

Whittington & Fisherwick Parish Neighbourhood Plan

Strategic Environmental Assessment (SEA) &
Habitat Regulations Assessment

SEA Screening Version
(May 2017)

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1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Whittington and Fisherwick Neighbourhood Plan 2029 (hereafter known as 'WFNP') 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 is the second such screening report following that produced in January 2017 on an earlier draft of the WFNP.
- 1.2 This report will also screen to determine whether the WFNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA. Cannock Chase Special Area of Conservation (SAC), Cannock Extension Canal SAC and Humber Estuary SAC are within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the WFNP boundary, the WFNP 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 WFNP is to provide a set of statutory planning policies to guide development within Whittington and Fisherwick Parish over the life of the plan. The Plan sets out the community's vision of how the area will look by 2029. The WFNP also provides support for improved facilities to serve the community, improvement of movement networks, addressing existing traffic issues and seeks to protect and enhance important elements of the local environment.
- 1.4 The legislative background set out in the following section outlines the regulations that require the need for this screening exercise. Section 3, provides a screening assessment of both the likely significant environmental effects of the WFNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the WFNP 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 Whittington and Fisherwick Neighbourhood Plan.
- 2.3 The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; Historic England, Natural England and Environment Agency on whether a SEA is required, Details of the consultation bodies responses can be found at Appendix 3.

Habitat Regulation Assessment (HRA)

- 2.4 It is required by article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.5 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the WFNP 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 WFNP has been prepared by the Whittington and Fisherwick Parish Council Steering Group on behalf of the Qualifying Body (Whittington and Fisherwick Parish Council). The Plan includes 28 Planning Policies within ten policy themes which relate to the whole of Whittington and Fisherwick Parish, the designated Neighbourhood Area. This screening report has been prepared on the Draft Whittington & Fisherwick Neighbourhood Plan (May 2017).
- 2.8 The policies relate to the Neighbourhood Area and seek to provide planning policies to be a material consideration in the determination of planning applications. The policies support infill development, propose good quality design in new developments which compliments the historic and rural character of Whittington, enhance wildlife and open spaces, mitigate for the impact of traffic, flooding and support local businesses and homeworking.

3. SEA Screening

Criteria for Assessing the Effects of WFNP

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

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

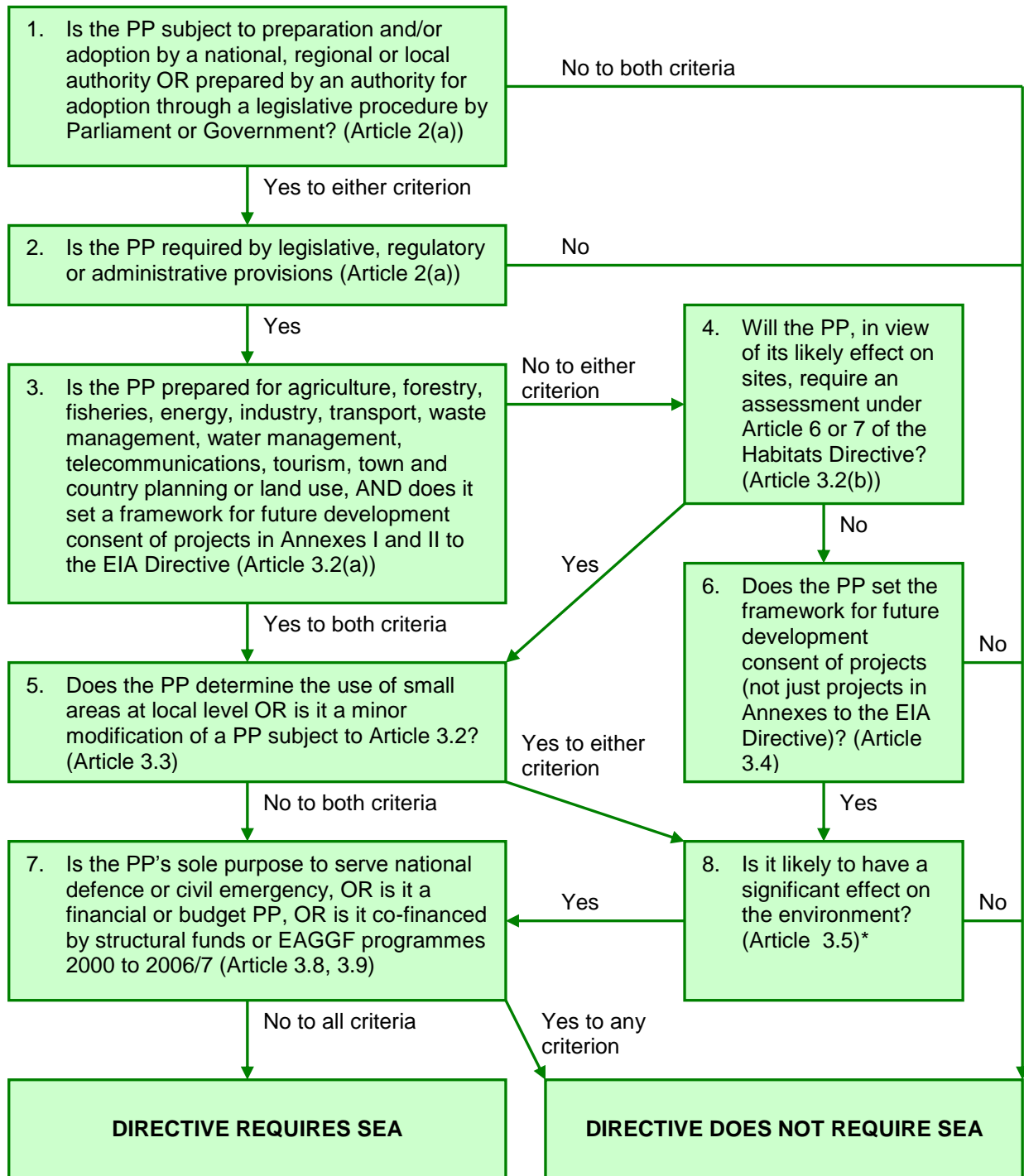
Source: Annex II of SEA Directive 2001/42/EC

Assessment

- 3.2 It is required by the Localism Act that Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. The development plan for Lichfield District is currently made up of the adopted Lichfield District Local Plan Strategy (LPS) which includes some saved policies from the 1998 Lichfield District Local Plan (saved September 2007). Therefore the Neighbourhood Plan must be in general conformity with these policies. The Local Plan Strategy (LPS) was subject to a full Sustainability Appraisal which included a SEA assessment. This ensured that there were no likely significant effects which would be produced from the implementation of the Local Plan and if so ensured mitigation measures were in place.

- 3.4 Guidance upon SEA's written by the Department of the Environment produces a diagram to the process for screening a planning document to ascertain whether a full SEA is required, see figure1.

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



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

3.5 The process in Figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the WFNP 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 Whittington and Fisherwick 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 Whittington and Fisherwick 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 WFNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Whittington and Fisherwick Neighbourhood Area. Once 'made' the WFNP 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))	No	The Neighbourhood Plan will not 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)	No	The WFNP does not identify any land allocations, specifying that any allocations will be made by the District Council through the Local Plan Allocations document. Once 'made' the WFNP 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 WFNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Whittington and Fisherwick 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 WFNP 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)	No	The WFNP will impact upon Cannock Chase SAC a Natura 2000 site, (see HRA section) however WFNP is in accordance with the LPS and would be subject to the requirements of Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures.

3.6 A number of the criteria above suggest that SEA of the Whittington and Fisherwick Parish Neighbourhood Plan may be required. Criteria 6 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment, particularly relating to Natura 2000 sites. Depending on the proposals within the plan and a case by case assessment may be made on a case by case basis. However, Criteria 8 of the assessment in Figure 1 and Table 1 considered that the WFNP is unlikely to have a significant effect on the environment due to the Neighbourhood Plan being in accordance with the LPS and therefore subject to the requirements of Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an

adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures. The 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 'Whittington and Fisherwick Neighbourhood Plan SEA Screen Version – May 2017'.

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

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

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

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

Screening Outcome

- 3.8 The WFNP does not propose more development than is set out within the Local Plan Strategy.
- 3.9 The conclusions of the above screening assessment on the Whittington and Fisherwick Neighbourhood Plan indicate that a Strategic Environmental Assessment will not be required for the Whittington and Fisherwick Neighbourhood Plan May 2017.

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 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.
- 4.3 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.
- 4.4 This section of the report provides a “screening” assessment for the WFNP. 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 WFNP will have any likely significant effects to determine whether the subsequent stages will be required.

Relevant Natura 2000 sites

- 4.5 The relevant Natura 2000 sites within 15km of the Whittington and Fisherwick Neighbourhood Area are;
- Cannock Chase SAC – approximately 13km to the West
 - Cannock Extension Canal – approximately 11km to the West
 - River Mease SAC – approximately 2km to the North-East
 - Humber Estuary SAC –River Trent whose catchment is part of the Humber Estuary SAC is within the WFNP boundary.
- 4.6 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 Whittington and Fisherwick Neighbourhood Area boundary. However, the WFNP 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 WFNP 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 Whittington and Fisherwick Neighbourhood Area

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 ▪ Wet heathland with cross leaved heath 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and, • The supporting processes on which the qualifying natural habitats rely 	<p>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. 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 Luronium natans 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site</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 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"> • The extent and distribution of habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site 	<p>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>River Mease SAC</p>	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot 	<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"> • The extent and distribution of habitats of 	<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"> ▪ Spined loach <i>Cobitis taenia</i> ▪ Bullhead <i>Cottus gobio</i> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> ▪ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> ▪ Otter <i>Lutra lutra</i> 	<p>qualifying species</p> <ul style="list-style-type: none"> • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. 	<p>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>Humber Estuary</p>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Estuaries ▪ Mudflats and sandflats not covered by seawater at low tide; intertidal mudflats and sandflats <p>Annex I habitats present as a qualifying feature, but not a primary</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of habitats of 	<p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Management intervention is therefore necessary to enable the estuary to recover and to secure the ecological resilience required to respond to both natural and anthropogenic change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and function of the estuary (due to sea level rise,</p>

	<p>reason for selection of this site</p> <ul style="list-style-type: none"> ▪ Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks ▪ Coastal lagoons * Priority feature ▪ Salicornia and other annuals colonising mud and sand; glasswort and other annuals colonising mud and sand ▪ Atlantic salt meadows (Glauco- Puccinellietalia maritima) ▪ Embryonic shifting dunes ▪ Shifting dunes along the shoreline with Ammophila arenaria (`white dunes`); shifting dunes with marram ▪ Fixed dunes with herbaceous vegetation (`grey dunes`) * Priority feature; dune grassland ▪ Dunes with Hippophae rhamnoides; dunes with sea- buckthorn <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 Petromyzon 	<p>qualifying species</p> <ul style="list-style-type: none"> • The structure and function of the habitats of qualifying species • The supporting processes on the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. 	<p>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 implementation of the Humber Management Scheme, developed by all relevant statutory bodies to assist in the delivery of their duties under the Habitats Regulations.</p>
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	<ul style="list-style-type: none">▪ marinus▪ River lamprey <i>Lampetra fluviatilis</i>▪ Grey seal <i>Halichoerus grypus</i>		
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- 4.7 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 Whittington and Fisherwick 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.
- 4.8 Tables 4-7 set out the assessment based on the effects of the WFNP 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 WFNP likely to impact upon this site	No	No	No	No	Yes	No	No	No
Possible effects in combination with other plans	The site is influenced by traffic and visitors from a wide area. Evidence has been produced which demonstrates that any new residential development within 15km of the SAC will, alone or in combination, have an impact upon the integrity of the SAC due to the potential for increasing visitors to the SAC. The WFNP recognises the requirement to deliver sufficient housing to meet the needs of the adopted Local Plan Strategy which will generate increased visitor pressure on the SAC.							
Assessment of effects and why not considered significant	The Whittington Fisherwick Neighbourhood Area is approximately 13km east of the Cannock Chase SAC. Evidence has highlighted there are vulnerabilities from recreational pressures. Where there is potential for development within the 15km zone of influence identified by evidence for the Lichfield Local Plan Strategy this is in accordance with the scale and nature of the adopted Local Plan Strategy which contains Policy NR7 and mitigation agreed as part of the adopted Local Plan will ensure any necessary mitigation is delivered and no significant harm will arise alone or in combination upon the factors influencing European Sites.							
Conclusion: No Significant effects								

Table 5: Cannock Extension Canal SAC

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

with other plans	
Assessment of effects and why not considered significant	The pressures on the Cannock Extension Canal SAC are very localised and relate to increase boat movements and impact upon water quality. The Whittington and Fisherwick Neighbourhood area is 11km from the SAC and does not include proposals which are likely to result in any significant effects upon the factors influencing this SAC.
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 WFNP 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 Whittington and Fisherwick Neighbourhood Area is within 15km of the River Mease SAC, however it is outside the River Mease SAC Water catchment area (as identified at appendix 1). As such no significant effects are likely.							
Conclusion: No significant effects								

Table 7: Humber Estuary SAC

	Direct Habitat loss	Impact on protected species	Air Quality	Water Quality	Recreational Pressures	Water Quantity	Change in Surrounding Land Use	Invasive Species
Is WFNP 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 WFNP boundary. Development proposals within the neighbourhood area will not affect the site physically as any effects would be through discharges into the River Tame and Trent as this eventually flows to the Humber. As the WFNP does not propose more growth than the Local Plan it is unlikely this position would change.							
Conclusion: No significant effects								

Screening Outcome

- 4.9 Tables 4-7 do not identify any significant effects upon the identified European sites as a result of the WFNP May 2017 (as published at the date of this report).
- 4.10 Appendix 2 sets out a detailed assessment of the likely significant effects on European sites as a result of each policy within the WFNP. The assessment concludes that none of the policies within the WFNP are likely to have significant impacts upon the European sites identified within the assessment.
- 4.11 The conclusions of the screening assessment above indicate that no further stages of Appropriate Assessment are required for the WFNP May 2017.

5. Conclusions and recommendations of the Screening Assessments

- 5.1 This report contains the detail of the assessment of the need for the Whittington and Fisherwick 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 Whittington and Fisherwick Neighbourhood Plan - SEA Screening Version which was produced in May 2017. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

Strategic Environmental Assessment (SEA)

- 5.3 In relation to the requirement for the Whittington and Fisherwick 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 unlikely to have significant environmental effects and therefore SEA will not be required.

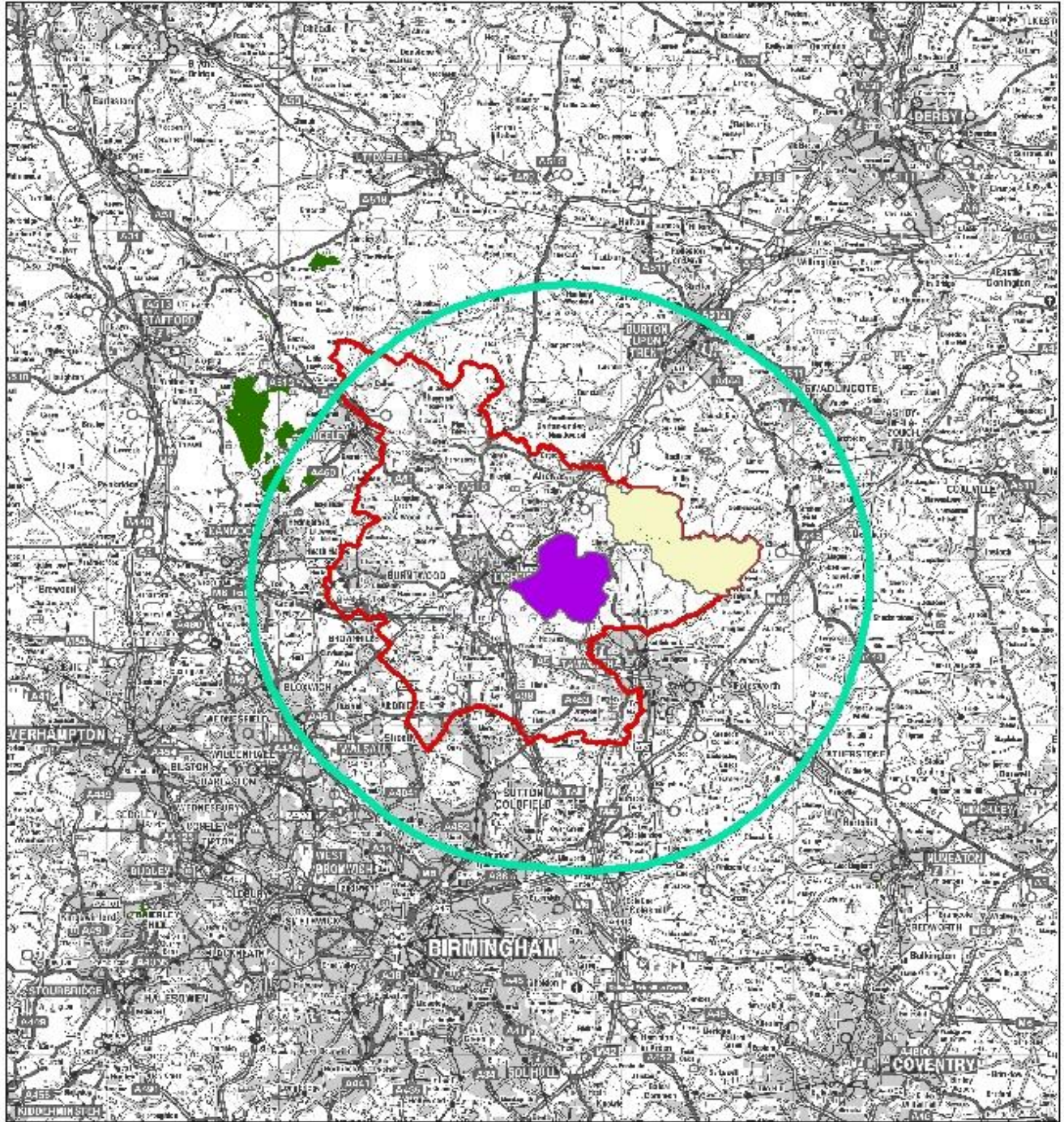
Habitat Regulations Assessment (HRA)

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

Possible Further Steps

- 5.5 There are no further steps required in order to comply with Habitat Regulations or the SEA Directive.

Appendix 1 Map of European Sites within 15km of Neighbourhood Plan Boundary



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Key

-  Lichfield District Boundary
-  Whittington and Fisherwick Parish 15km radius
-  Special Areas of Conservation
-  River Mease SAC Water Catchment
-  Whittington & Fisherwick Neighbourhood Area

NOT TO SCALE

Lichfield
district council
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Appendix 2 – HRA review of Proposed Policies in Whittington and Fisherwick Neighbourhood Plan

WFNP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
DP1 Sustainable Development Principles	The policy supports development which meets the needs of the local area and accords with the adopted Lichfield Local Plan	No – The policy accords with the scale and nature of provision anticipated to be delivered by the adopted Lichfield Local Plan Strategy. Mitigation agreed as part of the adopted Local Plan will ensure any necessary mitigation is delivered and no significant harm will arise alone or in combination upon the factors influencing European Sites.
DP2 Flood prevention and management	The policy reiterates the guidelines set by Staffordshire County Council and Environment Agency on flood prevention and management.	No – The policy does not affect factors influencing European Sites.
HOU1: Development inside the Whittington village settlement boundary	The policy proposes support for development within the village settlement boundary.	No – None of the areas lie within the area of influence identified by the Habitat Regulations Assessment of the adopted Local Plan. No significant harm will arise alone or in combination upon the factors influencing European Sites.
HOU 2: Smaller infill sites – general criteria	Criteria based policy on design of infill plots	No – None of the areas lie within the area of influence identified by the Habitat Regulations Assessment of the adopted Local Plan. No significant harm will arise alone or in combination upon the factors influencing European Sites.
HOU3: Housing mix and affordability	Policy seeks to guide the mix and type of dwellings on sites of over 10 dwellings or over 1,000sqm.	No – The policy does not affect factors influencing European Sites
D1: The Design of New Development	Criteria based policy supporting good design in new development	No – The policy does not affect factors influencing European Sites
D2: Reflecting Local Character and Design in new development	Policy guiding design of new development	No – The policy does not affect factors influencing European Sites
D3: The design of residential conversions and extensions	Criteria based policy relating to design principles for conversions and extensions	No – the policy does not itself propose development and does not affect factors influencing European Sites

HE 1: Designated heritage assets	Policy seeks retention of heritage assets and explanation of the design of proposals	No – the policy does not itself propose development and does not affect factors influencing European Sites
HE 2: Local (non-designated) heritage assets	Policy seeks the protection, conservation and enhancement of non-designated heritage assets.	No – the policy does not itself propose development and does not affect factors influencing European Sites.
HE 3: Historic Farmsteads	Policy seeks to safeguard the character of historic farmsteads.	No – Conversions to residential uses could fall within the zone of influence identified by evidence and impact upon the Cannock Chase SAC. However the site would be classed as a windfall site and accords with the scale and nature of provision anticipated to be delivered by the adopted Lichfield Local Plan Strategy. Mitigation agreed as part of the adopted Local Plan will ensure any necessary mitigation is delivered and no significant harm will arise alone or in combination upon the factors influencing European Sites
HE 4 Archaeology	Policy seeks to safeguard archaeological deposits	No – The policy does not affect factors influencing European Sites
NE&L1: Landscape Character	Policy seeks to protect and enhance the historic landscape and local character	No – the policy does not itself propose development and does not affect factors influencing European Sites
NE&L2: Biodiversity and Habitats	Policy supports biodiversity and habitats	No – the policy does not itself propose development and does not affect factors influencing European Sites.
NE&L3: Requirements for new development and approaches to Green Infrastructure	Supports the delivery of landscaping on sites of over 10 dwellings, wildlife corridors, better pedestrian access to the countryside and use of open spaces	No – the policy does not itself propose development and does not affect factors influencing European Sites
CFOS 1 – Existing Community Facilities	Seeks the protection of community facilities and identifies a list of facilities which should be safeguarded	No – None of the areas lie within the area of influence identified by the Habitat Regulations Assessment of the adopted Local Plan. The policy does not affect factors influencing European Sites
CFOS 2: New development	Policy seeks to ensure new development provides (retains and enhances) suitable community facilities	No – the policy does not itself propose development and does not affect factors influencing European Sites.
CFOS 3: Existing Open Spaces and	Identifies existing open spaces and seeks to protect them from	No – The policy does not affect factors influencing European Sites

proposed Local Green Spaces	development	
CFOS 4: Open space provision as part of new development	Seeks open space provision in accordance with LDC policies	No – The policy does not affect factors influencing European Sites
T and M1 The impact of new development	Seeks to control the impact of traffic arising from new development	No – the policy does not itself propose development and does not affect factors influencing European Sites.
T and M2: Pedestrian/cycle access and connections	Seeks to improve and increase access for pedestrians and cyclists	No – The policy does not affect factors influencing European Sites
T and M3: Managing the impact of HS2	Seeks to minimise the adverse impacts of the design, construction and operation of HS2	No – The policy does not affect factors influencing European Sites
T and M4: The West Coast Mainline	Reiterates Network Rails requirements on developing near railways	No – The policy does not affect factors influencing European Sites
T and M5: The Coventry Canal	Seeks the enhancement of the Coventry Canal and the protection of its environs	No – The policy does not affect factors influencing European Sites
LE& B1: Supporting Local Employment and Business	Criteria based policy to permitting new small business	No – The policy does not affect factors influencing European Sites
T& RE1: Telecommunications	Supports improvements to the broadband and mobile telecommunication reception	No – The policy does not affect factors influencing European Sites
T& RE2: Renewable Energy	Criteria based policy seeking to influence solar farms and wind farms	No – The policy does not affect factors influencing European Sites
AB1: Defence Medical Services (DMS)	Permits development at DMS and Museum of Staffordshire Regiments subject to criteria	No – The policy does not affect factors influencing European Sites

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 30/05/2017

3.2 Natural England Response 20/06/2017

3.3 Historic England Response 21/06/2017

3.4 Environment Agency Response 21/06/2017

Appendix 3.1

Your ref Whittington & Fisherwick Neighbourhood Plan
Our ref WFNP-SEA/HRA
Ask for Lauren Lymer
Email Lauren.Lymer@lichfielddc.gov.uk



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

Customer Services 01543 308000
Direct Line 01543 308192

30th May 2017

Dear Sir/Madam,

Whittington and Fisherwick Neighbourhood Plan – Screening opinion for an SEA & HRA

Whittington & Fisherwick 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 Whittington & Fisherwick Neighbourhood Plan (as currently drafted) will not be required.

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

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

If you have any comments I would ask for these to be sent within the next 21 working days (by 21st June 2017) and if you have any queries please contact myself on 01543 308148. If no reply is received by 5pm Wednesday 21st June 2017 it will be assumed that you concur with the conclusions of the Screening Report.

Yours faithfully,

Lauren Lymer
Planning Support Assistant
Spatial Policy & Delivery - Economic Growth



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[lichfield_dc](https://twitter.com/lichfield_dc)



MyStaffs App

Appendix 3.2

Date: 20 June 2017
Our ref: 217139



Lichfield District Council

BY EMAIL ONLY

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

T 0300 060 3900

Dear Ms. Lymer,

Planning consultation: Whittington and Fisherwick Neighbourhood Plan SEA and HRA Screening

Thank you for your consultation on the above dated 30 May 2017 which was received by Natural England on 30 May 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Habitats Regulations Assessment and Strategic Environmental Assessment Screening

We note that a Habitats Regulations Assessment and Strategic Environmental Assessment has been completed. The conclusions show that no likely significant effects will occur as a result of the Neighbourhood Plan. Based on the information provided, Natural England concurs with this view.

Cannock Chase Special Area of Conservation (SAC)

Natural England note that part of the Neighbourhood Plan is located within 15km of Cannock Chase SAC. Natural England note and agree with the assessment of Cannock Chase in Table 4 of the Draft Screening Report.

The Local Authority should be aware that any future allocations could have potential to increase recreational pressure on Cannock Chase SAC. This increase in recreational pressure could result in adverse effects on the integrity of this SAC, if it is not appropriately mitigated. Any future allocations should be assessed through the Habitats Regulations Assessment and be in conformity with the Local Plan.

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 Rebecca Underdown on 0208 225 6403. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Rebecca Underdown
North Mercia Area



Ms Lauren Lymer
Lichfield District Council
District Council House
Frog Lane
Lichfield
Staffordshire
WS13 6YZ

Direct Dial: 0121 625 6887

Our ref: PL00102105

21 June 2017

Dear Ms Lymer

**WHITTINGTON AND FISHERWICK 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 not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://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



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Ms Lauren Lymer
Lichfield District Council
Planning Policy
PO Box 66
Lichfield
Staffordshire
WS13 6QB

Our ref:UT/2007/101798/OR-15/PO1-L01

Date: 21st June 2017

Dear Ms Lymer

Whittington & Fisherwick Neighbourhood Plan- Screening opinion for an SEA & HRA

Thank you for consulting the Environment Agency (EA) on the above neighbourhood plan. We wish to make the following comments.

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

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

We welcome the Neighbourhood Plan, in particular ..

- 1) **Strategic Aim 3: Environment and Landscape**, which intends to protect and enhance biodiversity, minimizing waste, pollution and mitigate against climate change.
- 2) **Strategic Aim 6: Flooding and Drainage**, which aims to consider flooding at an early stage and be an integral part of the development process.
- 3) **Policy DP2 – Flood prevention & Management** is welcomed as it supports Environment Agency approach to flood risk.
- 4) **Strategic Aim 7: Landscape**, which intends to protect existing public open space and improve the connection between open space around canal and riverside.

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

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

Yours sincerely

Mr Kazi Hussain
Planning Specialist

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

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

End

