

Abberley Draft Neighbourhood Development Plan

Strategic Environmental
Assessment (SEA) and Habitats
Regulations Assessment (HRA)
Screening Opinion



April 2020

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1. INTRODUCTION

1.1 BACKGROUND

This screening report is designed to determine whether or not the content of the draft Abberley Neighbourhood Development Plan 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.

Whether a Neighbourhood Development Plan requires a SEA, and if so the level of detail needed, will depend on what is proposed in the draft Neighbourhood Development Plan. The National Planning Practice Guidance (NPPG) states that a SEA may be required, for example, where:

- the Neighbourhood Development Plan allocates sites for development;
- the Neighbourhood Development Plan Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the Neighbourhood Development Plan may have significant environmental effects that have not already been considered and dealt with through the SEA of the Local Plan in the area.

The screening report also examines the potential impact of the draft Abberley Neighbourhood Development Plan on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

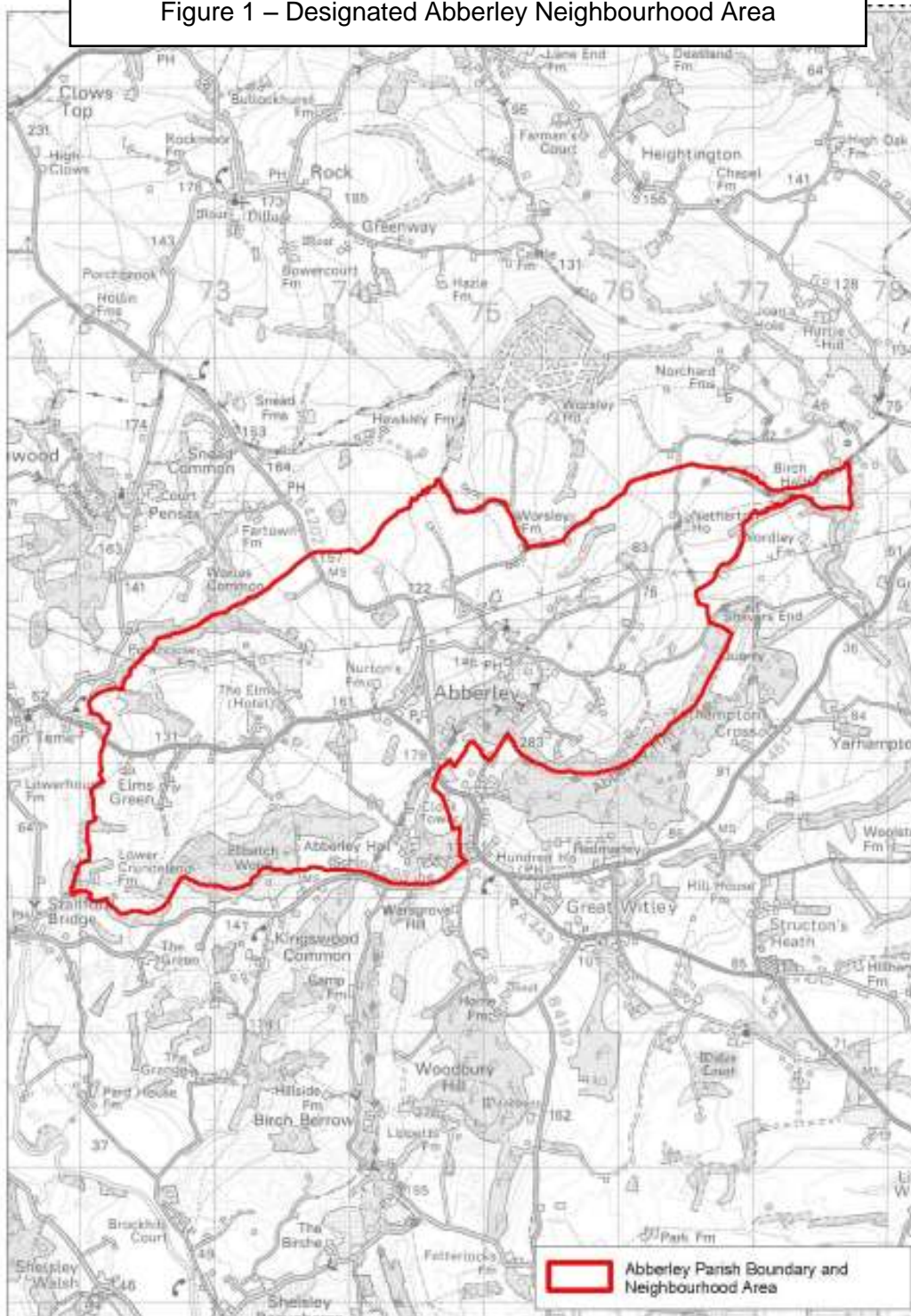
When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment) it should prepare a statement of its reasons for the determination.

1.2 DRAFT ABBERLEY NEIGHBOURHOOD DEVELOPMENT PLAN SUMMARY

The draft Abberley Neighbourhood Development Plan is essentially a community-led framework for guiding future development and growth of the parish to the year 2030. Fourteen draft policies have been proposed, focusing on topics including Sustainable Development, Social and Community, Development, Community Facilities, Natural Environment, Key Views, Biodiversity and Geodiversity, Local Green Spaces, and the Built Environment.

1.3 ABBERLEY DESIGNATED NEIGHBOURHOOD AREA

Figure 1 – Designated Abberley Neighbourhood Area



1.4 DRAFT ABBERLEY NEIGHBOURHOOD DEVELOPMENT PLAN POLICY SUMMARIES

Fourteen policies are proposed in the draft Abberley Neighbourhood Development Plan (ANDP); they are summarised below.

DRAFT POLICY	SUMMARY
<p>ABY1 Sustainable Development</p>	<p>Policy ABY1 supports development proposals which contribute to sustainable development.</p> <p>In making an assessment of sustainability, the following 4 objectives will be sought and balanced:</p> <ol style="list-style-type: none"> 1. Retention and enhancement of social and community infrastructure and promotion and enable new provision, to meet a range of needs and support quality of life; 2. New housing to address community needs; 3. Conservation and enhancement of the distinctive natural and historic environment of the Neighbourhood Area, with development avoiding undue loss of amenity or impacts on landscape character and biodiversity; 4. Existing, new and diversified employment opportunities supported which are compatible and in scale with the rural nature of the Neighbourhood Area.
<p>ABY2 Type of New Housing</p>	<p>Policy ABY2 supports development proposals which provide a mix of housing types, sizes and tenures to meet local needs.</p> <p>The policy encourages 1-, 2- or 3-bedroom properties and housing designed to meet the needs of older people, people with disabilities, first-time buyers and young families.</p> <p>The market housing provided in development proposals of 5+ dwellings should deliver in the following proportions:</p> <ul style="list-style-type: none"> • 1-bedroom dwellings: 20% • 2-bedroom dwellings: 45% • 3-bedroom dwellings: 30% • 4 and 4+ bedroom dwellings: 5%. <p>Development proposals for less than 5 dwellings should also have regard to the above proportions.</p>

DRAFT POLICY	SUMMARY
<p style="text-align: center;">ABY3 Criteria for Development of Land at The Orchard</p>	<p>Policy ABY3 supports development proposals for land at The Orchard (allocated in existing SWDP 59/1 for 6 dwellings), subject to the following 8 requirements being met:</p> <ol style="list-style-type: none"> 1. Maximum 6 dwellings. Type and size of dwellings to accord with policy ABY2; and 2. 20% of the dwellings to be provided as affordable housing. Affordable housing to be made available in perpetuity for those in local housing need; and 3. Scheme to be designed in accordance with policy ABY11 and the principles in the Abberley Design Guide (illustrated in the concept plan - Plan 2); and 4. Existing dwelling and outbuilding to be retained and incorporated in the scheme; and 5. Vehicular access to be from Clows Top Road. Traffic calming to be incorporated. As much of the existing roadside hedge to be retained as possible; and 6. New dwellings to be positioned with their frontages to Clows Top Road (or the site access/green space). Siting / design / height of new dwellings to retain existing views across the site from Clows Top Road as far as possible; and 7. Sustainable urban drainage strategy to be provided to address surface water and foul drainage; and 8. Green space and outdoor community uses to be provided in accordance with SWDP 39. Pedestrian footpaths and pedestrian access to be provided between Clows Top Road and The Common to maximise connectivity to village facilities. Native species to be planted to consolidate the existing orchard trees on the site.
<p style="text-align: center;">ABY4 Criteria for Development of Land at Walshes Farm</p>	<p>Policy ABY4 supports development proposals for land at Walshes Farm (allocated in existing SWDP 59a for 15 dwellings), subject to the following 8 requirements being met:</p> <ol style="list-style-type: none"> 1. Around 26 dwellings to be provided. Type and size of dwellings to accord with policy ABY2; and 2. 40% of the dwellings to be provided as affordable housing. Affordable housing to be made available in perpetuity for those in local housing need; and

DRAFT POLICY	SUMMARY
	<ol style="list-style-type: none"> 3. Scheme to be designed in accordance with policy ABY11 and the principles in the Abberley Design Guide (illustrated in the concept plan - Plan 3); and 4. Pedestrian routes to be provided between the site, the village hall, primary school and the wider settlement; and 5. Vehicular access to be from Clows Top Road. Traffic calming to be incorporated. As much of the existing roadside hedge to be retained as possible; and 6. New dwellings to be positioned with their frontages to Clows Top Road (or the site access road/green space); and 7. Sustainable urban drainage strategy to be provided to address surface water and foul drainage; and 8. Green space and outdoor community uses to be provided in accordance with SWDP 39. Pedestrian footpaths to be provided. Native species to be planted to consolidate the existing hedgerows on the site.
<p>ABY5 Criteria for Development of Land west of Apostles Oak Cottage</p>	<p>Policy ABY5 supports development proposals for land west of Apostle Oak Cottage (allocated in existing SWDP 59/2 for 14 dwellings), subject to the following 8 requirements being met:</p> <ol style="list-style-type: none"> 1. Around 25 dwellings to be provided. Type and size of dwellings to accord with policy ABY2; and 2. 40% of the dwellings to be provided as affordable housing. Affordable housing to be made available in perpetuity for those in local housing need; and 3. Scheme to be designed in accordance with policy ABY11 and the principles in the Abberley Design Guide (illustrated in the concept plan - Plan 4); and 4. Pedestrian routes to be provided between the site and Abberley Common. Existing footway from the site to Abberley Stores/Post Office to be widened; and 5. Vehicular access to be from Stockton Road. As much of the existing roadside hedge to be retained as possible; and 6. New dwellings to be positioned with their frontages to Stockton Road (or the site access road/central green space); and 7. Sustainable urban drainage strategy to be provided to

DRAFT POLICY	SUMMARY
	<p>address surface water and foul drainage; and</p> <p>8. Green space and outdoor community uses to be provided in accordance with SWDP 39. Pedestrian footpaths to be provided. Native species to be planted.</p>
<p>ABY6 Community Facilities</p>	<p>Policy ABY6 has 3 parts and relates to the following 10 existing community facilities (buildings and associated land):</p> <ol style="list-style-type: none"> 1. Abberley Village Hall 2. Abberley Parochial VC Primary School 3. Abberley Stores 4. Abberley Post Office 5. St. Michael's Church 6. St. Mary's Church 7. The Manor Arms 8. Abberley Hall School 9. The Elms Hotel and Spa 10. Owen and Sons garage. <p>Part 1 of Policy ABY6 supports development proposals that would enhance the viability and/or the value to the community of existing facilities subject to the following 3 criteria being met;</p> <ol style="list-style-type: none"> 1. Impact on residential amenity being acceptable; and 2. Impact on the character and appearance of the locality being acceptable; and 3. Impact on the local road network (including provision of sufficient off-road parking provision for vehicles and cycles) being acceptable. <p>Part 2 of Policy ABY6 resists development proposals that would result in the loss of existing community facilities unless the criteria in Policy SWDP 37B can be met.</p> <p>Part 3 of Policy ABY6 proposes that development proposals in the vicinity of any of the existing 10 community facilities should demonstrate that they will not have a material negative impact on the viability of the facility concerned.</p>

DRAFT POLICY	SUMMARY
<p>ABY7 Landscape Character</p>	<p>Policy ABY7 supports development proposals that show that the following 2 criteria have been met:</p> <ol style="list-style-type: none"> 1. The Landscape Type of the proposed site (as defined in the Worcestershire Landscape Assessment) has influenced the siting, design, scale, layout, landscaping and boundary treatment of the proposal; and 2. Every opportunity has been taken to strengthen the landscape character of the relevant Landscape Type by retaining / conserving existing features (such as trees, woodland and hedgerows) and by restoring / enhancing / making new provision where this is appropriate.
<p>ABY8 Key Views</p>	<p>Policy ABY8 proposes to designate 10 key views (identified in Table 1 and shown on Plan 5).</p> <p>Policy ABY8 would not support development proposals which would block, or materially intrude into or detract from, the key views.</p>
<p>ABY9 Biodiversity and Geodiversity</p>	<p>Policy ABY9 identifies the following 6 Local Wildlife Sites (shown on Plan 6), 7 Local Geological Sites (shown on Plan 7) and 1 Grassland Inventory Site (shown on Plan 7).</p> <p><u>Local Wildlife Sites</u></p> <ul style="list-style-type: none"> • Abberley Hill • Dick Brook • Ellbatch and Meneatt Woods • Ridding Coppice and Hall Wood <p><u>Local Geological Sites</u></p> <ul style="list-style-type: none"> • Abberley Hall East • Abberley Hall (South Terrace) • Abberley Village Quarry • Shavers End • Shewards Quarry • The Woodlands Quarry <p><u>Grassland Inventory Sites</u></p>

DRAFT POLICY	SUMMARY
	<ul style="list-style-type: none"> • Hill Farm Meadows. <p>Policy ABY9 proposes that development that the 11 sites by protected from development in accordance with SWDP 22D.</p>
<p>ABY10 Local Green Spaces</p>	<p>Policy ABY10 proposes the designation of 7 Local Green Spaces (shown on Plan 8) on which development will not be permitted unless very special circumstances arise which outweigh the need for protection.</p> <p>The proposed Local Green Spaces are:</p> <ol style="list-style-type: none"> 1. St. Mary's Churchyard 2. Abberley Village Green 3. Glebe land 4. St. Michael's Churchyard 5. Village Hall green space 6. Rosedale, Abberley Common 7. Abberley Village Quarry
<p>ABY11 Building Design</p>	<p>Policy ABY11 proposes that all development proposals should incorporate the following 5 design principles:</p> <ol style="list-style-type: none"> 1. Provide a Design and Access Statement (or similar) to show how guidelines in the Abberley Design Guide have been addressed and influenced the design; and 2. Incorporate the following sustainability measures: <ul style="list-style-type: none"> • Building orientation and design, • Energy and water conservation, • Sustainable construction methods and materials, • Generation of renewable energy, • Provision for the recycling of waste, • Provision of cycle storage, • Communications and broadband technologies. • Ideally be carbon neutral, but as a minimum complying with

DRAFT POLICY	SUMMARY
	<p>Building Regulations; and</p> <ol style="list-style-type: none"> 3. Safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. Incorporate adequate off-road parking; and 4. Avoids unacceptable impacts on residential amenity. Avoids unacceptable impacts on the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. External lighting to avoid undue adverse impacts on amenity, wildlife and dark skies; and 5. New housing to avoid adverse impacts on the amenity of the future occupants from the operation of existing uses, including agricultural, business and community uses. <p>Modern design approaches which take an innovative approach (including to energy efficiency and sustainability) are welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p>
<p>ABY12 Abberley Conservation Area</p>	<p>Policy ABY12 supports development proposals within Abberley Conservation Area or its setting, subject to meeting the following 9 criteria:</p> <ol style="list-style-type: none"> 1. Preserves or enhances the Conservation Area by virtue of the proposals use, character and design; and 2. Demolition of any building or structure to be avoided if its loss would be harmful to the character of the Conservation Area; and 3. Prevailing density of buildings and their plan form to be respected; and 4. Size, height, scale, form, proportions and detailing of the existing and surrounding built form to be reflected; and 5. Local materials and vernacular techniques to be used wherever possible; and 6. Extensions and service buildings to be subsidiary to the main property, not unduly prominent in the street scene, and use sympathetic materials to the main property; and 7. Important views, open spaces, boundary features, trees and hedgerows to be retained; and 8. Local materials or native species to be specified for any new

DRAFT POLICY	SUMMARY
	<p>boundary treatments such as walls, railings, fencing or hedging; and</p> <p>9. Open countryside setting of the Conservation Area to be preserved.</p>
<p>ABY13 Employment and Farm Diversification</p>	<p>Policy ABY13 supports development proposals for employment uses and farm diversification that accord with SWDP 12 (Employment in Rural Areas) and meet the following 3 criteria:</p> <ol style="list-style-type: none"> 1. Scale, type and nature of proposal is appropriate to the location and setting; and 2. Impact on highway safety and capacity is (or can be made) acceptable. Adequate parking is provided for staff, delivery vehicles and visitors; and 3. No undue impacts on residential or visual amenity, or on the built and natural environments.
<p>ABY14 Local Retail and Service Facilities</p>	<p>Policy ABY14 supports development proposals for retail or other local services within Use Classes A1, A2, A3 and A4 subject to meeting the following 6 criteria:</p> <ul style="list-style-type: none"> • Within the Abberley Common development boundary; • Is of an appropriate scale; • Accessible by sustainable modes of travel <u>or</u> relates to the expansion or diversification of an existing business; • Existing buildings should be re-used (wherever possible); • Should avoid undue impact on residential or other local amenity; and • Adequate off-road parking is provided

1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS

The basis for Strategic Environmental Assessment (SEA) legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed guidance on these Regulations can be found in the Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (OPDM 2005).

The SEA process aims to ensure that likely significant environmental effects arising from a Plan are identified, assessed, mitigated, communicated and monitored, and that opportunities for public involvement are provided. It enables environmental considerations to be accounted for in decision-making throughout the production of a Plan in an integrated manner.

Figure 2 sets out the screening procedure and how a plan should be assessed against the SEA Directive criteria. This outline procedure has then been applied to the draft Abberley Neighbourhood Development Plan in Table 1.

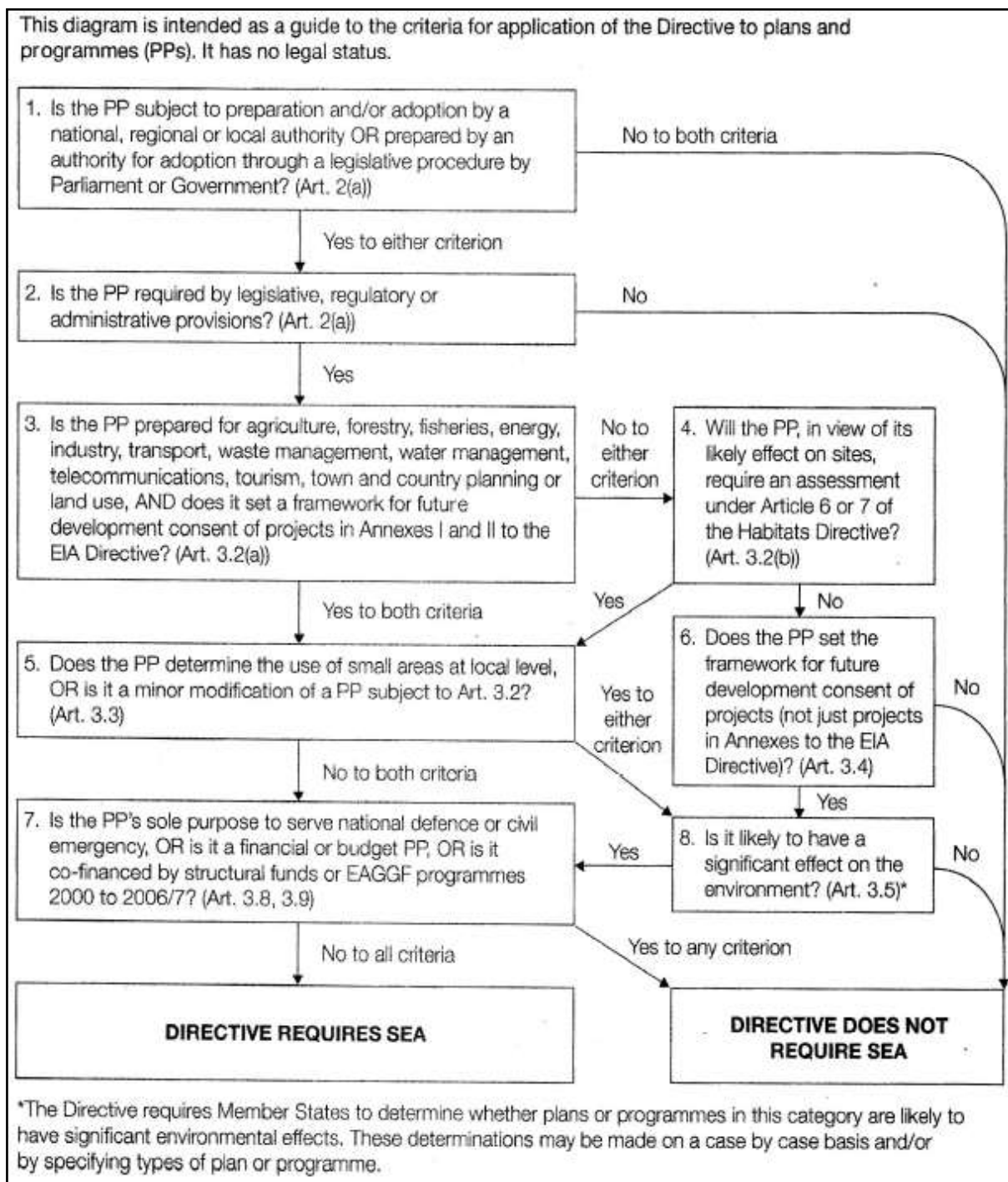


Figure 2 – Application of the SEA Directive to Plans and Programmes

Table 1: Assessment of the draft Abberley Neighbourhood Development Plan using SEA Directive Criteria

Stage	Y/N	Reason
1. Is the Abberley Neighbourhood Development Plan 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))	Y	This is a Neighbourhood Development Plan that is being prepared by a qualifying body the Localism Act 2011. If the Plan is passed by means of an Examination and Referendum, it will be formally adopted by the Local Planning Authority. It will then form part of the local development framework and be afforded significant weight in planning decisions.
2. Is the Abberley Neighbourhood Development Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Neighbourhood Development Plans are not mandatory requirements, and the Abberley Neighbourhood Development Plan is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. If the Plan is adopted however it will form part of the statutory development plan, and it is therefore considered necessary to answer the following questions to determine if an SEA is required.
3. Is the Abberley Neighbourhood Development Plan 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))	Y	The Plan is prepared for town and country planning and sets out a framework for future development consent of projects, including design policies for three housing allocations which are included in the adopted SWDP.
4. Will the Abberley Neighbourhood Development Plan, 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))	N	See Screening Opinion for HRA in Section 3 of this report.

5. Does the Abberley Neighbourhood Development Plan 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)	Y	The Abberley Neighbourhood Development Plan is made up of a number of policies which, when adopted, will form part of the Local Development Framework and so will have significant weight in planning decisions. The Abberley Neighbourhood Development Plan includes design policies for three sites which are allocated in the adopted SWDP.
6. Does the Abberley Neighbourhood Development Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When adopted, the Abberley Neighbourhood Development Plan will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.
7. Is the Abberley Neighbourhood Development Plan'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)	N	Not Applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	?	The Abberley Neighbourhood Development Plan may have a significant effect on the environment. To investigate the likelihood of potential impacts further a case-by-case assessment has been conducted, the full results of which can be found in Table 2.

Based upon the initial screening carried out against the criteria in Table 1 above, the draft Abberley Neighbourhood Development Plan may have a significant effect on the environment. To explore these potential effects further, a case-by-case assessment has been conducted. The criteria used in the undertaking of such an assessment are drawn from Article 3.5 (Annex II) of the SEA directive, and the results are shown in Table 2.

1.6 HABITATS REGULATIONS ASSESSMENT (HRA) PROCESS

The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites. The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. The relevant European wildlife site designations are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), which together form part of the Natura 2000 network.

In addition to SPAs and SACs, Ramsar sites are also designated areas which, as a matter of government policy, are to be treated in the same way as European wildlife sites (although they are not covered by the Habitats Regulations). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

The legislation sets out a process to assess the potential implications of a plan on internationally designated wildlife sites. The first stage of this process is a screening exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the plan to have an impact.

2. SEA SCREENING

2.1 SEA SCREENING ASSESSMENT

European Directive 2001/42/EC requires a full Strategic Environmental Assessment to be undertaken for certain types of plans and programmes that would have a significant environmental effect.

Table 2 below provides the screening determination of the need to carry out a full Strategic Environmental Assessment for the draft Abberley Neighbourhood Development Plan. This has been made in accordance with the Regulations and will be subject to consultation with the strategic environmental bodies before Malvern Hills District Council makes its determination on the necessity for a full Strategic Environmental Assessment.

Table 2 – The Environmental Assessment of Plans and Programmes Regulations 2004: Schedule 1 - Criteria for determining the likely significance of effects on the environment.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
1(a) the degree to which the draft Abberley Neighbourhood Development Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	NO	The Abberley Neighbourhood Development Plan would, if adopted, form part of the statutory Development Plan and as such would contribute to the framework for future development consent of projects.
1(b) the degree to which the draft Abberley Neighbourhood Development Plan influences other plans and programmes including those in a hierarchy;	NO	The draft Abberley Neighbourhood Development Plan, when adopted, will be used alongside the South Worcestershire Development Plan (SWDP), and any subsequently adopted review of the SWDP, in the determination of planning applications.
1(c) the relevance of the draft Abberley Neighbourhood Development Plan for the integration of environmental considerations in particular with a view to promoting sustainable development;	NO	The policies of the draft Abberley Neighbourhood Development Plan are not considered to have a significant impact on the integration of environmental considerations.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
1(d) environmental problems relevant to the draft Abberley Neighbourhood Development Plan;	NO	The draft Abberley Neighbourhood Development Plan is more likely to promote environmental sustainability than create any environmental problems.
1(e) the relevance of the draft Abberley Neighbourhood Development Plan for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);	NO	The policies of the draft Abberley Neighbourhood Development Plan are not considered to be relevant to the implementation of EC legislation.
2(a) the probability, duration, frequency and reversibility of the draft Abberley Neighbourhood Development Plan;	NO	It is considered unlikely that there will be any irreversible damaging environmental impacts associated with the draft Abberley Neighbourhood Development Plan. The Plan features policies which seek to protect and enhance the natural and built environment, and the plan is therefore likely to result in beneficial rather than damaging effects.
2(b) the cumulative nature of the effects of the draft Abberley Neighbourhood Development Plan;	NO	The policies of the draft Abberley Neighbourhood Development Plan are unlikely to have any significant cumulative negative environmental impacts.
2(c) the transboundary nature of effects of the draft Abberley Neighbourhood Development Plan;	NO	The draft Abberley Neighbourhood Development Plan is unlikely to have any significant negative environmental impacts on adjoining Parishes.
2(d) the risks to human health or the environment (for example, due to accidents) due to the draft Abberley	NO	It is considered that there will be no risk to human health or the environment as a result of the draft Abberley Neighbourhood

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
Neighbourhood Development Plan;		Development Plan.
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	NO	The policies of the Neighbourhood Development Plan apply to the entirety of Abberley parish, and are unlikely to significantly affect areas beyond the Neighbourhood Area boundary.
2(f) the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	NO	The draft Abberley Neighbourhood Development Plan will not have any substantial impact on these factors.
2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	NO	The policies of the draft Abberley Neighbourhood Development Plan are unlikely to have a negative impact on any environmental designations in the Neighbourhood Area.

2.2 SEA SCREENING OPINION

The draft Abberley Neighbourhood Development Plan includes design policies for three housing allocations which are included in the adopted SWDP which has been subject to a Sustainability Appraisal incorporating a Strategic Environmental Assessment. The assessment shown in Table 1 above identifies no potential significant negative effects arising from the draft Abberley Neighbourhood Development Plan and as such, will not require a full SEA to be undertaken. This determination is pending the findings of consultation and the formal views of the statutory environmental bodies. This view is taken as the policies in the Abberley Neighbourhood Development Plan seek to reinforce and do not deviate from the remit of the emerging policies of the South Worcestershire Development Plan.

3. HRA SCREENING

3.1 HRA SCREENING ASSESSMENT

There are no internationally designated wildlife sites within the Abberley Neighbourhood Area. For the purposes of this screening assessment, sites that fall within a 20km radius are also considered. There is only one site identified within this range – Lyppard Grange SAC which is approximately 16.5km south-east of the Abberley Neighbourhood Area.

Lyppard Grange Ponds SAC is located on the eastern outskirts of Worcester, situated amongst a recent housing development on former pastoral farmland. The site comprises two ponds in an area of grassland and scrub (public open space). The site provides habitat for Great Crested Newts *Triturus Cristatus*, which are dependant on both the existing terrestrial habitat (to provide foraging areas and refuge) and on the aquatic habitat (for breeding).

The potential impact of development on Lyppard Grange SAC as well as Bredon Hill SAC and Dixton Wood SAC was examined by a full HRA as part of the production of the South Worcestershire Development Plan (SWDP). The HRA screening of the SWDP concluded that there was uncertainty with regard to the potential for significant effects on two sites as a result of increased disturbance, in particular due to increased recreational activity. Concerns were raised specifically relating to the Lyppard Grange SAC and the potential impact of proposed development on water levels and quality.

As a result of the concerns raised, a full Appropriate Assessment (AA) was conducted (this can be viewed on the SWDP website – <http://www.swdevelopmentplan.org>). The AA concluded that the policies of the SWDP (including land allocations) were not likely to have adverse effects on the integrity of Bredon Hill SAC, Lyppard Grange SAC or Dixton Wood SAC. In addressing concerns relating to possible increased disturbance at the SACs, it was concluded that the location of the sites in relation to proposed developments and also the availability of more suitable areas of open space for recreation in close proximity would keep potential impacts to a minimum. It was also considered that the policies of the SWDP would sufficiently mitigate the potential impact of proposed developments on the water environment, leading to minimal effect on the SAC sites.

The policies in the draft Abberley Neighbourhood Development Plan are considered to be in general conformity with the SWDP, and with this and the SWDP AA in mind, it can be considered that the draft Abberley Neighbourhood Development Plan will have no negative impact on internationally designated wildlife sites.

3.2 HRA SCREENING OPINION

As a result of the above assessment, it is considered that the policies of the draft Abberley Neighbourhood Development Plan are in general conformity with those contained in the SWDP. It is therefore concluded that the draft Abberley Neighbourhood Development Plan is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.

4. CONCLUSIONS

The preceding assessment exercises have examined whether the draft Abberley Neighbourhood Development Plan is likely to require a full Strategic Environmental Assessment or a Habitats Regulation Assessment Appropriate Assessment.

The SEA screening exercise featured in Section 2 concludes that the draft Abberley Neighbourhood Development Plan will not require a full Strategic Environmental Assessment to be undertaken. This is because the Abberley Neighbourhood Development Plan is considered to be in general conformity with the SWDP and does not deviate from the land allocations for development made in the SWDP.

The HRA screening exercise featured in Section 3 concludes that the draft Abberley Neighbourhood Development Plan does not require a full Habitats Regulation Assessment Appropriate Assessment to be undertaken. There are no internationally designated wildlife sites within the Abberley Neighbourhood Area, with only Lyppard Grange falling within a 20km radius. The impact on this site and others as a result of the land allocations contained within the SWDP has been assessed in the SWDP HRA AA, and as the Abberley Neighbourhood Development Plan is considered to be in general conformity with the SWDP and does not deviate from the land allocations for development made in the SWDP, the recommendation is made that a full AA is not required.

Both of the above mentioned recommendations were subject to consultation with the statutory environmental bodies (i.e. the Environment Agency, Historic England and Natural England); the five week consultation period ran from Thursday 5 March until 5pm on Thursday 9 April 2020. All three consultation responses are attached to this report, however in short all three statutory environmental bodies agreed that neither a full SEA or HRA AA are required.

5. STATUTORY ENVIRONMENTAL BODIES CONSUTLATION RESPONSES

[Redacted]

Our ref: SV/2010/104077/SE-02/DS1-L01

Your ref:

Date: 08 April 2020

F.A.O: Mr Reiss Sadler

Dear Sir

ABBERLEY DRAFT NEIGHBOURHOOD PLAN - STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING OPINION.

Thank you for referring the above consultations, which were received 5 March 2020. We would offer the following comments to assist your consideration at this time.

Strategic Environmental Assessment: The European Union directive 200142/EC requires a SEA to be undertaken for certain types of plans and programmes that would have 'significant' environmental effect(s). Furthermore paragraph: 046 in the Flood Risk and Coastal Change section of the National Planning Practice Guidance (NPPG) (Reference ID: 11-046-20150209) states "*a strategic environmental assessment may be required, for example, where:*

- *a neighbourhood plan allocates sites for development*
- *the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan*
- *the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan".*

Whilst, in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant environmental impacts.

Habitats Regulation Assessment: *Article 6(3) of the European Habitats Directive (1992) requires that any plan (or project), which is not directly connected with or necessary to the management of a European site (also known as a "Natura 2000" site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives.*

To assist your Council's determination of the HRA Screening opinion, we advise that based on the Screening Report submitted, and in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant effects on the European designated sites.

Going Forwards: We sent your Council a copy of our Neighbourhood Plan pro-forma guidance for distribution to Parish Councils. The purpose of the guidance is to assist the preparation of Neighbourhood Development Plans, including an appropriate evidence base. This includes consideration of some of the relevant environmental issues that should be considered, including flood risk (from rivers and sea), water quality, water resources and includes latest Climate Change recommendations for flood risk. Since we produced this guidance we have updated our climate change allowances for planners. See Flood risk assessments: climate change allowances for more information. I have also enclosed a copy of area climate change guide to further assist.

For each proposed site allocation, we recommend completing the pro-forma to check the environmental constraints. This will help collect evidence, identify challenges, inform policy and assist delivery of sustainable solutions.

With regards any additional housing allocations proposed within the draft Plan we would only make substantive further comments if the Plan was seeking to allocate sites for development in Flood Zones 3 and/or 2 (the latter being used as the 1% climate change extent). Furthermore, we do not offer detailed bespoke advice on policy but advise you ensure conformity with your Local Plan and refer to our guidance. This might assist with your consideration of a local environmental enhancements or improvement policies that may be necessary.

I trust that the above is of use to you at this time.

Yours faithfully

Mrs Anita Bolton
Planning Advisor

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Our ref: PL00695148

13 March 2020

Dear Mr Sadler

ABBERLEY NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

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 and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the ‘SEA’ Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

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

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: [<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

[Redacted signature]

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



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[Redacted]
HistoricEngland.org.uk



Date: 30 March 2020
Our ref: 311154
Your ref: Abberley Draft Neighbourhood Development Plan



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Dear Reiss

Abberley Draft Neighbourhood Development Plan

Thank you for your consultation on the above dated 05 March 2020

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

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

Strategic Environmental Assessment (SEA) Screening

Natural England considers that, based on the material supplied with the consultation, in so far as our strategic environmental interests are concerned, significant environmental effects resulting from the neighbourhood plan are unlikely. We therefore agree with the conclusion of the SEA screening report that a Strategic Environmental Assessment would not be 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](#).

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Abberley Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Jacqui Salt
Consultations Team