

# **Draft Hanley Castle Neighbourhood Plan Review 2016-2030**

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



April 2024

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# 1. INTRODUCTION

## 1.1 BACKGROUND

This screening report is designed to determine whether the content of the draft Hanley Castle Neighbourhood Plan Review 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 Planning Practice Guidance (PPG) 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 Hanley Castle Neighbourhood Plan Review on internationally designated wildlife sites and determines if the plan requires a Habitats Regulations Assessment (HRA).

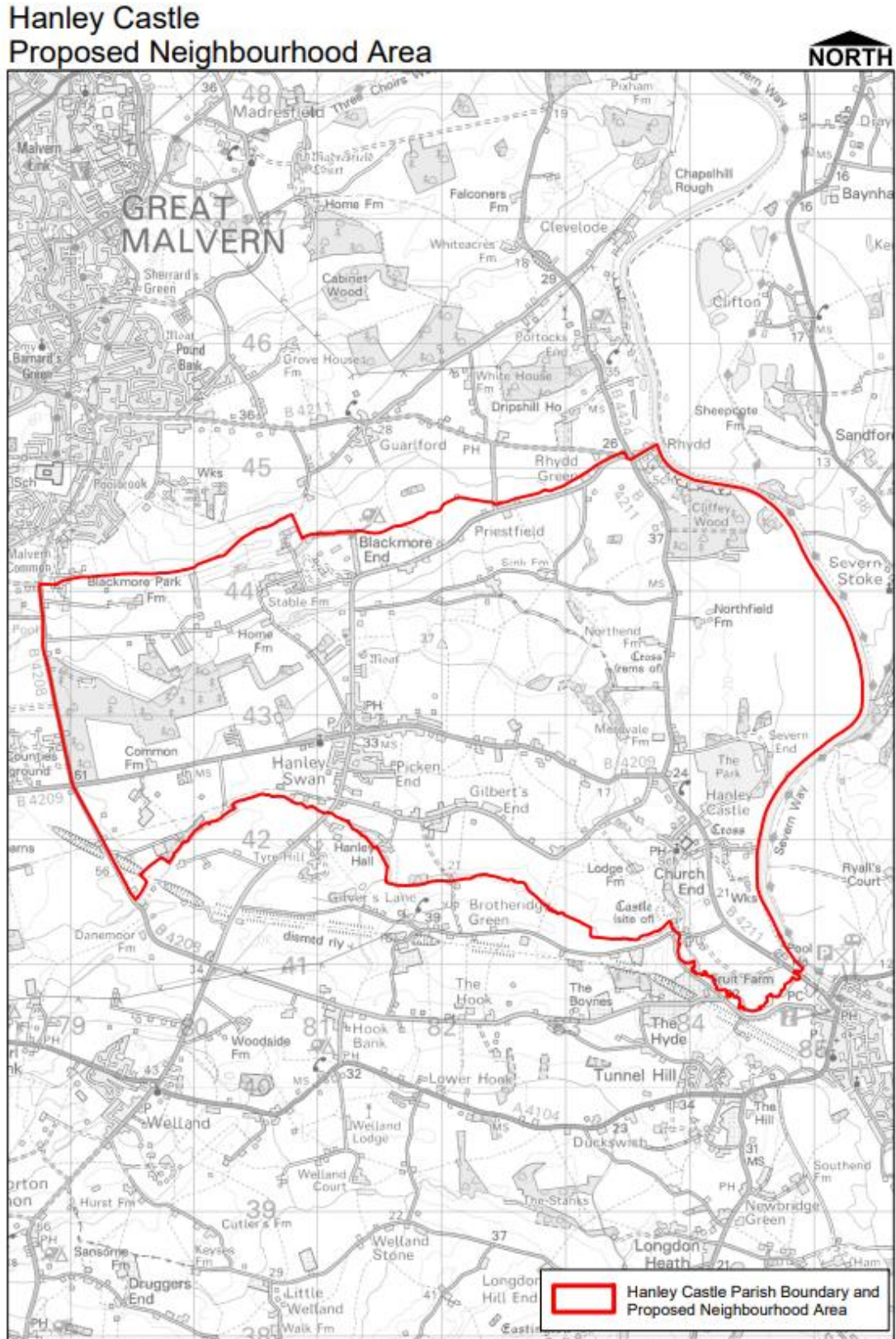
When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and,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

## 1.2 DRAFT HANLEY CASTLE NEIGHBOURHOOD PLAN REVIEW SUMMARY

The draft Hanley Castle Neighbourhood Plan Review is essentially a community-led framework for guiding future development and growth of the parish to the year 2030. 25 draft policies have been proposed, focusing on topics including Sustainable Development, Social and Community, Development, Community Facilities, Historic and Natural Environment, Biodiversity and Geodiversity, Local Green Spaces, and Design in the Built Environment.

### 1.3 HANLEY CASTLE DESIGNATED NEIGHBOURHOOD AREA

Figure 1 – Designated Hanley Castle Neighbourhood Area



## 1.4 DRAFT HANLEY CASTLE NEIGHBOURHOOD PLAN REVIEW POLICY SUMMARIES

Twenty Five policies are proposed in the draft Hanley Castle Neighbourhood Plan Review (HNPR); they are summarised below.

DRAFT POLICY	SUMMARY
<p><b>MnGr 1</b> <b>Housing Mix</b></p>	<p>Policy MnGr 1 requires all new housing development to demonstrate that they provide a range of types, sizes, and tenures of housing to meet local housing needs. It sets out that there is a particular need for affordable homes, starter homes, two- and three-bedroom family homes and home for the elderly or disabled.</p>
<p><b>MnGr 2</b> <b>Affordable Housing</b></p>	<p>Policy MnGr 2 sets out requirements relating to affordable housing and tenancy mix.</p> <p>Developers are encouraged to construct all affordable housing in accordance with Lifetime Homes Standards.</p> <p>It sets out the requirement for 25% of affordable homes as part of a scheme to be share-ownership (subject to viability or unless justified otherwise). The policy also sets out support for small-scale affordable housing schemes on rural exception sites.</p>
<p><b>MnGr 3</b> <b>Allocation of Affordable Housing</b></p>	<p>Policy MnGr 3 states that all affordable housing in the parish will be subject to a local connection.</p>
<p><b>MnGr 4</b> <b>Infill/Backland Housing</b></p>	<p>Policy MnGr 4 sets out requirements for applications for small residential developments on infill and backland sites to be well designed and meet all planning policies in the Neighbourhood Plan and South Worcestershire Development Plan in order to be supported. Additional criteria link to support of infill development and provision of homes with a maximum of three bedrooms.</p>
<p><b>MnGr 5</b> <b>Scale of Development</b></p>	<p>Policy MnGr 5 sets out the requirement for sites that are more than 10 homes or outside a local plan allocation to provide a masterplan demonstrating development phasing.</p>

DRAFT POLICY	SUMMARY
<b>MnGr 6</b> <b>Incremental Growth</b>	MnGr 6 specifies a target development growth rate for the village and the requirement for infrastructure to be delivered to support development.
<b>MnGr 7 Site Allocations</b>	<p>Policy MnGr 7 allocates land for housing development at Chapman’s Orchard for 16 units, Welland Road/Picken End Corner for 10 units, Land Between Hillview Close and St Gabriel’s Church for 9 units, West of Worcester Road for 3 units.</p> <p><i>Please note that development at site A (Chapman’s Orchard) has been completed.</i></p>
<b>MnGr 8</b> <b>Siting of Local Businesses</b>	<p>Policy MnGr 8 supports commercial development proposals located within the boundaries of the existing business centres in the Parish. The policy states that expansion into the open countryside will only be permitted where demonstrated that intensification of existing sites would not be viable or affects are acceptable.</p> <p>Development is supported at Blackmore Park and Hayler’s End. Change of use to business purposes will only be supported where impact on residents is limited.</p>
<b>MnGr 9</b> <b>Heavy Goods Traffic</b>	MnGr 9 requires all proposals seeking change of use to B2 or B8 uses to provide a Transport Statement demonstrating the impact of Heavy Goods Traffic is limited.
<b>MnGr 10</b> <b>Disused or Redundant Buildings</b>	Policy MnGr 10 supports the use of redundant or disused buildings where a set of criteria are met.
<b>MnGr11</b> <b>Assets of Community Value</b>	<p>Policy MnGr11 supports proposals that will enhance the viability and/or community value of facilities included in the register of Assets of Community Value provided that the effects on the local road network, residential amenity and the character and appearance of the locality are acceptable.</p> <p>The loss of an asset will only be permitted where it can be demonstrated that a set of criteria in the policy are met.</p>
<b>MnGr12</b>	Policy MnGr 12 sets out that all new development should provide necessary and appropriate

<b>DRAFT POLICY</b>	<b>SUMMARY</b>
<b>Developer Contribution Policy</b>	<p>infrastructure and new facilities on-site or contribute to off-site infrastructure and facilities as required by the Local Planning Authority by means of planning condition, Section 106 contribution, or use of Community Infrastructure Levy as appropriate.</p> <p>Development proposals will also be expected to contribute as appropriate to the priorities of the Parish Council, some of which are noted in this policy.</p>
<b>RE1 Sympathetic Design</b>	<p>Policy RE 1 states that proposals for all forms of new development must plan positively for the achievement of high quality and inclusive design, at the same time demonstrating they have sought to conserve local distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in the parish. Applications proposing unsympathetic designs which fail to respect the connections between people and places, or are inappropriate to their location, or pay inadequate regard to issues of renewable energy technologies, landscape and biodiversity considerations will not be supported.</p>
<b>RE2 Settlement Identity</b>	<p>Policy RE2 states that in order to main the separate character and identities of the two principal settlements in the parish, Hanley Castle and Hanley Swan, new housing development in the open countryside, outside the Hanley Castle and Hanley Swan development boundaries (See Policy MnGr 7) will only be considered favourably if it is:</p> <ul style="list-style-type: none"> <li>(i) A dwelling clearly necessary for use by rural workers including persons employed in agriculture, horticulture, forestry or a rural enterprise; or</li> <li>(ii) Affordable housing on an exception site to meet identified local need; or</li> <li>(iii) A replacement of an existing dwelling with established use rights and where the replacement dwelling does not exceed the original footprint by 30%.</li> </ul> <p>Extensions to existing dwellings will be supported providing that they are subordinate to and do not</p>

DRAFT POLICY	SUMMARY
	<p>dominate, the character and appearance of the original dwelling.</p> <p>Conversions or the re-use of existing buildings will be supported providing there is no need for substantial reconstruction or need for large extensions. Disused or redundant buildings are subject to Policy MnGr 10.</p>
<p><b>RE3</b></p> <p><b>Replacing Natural Features Lost Through Development</b></p>	<p>Policy RE3 states that new development should avoid the loss of or substantial harm to, important trees, orchards, hedgerows and other natural features such as ponds. Where such losses or harm are unavoidable, suitable mitigation measures that may include equivalent or better replacement of the lost features will be required. It is expected that any such mitigation will form an integral part of the design concept and layout of any development scheme and that development will be landscape-led and be appropriate in relation to its setting and context and ongoing management.</p>
<p><b>BHN 1</b></p> <p><b>Protection of Buildings or Structures on the Local List of Heritage Assets (Local List)</b></p>	<p>Policy BHN 1 states that local heritage assets identified on the Local List should be protected or enhanced. In reaching a balanced judgment on the effect of a non-designated heritage asset, the significance of the heritage asset will be taken into account together with the scale of any harm to, or loss of, the heritage asset.</p> <p>The renovation, alteration or change of use of buildings or structures identified on the local heritage list should be designed sensitively, and with careful regard to the heritage asset's historical and architectural interest and setting.</p> <p>Development that involves the demolition or part demolition of buildings or structures on the Local List will be resisted. Applications proposing demolition will be required to demonstrate that the viability of continued beneficial use, restoration or conversion has been fully investigated and that there are no reasonable alternatives.</p>
<p><b>BHN 2</b></p>	<p>Policy BHN 2 states that Development proposals in areas listed below and shown on the inset map</p>



DRAFT POLICY	SUMMARY
<b>Protection of the Archaeological Environment</b>	should take account of known surface and sub-surface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence. Known archaeological sites are also set out in the policy.
<b>BHN 3</b> <b>Preserving Ancient Trees, Woodland, Trees, Hedges</b>	<p>Policy BHN3 sets out that development that damages or results in the loss of ancient trees or woodland will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh any loss. Development that damages or results in the loss of trees, parkland/wood pasture, woodland and hedgerows of arboricultural and amenity value will be resisted.</p> <p>Additionally the establishment of new native hedges is encouraged.</p> <p>Proposals should be designed to retain such features within landscaping schemes</p>
<b>BHN 4</b> <b>Local Green Spaces</b>	Policy BHN4 states that Inappropriate development on the Local Green Spaces shown on Map 11 will not be permitted except in very special circumstances. The character and appearance of these Local Green Spaces, their contribution to the village townscape and their recreational value are of particular importance to the community. The policy sets out specifically identified areas within the parish.
<b>BHN 5</b> <b>Sites of Biological Interest</b>	Policy BHN 5 sets out the requirement for development proposals that impact on local wildlife and habitats identified should demonstrate how biodiversity will be protected and enhanced.
<b>Des 1</b> <b>General Building Design Principles</b>	Policy Des1 sets out building design principles that all new development proposals will need to satisfy for development to be considered favourably. These principles include development being of character, scale, mass and built form which responds to the characteristics of the site and its surroundings.

DRAFT POLICY	SUMMARY
<p><b>Des 2</b></p> <p><b>Renewable and Low Carbon Energy</b></p>	<p>Policy Des 2 states that, with the exception of wind turbines, proposals by the community or businesses for stand-alone renewable and other low carbon energy schemes will be supported if their impacts are (or can be made) acceptable. The policy lists considerations that should be taken into account when assessing proposals, these include public safety and visual impact of the scheme.</p>
<p><b>Des 3</b></p> <p><b>Integrating New Developments with the Existing Community</b></p>	<p>Policy Des 3 sets out the requirement for proposals of more than 5 homes must take every opportunity to provide safe and convenient access for cyclists, pedestrians, the disabled and other users to village facilities including bus stops, schools and services and improve connections to other residential areas.</p>
<p><b>Policy Trf 1 – Highways and Traffic Principles</b></p>	<p>Policy Trf1 sets out highways and traffic principles that all new development proposals will need to satisfy to be considered favourably.</p>
<p><b>Policy Trf 2 – Footpaths/Bridleways/Cyclepaths</b></p>	<p>Policy Trf2 sets out the requirement for new development to take every available opportunity to improve footpath, bridleway and cycle path provision and connections within the parish. Where it is considered viable and practicable, contributions will be sought from developments to deliver localised improvements. Developments may contribute by delivering new footpaths on or adjacent to their application site.</p> <p>Developments which help secure new footpath and cycle links to key community facilities and between communities will be considered favourably, subject to the other policies of this NDP and the Local Plan.</p> <p>The policy also sets out a number of cycleway schemes that will be considered when an application is assessed.</p>

## **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 Hanley Castle Neighbourhood Plan Review in Table 1.

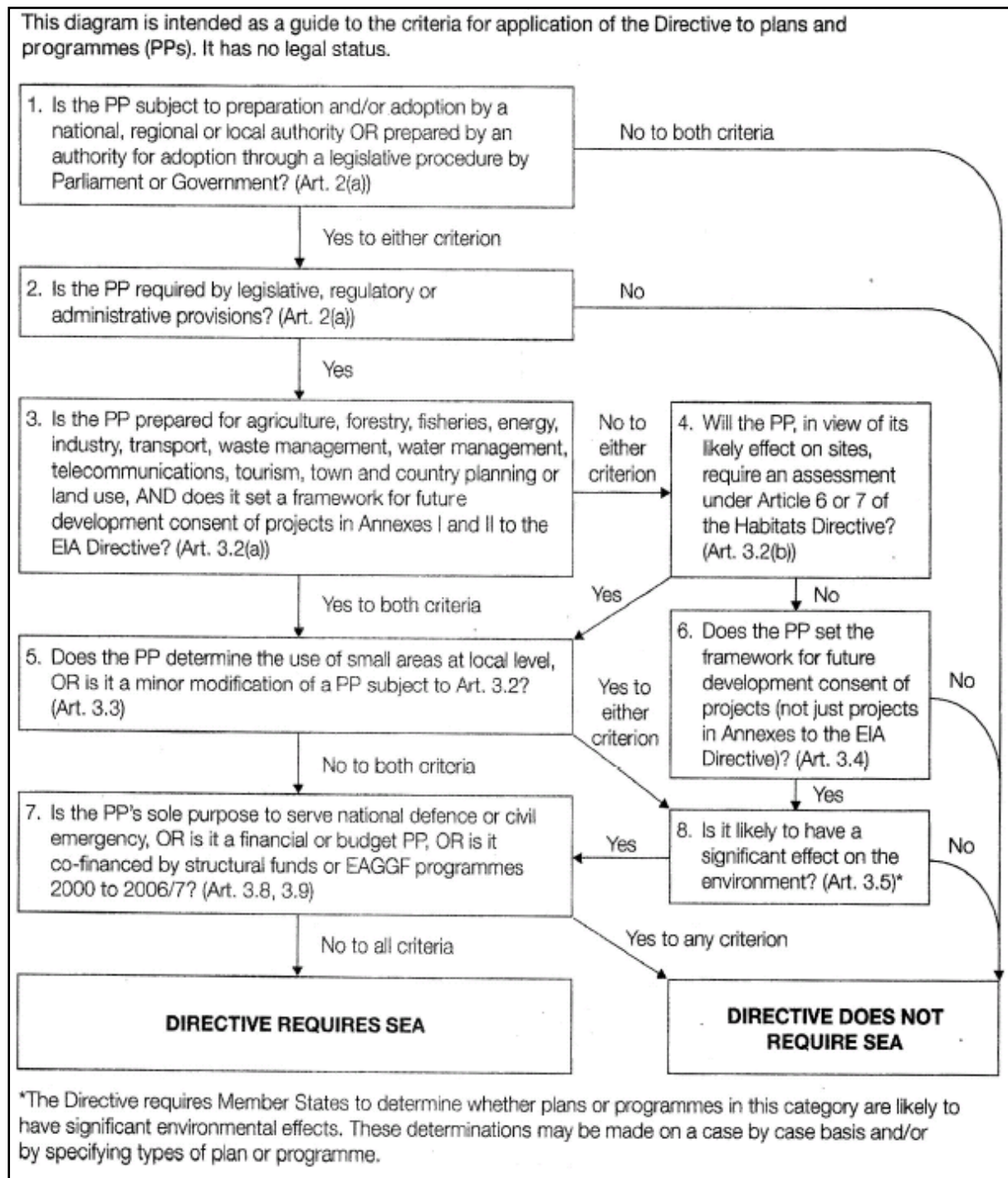


Figure 2 – Application of the SEA Directive to Plans and Programmes

**Table 1:** Assessment of the draft Hanley Castle Neighbourhood Plan Review using SEA Directive Criteria

<b>Stage</b>	<b>Y/N</b>	<b>Reason</b>
1. Is the Hanley Castle Neighbourhood Plan Review 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))	<b>Y</b>	This Neighbourhood Plan review is being prepared by a qualifying body as part of the Localism Act 2011. If the Plan review is passed by means of an either Examination and/or 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 Hanley Castle Neighbourhood Plan Review required by legislative, regulatory, or administrative provisions? (Art. 2(a))	<b>N</b>	A review of a Neighbourhood Plan is not a mandatory requirement, and the Hanley Castle Neighbourhood Plan Review is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. The review is being undertaken to keep it up to date and maintain its weight etc. as part of the Local Development Framework. If the Plan review 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 Hanley Castle Neighbourhood Plan Review 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))	<b>Y</b>	The Plan is prepared for town and country planning and sets out a framework for future development consent of projects.
4. Will the Hanley Castle Neighbourhood Plan Review, in view of its likely effect on sites, require an assessment for future	<b>N</b>	See Screening Opinion for HRA in Section 3 of this report.

development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))		
5. Does the Hanley Castle Neighbourhood Plan Review 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>Y</b>	The Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review includes design policies for three sites which are allocated in the adopted SWDP.
6. Does the Hanley Castle Neighbourhood Plan Review set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	<b>Y</b>	When readopted, the Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review 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>N</b>	Not Applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	<b>N</b>	The Hanley Castle Neighbourhood Plan Review could potentially have a significant effect on the environment in its current form, mainly owing to the potential for housing development as part of policy MnGr7. 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 Hanley Castle Neighbourhood Plan Review may have a potential negative environmental impact on the environment, as a result of the allocations in Policy MnGr7 proposed over-and-above allocations made in the SWDP. 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 Hanley Castle Neighbourhood Plan Review. 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 Hanley Castle Neighbourhood Plan Review sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<b>YES</b>	The Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review influences other plans and programmes including those in a hierarchy;	<b>NO</b>	The draft Hanley Castle Neighbourhood Plan Review, if 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 Hanley Castle Neighbourhood Plan Review for the integration of environmental considerations in particular with a view to promoting sustainable development;	<b>NO</b>	The policies of the draft Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review:	<b>NO</b>	The draft Hanley Castle Neighbourhood Plan Review is more likely to promote environmental sustainability than create any environmental problems.
1(e) the relevance of the draft Hanley Castle Neighbourhood Plan Review for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management and water protection);	<b>NO</b>	The policies of the draft Hanley Castle Neighbourhood Plan Review are not considered to be relevant to the implementation of EC legislation.
2(a) the probability, duration, frequency and reversibility of the draft Hanley Castle Neighbourhood Plan Review;	<b>NO</b>	It is considered unlikely that there will be any irreversible damaging environmental impacts associated with the draft Hanley Castle Neighbourhood Plan Review. 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 Hanley Castle Neighbourhood Plan Review;	<b>NO</b>	The policies of the draft Hanley Castle Neighbourhood Pan Review are unlikely to have any significant cumulative negative environmental impacts.
2(c) the transboundary nature of effects of the draft Hanley Castle Neighbourhood Plan Review;	<b>NO</b>	The draft Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review;	<b>NO</b>	It is considered that there will be no risk to human health or the environment as a result of the draft Hanley Castle Neighbourhood Plan Review.

Criteria for determining the likely significance of effects (SEA Directive, Annex II)	Likely to have significant environmental effects?	Summary of significant events
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<b>NO</b>	The policies of the Neighbourhood Development Plan Review apply to the entirety of Hanley Castle 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	<b>NO</b>	The draft Hanley Castle Neighbourhood Plan Review 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.	<b>NO</b>	The policies of the draft Hanley Castle Neighbourhood Plan Review are unlikely to have a negative impact on any environmental designations in the Neighbourhood Area.

## 2.2 SEA SCREENING OPINION

The assessment shown in Table 1 above identifies no potential significant negative effects arising from the draft Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Area. For the purposes of this screening assessment, sites that fall within a 20km radius are also considered. There are three sites identified within this range – Lyppard Grange SA, which is approximately 14km north-east, Bredon Hill SAC which is approximately 13km east and Dixon Wood which is approximately 19km south-east of the Hanley Castle Neighbourhood Area respectively.

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 dependent 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 Dixon 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 Dixon 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 Hanley Castle Neighbourhood Plan Review are considered to be in general conformity with the SWDP, and with this and the SWDP SA in mind, it can be considered that the draft Hanley Castle Neighbourhood Plan Review 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 Hanley Castle Neighbourhood Plan Review are in general conformity with those contained in the SWDP. It is therefore concluded that the draft Hanley Castle Neighbourhood Plan Review 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**

### **4.1 Screening Opinions Conclusions**

Following the assessment made in Table 2, it is considered that a full SEA is not required for the Draft Hanley Castle Neighbourhood Plan Review as it is considered unlikely that there will be any significant environmental impacts as a result of The 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.

There are no internationally designated wildlife sites within Hanley Castle Neighbourhood Area, with the three identified within a 20km radius having been assessed in the SWDP HRA AA. As the Draft Hanley Castle Neighbourhood Plan is considered to be in general conformity with the SWDP, with the additional housing allocations of a small-scale and some distance from any internationally designated sites, it is considered that a HRA AA is not required.

Both above-mentioned recommendations were subject to consultation with the statutory environmental bodies (i.e. the Environment Agency (i.e. Natural England, Historic England and Environment Agency). The five-week consultation period ran from Monday 4 March to Wednesday 10 April (accounting for bank holidays). All three consultation responses are included in Section 5 of this report, however, in short, all three statutory environmental bodies agreed that neither a full SEA nor HRA AA are required. Natural England advised that MHDC sought the views of internal specialist officers at the Council on whether these assessments are required with regard to local data that NE do not hold. Both the Natural Heritage and Biodiversity Officer and The Tree and Landscape Officer at Malvern Hills District Council concluded that given will be a negligible impact on biodiversity receptors an SEA is not necessary.

For the full consultation responses from the three statutory environmental bodies, see Section 5.

## 5. STATUTORY ENVIRONMENTAL BODIES CONSULTATION RESPONSES

Malvern Hills District Council  
Forward Planning  
The Council House Avenue Road  
Malvern  
Worcestershire  
WR14 3AF

**Our ref:** SV/2010/104077/OT-  
25/IS1-L01  
**Your ref:**  
**Date:** 04 April 2024

**FAO: Ellie Muckle**

Email Cc to: [neighbourhoodplanning@malvern hills.gov.uk](mailto:neighbourhoodplanning@malvern hills.gov.uk)

Dear Ellie,

### **Hanley Castle Neighbourhood Plan Review - Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Opinion Consultation**

I refer to your email of 01 March 2024 with regard to the Hanley Castle Regulation 14 Neighbourhood Development Plan (NDP). We have reviewed the submitted documentation and offer the following comments for your consideration at this time.

For completeness, we previously responded to a Regulation 14 pre submission consultation, dated May 2017 (our ref: SV/2010/104077/OT-25/IS1-L01) and a screening opinion consultation on the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA), dated April 2017 (our ref: SV/2010/104077/OT-09/PO1-L01) in respect of the above plan.

#### **Flood Risk**

We note that the River Sever (statutory main river) flows along the Eastern border of the plan boundary connecting to the Pool Brook (ordinary watercourse) to the Southeast. The Pool Brook then runs up through the central plan area to the North, whilst connecting to the Mere Brook tributary (ordinary watercourse) which flows along the Southern border of the plan area. Based on our indicative Flood Map for Planning (Rivers and Sea) we note these various watercourses have associated Flood Zones 3 and 2 (the high and medium risk zones respectively) within the plan area.

#### **Site Allocations**

The NDP includes the submission of four site allocations for the provision of housing under Policy MnGr 7. We note that all four of these sites are located entirely in Flood Zone 1 (the low risk zone).

We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment on flood risk at this time. It should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters

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Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
Cont/d..

relating to surface water (pluvial) flooding with the drainage team at Malvern Hills District Council as the Lead Local Flood Authority (LLFA).

However, please note that other potential development areas may be at flood risk given the presence of 'ordinary watercourses' which are un-modelled based on the scale and nature of the stream and receiving catchment (less than 3km<sup>2</sup>).

#### **Water Catchment Quality**

It is noted that Hanley Castle falls within the wider Severn Vale Management catchment area and then into the two sub catchment areas. This includes the Pool Brook - source to conf R Severn Water Body which covers the majority of the plan area having a 'poor ecological status' and the Severn - conf R Teme to conf R Avon Water Body which covers an Eastern portion of the plan area and has a 'moderate ecological status'. The aim is to achieve 'good' status by 2027.

#### **SEA / HRA Screening Opinion**

To assist your Council's determination of the SEA and HRA Screening Opinion (dated March 2024), we note the conclusions achieved:

- The SEA Screening Opinion concludes that there are *'no potential significant negative effects arising from the draft Hanley Castle Neighbourhood Plan Review and as such, will not require a full SEA to be undertaken.'*
- The HRA Screening Opinion concludes that *'the draft Hanley Castle Neighbourhood Plan Review 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.'*

We therefore agree and advise based on the Screening Report submitted and in consideration of matters within our remit that the NDP is considered unlikely to have significant environmental impacts and or significant effects on European designated sites, based on the above conclusions we do not believe a full Appropriate Assessment will be required.

Furthermore, we do not offer detailed bespoke advice on policy but advise you ensure conformity with the local plan and refer to guidance within our area neighbourhood plan "pro-forma guidance", I have attached an updated version for your consideration. Notwithstanding the above, for example it is important that these plans offer robust confirmation that development is not impacted by flooding and that there is sufficient wastewater infrastructure in place to accommodate growth.

I trust the above is of assistance at this time.

Yours faithfully

**Mr. Ewan Burvill**  
**Planning Officer**

Direct e-mail [ewan.burvill@environment-agency.gov.uk](mailto:ewan.burvill@environment-agency.gov.uk)

End

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Historic England

Miss Ellie Muckle  
Malvern Hills and Wychavon District Councils  
Civic Centre  
Queen Elizabeth Drive  
Pershore  
WR10 1PT

Direct Dial: 0121 625 6887

Our ref: PL00795409

7 March 2024

Dear Miss Muckle

**HANLEY CASTLE REVISED NEIGHBOURHOOD PLAN SEA & HRA SCREENING  
OPINION CONSULTATION**

Thank you for your consultation and the invitation to comment on the SEA 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/>

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

Yours sincerely,

P. Boland.



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
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Historic England

Peter Boland  
Historic Places Advisor  
[peter.boland@HistoricEngland.org.uk](mailto:peter.boland@HistoricEngland.org.uk)

cc:



Date: 09 April 2024  
Our ref: 467536  
Your ref: Hanley Castle Neighbourhood Plan



Ms Ellie Muckle  
Wychavon & Malvern Hills District Council

Hornbeam House  
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**BY EMAIL ONLY**

[NeighbourhoodPlanning@malvern hills.gov.uk](mailto:NeighbourhoodPlanning@malvern hills.gov.uk)

Dear Ms Muckle

**Hanley Castle Neighbourhood Plan - SEA & HRA Screening Consultation**

Thank you for your consultation on the above dated and received by Natural England on 01 March 2024.

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.

**Screening Request: Habitats Regulations Assessment (HRA)**

**It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on Habitats Sites are unlikely,**

The proposed neighbourhood plan is unlikely to significantly affect any Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). The Neighbourhood Plan proposals should also be screened to ascertain whether Strategic Environmental Assessment is necessary. 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 [planning practice guidance](#).

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sally Wintle  
Consultations Team