

Wigginton, Hopwas and Comberford Neighbourhood Plan

Strategic Environmental Assessment (SEA) &
Habitat Regulations Assessment

Screening Report
(September 2014)

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1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Wigginton, Hopwas and Comberford Neighbourhood Plan (hereafter known as 'WHCNP') 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 WHCNP 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 Extension Canal SAC is within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the WHCNP boundary, the 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 WHCNP is to provide a set of statutory planning policies to guide development within Wigginton & Hopwas Parish over the life of the plan. The Plan sets out a number of Parish wide policies along with policies specific to each settlement (Wigginton, Hopwas and Comberford) which seek to protect and enhance important elements of the Parish's natural and built environment and character. The WHCNP identifies policies which any proposed development or change should comply with for the period 2015 - 2030. The draft Wigginton, Hopwas and Comberford Neighbourhood Plan is available to view via <http://wiggintonandhopwas.co.uk/neighbourhood-plan/>
- 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 WHCNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the WHCNP and the need for a Habitats Regulation Assessment.
- 1.5 This report will be split into two parts. The first will cover the screening for the SEA and the second will cover the screening process for the HRA. A summary of findings and conclusions for both screening processes can be found in the conclusions chapter at section 5.

2. Legislative Background

Strategic Environmental Assessment (SEA)

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's), but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations. The purpose of this report is to determine if SEA is required for the Wigginton, Hopwas and Comberford 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 2.

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 WHCNP 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 WHCNP has been prepared by a steering group on behalf of the Qualifying Body (Wigginton & Hopwas Parish Council). The Plan includes 14 Planning Policies three of which relate to the whole of Wigginton and Hopwas Parish the designated Neighbourhood Area), with three further sections of policies for each of the three settlements identified in the plan (Wigginton, Hopwas and Comberford).
- 2.8 The policies relate to the individual settlements and the wider Neighbourhood Area and prioritise development to meet identified local needs with any development not having a detrimental impact upon the environment of the village. Policies also provide protection to community facilities, important environments and open spaces. A number of policies relate to traffic safety and parking issues within the Neighbourhood Area.

3. SEA Screening

Criteria for Assessing the Effects of WHCNP

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

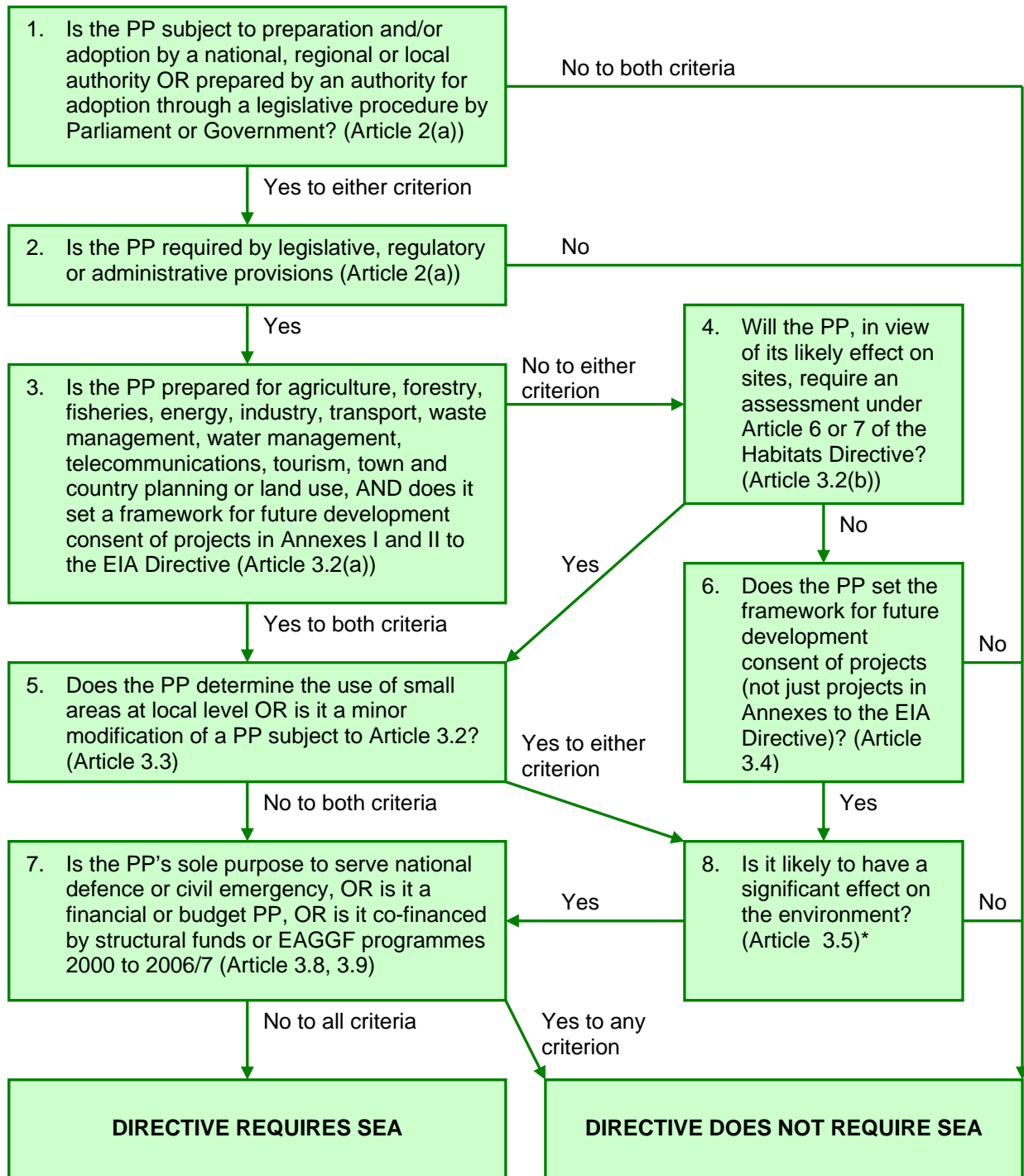
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which 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 WHCNP 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 WHCNP is prepared by Wigginton & Hopwas 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 Wigginton, Hopwas and Comberford 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 WHCNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the designated Neighbourhood Area. Once 'made' the WHCNP 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	Once 'made' the WHCNP 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 WHCNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Neighbourhood Area once the plan is 'made'. 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 Wigginton, Hopwas and Comberford Neighbourhood Plan does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Yes	The WHCNP could potentially have a significant effect on the environment. Once 'made' the policies within the plan will be used when determining planning applications within the neighbourhood area. The Local Plan Strategy identifies a Broad Development Location (BDL) to the north of Tamworth which is within the designated Neighbourhood Area. The WHCNP could also impact upon Natura 2000 sites (see HRA section). For these reasons a case by case assessment of the WHCNP is required.

3.6 A number of the criteria above suggest that SEA of the Wigginton, Hopwas and Comberford Neighbourhood Plan may be required. Criteria 8 of the assessment in Figure 1 and Table 1 considered that the Neighbourhood Plan may have a significant effect on the environment depending on the proposals within the plan and a case by case assessment may be made on a case by case basis. The criteria for undertaking such an assessment are drawn from Article 3(5) of the SEA Directive as set out at paragraph 3.1 of this report. Table 2 outlines the result of this assessment in relation to the Wigginton, Hopwas and Comberford Neighbourhood Plan (Initial consultation July 2012).

3.7 The following assessment will consider the likelihood of the Wigginton, Hopwas and Comberford 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 WFCNP will set out the framework which will be used to determine proposals for development within the designated Neighbourhood Area. 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>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>The WFCNP 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 by or influence this. The WFCNP only provides policies for the designated Neighbourhood Area and the Local Plan Strategy will provide the necessary strategic context when determining planning applications.</p> <p>The WFCNP will help to deliver the overall aims of the Local Plan. The WFCNP discusses the North of Tamworth Broad Development Location (BDL) contained within the Local Plan Strategy. The allocation of sites within this broad location is intended to be finalised through the Local Plan Allocations document which will follow on from the Local Plan Strategy. The WFCNP states that development to the north of Tamworth will be at a minimum of 200 metres from Wigginton. This is consistent with the Local Plan Strategy's policy which seeks to ensure there is no coalescence of Wigginton and Tamworth.</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 not seek to allocate sites. As such the impact of the plan on the environment is minimal.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The environmental impacts of the proposals within the WFCNP are likely to be minimal due to the scale of the development proposed. The Plan does not propose more development than is identified within the LPS as such the SA/SEA carried out by the District Council is considered sufficient.</p>
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p>	<p>The WFCNP 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 WFCNP and therefore an element of environmental change will occur, the impacts of which will depend upon the proposals. However the WFCNP seeks to 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 WFCNP are unlikely to be significant on the local environment. The Plan seeks to protect important local environments. The plan does not allocate sites for development.</p>

<p>The trans boundary nature of the effects.</p>	<p>Effects will be local with limited effects on neighbouring areas. Whilst the Neighbourhood Area includes the North of Tamworth BDL the Neighbourhood Plan policies, this Broad Development Location is to be further considered through the Local Plan Allocations process. The Neighbourhood Plan provides no specific policies relating to the BDL and as such will have no negative effects on this cross boundary proposal.</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 WHCNP.</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 WHCNP is small and therefore effects are likely to be localised. It is unlikely that the effects of proposals within the neighbourhood plan will be large scale and extensive.</p>
<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 WFCNP 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 WCHNP seek to provide protection and enhancement of the historic landscape (specifically Hopwas Wood Ancient Woodland). The plan does not allocate sites and as such many of these issues would be considered at a later stage.</p> <p>The level of development proposed through the WHCNP is unlikely to lead to intensive land use and as such not affect the value and vulnerability of the area.</p>
<p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>The WHCNP boundary is within 15km of the Cannock Extension Canal SAC and outside of the River Mease SAC water catchment. The neighbourhood area is a significant distance from the Cannock Extension Canal SAC. It is concluded that there will be no significant effects from the proposals within the WHCNP on these SACs.</p>

Screening Outcome

- 3.8 The WHCNP does not propose more development than is set out within the Local Plan Strategy, nor does it allocate sites for development. It specifies that any development to the north of Tamworth must not cause coalescence of Wigginton with the urban area of Tamworth which is consistent with policy within the emerging Local Plan.
- 3.9 Table 2 does not identify any potential significant effect arising from the WHCNP. The conclusions of the screening assessment on the initial consultation version of the WHCNP above indicate that Strategic Environmental Assessment will not be required for the Wigginton, Hopwas and Comberford 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 (see paragraph 2.8) 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 WHCNP. It looks at the potential impacts of the plan's proposals on European Sites within 15km of the Neighbourhood Plan area. Appendix 1 illustrates the Natura 2000 sites within a 15km of the Neighbourhood Area boundary. The following screening assessment will determine if the WHCNP 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 Wigginton, Hopwas and Comberford Neighbourhood Area are;
- Cannock Extension Canal – approximately 15km to the West
 - River Mease SAC – approximately 3km to the North
 - Humber Estuary SAC – River Trent whose catchment is part of the Humber Estuary SAC is within the WHCNP boundary.
- 4.7 The Cannock Extension Canal SAC and the River Mease SAC are within a 15km radius of the WHCNP boundary. The River Trent whose water catchment is part of the Humber Estuary SAC is within the WHCNP 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 Wigginton, Hopwas and Comberford Neighbourhood Area¹

Name of Site	Reason for Designation	Conservation Objectives	Identified Impacts
<p>Cannock Extension Canal SAC</p>	<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>Maintain favourable condition as this is considered to be one of the best areas in the United Kingdom</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 aquatic macrophytes may shade-out the Luronium natans unless routinely controlled by cutting. An increase in recreational activity would be to the detriment of Luronium natans. 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 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 	<p>Maintain the river as a favourable habitat for floating formations of water Crowfoot (<i>ranunculus</i>), populations of bull head, spined loach and white clawed crayfish and the river and adjoining land as habitat for populations of otter.</p>	<p>The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site. The SSSI assessment report undertaken in 2007 notes the site's adverse condition and identifies the following issues: drainage, invasive freshwater species, water pollution – agriculture/run-off, water pollution – discharge. Significant new development could take place within the catchment as a result of new housing and employment development in North-West Leicestershire, South Derbyshire and East Staffs which</p>

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

	<ul style="list-style-type: none"> ▪ Austropotamobius pallipes ▪ Otter Lutra lutra 		<p>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 <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 maritima</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>Sandbanks which are slightly covered by sea water all the time - for which the area is considered to support a significant presence.</p> <p>Estuaries, for which this is considered to be one of the best areas in the United Kingdom.</p> <p>Mudflats and sandflats not covered by seawater at low tide, of which this is considered to be one of the best areas in the United Kingdom.</p> <p>Coastal lagoons, for which the area is considered to support a significant presence.</p> <p>Salicornia and other annuals colonising mud and sand, for which the area is considered to support a significant</p>	<p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Management intervention is therefore necessary to enable the estuary to recover and to secure the ecological resilience required to respond to both natural and anthropogenic change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and function of the estuary (due to sea level rise, flood defence works, dredging, and the construction, operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development, and damage and disturbance arising from access, recreation and other activities. Coastal squeeze is being addressed through the development and implementation of the Humber Flood Risk Management Strategy. All proposals for flood defence, development, dredging, abstractions and discharges which require consent from any statutory body, and land use plans which may have impacts upon the site are subject to assessment under the Conservation (Natural Habitats, &c.) Regulations 1994 (the “Habitats Regulations”). Diffuse pollution will be</p>

	<p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> ▪ Sea lamprey <i>Petromyzon marinus</i> ▪ River lamprey <i>Lampetra fluviatilis</i> ▪ Grey seal <i>Halichoerus grypus</i> 	<p>presence.</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) for which the area is considered to support a significant presence.</p> <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</i></p>	<p>addressed through a range of measures including implementation of the Waste Water Framework Directive and Catchment Sensitive Farming initiatives.</p> <p>Other issues are addressed via a range of measures including regulation of on-site land management activities and implementation of the Humber Management Scheme, developed by all relevant statutory bodies to assist in the delivery of their duties under the Habitats Regulations.</p>
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		<p>rhamnoides, 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>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 WHCNP, 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 WHCNP on the three sites detailed above.

Table 4: 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 WHCNP 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	A small part of the Wigginton, Hopwas and Comberford Neighbourhood area is on the edge of 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 5: 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 WHCNP likely to impact upon this site	No	No	No	No	No	No	No	No
Possible effects in	None.							

combination with other plans	
Assessment of effects and why not considered significant	Whilst the Wigginton, Hopwas and Comberford Neighbourhood Area is within 15km of the River Mease SAC, however, 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 6: 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 WHCNP 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 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 WHCNP 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 WHCNP does not propose more growth than the Local Plan it is unlikely this position would change.							
Conclusion: No significant effects								

Screening Outcome

- 4.11 Tables 4, 5 and 6 do not identify any significant effects upon the identified European sites as a result of the WHCNP (as published at the date of this report).
- 4.12 The conclusions of the screening assessment above indicate that the WHCNP does not need to progress to further stages of Appropriate Assessment.

5. Conclusions and recommendations of the Screening Assessments

- 5.1 This report contains the detail of the assessment of the need for the Wigginton, Hopwas and Comberford 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 initial consultation version of the Wigginton, Hopwas and Comberford Neighbourhood Plan which was published in July 2014. 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.

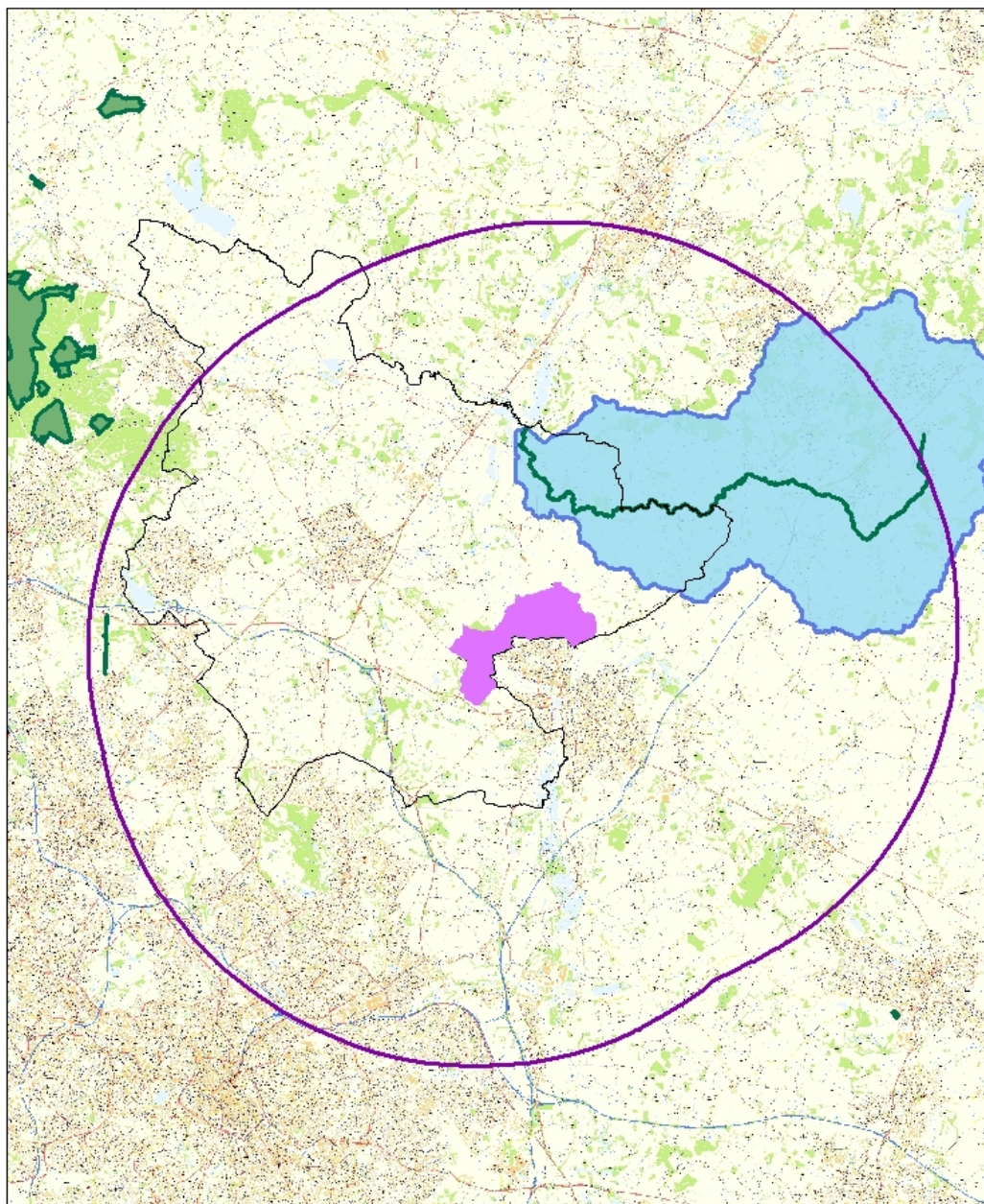
Strategic Environmental Assessment (SEA)

- 5.3 In relation to the requirement for the Wigginton, Hopwas and Comberford 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 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 Wigginton, Hopwas and Comberford 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 the identified designated European sites and as such no further work as part of the compliance with the Habitat Regulations will be required.

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



Key

-  Wigginton & Hopwas Neighbourhood Area 15k Radius
-  Wigginton & Hopwas Neighbourhood Area
-  Lichfield District Boundary
-  Special Areas of Conservation
-  River Mease SAC Water Catchment

Lichfield
district council
www.lichfielddc.gov.uk

Reproduced from The Ordnance Survey
Mapping with the permission of the Controller
of Her Majesty's Stationery Offices © Crown
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Appendix 2: 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 with Screening Report Letter 26/09/2014**
- 3.2 English Heritage Response 03/09/2014**
- 3.3 Environment Agency Response 06/09/2014**
- 3.4 English Heritage Response 17/09/2014**

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

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

Switchboard +44 (0) 1543 308000
Fax +44 (0) 1543 309899
Direct Line +44 (0) 1543 308196
Minicom only +44 (0) 1543 308078

24th September 2014

Dear Sir/Madam,

WIGGINTON, HOPWAS AND COMBERFORD NEIGHBOURHOOD SCREENING OPINION FOR AN SEA & HRA

Wigginton & Hopwas Parish Council has recently undertaken an informal consultation on their draft 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 and HRA of the Wigginton, Hopwas and Comberford 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 Neighbourhood Plan Steering Group 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 17th October 2014) and if you have any queries please contact myself, Mr Patrick Jervis on 01543 308196. If no reply is received by Friday 17th October it will be assumed that you concur with the conclusions of the Screening Report.

Yours sincerely,

Patrick Jervis
Planning Officer
Development Plans and Implementation



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: 1179
Your ref:
Telephone 0121 625 6887
Fax

3 October 2014

Dear Mr Jervis

**WIGGINTON HOPWAS AND COMBERTON NEIGHBOURHOOD PLAN -
STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OPINION &
HRA SCREENING REPORT**

Thank you for your consultation of 26th September 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 the preparation of a Strategic Environmental Assessment is currently unlikely 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 'Pete Boland', with a date '12/10' written below it.

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



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Appendix 3.3

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

Our ref: UT/2007/101798/SE-03/SC1-L01
Your ref: WHCNP-SEA-HRA

Date: 6th October 2014

Dear Mr Jervis

**Wigginton, Hopwas and Comberford Draft Neighbourhood Plan
SEA & HRA Screening Report**

Thank you for giving the Environment Agency the opportunity to comment on the above document.

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 are also an environmental regulator for some renewable and low carbon technologies and we are committed to better regulation of renewable energy and the identification and mitigation of environmental impacts.

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

We welcome the draft Neighbourhood Plan, in particular the reference to waste water and policy W2. We consider that it is imperative that local sewerage issues are understood and sewage undertakers are consulted before any housing developments are approved. This will ensure adequate sewerage and sewage treatment is available to accommodate the development.

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 01543 40 5025
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

Appendix 3.4

Date: 17 October 2014

Our ref: 132768

Your ref: WHCNP-SEA-HRA



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: Wiggington, Hopwas and Comberford Neighbourhood Plan - SEA and HRA screening report

Thank you for your consultation on the above dated 24 September 2014 which was received by Natural England on 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.

Strategic Environmental Assessment – Screening

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

Habitats Regulations Assessment Screening

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites:

- Cannock Extension Canal SAC
- River Mease SAC
- The Humber Estuary SAC, SPA and Ramsar site

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

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