

Wilmcote & Pathlow Neighbourhood Development Plan

STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS REGULATIONS ASSESSMENT

SCREENING DOCUMENT

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1. Introduction

- 1.1. This screening report has been prepared to determine whether the Wilmcote & Pathlow Neighbourhood Development Plan (WPNDP) should be subject to a Strategic Environmental Assessment (SEA), in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2. Stratford-on-Avon District Council is legally required to determine whether the WPNDP will require SEA. However, if it is concluded that a SEA is required, Wilmcote Parish Council will be responsible for its production and it must form part of the material that is consulted on once the formal consultation stage is reached.
- 1.3. A SEA is required for all plans which may have a significant effect on the environment. This particularly relates to plans which designate sites for development.
- 1.4. The purpose of SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.5. The SEA process sets out criteria for assessing the significance of the impact of a plan on the environment. For example, if a plan proposes a housing development, it may have an impact on the wildlife of the area or have an impact on the landscape. If a significant effect is possible, the assessment requires the consideration of options and for the evaluation of the potential effects on the environment.
- 1.6. To ascertain if SEA is required, a 'screening' exercise is undertaken which looks at the proposals in a Neighbourhood Plan to see if a significant effect is likely. The criteria for this screening are set out in the relevant legislation (Annex II of the SEA Directive and Schedule I of Regulations as set out in Table 2 of this report).
- 1.7. A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on internationally designated wildlife sites. For the purposes of HRA, internationally designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar wetland sites.
- 1.8. The initial stage of the HRA process involves consideration of the reasons for designation and the conservation objectives of each internationally designated wildlife site within a reasonable distance of the Neighbourhood Plan Area and the potential impact of the proposals within the Plan on these sites.
- 1.9. This report details the assessment of the WPNDP against the need for an SEA or HRA to be produced to accompany the Plan.
- 1.10. This report has been sent to the three statutory consultees of the Environment Agency, Historic England and Natural England to elicit their views on its contents. The results of this consultation and a screening determination will be issued indicating the outcome of the screening stage.

2. European Directives

- 2.1. The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC. It is transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or the SEA Regulations. The Government has published detailed guidance on the SEA regulations in 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005).
- 2.2. Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any Plan or Project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. To achieve this, paragraph 1 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site. Paragraphs 2 to 5 of the Schedule amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and neighbourhood plans.
 - 2.3. Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and the Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent projects, must be subject to an environmental assessment.
 - 2.4. The 2008 Planning Act requires that plan making bodies to comply with the SEA Directive by screening the plan's potential effects on the environment.
 - 2.5. This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed in light of the Appropriate Assessment (Stage 1 Screening) and Sustainability Appraisal (including SEA).

3. Wilmcote & Pathlow Neighbourhood Development Plan

- 3.1. The WPNDP was initiated following the enactment of the Government's Localism Act 2012. The Act sets out a series of measures to shift power away from central government towards local communities. A key component of the Localism Act is neighbourhood planning; as a new tier of planning policy which enables local people to have a greater say about future development in their communities.
- 3.2. The neighbourhood planning process for Wilmcote & Pathlow began in November 2013 with the submission of an area designation application to the District Council.
- 3.3. Following the District Council's confirmation of the designated neighbourhood area (based on the Parish boundary) a steering group was established by the Parish Council and the plan was thereafter informed by numerous consultation events with the local community.
- 3.4. The consultation findings were used to develop the vision, objectives and policies of the draft Plan.

- 3.5. A draft Plan evolved through an iterative process, culminating in the Parish Council carrying out a 6 week pre-submission consultation between 1 March and 12 April 2016, in accordance with Regulation 14 of The Neighbourhood Planning (General) Regulations 2012.
- 3.6. The responses to the pre–submission consultation will be used to develop the 'submission' draft of the Neighbourhood Plan. This version of the plan will be subject to inspection by an independent examiner. If the examiner approves of the WPNDP, it will be subject to a local referendum. If 50% or more of people voting in the referendum support the plan, the WPNDP will be adopted by the District Council as part of its development plan.

Size

- 3.7. The designated neighbourhood plan area of WPNDP includes the village of Wilmcote, scattered properties and gipsy site known as Pathlow, outlying properties and farmsteads. The settlement of Wilmcote has been designated as a category 2 Local Service Village within the settlement hierarchy of the District Council's emerging Core Strategy.
- 3.8. The neighbourhood plan area for WPNDP covers the administrative boundary of Wilmcote Parish, as indicated on the map at Appendix 1.

Location and Land Designations

- 3.9. Wilmcote is a small village that is situated approximately 4 miles northwest of the centre of Stratford-upon-Avon. The entire Parish is washed over by the West Midlands Green Belt.
- 3.10. The Stratford-upon-Avon Canal runs along the eastern boundary of the village of Wilmcote in a north-south orientation, as does the Stratford-upon-Avon to Birmingham railway line, which runs parallel to the canal. There is no main river running through the Parish. However, there is a flood zone associated with a small watercourse to the south of the village and is shown at Appendix 2.
- 3.11. The village of Wilmcote has two Conservation Areas and a number of listed buildings which include the Grade I listed Palmer's Farmhouse and Grade I listed Mary Arden's House. The positions of these heritage assets are shown on the map at Appendix 3.
- 3.12. The village has a small number of areas of open space and playing fields, as indicated on the map at Appendix 4.
- 3.13. The Parish boasts an Ancient Woodland, one Site of Special Scientific Interest (SSSI) and three Local Wildlife Sites of Importance to Nature Conservation (SINCs). SINCs are designations applied to the most important nature conservation sites in the West Midlands and can be designated for both their ecological and geological interest. However, they are of lesser quality than the nationally important Sites of Special Scientific Interest (SSSI). These designations are shown on the map at Appendix 5.

Nature

3.14. The WPNDP is a land use plan, prepared for town and country planning and land use and sets out a framework for future development within the

Wilmcote & Pathlow Neighbourhood Development Plan area. The WPNDP is a lower tier of the planning hierarchy, and it must conform with upper tier plans such as the Stratford-on-Avon District Council's Local Plan and national policy set out in the National Planning Policy Framework (NPPF) but also have regard to the policies set out in the Council's emerging Core Strategy.

- 3.15. Following extensive public consultation, the neighbourhood plan group developed a Vision Statement and a set of Strategic Objectives to be addressed in the WPNDP. The vision statement was identified to be:
 - "Wilmcote and Pathlow is a strong and thriving community where history and heritage are protected and the rural setting and character are preserved and enhanced for current and future generations".
- 3.16. Following on from this vision, the key Strategic Objectives for the WPNDP were identified as set out below (in no particular order):
 - To preserve and enhance local natural and built heritage assets
 - To protect and enhance the provision of community facilities
 - To manage future housing growth in Wilmcote, Pathlow and the wider Parish
 - To promote leisure, recreation and tourism
 - To promote privacy, safety and security
- 3.17. At this stage of the Plan making process, the plan includes draft policies covering the topic areas as set out within the six objectives listed.

4. Strategic Environmental Assessment Screening

- 4.1. The process for determining whether or not a SEA is required is described as screening. In order to screen, it is necessary to determine whether a plan would have significant environmental effects by using the criteria set out in Annex II of the Directive and Schedule I of the Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted, comprising Historic England, Natural England and the Environment Agency.
- 4.2. The plan makers must publish a statement with the decision within 28 days of the determination of the screening. If it is determined that a SEA is not required, the statement should include the reasons for this decision.

5. The Screening Process

5.1. The Localism Act requires Neighbourhood Plans to be in general conformity with the strategic polices of the Local Plan. The District Council's Core Strategy had its Examination in Public (EiP) throughout January 2015. Due to the requirement to carry out further work on the projected housing figures for the Plan Period, the EiP was resumed and closed this January. The Planning Inspector issued his interim report with schedule of proposed main modifications at the end of March. Therefore, whilst the WPNDP will be Examined against the saved policies of the current Local Plan (being the Stratford-on-Avon Local Plan Review 1996-

- 2011), the WPNDP is also looking to be in general conformity with the policies of the Core Strategy, since it will cover the same plan period.
- 5.2. The Core Strategy was subject to a Sustainability Appraisal. This integrated the SEA Directive's requirements to assess the plan for significant effects on the environment, and provided mitigation measures recommendations, where relevant.
- 5.3. **Figure 1** shows a flow diagram prepared by ODPM (2005), setting out the sequential approach to the application of the SEA process to plans and programmes. This is used to screen the WPNDP.

Figure1: shows the Application of the SEA Directive to plans and programmes (ODPM 2005)

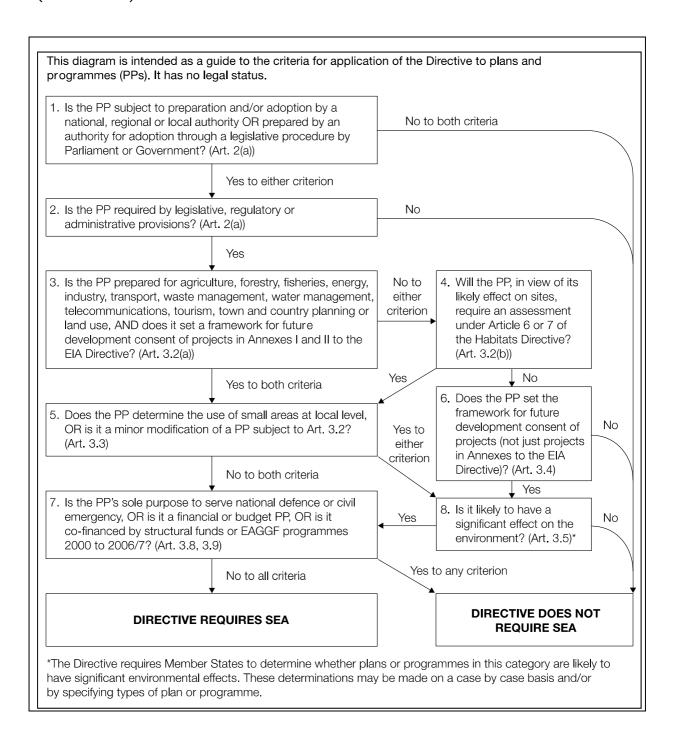


 Table 1: shows the stages involved to establish whether a SEA is required.

Stage	Y/N	Reason
1. Is the pp (plan or programme) subject to preparation and /or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Art.2 (a))	Y	The plan comprises a NDP, which is prepared by Wilmcote Parish Council as the 'qualifying body' under the Town & Country Planning Act 1990 as amended by the Localism Act 2011. The NDP will be adopted by Stratford District Council if it is successful at referendum, receiving 50% or more of affirmative votes.
2. Is the PP required by legislative, regulatory or administrative provisions? Art.2 (a)	N	The Localism Act 2012 enables communities to prepare a NDP. However, it is not required by legislative, regulatory or administrative provisions. On successful adoption by the District Council, it will form part of the development plan for the District. As such, it is important to consider whether it is likely to have significant environmental effects and should continue to be screened under the SEA Directive.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning and land use, AND does it set a framework for future development consents of projects in Annexes I and II to the EIA Directive? (Art. 3.2 (a)	Y	The WPNDP is a land use plan and sets the framework for future development consents within plan area. It is unlikely that plan would contain development projects contained in Annex I. However, it may be possible that the NDP could contain infrastructure projects, listed in Annex II of the Directive 97/11/EC, such as urban development, which is subject to a EIA if they considered to have significant effects on the environment.
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)	N	HRA screening was undertaken for the Stratford-on-Avon District Council Core Strategy and has been screened out of further assessment. Therefore the WPNDP is unlikely to require a HRA.
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)	N	The WPNDP does not identify or allocate any specific sites for development over the plan period.

6. Does the PP set the framework for future development consents of projects (not just projects in the annexes of the European Directive)? (Art. 3.4)	Y	A NDP forms part of the Development Plan and will be used in the decision making process on planning applications. Therefore, it sets the framework for future developments at a local level.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it co-financed by structural funds of EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	A NDP does not deal with these issues.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	A NDP could potentially have an effect on the environment. However, whether it is significant depends upon the proposals within the NDP. This requires individual assessment (see Section 6, below).

6. Determination of significant effects

6.1. The criteria from Annex II of the SEA Directive and Schedule I of the Environment Assessment of Plans and Programmes Regulations (2004) can be used to determine whether the plan would result in likely significant effects. Question 8 with the ODPM guidance (see Table.1) refers to whether the NDP would have a significant effect on the environment. Table 2 below discusses the likely effects of the WPNDP.

Table 2: Criteria and response of screening

Criteria (from Annex I of SEA Directive and Schedule I of the Regulations)	Response	
Characteristics of the plans and programmes		
(a) 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 WPNDP will, if made, form part of the statutory Development Plan and will establish the development control framework for the parish of Wilmcote. The WPNDP is prepared for town and country planning. The plan does not include a policy for specific housing allocations, but looks to support in-fill in accordance with Green Belt Policy. The NDP looks to protect the natural and historic environment, promote leisure	
	and recreation activities and support economic development through tourism.	

	The Plan has limited framework for future projects but each development would need a site specific planning application. It is highly unlikely that any projects would fall under 10 (a) of Annex II of the
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The NDP is the lower tier of the planning hierarchy and as such must conform to plans in the upper tiers rather than influence them. In this case, the WPNDP must conform with the Stratford-on-Avon District Local Plan Review and the NPPF as well as having regard to the submission version of the District Council's Core Strategy. It is not considered to have significant influence on other plans and programmes or their effects on the environment.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The WPNDP contributes, as required, to the achievement of sustainable development at the neighbourhood area level. Policies set out in the WPNDP are planned to have a positive impact on the local environmental assets and places valued by local people in the NDP area. The likelihood of significant effects on the environment is therefore minimised.
(d) environmental problems relevant to the plan or programme	Key issues taken from the Stratford-on- Avon District Council Scoping Report and SA of the Intended Proposed Submission Core Strategy relevant to the plan include:
	The potential impact of traffic and noise in Wilmcote village through any additional development.
	2. Potential surface water and fluvial flooding is a concern and climate change is likely to increase this risk, resulting from heavier and more intense periods of rain fall during future winters.
	3. The protection and enhancement of biodiversity landscape, including SSSIs, ancient woodland and Local Wildlife Sites.
	4. The effects on the historic environment from inappropriate and poor quality design and layout of any new development. The village of Wilmcote has

two Conservation Areas and a number of listed buildings.

Any existing environmental problems could be tackled through the implementation of the plan.

(e) relevance of the plan or programme to the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection) The WPNDP is a land-use plan and sets the framework for future development consents in the Wilmcote & Pathlow Neighbourhood Plan Area.

The WPNDP sets out policies which planning applications within the NDP area must adhere to.

The WPNDP has to be in conformity with the current Local Plan. The Local Plan has had regard to European community legislation on the environment and therefore this legislation will not be relevant for the NDP.

Characteristics of the effects and of the area likely to be affected

(a) probability, duration, frequency and reversibility of the effects

- 1. Any new development in the neighbourhood plan area would be likely to lead to increased traffic generation given the levels of development proposed in the plan. Any effect is not likely to be reversible and would constitute a long-term effect.
- 2. There are a number of 'high status' landscape features within the Parish including a SSSI, ancient woodland and a number of Local Wildlife Sites (SINCs) which are important receptors. Any effects on biodiversity are likely to be long-term and irreversible. However, this is dependent upon locations for development and the WPNDP does not specifically allocate sites for development
- 3. The historic environment is an important receptor. There are two Conservation Areas within the NDP area within which are a number of listed buildings, two of which are Grade I including Mary Arden's House. Any adverse effects are likely to be irreversible, meaning historic assets will require protecting through sensitive and appropriate design and location of new development. There is a thread between many of the policies within the WPNDP to

	protect all heritage assets.
	4. The existing areas of open space and other green areas in the NDP area are examples of Green Infrastructure (GI) and are vital to the health and wellbeing of residents as well as providing a stronghold for biodiversity in the area. These features provide an opportunity for improvement in the long-term and the Plan includes policies to protect and enhance such features.
	5. Climate change predictions forecast that the frequency, probability and duration of flood events are likely to increase in the long term. Climate change is an important receptor to consider. The parish does not have a river running through it, but have a number of streams located to the south and east of the village. There are no large tracts of land within the Parish which lay within EA flood zones and as such, flood risk is only likely in a limited area to the southern tip of the village.
(b) the cumulative nature of the effects	Given the scale of development proposed within the WPNDP, the cumulative effects of the proposals are unlikely to be significant on the local environment.
(c) the transboundary nature of the effects	Given the scale and type of development proposed within the WPNDP, any effects would be localised in nature and are unlikely to have a significant impact on neighbouring areas.
(d) the risks to human health or the environment (for example, due to accidents)	The WPNDP may generate additional traffic; however it is unlikely to cause a health risk to the local population, to the degree to which it would require a SEA or EIA to avoid and mitigate the effects. Given the scale and type of development proposed within the WPNDP, it is not considered there will be any significant risks to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The WPNDP is concerned with any potential development within the neighbourhood area. Given the scale of development proposed within the WPNDP, the potential for wide-reaching environmental impacts are likely to be

- (f) the value and vulnerability of the areas likely to be affected due to:
- (i) special natural characteristics or cultural heritage
- (ii) exceeded environmental quality standards or limit values
- (iii) intensive land use

limited and minimal.

- (i) There are two Conservation Areas and a number of listed buildings located within the WPNDP area. The area surrounding the village is generally farmland. However, given the limited scale of development proposed, any effects would be unlikely to have a significant impact on natural characteristics or cultural heritage.
- (ii) There is no AQMA in place in the plan area. Given to the quantum of development proposed over the plan period, it is unlikely to exceed any environmental quality standard or limit values.
- (iii) Not applicable.
- (g) the effects on areas or landscapes which have a recognised national, community or international protection status

The neighbourhood area is washed over by the West Midlands Green Belt. The WPNDP gives consideration to this policy context in Housing policies WP9 and WP10 through promotion of limited infilling within a village settlement boundary and the support of rural exception sites solely for affordable housing to address the needs of the local community in accordance with the NPPF.

There is a SSSI and ancient woodland within WPNDP area, but no development is earmarked to be located close to these sites through the NDP.

There are a number of Local Wildlife Sites (SINCs) within the neighbourhood area, some close to the village of Wilmcote itself. However, given that policies within the WPNDP look to focus any future development within the settlement boundary of the village, any effects would be unlikely to have a significant impact on areas of landscape with protected status.

The WPNDP also seeks to protect open and green spaces. As such, given the scale of development proposed, any effects would be unlikely to have a significant impact on areas of landscape with protected status.

7. Habitats Regulations Assessment

- 7.1 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. European wildlife sites are:
 - Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
 - Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)
- 7.2 In addition to SPAs and SACs sites Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.
- 7.3 The legislation sets out a process to assess the potential implications of a plan on internationally designated 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 on the site.
- 7.4 Under Criteria 6 of the assessment in Figure 2.2, it was concluded that a NDP may have an impact on internationally designated wildlife sites and that a case by case assessment was required. For the purposes of the "screening" assessment the potential impact of the Neighbourhood Development Plan on sites within 20km of the Neighbourhood Plan area are assessed.
- 7.5 There are no European wildlife or Ramsar sites within the WPNDP area or within 20km of the WPNDP area.
- 7.6 Any developments that come forward in the WPNDP area will be subject to Policy CS.6 of the Core Strategy on 'Natural Environment' which states that "development that are likely to have an adverse effect either directly, indirectly or cumulatively upon a site designated through the EC Habitats Directive or Birds Directive will not be permitted".

8. Screening Outcome and reasons for determination

- 8.1 It is considered that the WPNDP will conform with the strategic influence of the Stratford-on-Avon District Council's emerging Core Strategy. Whilst not specifically allocating sites, the WPNDP will influence the location of housing and employment and its design in the plan area for the period of the plan. These factors can have significant environmental determinants.
- 8.2 This screening report has explored the potential effects of the proposed WPNDP with a view to determining the likely requirement for an environmental assessment under the SEA directive. Given that the WPNDP

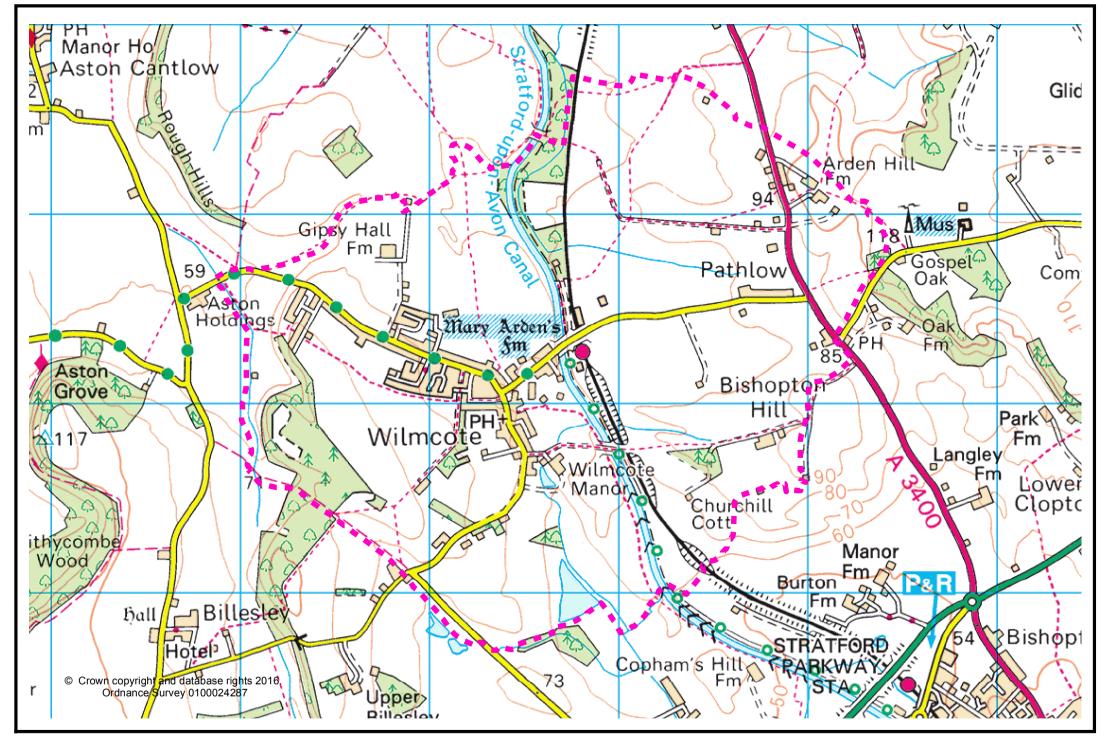
does not allocate any specific sites for development, the results of the screening process indicate that, should development sites be required in Wilmcote, there is uncertainty associated with the size, nature and location of future allocations. However, any future development proposals at Wilmcote that may come forward via planning applications or a Site Allocations Plan would be the subject of appropriate assessment under the SEA Regulations and/or Habitats Directive.

SEA Assessment

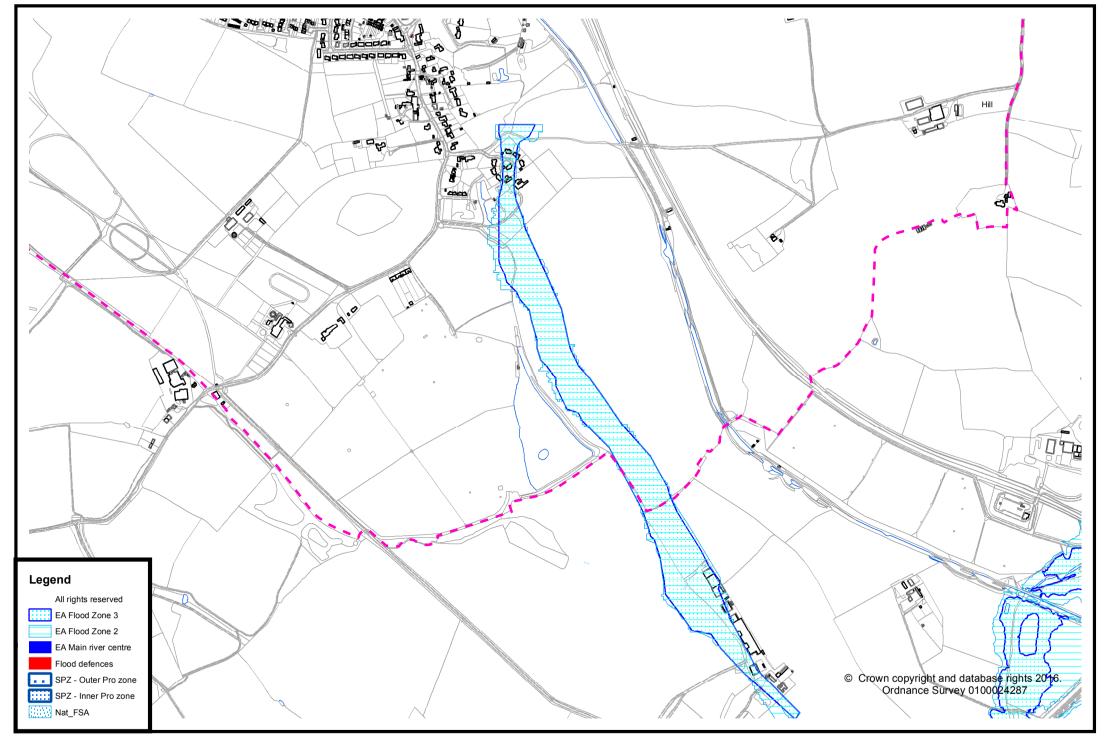
8.3 On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that the WPNDP as drafted will not have significant negative effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations. It is determined that as a result of the screening undertaken by the District Council as set out in this report; a Strategic Environmental Assessment is not required subject to the responses received from the statutory consultation bodies.

Habitats Regulations Assessment

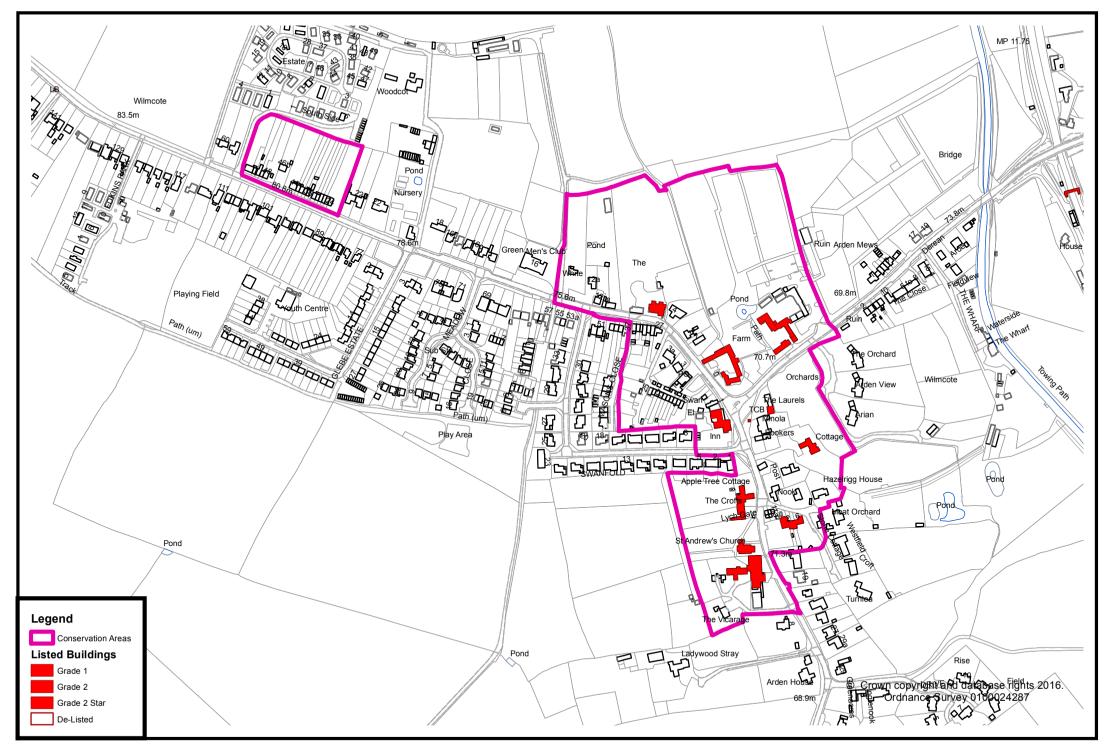
- A screening assessment to determine the need for a HRA in line with the Regulations and guidance has been undertaken by the District Council. The District Council has concluded that the draft WPNDP is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010). The assessment also expects that the WPNDP policies will be in conformity with the Local Plan Policies which have undergone HRA screening, which identified no likely significant effects, will occur as a result of the implementation of policies.
- 8.5 There are no internationally designated wildlife sites within the Neighbourhood Area or within 20km of it. The WPNDP will not, therefore, have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans.
- 8.6 It is determined that as a result of the screening undertaken by the District Council as set out in this report; a HRA is not required subject to the responses received from the statutory consultation bodies.



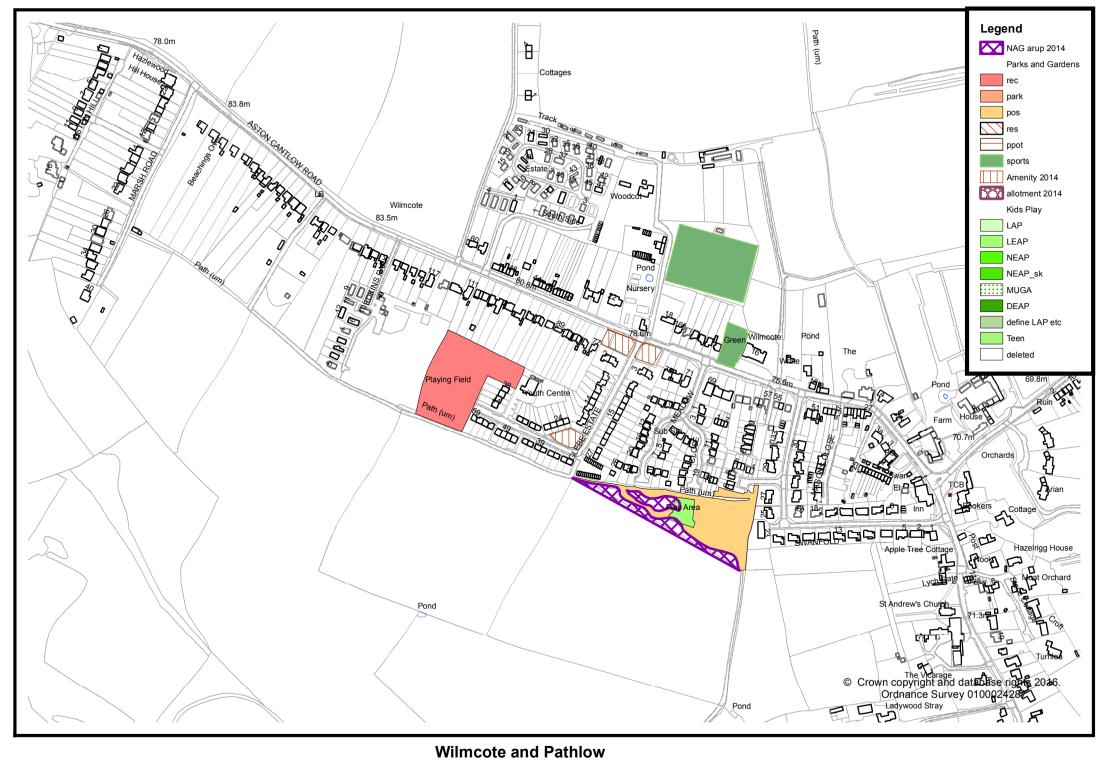
Wilmcote Parish Boundary



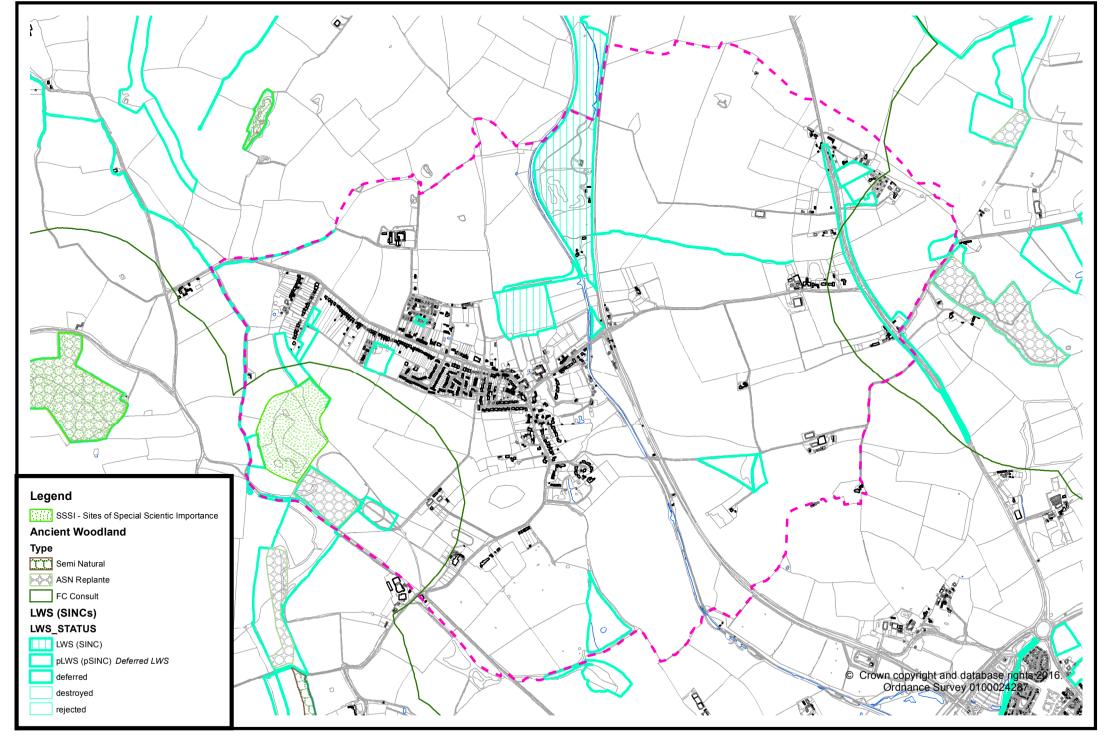
Wilmcote and Pathlow



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