

Shenstone Neighbourhood Plan

Strategic Environmental Assessment (SEA) &
Habitat Regulations Assessment

Screening Report
(November 2014)

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1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Shenstone Neighbourhood Plan (hereafter known as 'SNP') 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 SNP 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) and Cannock Extension Canal SAC are within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the SNP boundary, the SNP boundary is outside the water catchment area. Appendix 1 shows the Natura 2000 sites which fall within a 15km radius of the plan boundary.
- 1.3 The purpose of the SNP is to provide a set of statutory planning policies to guide development within Shenstone Neighbourhood Area over the life of the plan. The Plan sets out the community's vision of how the area will look by 2029. The SNP also provides support for improved facilities to serve the community and seeks to protect and enhance important elements of the local environment. The Shenstone Neighbourhood Plan Draft 5 (October 2014) is available to view via <http://www.parishneighbourhoodplan.co.uk>.
- 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 SNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the SNP and the need for a Habitats Regulation Assessment.
- 1.5 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 Shenstone 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 SNP 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 SNP has been prepared by the Shenstone Neighbourhood Plan Group on behalf of the Qualifying Body (Shenstone Parish Council). The Plan includes 20 Planning Policies within seven policy themes which relate to the whole of the designated Shenstone Neighbourhood Area) and a number of non-land use actions which support the plan.
- 2.8 The policies relate to the Neighbourhood Area and seeks to allocate land for mixed-use development and Local Green Space. Policies also seek to provide support for new and improved community facilities, the provision of pedestrian and cycle routes improved broadband connection.

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:

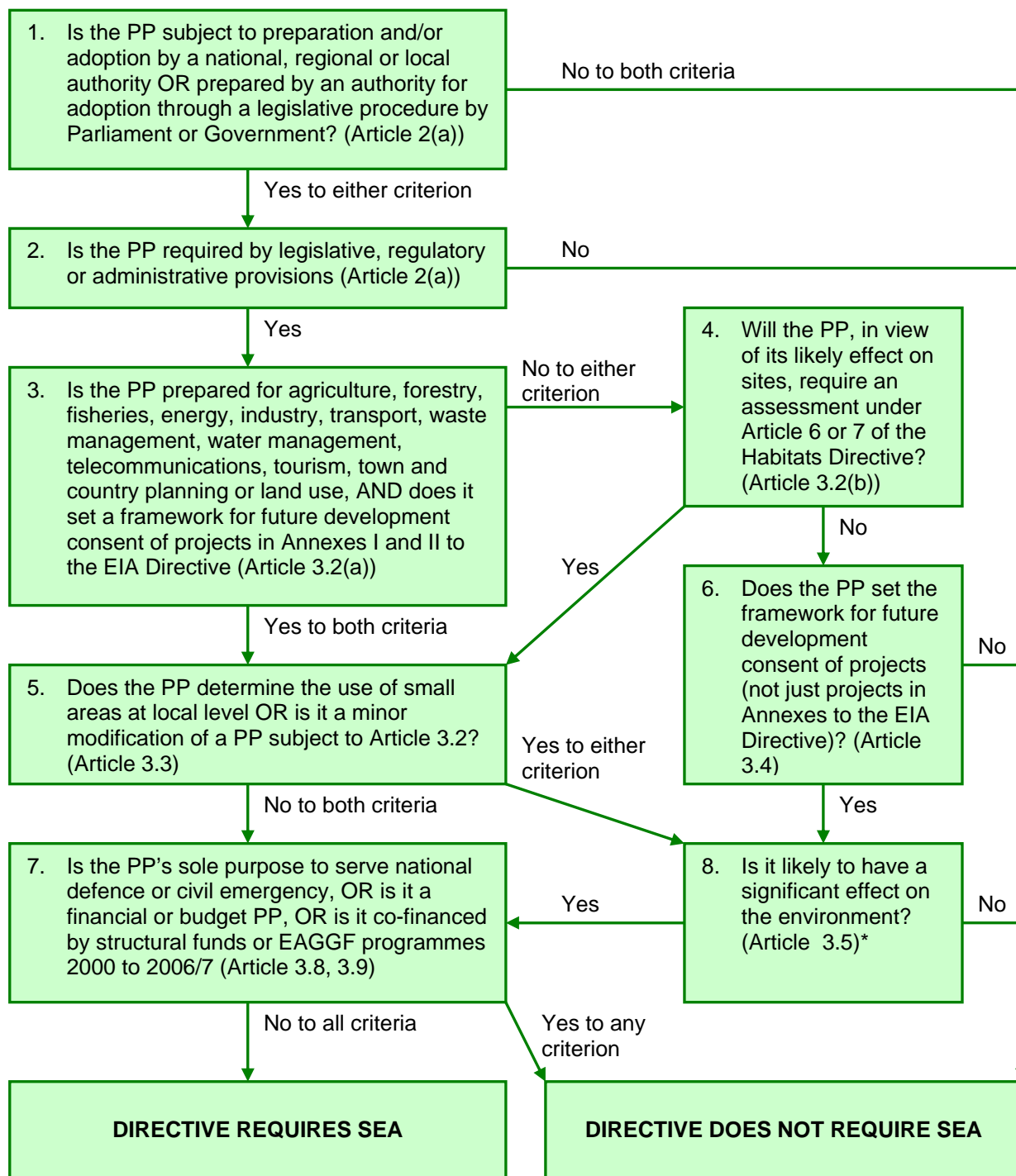
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which 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 saved policies from the 1998 Lichfield District Local Plan (saved September 2007). Therefore the Neighbourhood Plan must be in general conformity with these saved policies. These saved policies pre-date the NPPF as such they may not carry significant weight within the decision making process.
- 3.3 Lichfield District Council has been preparing a new Local Plan for sometime. The Local Plan Strategy was submitted to the Secretary of State in March 2013 and Hearing Sessions for the Examination of the Plan commenced in June 2013. To date the Inspector has issued initial findings in the form of an Annex attached to the Inspector's letter to the District Council dated 28th August 2013. The District Council consulted on a number of proposed Main Modifications to the Plan during early 2014. The Local Plan Strategy was subject to a full Sustainability Appraisal which included a SEA assessment. This ensured that there were no likely significant effects which would be produced from the implementation of the Local Plan and if so ensured mitigation measures were in place.
- 3.4 Guidance upon SEA's written by the Department of the Environment produces a diagram to the process for screening a planning document to ascertain whether a full SEA is required, see figure1.

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



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

3.5 The process in figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the SNP 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 Shenstone 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 Shenstone 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 SNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Shenstone Neighbourhood Area. Once 'made' the SNP 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 SNP identifies the use of land at the local level, and once 'made' the SNP 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 SNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Shenstone 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 SNP 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 SNP could potentially have a significant effect on the environment, not just within the Neighbourhood Area but also within the District as one of the Key Rural Settlements indentified within the Local Plan Strategy. The Plan allocates sites for mixed-use residential and commercial development and the allocation of several Local Green Spaces. The SNP could also impact upon a number of Natura 2000 sites, including the Cannock Chase SAC (see HRA section). For these reasons a case by case assessment of the SNP is required.

3.6 A number of the criteria above suggest that SEA of the Shenstone 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 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 Shenstone Neighbourhood Plan (Draft 5) October 2014.

3.7 The following assessment will consider the likelihood of the Shenstone 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;	
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.	Once 'made; the SNP will set out the framework which will be used to determine proposals for development within the neighbourhood area regarding housing, commercial developments, the protection of valued open spaces and community facilities. The SNP seeks to allocate land for a mixed-use residential and commercial development and designated a number of Local Green Spaces. There is therefore the potential for an effect on the environment resulting from the proposals in the plan.

	<p>However the plan does not propose development in excess of that identified within the emerging 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 SNP 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 as such the neighbourhood plan cannot be influenced this. The SNP 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 SNP will help to deliver the overall aims of the Local Plan. The SNP discusses allocation of a site to deliver approximately 100 homes which is within the range of 5-150 homes identified within policy Shen4 of the Local Plan Strategy (LPS) as one of the Key Rural Settlements identified within Core Policy 1 of the LPS. Whilst none of the policies within the SNP will have a direct impact on other plans in neighbouring areas, if the plan were to propose a maximum of 100 dwellings, this could result in other Key Rural Settlements taking a disproportionate level of growth. The final distribution of the numbers within the range for each of the five Key Rural Settlements was intended to be finalised through the Local Plan Allocations document which will follow on from the Local Plan Strategy. If the SNP is too restrictive at this stage (by setting a maximum of 100 dwellings) this will pre-determine a more strategic issue which needs to be considered through the Allocations document.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Any Neighbourhood Plan is required to contribute to the achievement of sustainable development and therefore the likelihood of significant effects on the environment is minimised. This plan does seek to allocate sites (for residential and commercial development and for Local Green Space. As such the plan may have an impact on the environment.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The environmental impacts of the proposals within the SNP are likely to be minimal due to the scale of the development proposed. However the policies within the plan may assist in determining the scale and location of future development which would be the determining factor in the magnitude of any environmental impact. 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 SNP has to be in general conformity with the Local Plan. The adopted Local Plan and emerging 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>Characteristics of the effects and of the area likely to be affected, having regard, in particular to;</p>	
<p>The probability, duration, frequency and reversibility of the effects.</p>	<p>Development is supported within the SNP and therefore an element of environmental change will occur, the impacts of which will depend upon the proposals. The SNP seeks to minimise the effects of development on its immediate surroundings and ensure development is delivered to high levels of sustainability.</p>
<p>The cumulative nature of the effects.</p>	<p>The cumulative effects of proposals within the SNP are unlikely to be significant on the local environment given the level of development proposed does not exceed that within the 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 preparations in areas adjoining the Shenstone Neighbourhood Area which will set planning policies for those areas. However, the policies within the SNP relate only to the designated Shenstone Neighbourhood Area as such there will be no trans boundary effects.</p> <p>Shenstone Village is one of the Key Rural Settlements identified within the Local Plan's spatial strategy. If the ANP seeks to restrict development to 100 homes this could impact on the other key rural settlements. As such this would have an impact, unless the 100 homes being allocated through the SNP is considered as a minimum with further work to be undertaken through the Local Plan Allocations process.</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 SNP.</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 SNP 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. Were development to be restricted through the SNP then the magnitude of the effects would be greater across a larger geographical area.</p>
<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 SNP is unlikely to adversely affect the value and vulnerability of the area in relation to the special natural characteristics or cultural heritage. The policies within the SNP seek to provide greater protection to the character of the area. The plan does allocate sites and as such issues relating to intensive land use may be a consideration.</p>

<p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>he Cannock Chase SAC and AONB lies within 15km of the LANP boundary. Developments within the Cannock Chase SAC 15km zone of influence will in combination have an effect on the integrity of the SAC. The inclusion of Policy SAC1 will ensure 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 SNP boundary is within 15km of the Cannock Extension Canal SAC and is outside of the River Mease SAC water catchment. There will be no significant effects from the proposals within the SNP on these SACs.</p>
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Screening Outcome

- 3.8 The SNP does not propose more development than is set out within the Local Plan Strategy, although it does seek to allocate sites for mixed-use residential and commercial development and the designation of several Local Green Spaces. It is noted that the neighbourhood plan does not specifically define the 100 homes to be allocated through the plan as either a maximum or minimum figure. Were this to be presented as a maximum of 100 homes this would have wider environmental impacts on other villages considered to be Key Rural Settlements within the Local Plan Strategy. Given that the plan seeks to allocate site(s) for development SEA is required to illustrate how these decisions were arrived at and the considerations of alternative options.
- 3.9 The conclusions of the above screening assessment on the Shenstone Neighbourhood Plan (Draft 5) October 2014' indicate that Strategic Environmental Assessment will be required for the Shenstone Neighbourhood Plan.

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 SNP. 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 SNP 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 Stonnall Neighbourhood Area are;
- Cannock Chase SAC – approximately 11km to the North-West
 - Cannock Extension Canal – approximately 6km to the North-West
 - River Mease SAC – approximately 10km to the North-East
 - Humber Estuary SAC – River Trent whose catchment is part of the Humber Estuary SAC is within the SWAP 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 Shenstone Neighbourhood Area boundary. However, the SNP 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 SNP 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 Shenstone Neighbourhood Area¹

Name of Site	Reason for Designation	Conservation Objectives	Identified Impacts
Cannock Chase SAC	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ European dry heaths <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"> ▪ Northern Atlantic wet heaths with Erica tetralix 	<p>Maintain in favourable condition Northern Atlantic wet heaths with Erica tetralix for which the area is considered to support a significant presence. European dry heaths for which this is considered to be one of the best areas in the United Kingdom</p>	<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>
Cannock Extension Canal SAC	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Floating water-plantain 	<p>Maintain favourable condition as this is considered to be one of the</p>	<p>The population of Luronium natans in this cul-de-sac canal is dependent upon a balanced level of boat traffic. If the canal is</p>

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

	Lurionium natans	best areas in the United Kingdom	not used, the abundant growth of other aquatic macrophytes may shade-out the Lurionium natans unless routinely controlled by cutting. An increase in recreational activity would be to the detriment of Lurionium natans. Existing discharges of surface water run-off, principally from roads, cause some reduction in water quality.
River Mease SAC	<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> 	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.	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.
Humber Estuary	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Estuaries 	Sandbanks which are slightly covered by sea water all the time - for which the area is	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.

	<ul style="list-style-type: none"> ▪ 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 (<i>Glauco-Puccinellietalia maritimae</i>) ▪ Embryonic shifting dunes ▪ Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (‘white dunes’) ▪ Fixed dunes with herbaceous vegetation (‘grey dunes’) * Priority feature ▪ 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> 	<p>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 (<i>Glauco-Puccinellietalia maritimae</i>) for which the area is considered to support a significant presence.</p>	<p>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> <p>Other issues are addressed via a range of measures including regulation of on-site land management activities and</p>
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	<ul style="list-style-type: none"> ▪ Grey seal <i>Halichoerus grypus</i> 	<p>Embryonic shifting dunes, which are 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>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>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>Petromyzon marinus, for which the area is considered to support a significant presence.</p> <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 Shenstone 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 SNP 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 SNP likely to impact upon this site	<i>Potential</i>	<i>Potential</i>	<i>Potential</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 residential development within 15km of the SAC will, alone or in combination, have an impact upon the integrity of the SAC. The SNP includes a policy which ensures that development will not be permitted unless it is demonstrated that it will not have an adverse effect upon the integrity of the SAC having regard to avoidance or mitigation measures.							
Assessment of effects and why not considered significant	The Shenstone Neighbourhood Area is on the edge of the 15km radius surrounding the site. Evidence has highlighted there are vulnerabilities from recreational pressures. The SNP includes a policy which ensures that development will not be permitted unless it is demonstrated that it will not have an adverse effect upon the integrity of the SAC having regard to avoidance or mitigation measures.							
Conclusion: No significant effects								

Table 5: Cannock Extension Canal SAC

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is SNP 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							

with other plans	
Assessment of effects and why not considered significant	The Shenstone Neighbourhood area is within the 15km radius surrounding this site. Development within the neighbourhood area would not have a direct impact upon the habitat, any protected species, air and water quality of this site. Additionally the site is a significant distance from the Neighbourhood Area and it is considered that the plan would have no significant effects.
Conclusion: No significant effects	

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 SNP 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 Shenstone 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.							
Conclusion: No significant effects								

Table 7: Humber Estuary SAC

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is SNP 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 SNP 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 SNP 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, 6 and 7 do not identify any significant effects upon the identified European sites as a result of the SNP (as published at the date of this report). The presence of Policy SAC1 ensures that development will only be permitted where it has demonstrated that it will not have a significant effect on the integrity of the Cannock Chase SAC. The policies within the plan ensure that development will have due regard to the character of the settlement and features considered important by the community.
- 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 SNP. The assessment concludes that the policies within the SNP will not 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 not required for the SNP.

5. Conclusions and recommendations of the Screening Assessments

- 5.1 This report contains the detail of the assessment of the need for the Shenstone 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 Shenstone Neighbourhood Plan (Draft 5) which was provided to Lichfield District Council in October 2014 for the purposes of undertaking this screening report. 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 Shenstone 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 likely to have significant environmental effects and therefore SEA will be required.

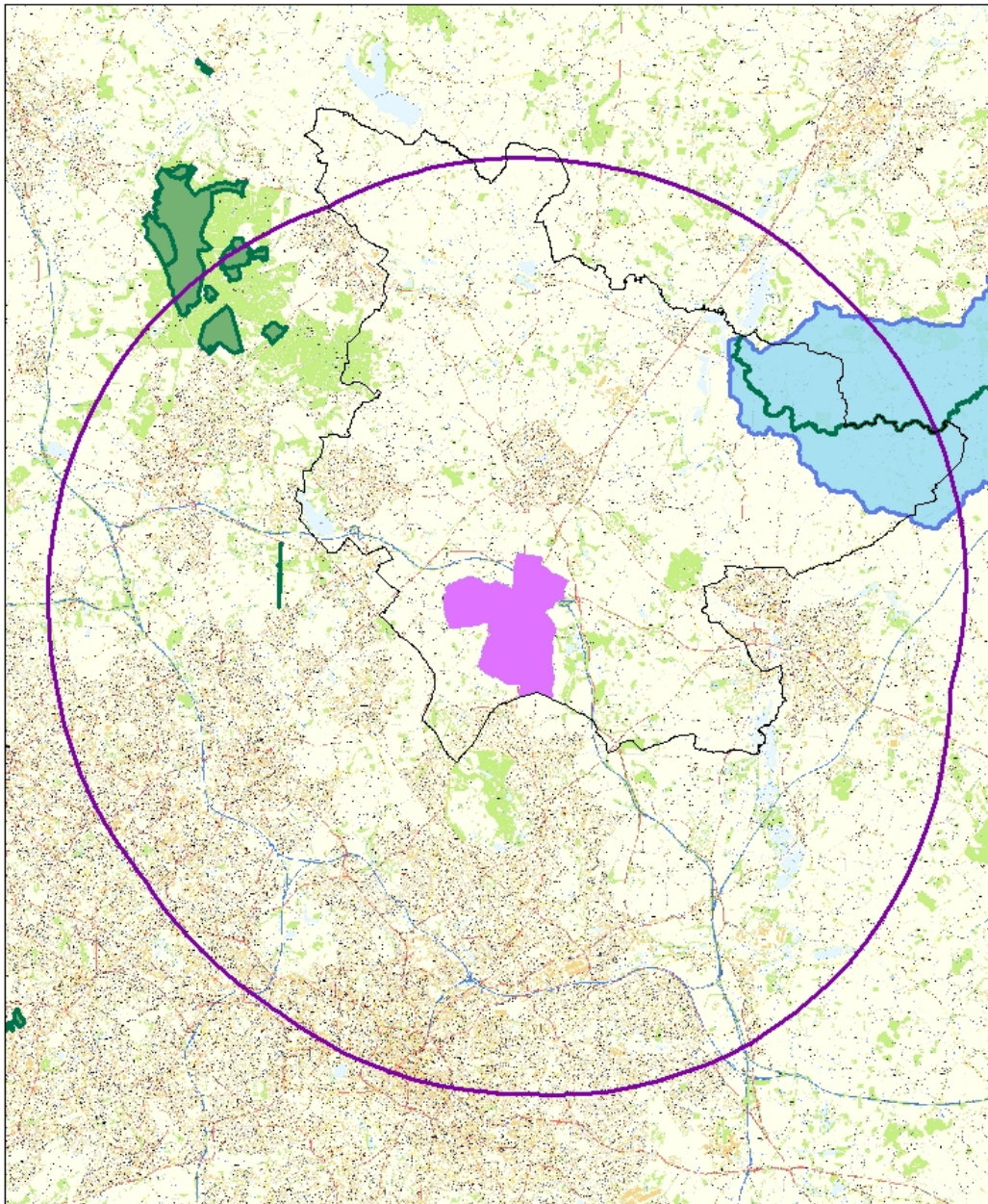
Habitat Regulations Assessment (HRA)

- 5.4 In relation to the requirement for the Shenstone Neighbourhood Plan to be subject to Habitat Regulations Assessment, the assessment detailed at Section 4 of this report concludes that whilst there are potential significant effects upon the Cannock Chase SAC the inclusion of Policy SAC1 ensures that development will only be permitted where it is demonstrated it will not have an adverse effect on the integrity of the SAC. The report concludes that there will be no potential significant effects upon the identified designated European sites and as such no further work as part of the compliance with the Habitat Regulations will be required.






Next Steps

- 5.5 It is advised that Strategic Environmental Assessment (SEA) is undertaken inline with the SEA regulations as discussed in section 2 of this screening report. This should be undertaken as soon as possible and the findings should be published alongside the future version of the Neighbourhood Plan. This exercise should have been undertaken and demonstrated upon submission of the neighbourhood plan to the District Council for the publicity period and examination.

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



Key

-  Lichfield District Boundary
-  Shenstone Neighbourhood Area 15k Radius
-  Shenstone Neighbourhood Area
-  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 Stonnall Neighbourhood Plan

SNP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
Policy GB1	Green Belt Boundary – Support for appropriate development within the Green Belt, including provision of a community hub on a preferred site. Policy also suggests a minor change to the Green Belt boundary to be considered through the Local Plan allocations process.	No – the policy itself does not propose development but reinforces Green Belt policy contained within the NPPF and will allow development within the green belt when it is deemed appropriate or can demonstrate very special circumstances. The inclusion of Policy SAC1 ensures development will only be permitted where it is demonstrated that it will not have an adverse effect on the integrity of the SAC.
Policy SAC1	Cannock Chase Special Area of Conservation – Before development is permitted it must demonstrate it will not have an adverse effect upon the integrity of the Cannock Chase SAC.	No – the policy will ensure that development will not be permitted unless it is demonstrated that the development will not have an adverse effect, whether direct or indirect upon the SAC having regard to avoidance or mitigation measures.
Policy H1	Dwelling Mix – defines the mix of dwellings that will be expected on residential developments of 15+ dwellings.	No – the policy does not itself propose development. The policy relates to the mix of dwellings required as part of a development to assist in meeting local needs.
Policy H2	Dwellings appropriate for the needs of first time buyers and people looking to downsize – policy to ensure that smaller properties are delivered within the Neighbourhood Area and to the Lifetime Homes standards.	No – the policy does not itself propose development. The policy relates to the mix of dwellings required as part of a development to assist in meeting local needs.
Policy H3	Residential infill and back land development – Infill and garden land development must not have a detrimental impact on the character and amenity of properties in the immediate area.	No – Policy relates to design and form of schemes and as does not in itself propose development. Policy allows for residential development subject to it meeting criteria within the policy. The inclusion of Policy SAC1 ensures that no such development will be permitted without demonstrating that it will not have an adverse effect upon the SAC.
Policy H4	Design of residential development – design of residential development must be in keeping with the predominant architectural style of properties in the surrounding area.	No – Policy relates to design of properties and as does not in itself propose development. As such will have no effect on European Sites.

Policy H5	Provision of private amenity space to serve residential development – residential development must provide adequate amenity space.	No – the policy does not itself propose development. The policy seeks to provide adequate amenity space for any residential development that does occur.
Policy HA1	Land at Birchbrook Industrial Estate, Lynn Lane – allocation of land at Birchbrook Industrial estate for a mixed-use residential and commercial development.	No – The site does allocate land for a mixed-use residential and commercial development. The inclusion of Policy SAC1 ensures that no such development will be permitted without demonstrating that it will not have an adverse effect upon the SAC.
Policy MO1	Pedestrian access to Shenstone Railway Station – support for delivery of improvements to the railway station.	No – the policy does not itself propose development.
Policy MO2	Provision of additional parking to serve Shenstone Railway Station - support for delivery of improvements to the railway station.	No – the policy does not itself propose development.
Policy MO3	Improvements to pedestrian and cycle routes – support provision of improved cycle and pedestrian facilities and access to the countryside.	No – the policy does not itself propose development. The policy relates to supporting pedestrian facilities.
Policy MO5	HGV Traffic – commercial development must demonstrate that HGV traffic will not have a detrimental impact upon the local road network.	No – the policy does not itself propose development.
Policy MO4	Commercial Parking – Commercial development must provide an appropriate level of parking.	No – the policy does not itself propose development.
Policy GSC1	Local Green Spaces – designation of three Local Green Spaces.	No – the policy does not itself propose development. The policy seeks to protect three locally important open spaces.
Policy GSC2	Provision of community facilities at Shenstone playing fields – support for improvements to facilities provided at Shenstone playing fields.	No – the policy does not itself propose development. The policy seeks to support improvements to the community facilities already offered in this location.
Policy GSC3	Minimising the environmental impact of development – Provides protection to important landscapes and environments within the Neighbourhood Area.	No – the policy does not itself propose development. The policy seeks to provide environmental protection.

Policy CO1	New commercial development – Supports commercial development within existing employment areas.	No – the policy does not itself propose development. It provides support for commercial development in the existing employment areas within the Neighbourhood Area.
Policy CO2	Land at Birchbrook Industrial Estate - allocation of land at Birchbrook Industrial estate for a mixed-use residential and commercial development.	No – The site does allocate land for a mixed-use residential and commercial development. The inclusion of Policy SAC1 ensures that no such development will be permitted without demonstrating that it will not have an adverse effect upon the SAC.
Policy CO3	Protection of existing commercial premises or land – Protection of the existing industrial estate for commercial uses.	No – the policy does not itself propose development. The policy seeks to prevent the unnecessary loss of employment opportunities within the employment area.
Policy CO4	High Speed Broadband – supports delivery of broadband facilities in new properties.	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, English Heritage 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 14/11/2014

3.2 Natural England Response 05/12/2014

3.3 English Heritage Response 16/12/2014

Please note: No response received from Environment Agency

Your ref
Our ref SNP-SEA-HRA
Ask for Patrick Jervis
email patrick.jervis@lichfielddc.gov.uk

**District Council House, Frog Lane
Lichfield WS13 6YU**

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14th November 2014

Dear Sir/Madam,

SHENSTONE NEIGHBOURHOOD SCREENING OPINION FOR AN SEA & HRA

Shenstone Parish Council is currently undertaking the pre-submission consultation on the draft Shenstone Neighbourhood Plan as part of this process the Parish Council has requested Lichfield District Council to undertake screening for SEA & HRA of their Neighbourhood Plan. The District Council has undertaken a screening process and produced the attached Screening Report which concludes that SEA the Shenstone Neighbourhood Plan (as currently drafted) will be required, and that HRA 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 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 Habitat Regulations Assessment (HRA).

If you have any comments I would ask for these to be sent within the next 21 days (by 5th December 2014) and if you have any queries please contact myself, Mr Patrick Jervis on 01543 308196. If no reply is received by Friday 5th December it will be assumed that you concur with the conclusions of the Screening Report.

Yours sincerely,

Patrick Jervis
Planning Officer
Development Plans and Implementation



Lichfield District Council

For attention of 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: SHENSTONE NEIGHBOURHOOD SCREENING OPINION FOR AN SEA & HRA

Thank you for your consultation on the above dated 14 November 2014 which was received by Natural England the same day.

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.

Natural England welcomes the Screening Report which assesses the requirement for a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) for the Shenstone Neighbourhood Plan.

Strategic Environmental Assessment (SEA)

I can confirm that Natural England agrees with the reasoning set out in the screening report that SEA would be required for the Neighbourhood Plan in its current form due to likely significant effects on the environment.

Habitats Regulations Assessment (HRA)

Natural England notes and agrees with the thought process concluding that all the named European Sites¹ can be 'screened out' from further HRA assessment. We offer the following explanatory advice in relation to Cannock Chase SAC:

Cannock Chase Special Area of Conservation (SAC) is vulnerable to recreation impacts associated with new housing in the 'zone of influence' identified around the SAC. With respect to the Shenstone NP Natural England notes the proposal to use a specific policy 'SAC1' and agrees with the screening report statement regarding the NP's relationship with the emerging Local Plan and associated strategic policy dealing with the Cannock Chase SAC strategic project (Policy NR7).

It is particularly important that such a policy is included in the Neighbourhood Plan as it cannot rely on avoidance/mitigation measures contained in the Local Plan until the Plan is formally adopted. Your colleague Heidi Hollins is the Council's representative on the SAC Partnership and you should speak to Heidi about the project's progress accordingly.

¹ Cannock Chase SAC, Cannock Extension Canal SAC, River Mease SAC and the Humber Estuary SAC, SPA and Ramsar site.

We advise that use of Policy SAC1 would benefit from reference to the District Council's 'Interim mitigation guidance for the Cannock Chase SAC' (November 2013). This will help ensure that applicants are aware of relevant background information.

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 me on 0300 060 1640. 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

Antony Muller
Lead Adviser – Sustainable Development and Wildlife Team – North Mercia Area



ENGLISH HERITAGE

WEST MIDLANDS REGION

**Mr Patrick Jervis
Development Plans Team
District Council House
Lichfield District Council
Frog Lane
Lichfield
Staffordshire
WS13 6YZ**

Our ref:

Your ref:

Telephone 0121 625 6887

Fax

16 December 2014

Dear Mr Jervis

SHENSTONE NEIGHBOURHOOD PLAN - STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OPINION & HRA SCREENING REPORT

Thank you for your consultation received on the 16th December and the request for a Screening Opinion.

For the purposes of consultations on SEA Screening Opinions, English Heritage 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, 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], English Heritage concurs with the Council that as the Plan seeks to make allocations for development the preparation of a Strategic Environmental Assessment is currently likely to be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that English Heritage has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>.

8TH FLOOR, THE AXIS, 10 HOLLIDAY STREET, BIRMINGHAM B1 1TG

Telephone 0121 625 6820 Facsimile 0121 625 6821

www.english-heritage.org.uk

Please note that English Heritage operates an access to information policy.


Correspondence or information which you send us may therefore become publicly available



As regards the HRA Screening Report English Heritage does not wish to comment in detail and would defer to Natural England and other statutory consultees, however, we have no adverse comments to make on the report.

I hope this is helpful.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Boland', with a long horizontal flourish extending to the right.

Pete Boland
Historic Places Adviser
E-mail: peter.boland@english-heritage.org.uk



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