account of through this screening assessment.
- 2.4 The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; Historic England, Natural England and Environment Agency on whether a SEA is required, Details of the consultation bodies responses can be found at Appendix 3.

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

- 2.5 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.
- 2.6 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the HNP upon European Sites (Natura 2000 sites) a screening assessment has been undertaken and is set out in section 4 of this report.
- 2.7 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**

- 2.8 The HNP has been prepared by the HNP steering group on behalf of the Qualifying Body (Hammerwich Parish Council). The Plan includes 18 Planning Policies within six policy themes. The policies are tend to relate to development across the whole parish. The five policy themes within the draft neighbourhood plan are community facilities; housing; education; transport; local concerns and the local economy.

### 3. SEA Screening

#### Criteria for Assessing the Effects of UNP

##### 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

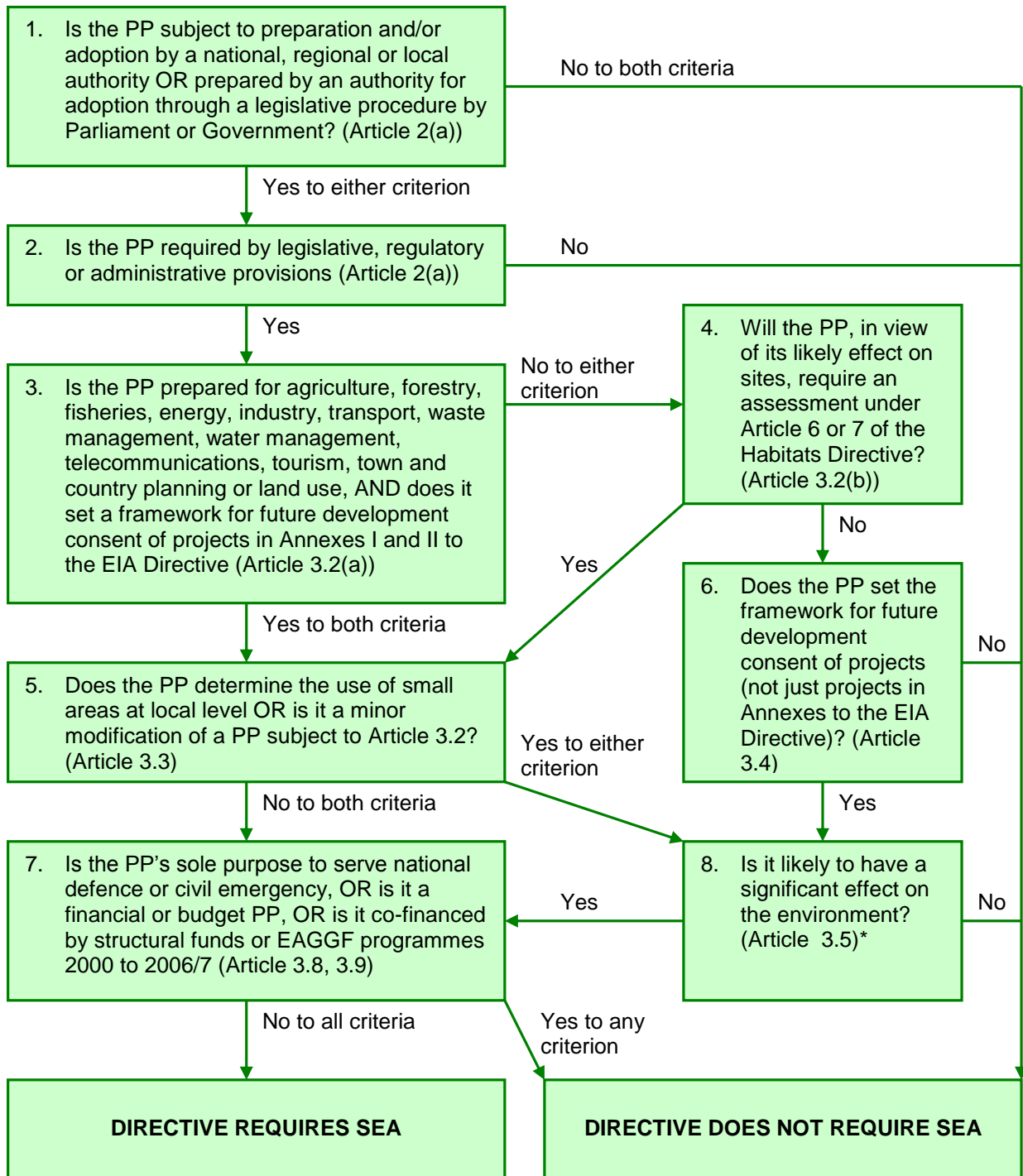
## Assessment

- 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 The LPS will be followed by the Local Plan Allocations document which is at an early stage of preparation. The Regulation 18 'Open Consultation' is underway at the time of undertaking this screening<sup>1</sup>. Once adopted the Local Plan Allocations document will form part of the development plan for Lichfield District along with the LPS and any 'Made' neighbourhood plans. At the time of writing there are two 'Made' neighbourhood plans (for Stonnall and Little Aston) with two further plans scheduled for referendum in September and November (Wigginton, Hopwas & Comberford and Shenstone respectively). Policies within those plans only relate to land within the designated area and as such are not of relevance to the Hammerwich Neighbourhood Plan.
- 3.4 Guidance upon SEA's written by the Department of the Environment produces a diagram to the process for screening a planning document to ascertain whether a full SEA is required, see figure1.

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<sup>1</sup> The consultation closes on the 10<sup>th</sup> October 2016.

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



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

3.5 The process in figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the HNP 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 Hammerwich 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 Hammerwich Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications within the Neighbourhood Area. Therefore it is considered necessary to answer the following questions to determine further if an SEA is required.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes	The HNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Hammerwich Neighbourhood Area. Once 'made' the HNP would form part of the statutory development plan, and will be used when making decisions on planning applications which may include development which may fall under Annex I and II of the EIA directive.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive?(Art. 3.2 (b))	Yes	The Neighbourhood Plan could potentially have an impact on internationally designated wildlife sites covered by the Habitats Regulations. See screening assessment for HRA in following section of this report.
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art.3.3)	Yes	The HNP does not identify any land allocations at the local level. Once 'made' the HNP would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level.



6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Yes</b>	The HNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Hammerwich Neighbourhood Area. Therefore the Neighbourhood Plan will set the framework for future developments.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	<b>No</b>	The HNP does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>Yes</b>	The HNP could potentially have a significant effect on the environment, not just within the Neighbourhood Area but also within the District. The HNP could also impact upon Cannock Chase SAC a Natura 2000 sites, (see HRA section). For these reasons a case by case assessment of the HNP is required.

3.6 A number of the criteria above suggest that SEA of the Hammerwich Neighbourhood Plan may be required. Criteria 4 and Criteria 8 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment, particularly relating to Natura 2000 sites. Depending on the proposals within the plan and a case by case assessment may be made on a case by case basis. The criteria for undertaking such an assessment are drawn from Article 3(5) of the SEA Directive as set out at paragraph 3.1 of this report.

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

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

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Summary of Significant effects
<b>The characteristics of the plans, having regard to;</b>	
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>Once 'made; the HNP will set out the framework which will be used to determine proposals for development within the neighbourhood area. The plan does not propose development in excess of that identified within the adopted Local Plan Strategy (LPS) nor does it allocate sites for development. As such the SA/SEA carried out by the District Council for the LPS is 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 HNP 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 produced and is at an early stage of production as such the neighbourhood plan cannot be influenced by or influence this. The HNP 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 HNP will help to deliver the overall aims of the Local Plan. Hammerwich Parish (the neighbourhood area) includes an area of southern Burntwood which is identified as the second most sustainable settlement within the District in the Local Plan Strategy. The Neighbourhood Plan does not propose to restrict development which is considered to be in broad conformity with the LPS.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Any Neighbourhood Plan is required to contribute to the achievement of sustainable development and therefore the likelihood of significant effects on the environment is minimised. The plan does not seek to allocate sites and as such the impact of the plan on the environment is minimal. Policies within the HNP will sit alongside those within the adopted LPS which provides environmental protection and promotes sustainable development.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The environmental impacts of the proposals within the HNP are likely to be minimal due to the scale of development proposed. The Plan does not propose more development than is identified within the LPS as such the SA/SEA carried out by the District Council is considered sufficient.</p>

<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p>	<p>The HNP has to be in general conformity with the Local Plan. The adopted LPS has had regard to European Community legislation on the environment and therefore this legislation will not be relevant for the Neighbourhood Plan.</p>
<p><b>Characteristics of the effects and of the area likely to be affected, having regard, in particular to;</b></p>	
<p>The probability, duration, frequency and reversibility of the effects.</p>	<p>Development is supported within the HNP 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 and HNP. The LPS seeks to guide development to ensure it is delivered to high levels of sustainability.</p>
<p>The cumulative nature of the effects.</p>	<p>The cumulative effects of proposals within the HNP are unlikely to be significant on the local environment given the level of development proposed does not exceed that within the adopted LPS.</p>
<p>The trans boundary nature of the effects.</p>	<p>Effects will be local with limited effects on neighbouring areas. Neighbourhood Plans are at varying stages of preparation in areas adjoining the Hammerwich Neighbourhood Area which will set planning policies for those areas. The policies within the HNP (and those neighbourhood plans in adjoining areas) relate only to the designated Hammerwich Neighbourhood Area as such there are no trans boundary effects</p>
<p>The risks to human health or the environment (e.g. due to accidents).</p>	<p>There is limited risk to human health or the environment as a result of the HNP.</p>
<p>The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).</p>	<p>The scale of development proposed through the HNP is small and does not exceed that proposed in the LPS 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>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage</li> <li>- exceeded environmental quality standards</li> <li>- intensive land use</li> </ul>	<p>The HNP is likely to affect the value and vulnerability of the area in relation to the special natural characteristics or cultural heritage due to the impacts upon the Cannock Chase SAC through increasing recreational pressure on the site. However, the plan does not promote greater residential development than is set out within the LPS which includes policies to mitigate for the impacts of recreational pressure on the SAC. The HNP and LPS policies would be used to ensure mitigation is secured.</p> <p>The level of development proposed through the HNP is unlikely to lead to intensive land use however, the plan provides support for tourism development without provide information as to the scale of such development.</p>

<p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>The Cannock Chase SAC and AONB lies within 15km of the HNP boundary. Developments within the Cannock Chase SAC 15km zone of influence will in combination have an effect on the integrity of the SAC. The HNP would need to be in accordance with the LPS Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures.</p> <p>The HNP boundary is within 15km of the Cannock Extension Canal SAC, Humber Estuary and outside the River Mease SAC water catchment. There will be no significant effects from the proposals within the HNP on these SAC.</p>
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### Screening Outcome

- 3.8 The HNP does not propose more development than is set out within the Local Plan Strategy, nor does it allocate sites for development. However, it does provide support for tourism development related to the Staffordshire Horde. The plan provides no information as to the potential scale of any such development which could be supported.
- 3.9 The conclusions of the above screening assessment on the Hammerwich Neighbourhood Plan indicate that Strategic Environmental Assessment will be required for the Hammerwich Neighbourhood Plan. This is due to the potential impact upon the Cannock Chase Special Area of Conservation through the support of tourism development in policy LE2. No information has been submitted or is included within the plan as drafted which identifies the scale of the tourism development which would be supported which may result in increased visits to Cannock Chase in close proximity to the SAC there may be significant effects upon the Natura 2000 protected site. However it may be possible to supply further information or modify the draft plan to remove the need for SEA and further details are included within the further steps section in the conclusions chapter of this report.

#### 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 adopted 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 would have no likely significant effects upon European sites.
- 4.5 This section of the report provides a "screening" assessment for the HNP. 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 HNP 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 Lichfield Neighbourhood Area are;
- Cannock Chase SAC – approximately 7.3km to the north west;
  - Cannock Extension Canal – approximately 2.5km to the west;
  - River Mease SAC – approximately 11.8km to the east; and
  - Humber Estuary SAC –River Trent whose catchment is part of the Humber Estuary SAC is within the HNP boundary.
- 4.7 The Cannock Chase Special Area of Conservation (SAC), The Cannock Extension Canal SAC and the River Mease SAC are within a 15km radius of the Hammerwich Neighbourhood Area boundary. However, the HNP boundary is not within the River Mease water catchment area (as illustrated at Appendix A) the River Trent whose water catchment is part of the Humber Estuary SAC is within the HNP 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 Hammerwich Neighbourhood Area**

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

		<p>contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of qualifying species</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site</li> </ul>	<p>aquatic macrophytes may shade-out the <i>Luronium natans</i> unless routinely controlled by cutting. An increase in recreational activity would be to the detriment of <i>Luronium natans</i>. Existing discharges of surface water run-off, principally from roads, cause some reduction in water quality.</p>
<p><b>River Mease SAC</b></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"> <li>▪ Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot</li> </ul>	<p>the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of</li> </ul>	<p>The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site. The SSSI assessment report undertaken in 2007 notes the site's adverse condition and</p>



	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Spined loach <i>Cobitis taenia</i></li> <li>▪ Bullhead <i>Cottus gobio</i></li> </ul> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> <li>▪ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i></li> <li>▪ Otter <i>Lutra lutra</i></li> </ul>	<p>habitats of qualifying species</p> <ul style="list-style-type: none"> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>identifies the following issues: drainage, invasive freshwater species, water pollution – agriculture/run-off, water pollution – discharge. Significant new development could take place within the catchment as a result of new housing and employment development in North-West Leicestershire, South Derbyshire and East Staffs which may impact upon water quality and quantity. The continuing creation of the National Forest will lead to further catchment wide changes in land use.</p>
<p><b>Humber Estuary</b></p>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Estuaries</li> <li>▪ Mudflats and sandflats not covered by seawater at low tide; intertidal mudflats and sandflats</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of</li> </ul>	<p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Management intervention is therefore necessary to enable the estuary to recover and to secure the ecological resilience required to respond to both natural and anthropogenic change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and</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"> <li>▪ Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks</li> <li>▪ Coastal lagoons * Priority feature</li> <li>▪ Salicornia and other annuals colonising mud and sand; glasswort and other annuals colonising mud and sand</li> <li>▪ Atlantic salt meadows (Glaucopuccinellietalia maritima)</li> <li>▪ Embryonic shifting dunes</li> <li>▪ Shifting dunes along the shoreline with Ammophila arenaria (‘white dunes’); shifting dunes with marram</li> <li>▪ Fixed dunes with herbaceous vegetation (‘grey dunes’) * Priority feature; dune grassland</li> <li>▪ Dunes with Hippophae rhamnoides; dunes with sea-buckthorn</li> </ul> <p>Annex II species present as a qualifying feature, but not a</p>	<p>habitats of qualifying species</p> <ul style="list-style-type: none"> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>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, &amp;c.) Regulations 1994 (the ‘Habitats Regulations’). Diffuse pollution will be addressed through a range of measures including implementation of the Waste Water Framework Directive and Catchment Sensitive Farming initiatives.</p> <p>Other issues are addressed via a range of measures including regulation of on-site land management activities and implementation of the Humber Management Scheme, developed by all relevant statutory bodies to assist in the delivery of their duties under the Habitats Regulations.</p>
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	<p>primary reason for site selection</p> <ul style="list-style-type: none"><li>▪ Sea lamprey <i>Petromyzon marinus</i></li><li>▪ River lamprey <i>Lampetra fluviatilis</i></li><li>▪ Grey seal <i>Halichoerus grypus</i></li></ul>		
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- 4.8 The likelihood of significant effects have been assessed in relation to the specific features and environmental conditions of the protected sites, as could be effected by the Hammerwich Neighbourhood Plan, or in combination with other known plans, taking particular account of the sites conservation objectives. As part of establishing what effects are significant, the probability of impact, duration of the impact, frequency of any impact and reversibility of impact have been considered.
- 4.9 Tables 4-7 set out the assessment based on the effects of the HNP on the four sites detailed above.

**Table 4: Cannock Chase SAC**

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is HNP likely to impact upon this site	<i>Potential</i>	<i>Potential</i>	<i>No</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>
Possible effects in combination with other plans	The site is influenced by traffic and visitors from a wide area. Evidence has been produced which demonstrates that any new development within 15km of the SAC will, alone or in combination, have an impact upon the integrity of the SAC due to the potential for increasing visitors to the SAC.							
Assessment of effects and why not considered significant	The Hammerwich Neighbourhood Area is approximately 7.3km south east of the Cannock Chase SAC. Evidence has highlighted there are vulnerabilities from recreational pressures caused predominantly by increased use from new residential development but also from other forms of development within a 15km radius of the SAC. Whilst the HNP as drafted does not include policies relating to residential development/allocations it includes a policy which encourages tourism development within the Neighbourhood Area which could result in increased visitor pressure on the SAC and no evidence has been submitted to enable consideration of the impact of this proposal as such a precautionary approach should be taken.							
<b>Conclusion: Potential Significant effects</b>								

**Table 5: Cannock Extension Canal SAC**

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

<b>with other plans</b>	
<b>Assessment of effects and why not considered significant</b>	The Hammerwich Neighbourhood area is 2.5km from the SAC. Development within the neighbourhood area would not have a direct impact upon the habitat, any protected species, air and water quality of this site.
<b>Conclusion: No significant effects</b>	

**Table 6: 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 HNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination with other plans	None.							
Assessment of effects and why not considered significant	Whilst the Hammerwich Neighbourhood Area is within 15km of the River Mease SAC, it is outside of the River Mease SAC Water catchment area (as identified at appendix 1). As such no significant effects are likely.							
<b>Conclusion: No significant effects</b>								

**Table 7: Humber Estuary SAC**

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is HNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in combination with other plans	None - The site is currently managed as a National Nature Reserve. It would be vulnerable to on site physical alterations to the water quality and quantity. There are many plans still being developed along the length of the River system.							
Assessment of effects and why not considered significant	Site is over 20km from the HNP 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. The local water providers and foul waste company have been contacted regarding the emerging Local Plan Strategy and have up to date plans agreed with EA with regards to the impact upon the River Tame and River Trent. They have advised that no additional treatment works or changes to any of their existing consents would be necessary to accommodate the proposed levels of growth within the emerging Local Plan Strategy. As the HNP does not propose more growth than the Local Plan it is unlikely this position would change.							
<b>Conclusion: No significant effects</b>								

**Screening Outcome**

- 4.10 Table 4 identifies significant effects could arise upon the Cannock Chase SAC as a result of policy within the HNP. Tables 5-7 do not identify any significant effects upon the identified European sites as a result of the HNP (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 HNP. The assessment concludes that one of the policies within the HNP would have significant impacts upon the European sites identified within the assessment.
- 4.12 The conclusions of the screening assessment above indicate that the further stages of Appropriate Assessment are required for the HNP as currently drafted.



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

- 5.1 This report contains the detail of the assessment of the need for the Hammerwich 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 Hammerwich Neighbourhood Plan (As at Feb 2016) which was provided to the District Council in September 2016 for the purposes of this screening process. 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. Lichfield District Council reserves the right to undertake further screening at a later stage if this is considered to be appropriate. Indeed the District Council is aware that a further draft of the HNP is currently being prepared.

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

- 5.3 In relation to the requirement for the Hammerwich Neighbourhood Plan to be subject to Strategic Environmental Assessment, the assessment detailed in Section 3 of this report concludes that the plan in its current form is likely to have significant environmental effects and therefore SEA will be required.

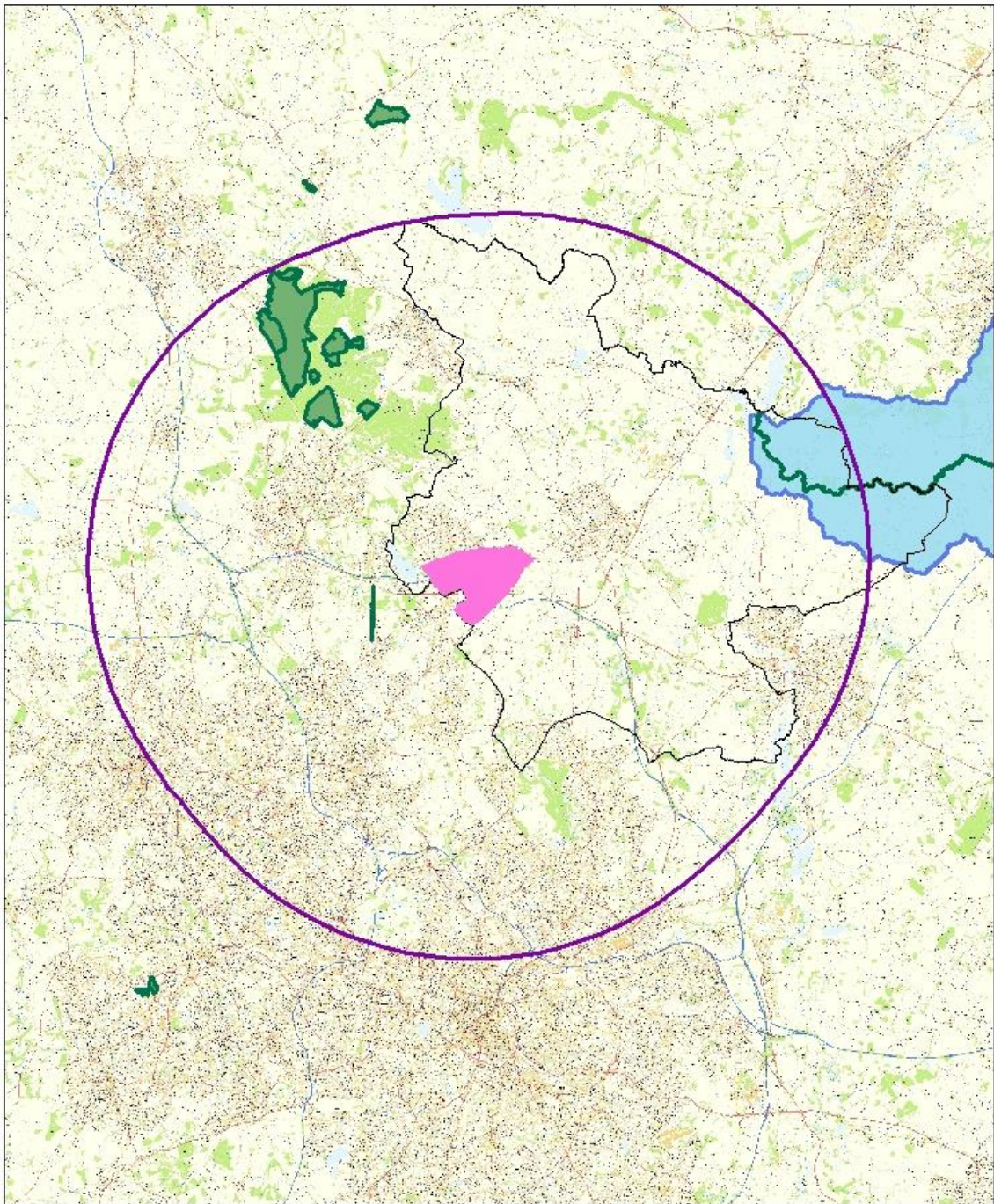
### **Habitat Regulations Assessment (HRA)**

- 5.4 In relation to the requirement for the Hammerwich Neighbourhood Plan to be subject to Habitat Regulations Assessment, the assessment detailed at Section 4 of this report concludes that there are potential significant effects upon the identified designated European sites and as such further work as part of the compliance with the Habitat Regulations will be required.

### **Possible Further Steps**

- 5.5 It may be possible to modify the plan, as drafted, which could remove the need for SEA/HRA. The screening report has concluded that the significant effects arise from policy LE2. It may be possible to remove this potential impact upon the SAC through the provision of more evidence in relation to the scale of tourist development that could be supported and its potential impacts upon the Cannock Chase SAC. Alternatively the removal of the policy or an amendment to Policy LE2 which includes reference to the policies within the adopted LPS which seek to provide mitigation for such adverse impacts. This could potentially be achieved through the addition of wording such as: "Tourism developments particularly related to the Staffordshire Horde will be supported where they do not conflict with other national and local planning policies and those within this plan, having particular regard to Policy NR7 (Cannock Chase Special Area of Conservation) of the Local Plan Strategy". The views of the Statutory Consultees should be sought if such an amendment were to be made.
- 5.6 It has also been noted that a further draft of the Hammerwich Neighbourhood Plan is to be produced in the near future. The District Council reserves the right to undertake further screening work should subsequent drafts be considered of sufficient difference to the draft which has been used for the purposes of this screening report.

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



**Key**

-  Hammerwich 15Km Radius
-  Hammerwich
-  Lichfield District Boundary
-  Special Areas of Conservation
-  River Mease SAC Water Catchment

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

<b>HNP Policy Number</b>	<b>Description of Policy</b>	<b>Any likely significant effects on European Sites anticipated as a result of the policy?</b>
<b>Policy F1</b>	Supports any proposals which enhance or extend the facilities within the Neighbourhood Area.	<b>No</b> – The Policy itself does not propose development, it provides support for improvements for existing facilities.
<b>Policy H1</b>	New development must not have a detrimental impact upon existing facilities and where possible should support such facilities.	<b>No</b> – the policy does not itself propose development.
<b>Policy H2</b>	New development should not prevent residents from the enjoyment of existing facilities including public footpaths, playing fields and public open spaces.	<b>No</b> – the policy does not itself propose development.
<b>Policy H3</b>	Requires development to include appropriate street furniture.	<b>No</b> – the policy does not itself propose development.
<b>Policy H4</b>	Residential development/conversion which results in the loss of commercial services, retail units, community buildings or working farms are not supported by the policy.	<b>No</b> – the policy does not itself propose development.
<b>Policy H5</b>	Requires infill development to offer choice in dwelling size, particularly one and two bedroom properties.	<b>No</b> – the policy does not itself propose development.
<b>Policy H6</b>	Support for developments of unused farm buildings/barn conversions where these are modest and unobtrusive.	<b>No</b> – the policy does not itself propose development.
<b>Policy H7</b>	Requires developments of any size to make provision for affordable housing.	<b>No</b> – the policy does not itself propose development.
<b>Policy H8</b>	Encourages new developments of smaller properties and those suitable for older people to support the ambitions of care providers for care at home.	<b>No</b> – the policy does not itself propose development.
<b>Policy T1</b>	If there is any larger development during the lifetime of the Neighbourhood Plan then the impact of traffic must be subject to a detailed study.	<b>No</b> – the policy does not itself propose development.
<b>Policy T2</b>	Support for creation of new and improvements to	<b>No</b> – the policy does not itself propose development.

	existing cycle routes within the Neighbourhood Area.	
<b>Policy T3</b>	Redevelopment of sites must include parking provision to mitigate the impact on surrounding properties of the influx of extra vehicles and ensure footpaths and access points are maintained/improved.	<b>No</b> – the policy does not itself propose development.
<b>Policy T4</b>	Support for the reinstatement of passenger services with the provision of a new station should proposals be brought forward to reopen the Walsall – Lichfield railway line.	<b>No</b> – the policy does not itself propose development.
<b>Policy LC1</b>	Support for development within village settlement boundaries.	<b>No</b> – the policy does not itself propose development.
<b>Policy LC2</b>	Development will be not supported which interferes with the enjoyment of views which define Hammeriwch’s place in the local area.	<b>No</b> – the policy does not itself propose development.
<b>Policy LE1</b>	Requires commercial development to take account of the impact of noise and ensure adequate mitigation.	<b>No</b> – the policy does not itself propose development.
<b>Policy LE2</b>	Support for development supporting tourism particularly relating to the Staffordshire Hoard	<b>Yes</b> – whilst the policy does not itself propose development it provides support for tourism development. Such development of tourism could impact upon visitor numbers to the Cannock Chase SAC. Evidence has shown that adverse impacts upon the Cannock Chase SAC arise from an increase in visitors. No details of the scale or location of potential tourist development has been submitted.
<b>Policy LE3</b>	Presumption against conversion of existing retail/commercial properties to residential and support to encourage new business ventures by ensuring ancillary facilities are appropriate.	<b>No</b> – the policy does not itself propose development.

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

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

- 3.1 SEA & HRA Screening Opinion Letter 29/09/2016***
- 3.2 Historic England response 05/10/2016***
- 3.3 Natural England response 03/11/2016***
- 3.4 Environment Agency response 03/10/2016***

## Appendix 3.1

Your ref Hammerwich neighbourhood plan  
Our ref HNP-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

29<sup>th</sup> September 2016

Dear Sir/Madam,

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

Hammerwich Parish Council has requested Lichfield District Council to undertake screening for SEA & HRA of their draft Neighbourhood Plan. The District Council has undertaken a screening process and produced the attached Screening Report which concludes that SEA and HRA of the Hammerwich Neighbourhood Plan (as currently drafted) will 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. Further to this I would welcome your comments in relation to the potential further steps identified within the conclusions chapter of the screening report.

If you have any comments I would ask for these to be sent within the next 25 working days (by 4<sup>th</sup> November 2016) and if you have any queries please contact myself on 01543 308196. If no reply is received by 5pm Friday 4<sup>th</sup> November 2016 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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[MyStaffs App](#)



WEST MIDLANDS OFFICE

Mr Patrick Jervis  
6887

Direct Dial: 0121 625

Lichfield District Council

Spatial Policy & Delivery  
PL00041069

Our ref:

District Council House

Frog Lane

Lichfield

WS13 6YZ  
2016

5 October

Dear Mr Jervis

**HAMMERWICH NEIGHBOURHOOD PLAN SEA & HRA CONSULTATION**

Thank you for the above consultation.

For the purposes of consultations on SEA, Historic England confines its advice to the question, "Is the Plan or proposal 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 by yourselves in your consultation to us.

On the basis of the information supplied, including that set out in the draft plan, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concur with the conclusion that the preparation of a Strategic Environmental Assessment is 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:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870  
HistoricEngland.org.uk





Historic England

WEST MIDLANDS OFFICE

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

I hope this advice is helpful.

Yours sincerely,

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

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870  
HistoricEngland.org.uk



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



## Appendix 3.3

Date: 03 November 2016  
Our ref: 197467  
Your ref: N/a



Lichfield District Council

FAO Patrick Jervis

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Patrick

### **Planning consultation: Hammerwich Neighbourhood Development Plan – Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening**

Thank you for your email consultation on the above dated 29 September 2016.

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.

We note the report's conclusion that further SEA and HRA is needed to address uncertainty over the detail of policy LE2 (Tourism in relation to the Staffordshire Hoard site). Natural England agrees with the District Council's proposals to deal with this issue and we look forward to being consulted again when the Parish Council's Neighbourhood Plan Steering Group has had the chance to review the options.

For any queries relating to the specific advice in this letter only please contact me on 020 802 60939. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

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

Yours sincerely

Antony Muller  
Lead Adviser – Sustainable Development, Wildlife & Commercial Team – North Mercia Area

FAO: Patrick Jervis  
Lichfield District Council  
Planning Policy  
PO Box 66  
Lichfield  
Staffordshire  
WS13 6QB

**Our ref:** UT/2007/101798/SE-  
13/SC1-L01  
**Your ref:** Hammerwich  
neighbourhood plan – screening opinion  
for an SEA & HRA  
**Date:** 30 September 2016

Dear Sir,

**Hammerwich neighbourhood plan – screening opinion for an SEA & HRA**

Thank you for consulting the Environment Agency on the above SEA/HRA screening opinion which was received on 29<sup>th</sup> September 2016.

We have reviewed the 'Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA)' dated September 2016. We have found no issues relating to our role as a statutory consultee. Potential issues raised in the 'Possible Further Steps' concerning the Cannock Chase SAC should be addressed to Natural England.

Yours faithfully,

**Mr Tom Newman**  
**Planning Advisor**

Direct dial 01543404857

Direct e-mail [tom.newman@environment-agency.gov.uk](mailto:tom.newman@environment-agency.gov.uk)

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