

# **Lichfield City Neighbourhood Plan**

Strategic Environmental Assessment (SEA) &  
Habitat Regulations Assessment

Screening Report  
(February 2016)



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## 1. Introduction

- 1.1 This screening report is an assessment of whether or not the contents of the Lichfield City Neighbourhood Plan 2016-2029 (hereafter known as 'LCNP') requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. This screening assessment has taken place on Lichfield City Neighbourhood Plan 2016-2029 (Draft 3) January 2016 as provided by Lichfield City Council for the purposes of this screening assessment.
- 1.2 This report will also screen to determine whether the LCNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA. Cannock Chase Special Area of Conservation (SAC), Cannock Extension Canal SAC and Humber Estuary are within a 15km radius of the plan boundary. Whilst the River Mease SAC is within 15km of the LCNP boundary, the LCNP 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 LCNP is to provide a set of statutory planning policies to guide development within Parish of Lichfield over the life of the plan. The Plan sets out the community's vision of how the area will look by 2030 and a series of policies focused on the City's economy including commercial development and tourism.
- 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 LCNP and the need for SEA. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the LCNP 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 Lichfield City Neighbourhood Plan.
- 2.3 The National Planning Practice Guidance (PPG) contained specific guidance in relation to neighbourhood plans and SEA. This guidance has been considered and taken account of through this screening assessment.
- 2.4 The District Council is required to consult three statutory consultation bodies designated within the regulations, these are; Historic England, Natural England and Environment Agency on whether a SEA is required, Details of the consultation bodies responses can be found at Appendix 3.

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

- 2.5 It is required by article 6 (3) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.6 To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the LCNP upon European Sites (Natura 2000 sites) a screening assessment has been undertaken and is set out in section 4 of this report.
- 2.7 The legislation requires where there is a "risk" of a significant effect on a European Site, either individually or in combination with other plans or projects then there will be requirement for the plan to progress from HRA screening to an Appropriate Assessment. This is known as the precautionary principle.

### **Description of the Plan or Programme**

- 2.8 The LCNP has been prepared by the LCNP Group on behalf of the Qualifying Body (Lichfield City Council). The Plan includes 12 Planning Policies within five policy themes and one non-land use action which supports the plan. A number of the policies related to specific areas within the designated neighbourhood area including the City Centre and employment sites which have been allocated through the adopted Lichfield District Local Plan.
- 2.9 The five policy themes within the draft neighbourhood plan are predominately focused on the City's economy and included policies focused on; employment; movement;

retail; tourism and cultural activities; and City centre redevelopment opportunities.

### 3. SEA Screening

#### **Criteria for Assessing the Effects of UNP**

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

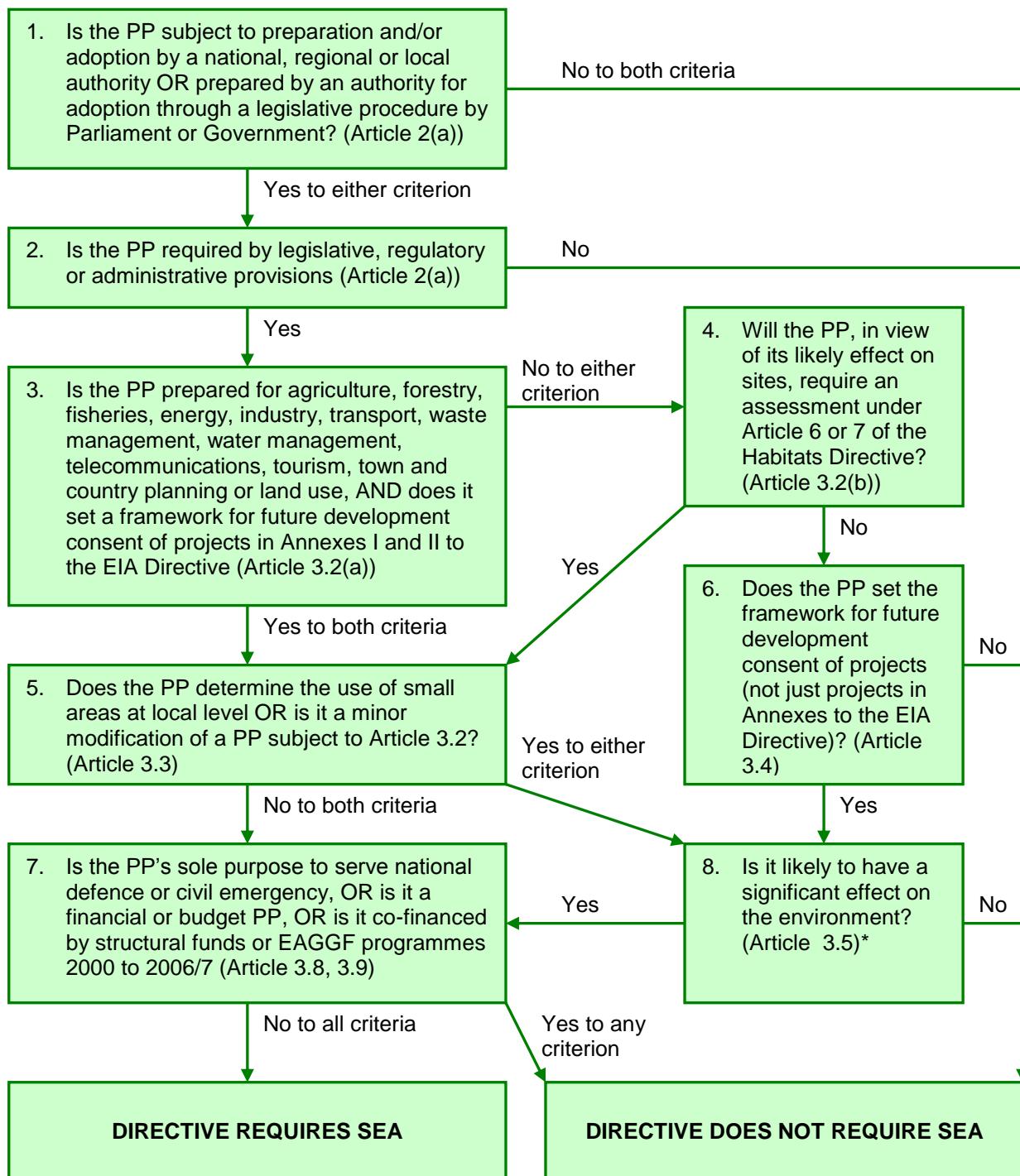
1. The characteristics of plans and programmes, having regard, in particular, to
  - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
  - the degree to which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

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

## **Assessment**

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

<b>Stage</b>	<b>Yes/No</b>	<b>Reason</b>
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 Lichfield City 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 Lichfield City 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 LCNP is prepared for town and country planning and land use. The plan sets out a framework for future development in the Lichfield City Neighbourhood Area. Once 'made' the LCNP 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)	<b>Yes</b>	The LCNP does not identify any land allocations at the local level. However, it does include policies which relate to allocations within the adopted Local Plan and policies specific to certain sites/areas within the City. Once 'made' the LCNP would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Yes</b>	The LCNP, once the 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Lichfield City Neighbourhood Area. Therefore the Neighbourhood Plan will set the framework for future developments.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	<b>No</b>	The LCNP does not deal with any of these categories of plan.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>Yes</b>	The LCNP could potentially have a significant effect on the environment, not just within the Neighbourhood Area but also within the District. The LCNP could also impact upon Cannock Chase SAC a Natura 2000 sites, (see HRA section). For these reasons a case by case assessment of the LCNP is required.

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

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

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Summary of Significant effects
<b>The characteristics of the plans, having regard to;</b>	
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 LCNP will set out the framework which will be used to determine proposals for development within the neighbourhood area regarding employment, commercial and tourism facilities. The LCNP includes policies relating to specific sites within the neighbourhood area which would guide the types of development delivered on sites. This is in effect seeking to allocate the types of uses which will be acceptable on specific sites within the Neighbourhood Area. There is therefore the potential for an effect on the environment resulting from the proposals in the plan. However, the plan does not propose development in excess of that identified within the adopted Local Plan Strategy (LPS). As such the SA/SEA carried out by the District Council for the LPS is considered sufficient.
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	The LCNP 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 LCNP only provides policies for the area it covers and the Local Plan Strategy will provide the necessary strategic context when determining planning applications.  The LCNP will help to deliver the overall aims of the Local Plan. Lichfield is identified as the most sustainable settlement within the District in the Local Plan Strategy and the Neighbourhood Plan does not propose to restrict development which is considered to be in broad conformity with the LPS. The LCNP seeks to provide greater detail to a number of policies within the adopted Local Plan including those relating to the delivery of employment, retail and tourist development.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	Any Neighbourhood Plan is required to contribute to the achievement of sustainable development and therefore the likelihood of significant effects on the environment is minimised. This plan does not seek to allocate sites but does provide policies relating to specific areas within the Neighbourhood Area, a number of which are already identified within the Local Plan. As such the impact of the plan on the environment is minimal. Policies within the LCNP will sit alongside those within the adopted LPS which provides environmental protection and promotes sustainable development.

Environmental problems relevant to the plan.	The environmental impacts of the proposals within the LCNP are likely to be minimal due to the scale of development proposed. However, the policies within the plan may assist in determining the scale and location of certain types of development which would be the determining factor in the magnitude of any environmental impact. The Plan does not propose more development than is identified within the LPS as such the SA/SEA carried out by the District Council is considered sufficient.
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The LCNP 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.
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular to;</b>	
The probability, duration, frequency and reversibility of the effects.	Development is supported within the LCNP and therefore an element of environmental change will occur, the impacts of which will depend upon the proposals and will be subject to the policies within the LPS and LCNP. The LPS seeks to guide development to ensure it is delivered to high levels of sustainability.
The cumulative nature of the effects.	The cumulative effects of proposals within the LCNP are unlikely to be significant on the local environment given the level of development proposed does not exceed that within the adopted LPS.
The trans boundary nature of the effects.	Effects will be local with limited effects on neighbouring areas. Neighbourhood Plans are at varying stages of preparation in areas adjoining the Lichfield City Neighbourhood Area which will set planning policies for those areas. The policies within the LCNP relate only to the designated Lichfield City Neighbourhood Area as such there are no trans boundary effects
The risks to human health or the environment (e.g. due to accidents).	There is limited risk to human health or the environment as a result of the LCNP.
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 LCNP is small and does not exceed that proposed in the LPS therefore effects are likely to be localised. It is unlikely that the effects of proposals within the neighbourhood plan will be large scale and extensive. Lichfield City is the focus of a majority of growth within the adopted LPS, however this growth and its effects have been considered through the LPS.

<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage</li> <li>- exceeded environmental quality standards</li> <li>- intensive land use</li> </ul>	<p>The LCNP is likely to affect the value and vulnerability of the area in relation to the special natural characteristics or cultural heritage due to the impacts upon cultural assets within the Neighbourhood Area, particularly those within the City Centre. However, the plan includes policies to ensure development respects the historic environment as does the adopted LPS.</p> <p>The level of development proposed through the LCNP is unlikely to lead to intensive land use and will not affect the value and vulnerability of the area on this criteria.</p>
<p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>The Cannock Chase SAC and AONB lies within 15km of the LCNP boundary. Developments within the Cannock Chase SAC 15km zone of influence will in combination have an effect on the integrity of the SAC. The LCNP is in accordance with the LPS Policy NR7 which ensures that before development is permitted it must demonstrate that it (alone or in combination) will not have an adverse effect, whether direct or indirect, upon the integrity of the SAC having regard to avoidance or mitigation measures.</p> <p>The LCNP 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 LCNP on these SAC.</p>

### **Screening Outcome**

- 3.8 The LCNP does not propose more development than is set out within the Local Plan Strategy, nor does it allocate sites for development. However, it does include policies which relate to specific areas within the Neighbourhood Area. The Plan identifies key sites, particularly within the City Centre, which are the subject of specific policies. None of these policies restrict development or seek to propose greater development than is set out within the adopted Local plan Strategy. The Policies within the Plan seek to provide greater clarity and more local distinction to those provided within the LPS.
- 3.9 The conclusions of the above screening assessment on the Lichfield City Neighbourhood Plan indicate that Strategic Environmental Assessment will not be required for the Lichfield City Neighbourhood Plan.

#### 4. HRA Screening

- 4.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. The assessment must determine whether the plans would adversely affect, or are likely to affect, the integrity of a site(s) in terms of its nature conservation objectives. Where negative effects are identified other options should be examined to avoid any potential damaging effects.
- 4.2 Under Criteria 4 of Figure 1 and Table 1 it was concluded that the Neighbourhood Plan may have an impact upon internationally designated sites and as such a ‘case by ‘case’ assessment is required.
- 4.3 The HRA process is generally divided into three stages. The initial stage of the HRA process is called the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
- 4.4 The adopted Lichfield Local Plan Strategy was subject to HRA during its production. This assessment looked at all internationally designated sites which could be impacted by development within Lichfield District. [The Habitat Regulations Assessment: Lichfield District & Tamworth Borough \(May 2012\)](#) was updated by the [Addendum to Habitat Regulations Assessment \(January 2014\)](#) which concluded that the Local Plan Strategy would have no likely significant effects upon European sites.
- 4.5 This section of the report provides a “screening” assessment for the LCNP. 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 LCNP will have any likely significant effects to determine whether the subsequent stages will be required.

##### Relevant Natura 2000 sites

- 4.6 The relevant Natura 2000 sites within 15km of the Lichfield Neighbourhood Area are;
- Cannock Chase SAC – approximately 8.9km to the West
  - Cannock Extension Canal – approximately 7.3km to the South-West
  - River Mease SAC – approximately 6.6km to the North-East
  - Humber Estuary SAC –River Trent whose catchment is part of the Humber Estuary SAC is within the LCNP boundary.
- 4.7 The Cannock Chase Special Area of Conservation (SAC), The Cannock Extension Canal SAC and the River Mease SAC are within a 15km radius of the Lichfield City Neighbourhood Area boundary. However, the LCNP 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 LCNP 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 Lichfield City Neighbourhood Area**

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

		<p>contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of qualifying species</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site</li> </ul>	<p>aquatic macrophytes may shade-out the <i>Luronium natans</i> unless routinely controlled by cutting. An increase in recreational activity would be to the detriment of <i>Luronium natans</i>. Existing discharges of surface water run-off, principally from roads, cause some reduction in water quality.</p>
<b>River Mease SAC</b>	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot</li> </ul>	<p>the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of habitats of</li> </ul>	<p>The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site. The SSSI assessment report undertaken in 2007 notes the site's adverse condition and</p>

	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Spined loach <i>Cobitis taenia</i></li> <li>▪ Bullhead <i>Cottus gobio</i></li> </ul> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> <li>▪ White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i></li> <li>▪ Otter <i>Lutra lutra</i></li> </ul>	<ul style="list-style-type: none"> <li>• qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>identifies the following issues: drainage, invasive freshwater species, water pollution – agriculture/run-off, water pollution – discharge. Significant new development could take place within the catchment as a result of new housing and employment development in North-West Leicestershire, South Derbyshire and East Staffs which may impact upon water quality and quantity. The continuing creation of the National Forest will lead to further catchment wide changes in land use.</p>
<b>Humber Estuary</b>	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Estuaries</li> <li>▪ Mudflats and sandflats not covered by seawater at low tide; intertidal mudflats and sandflats</li> </ul> <p>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"> <li>• The extent and distribution of habitats of</li> </ul>	<p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Management intervention is therefore necessary to enable the estuary to recover and to secure the ecological resilience required to respond to both natural and anthropogenic change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and function of the estuary (due to sea level rise,</p>

	<p>reason for selection of this site</p> <ul style="list-style-type: none"> <li>▪ Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks</li> <li>▪ Coastal lagoons * Priority feature</li> <li>▪ Salicornia and other annuals colonising mud and sand; glasswort and other annuals colonising mud and sand</li> <li>▪ Atlantic salt meadows (<i>Glauco- Puccinellietalia maritimae</i>)</li> <li>▪ Embryonic shifting dunes</li> <li>▪ Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes'); shifting dunes with marram</li> <li>▪ Fixed dunes with herbaceous vegetation ('grey dunes') * Priority feature; dune grassland</li> <li>▪ Dunes with <i>Hippophae rhamnoides</i>; dunes with sea- buckthorn</li> </ul> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> <li>▪ Sea lamprey <i>Petromyzon</i></li> </ul>	<p>qualifying species</p> <ul style="list-style-type: none"> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>flood defence works, dredging, and the construction, operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development, and damage and disturbance arising from access, recreation and other activities. Coastal squeeze is being addressed through the development and implementation of the Humber Flood Risk Management Strategy. All proposals for flood defence, development, dredging, abstractions and discharges which require consent from any statutory body, and land use plans which may have impacts upon the site are subject to assessment under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 (the "Habitats Regulations"). Diffuse pollution will be addressed through a range of measures including implementation of the Waste Water Framework Directive and Catchment Sensitive Farming initiatives.</p> <p>Other issues are addressed via a range of measures including regulation of on-site land management activities and implementation of the Humber Management Scheme, developed by all relevant statutory bodies to assist in the delivery of their duties under the Habitats Regulations.</p>
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	<p>marinus</p> <ul style="list-style-type: none"><li>▪ River lamprey <i>Lampetra fluviatilis</i></li><li>▪ Grey seal <i>Halichoerus grypus</i></li></ul>		
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- 4.8 The likelihood of significant effects have been assessed in relation to the specific features and environmental conditions of the protected sites, as could be effected by the Lichfield City Neighbourhood Plan, or in combination with other known plans, taking particular account of the sites conservation objectives. As part of establishing what effects are significant, the probability of impact, duration of the impact, frequency of any impact and reversibility of impact have been considered.
- 4.9 Tables 4-9 set out the assessment based on the effects of the LCNP 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
<b>Is LCNP likely to impact upon this site</b>	<b>Potential</b>	<b>Potential</b>	<b>No</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Possible effects in combination with other plans</b>	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.							
<b>Assessment of effects and why not considered significant</b>	The Lichfield City Neighbourhood Area is approximately 8.9km east of the Cannock Chase SAC. Evidence has highlighted there are vulnerabilities from recreational pressures caused predominantly by increased use from new residential development. The LCNP as drafted does not include policies relating to residential development, as such the policies within the adopted Lichfield District Local Plan are considered sufficient to provide mitigation for any potential significant effects.							
<b>Conclusion: Potential Significant effects</b>								

**Table 5: Cannock Extension Canal SAC**

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

<b>with other plans</b>	
<b>Assessment of effects and why not considered significant</b>	The Lichfield City Neighbourhood area is 7km from the SAC. Development within the neighbourhood area would not have a direct impact upon the habitat, any protected species, air and water quality of this site. Additionally the site is a significant distance from the Neighbourhood Area and it is considered that the plan would have no significant effects.
<b>Conclusion:</b> <i>No significant effects</i>	

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

**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
<b>Is LCNP likely to impact upon this site</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Possible effects in combination with other plans</b>	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.							
<b>Assessment of effects and why not considered significant</b>	Site is over 20km from the LCNP 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 LCNP does not propose more growth than the Local Plan it is unlikely this position would change.							
<b>Conclusion: No significant effects</b>								

**Screening Outcome**

- 4.10 Table 4 identifies significant effects could arise upon the Cannock Chase SAC as a result of policy within the LCNP. However, as the LCNP does not proposed development in excess of that identified within the adopted LPS these effects will be mitigated through the policies within the LPS. Tables 5-9 do not identify any significant effects upon the identified European sites as a result of the LCNP (as published at the date of this report).
- 4.11 Appendix 2 sets out a detailed assessment of the likely significant effects on European sites as a result of each policy within the LCNP. The assessment concludes that none of the policies within the LCNP could have significant impacts upon the European sites identified within the assessment.
- 4.12 The conclusions of the screening assessment above indicate that the further stages of Appropriate Assessment are not required for the LCNP.

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

- 5.1 This report contains the detail of the assessment of the need for the Lichfield City 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 Lichfield City Neighbourhood Plan (Draft 3) which was produced in January 2016. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan. Lichfield District Council reserves the right to undertake further screening at a later stage if this is considered to be appropriate.

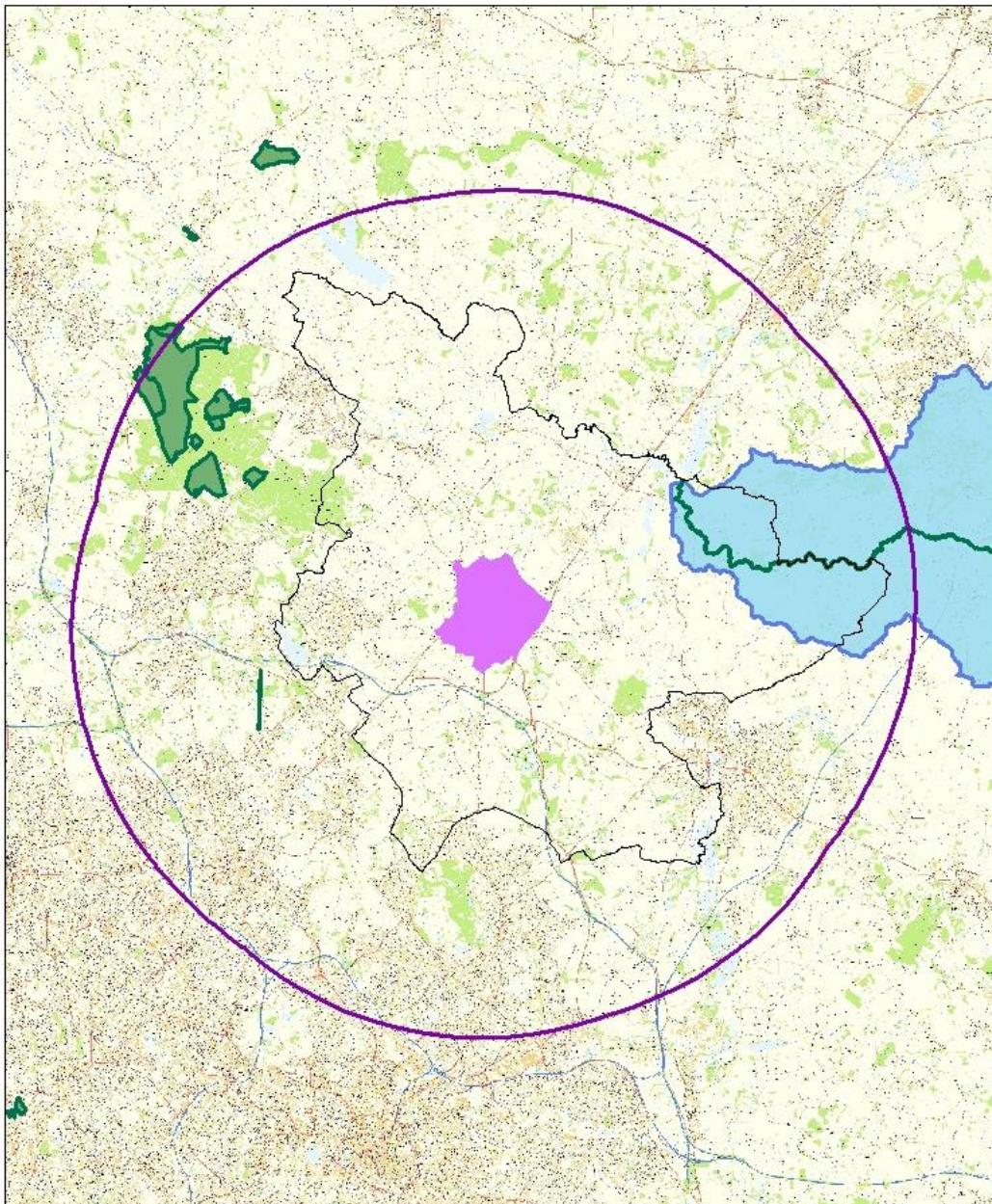
### **Strategic Environmental Assessment (SEA)**

- 5.3 In relation to the requirement for the Lichfield City 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 not likely 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 Lichfield C 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 further work as part of the compliance with the Habitat Regulations will not be required.

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



**Key**

- [Purple square] Lichfield City Neighbourhood Area 15KM Radius
- [Pink square] Lichfield City Neighbourhood Area
- [White square] Lichfield District Boundary
- [Green square] Special Areas of Conservation
- [Blue square] River Mease SAC Water Catchment



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

LCNP Policy Number	Description of Policy	Any likely significant effects on European Sites anticipated as a result of the policy?
<b>Policy 1 : Cricket Lane Strategic Development Area</b>	<p>Requires at least two hectares of office space to be provided within the Strategic Development Allocation identified within the Lichfield District Local Plan Strategy.</p> <p>Supports the delivery of other commercial uses to complement and make office provision more attractive.</p> <p>Development proposals for the SDA should be well connected to residential uses and the primary movement route into the city.</p>	<p><b>No</b> – The Policy itself does not propose development, it seeks to further define the type of development which will be supported having already been identified and allocated within the adopted Lichfield District Local Plan.</p>
<b>Policy 2: Managed Workspace</b>	<p>Support for developments which provide or support the delivery of managed employment space which is viable for occupation by start-up businesses.</p>	<p><b>No</b> – the policy does not itself propose development.</p>
<b>Policy 3: Lichfield Business Village, University of Staffordshire Campus</b>	<p>Expansion of managed workspace at Lichfield Business Village on the University of Staffordshire will be strongly supported.</p>	<p><b>No</b> – the policy does not itself propose development. It provides support for development of a type and in a location that is not likely to impact upon any European sites.</p>
<b>Policy 4: Primary Movement Routes</b>	<p>Protection of and support for the improvement of identified primary movement routes.</p>	<p><b>No</b> – the policy does not itself propose development.</p>
<b>Policy 5: Signage</b>	<p>Support for provision of new signage within the city centre.</p>	<p><b>No</b> – the policy does not itself propose development.</p>
<b>Policy 6: Pedestrian linkage of Friarsgate with the rest of Lichfield City</b>	<p>Supports proposals to improve pedestrian linkages between retail and cultural uses located at the Friarsgate development and the rest of the City Centre.</p>	<p><b>No</b> – the policy does not itself propose development.</p>
<b>Policy 7: Non-retail uses in the secondary</b>	<p>Support for proposals for non A class uses provided it does not result in the loss of retail premises within the</p>	<p><b>No</b> – the policy does not itself propose development.</p>

<b><i>retail area, Lichfield City Centre</i></b>	secondary retail area.	
<b><i>Policy 8: Tourism and Cultural Industry Employment</i></b>	Support for proposals which create or protect jobs within the tourism and cultural industries.	<b>No</b> – the policy does not itself propose development.
<b><i>Policy 9: Linkages with Lichfield Cathedral</i></b>	Proposals to improve linkages between Lichfield Cathedral and Lichfield City Centre will be strongly supported.	<b>No</b> – the policy does not itself propose development.
<b><i>Policy 10: Views of Lichfield Cathedral</i></b>	Views of Lichfield Cathedral from Lichfield City Centre should be retained and incorporated into development which could impact on these views. Developments are encouraged to incorporate design features that reflect that reflect the identity of Lichfield Cathedral.	<b>No</b> – the policy does not itself propose development.
<b><i>Policy 11: Hotel Provision</i></b>	The provision of new hotel and other accommodation space in Lichfield City, and particularly in Lichfield City Centre, will be strongly supported.	<b>No</b> – the policy does not itself propose development. It provides support for developments to compliment the provision of hotel and other accommodation.
<b><i>Policy 12: City Centre Redevelopment</i></b>	Support for the redevelopment of city centre sites to include managed B1 workspace, B1 offices and A class retail which compliments the existing offer within the City Centre. Development will be expected to ensure that they respect the historic environment of the City centre and preserve key views of the Cathedral.	<b>No</b> – the policy does not itself propose development. It seeks to influence the uses within specific town centre sites if these come forward. It is unlikely that any such uses would have any likely significant effects on 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 18/02/2016***
- 3.2    *Historic England response 03/03/2016***
- 3.3    *Natural England response 09/03/2016***
- 3.4    *Environment Agency response 15/03/2016***

## APPENDIX 3.1



[www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

Your ref  
Our ref LCNP-SEA-HRA  
Ask for Vanessa Morgan  
email [vanessa.morgan@lichfielddc.gov.uk](mailto:vanessa.morgan@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 308148
Minicom only	+44 (0) 1543 308078

18<sup>th</sup> February 2016

Dear Sir/Madam,

### **LICHFIELD CITY NEIGHBOURHOOD PLAN SCREENING OPINION FOR AN SEA & HRA**

Lichfield City 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 Lichfield City 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 City 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 Habitat Regulations Assessment (HRA).

If you have any comments I would ask for these to be sent within the next 25 days (by 14<sup>th</sup> March 2016) and if you have any queries please contact myself, Miss Vanessa Morgan on 01543 308148. If no reply is received by Monday 14<sup>th</sup> March 2016 it will be assumed that you concur with the conclusions of the Screening Report.

Yours sincerely,

Vanessa Morgan  
Neighbourhood Plans Support Assistant  
Spatial Policy & Delivery

**Vanessa Morgan**

**NP's**

**Support Assistant**

**Spatial Policy and Delivery**

**District Council House**

**Lichfield District Council**

**Frog Lane**

**Lichfield**

**Staffordshire**

**WS13 6YZ**

Our ref: 1672

Your ref:

Telephone

0121

6256887

03 March 2016

Dear Ms Morgan

### **LICHFIELD CITY NEIGHBOURHOOD PLAN - STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OPINION & HRA SCREENING REPORT**

Thank you for your consultation received on the 18<sup>th</sup> February and the request for a Screening Opinion.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied, 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 concurs with the Council that the preparation of a Strategic Environmental Assessment is not currently 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 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:

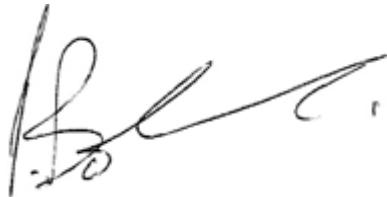


<http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>.

As regards the HRA Screening Report Historic England 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



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





Historic England, 8<sup>th</sup> Floor, The Axis, 10 Holliday Street, Birmingham B1 1TG  
Telephone 0121 625 6870 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)  
Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



## APPENDIX 3.3

Date: 09 March 2016  
Our ref: 179218  
Your ref: N/a



Lichfield District Council

For the attention of Vanessa Morgan

### BY EMAIL ONLY

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

T 0300 060 3900

Dear Vanessa

### **Planning consultation: Lichfield City Neighbourhood Plan Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) 'screening' report**

Thank you for your consultation on the above dated 18 February 2016 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.

We have considered the contents of the SEA and HRA screening report and agree that the neighbourhood plan is not likely to bring about significant environmental effects or to have a significant effect on European designated sites. No further steps in the HRA process are therefore required.

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 0208 026 0939. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

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

Yours sincerely

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

## APPENDIX 3.4

Ms Vanessa Morgan  
Lichfield District Council  
Planning Policy  
PO Box 66  
Lichfield  
Staffordshire  
WS13 6QB

**Our ref:** UT/2007/101798/SE-11/DS1-L01  
**Your ref:** LCNP-SEA-HRA

**Date:** 15<sup>th</sup> March 2016

Dear Ms Morgan

### **LICHFIELD CITY NEIGHBOURHOOD PLAN SCREENING OPINION FOR AN SEA & HRA**

Thank you for consulting the Environment Agency on the above Neighbourhood Plan.

We have reviewed the Lichfield City Neighbourhood Plan Screening Opinion for Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report and have 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 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 Lichfield City Neighbourhood Plan.

With regards to the Screening Report dated February 2016, we do not consider that 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](mailto: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](http://www.gov.uk/environment-agency)  
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