

# Strategic Environmental Assessment and Habitats Regulations Assessment of the Loxley Neighbourhood Development Plan

**SEA and HRA Screening Document**

November 2018



**LEPUS** CONSULTING  
LANDSCAPE, ECOLOGY, PLANNING & URBAN SUSTAINABILITY



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## SEA and HRA Screening Document

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# Acronyms

EIA	Environmental Impact Assessment
IRZ	Impact Risk Zone
NCA	National Character Area
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
PP	Policy or Programme
PPG	Planning Policy Guidance
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage System

# 1 Introduction

## 1.1 This report

1.1.1 This screening report has been prepared to determine whether the Loxley Neighbourhood Development Plan (NDP) 2011 – 2031 should be subject to a Strategic Environmental Assessment (SEA), in accordance with the European Directive 2001/42/EC<sup>1</sup> (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004<sup>2</sup> (SEA Regulations).

1.1.2 This report screens the May 2018 Pre-Submission Consultation of the Loxley NDP<sup>3</sup>. Policies proposed in the NDP are summarised in **Appendix A**.

## 1.2 Strategic Environmental Assessment

1.2.1 The SEA Directive was transposed into English law by the SEA Regulations. Detailed guidance of these regulations can be found in the Government publication '*A Practical Guide to the Strategic Environmental Assessment Directive*'<sup>4</sup> (ODPM, 2005) and Paragraph 009 of the Planning Practice Guidance (PPG) 'Neighbourhood Planning' section<sup>5</sup>.

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<sup>1</sup> Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

<sup>2</sup> Available at: <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made>

<sup>3</sup> Available at: <http://www.loxleyvillage.com/wp-content/uploads/2018/05/Loxley-NDP-consultation-draft-MAY-2018.pdf>

<sup>4</sup> Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7657/practicalguidesea.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf)

<sup>5</sup> Available at: <https://www.gov.uk/guidance/neighbourhood-planning--2>

1.2.2 SEA seeks to ensure that environmental considerations are part of the process of preparing certain plans and programmes. The objective of the Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with the Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.

### 1.3 The Loxley Neighbourhood Development Plan

1.3.1 The creation of neighbourhood development plans started with the Government's Localism Act 2011. The Act set out a series of measures to shift power away from central government and towards local people. One of the Localism Act's key components is the Neighbourhood Development Plan; a new tier in planning policy which enables local people to shape the development of the community in which they live.

1.3.2 In February 2016, Stratford-on-Avon District Council approved Loxley Parish Council as an appropriate qualifying body to submit an NDP. The Loxley Neighbourhood Development Plan has been developed by Loxley Parish Council and the community.

1.3.3 The NDP must have appropriate regard to the National Planning Policy Framework<sup>6</sup> (NPPF) and related guidance. It will demonstrate how the sustainability objectives of the Government are implemented through neighbourhood policies.

1.3.4 The NDP proposes five sites of a maximum of 23 dwellings. A summary of the NDP's policies are listed in **Appendix A**.

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<sup>6</sup> Available at: <https://www.gov.uk/government/collections/revise-national-planning-policy-framework>

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## 1.4 The Parish of Loxley

1.4.1 There was a population of 399 at the time of the 2011 census, the highest population levels since 1871, where population peaked at 396. At this time, local residents were mainly agricultural workers. However, at the end of the century there was a 'rural shift' where many families moved to towns and cities for more employment opportunities, and the population decreased to 221 by 1921.

1.4.2 In the early 20<sup>th</sup> Century, there were shops and a post office, but these have since closed. This, along with other local changes, has led to decreased opportunities for employment within the village, and along with the lack of public transport, has forced many habitants to seek work in surrounding towns and cities. There is an average of 2.2 cars per household. Many of the residents are affluent or retired, which means there is a low number of children in the village and many pupils at the primary school come from the surrounding villages. The social and economic environment of the village has changed drastically over the years, but the distinctive character and natural biodiversity of the Parish has remained.

## 1.5 Relationship with the Core Strategy

1.5.1 The NDP is a land-use plan, prepared for town and country planning purposes. It sets out a framework for future development consents within the Loxley Parish. Once adopted, the NDP will form part of the framework for planning in Stratford-on-Avon district, along with the Core Strategy<sup>7</sup> and other development plan documents and supplementary planning documents.

1.5.2 The NDP sets out a series of policies that, once made, will be used to guide development and help to determine future planning applications. This important legal position means that it has to regard national planning policy and to be in 'general conformity' with the strategic planning policies set out in the Stratford-on-Avon Core Strategy 2011-2031.

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<sup>7</sup> Stratford-on-Avon District Council (2016) Stratford-on-Avon Core Strategy 2011 -2031. Available at: <https://www.stratford.gov.uk/templates/server/document-relay.cfm?doc=173518&name=SDC%20CORE%20STRATEGY%202011%202031%20July%202016.pdf>



- 1.5.3 Neighbourhood Plans are smaller in geographic scale than Core Strategies and Local Plans and serve to add further detailed policies and proposals to these documents. The Loxley Neighbourhood Development Plan and the Stratford-on-Avon Core Strategy will form part of the development plan for the area.
- 1.5.4 Loxley Parish is classed as a Category 4 Local Service Village in the Stratford-on-Avon Core Strategy.

## 2 The Screening Process

### 2.1 Strategic Environmental Assessment screening

2.1.1 The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan will have significant environmental effects using the criteria set out in Annex II of the SEA Directive and Schedule I of the SEA Regulations. A determination cannot be made until the three statutory consultation bodies have been consulted: the Environment Agency, Natural England and Historic England.

2.1.2 Within 28 days of its determination, the local planning authority, by virtue of its legal responsibility for NDPs, must publish a statement, setting out its decision. If they determine that an SEA is not required, the statement must include the reasons for this.

### 2.2 The screening process

2.2.1 The Localism Act requires NDPs to be in general conformity with the strategic policies of the adopted development plan for the local area. In this instance, the plan must be in general conformity with the Stratford-on-Avon Core Strategy 2011-2031.

2.2.2 Paragraph 009 of the Planning Practice Guidance (PPG) 'Neighbourhood Planning' section states:

*“Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:*

- *the emerging neighbourhood plan;*
- *the emerging Local Plan;*
- *the adopted development plan;*

*with appropriate regard to national policy and guidance”.*

2.2.3 **Figure 2.1** presents a diagram prepared by the ODPM (2005). This shows the application of the SEA process to plans and programmes. The sequential approach in the flow diagram can be used to screen the Loxley NDP.

2.2.4 **Table 2.1** uses the questions presented in **Figure 2.1** to establish whether there is a need for SEA for the Loxley NDP.

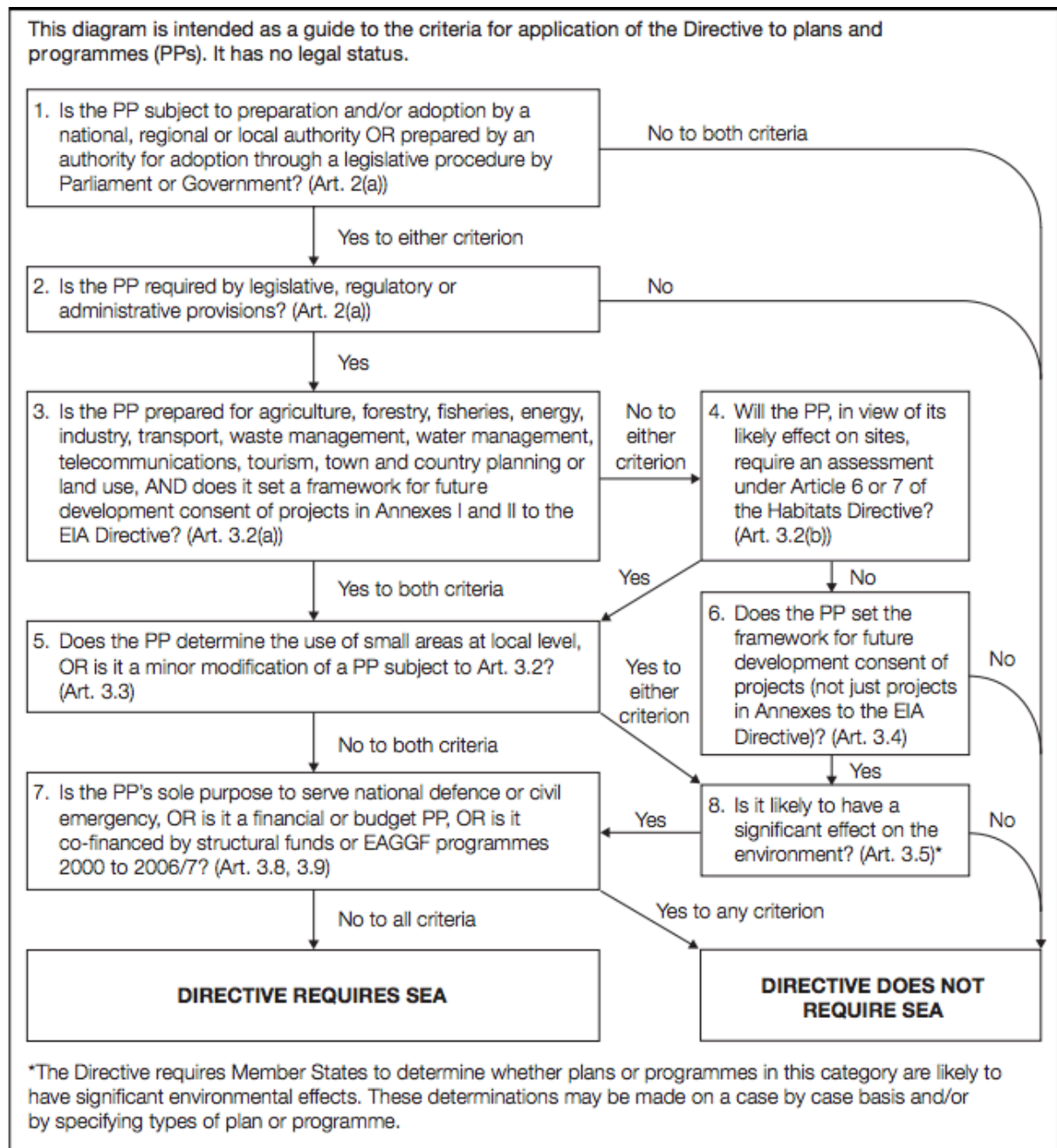


Figure 2.1: Application of the SEA Directive to plans and programmes<sup>8</sup>.

<sup>8</sup>ODPM (2005) A Practical Guide to the Strategic Environmental Assessment Directive

**Table 2.1:** Establishing whether there is a need for SEA

Stage	Y/N	Reason
Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The plan constitutes an NDP, which will be subject to independent examination and brought into legal force if it receives 50% or more affirmative votes at referendum. The NDP would form part of the statutory development plan for Stratford-on-Avon.
Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	Communities and neighbourhoods have a right to produce an NDP, however it is not required by legislative, regulatory or administrative bodies. If the NDP is adopted it would become part of the statutory development plan, meaning it should continue to be screened under the SEA Directive.
Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	No	The NDP is a land-use plan and sets the framework for future development consents within the Loxley Neighbourhood area.  However, the NDP is unlikely to set a framework for consent of projects in Annex 1 of the EIA Directive.
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))	No	See <b>Chapter 3</b>
Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art 3.4)	Yes	The NDP does set the framework for future development consent of projects.
Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See <b>Section 2.5 - 2.12</b> and <b>Chapter 4</b>
Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	No	Not applicable

## 2.3 Relevance to the SEA Directive

2.3.1 Question 8 within the ODPM guidance (see **Figure 2.1**) refers to whether the NDP would have a significant effect on the environment. The criteria from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations (2004) can be used to consider the relevance of the plan to the SEA Directive. **Sections 2.5 - 2.12** consider the likely environmental effects of the plan.

*Table 2.2: Loxley NDP and the SEA Directive*

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Response
The characteristics of 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 NDP is prepared for town and country planning and will form a part of the development management framework for Loxley Parish.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NDP must be in general conformity with the strategic planning policies set out in the Stratford-on-Avon Core Strategy and the National Planning Policy Framework.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The NDP contains policies to protect the natural environment, such as the Natural Environment Strategic Objectives (NE1-4). LC2 also promotes the protection of local green spaces.
(d) environmental problems relevant to the plan or programme	No environmental issues were identified relevant to the plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The NDP is a land-use plan and sets the framework for future development consents within the Loxley NDP area.  It also sets out policies which planning applications within the NDP area will need to adhere to.
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects	The NDP is not expected to result in any significant environmental effects.
(b) the cumulative nature of the effects	The NDP is not considered to have any significant cumulative effects and is not thought to contribute to cumulative impacts in

	combination with the Stratford-on-Avon Core Strategy.
(c) the transboundary nature of the effects	The NDP is not expected to give rise to any significant transboundary environmental effects.
(d) the risks to human health or the environment (for example, due to accidents)	There are no anticipated risks of the NDP on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The NDP is unlikely to result in any significant or adverse environmental effects. It is likely that some policies will help preserve and enhance environmental features within the Neighbourhood Area.
(f) the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>(i) special natural characteristics or cultural heritage</li> <li>(ii) exceeded environmental quality standards or limit values</li> <li>(iii) intensive land-use</li> </ul>	It is considered to be unlikely that the NDP would adversely impact the special natural characteristics or cultural heritage features within the Neighbourhood Area. The NDP would not be expected to cause exceedances of environmental standards or lead to intensive land use.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status	The NDP is unlikely to result in any adverse impacts on protected landscapes.

## 2.4 Determination of likely significant effects

2.4.1 It is not the purpose of a screening report to appraise policies as the Environmental Report element of the SEA process would deliver this function. Screening is undertaken at the beginning of the plan making process so that the SEA can influence from the start rather than from a perspective of retro-fitting or halfway through a process.

2.4.2 A summary of baseline conditions and an assessment of the potential effects of the NDP against each of the topics set out in Annex I (f) of the SEA Directive is presented in the following sections. The NDP policies are summarised in **Appendix A**.

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## 2.5 Biodiversity, flora and fauna

- 2.5.1 Sites of Special Scientific Interest (SSSIs) Impact Risk Zones (IRZs) allow for a rapid initial assessment of the potential risks posed by development proposals for SSSIs. They define zones around each SSSI site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development which could potentially have adverse impacts.
- 2.5.2 Loxley Church Meadows SSSI is situated within the Parish boundary. It is approximately 3ha of lowland neutral grassland, with defined ridge and furrow, currently in a Favourable condition. The five sites allocated for housing in the NDP are within an IRZ of the Loxley SSSI. However, no more than eight houses will be built at each site and so an adverse impact on the SSSI is unlikely.
- 2.5.3 Within the Parish there is one stand of Ancient Woodland, 'Oakham Coppice', which would not be adversely impacted by proposals of the NDP. The nearest site allocated for housing is for eight dwellings approximately 1km away.
- 2.5.4 Policy NE2 will help to ensure new development will protect and enhance the natural local environment, providing net gains for biodiversity such as through new green infrastructure wherever possible. Development retaining existing ecological networks and ecological habitats will be supported, whilst streams and ponds will be safeguarded for their importance for biodiversity.
- 2.5.5 It is not likely that the development proposed in the NDP would have a significant adverse impact on local biodiversity.



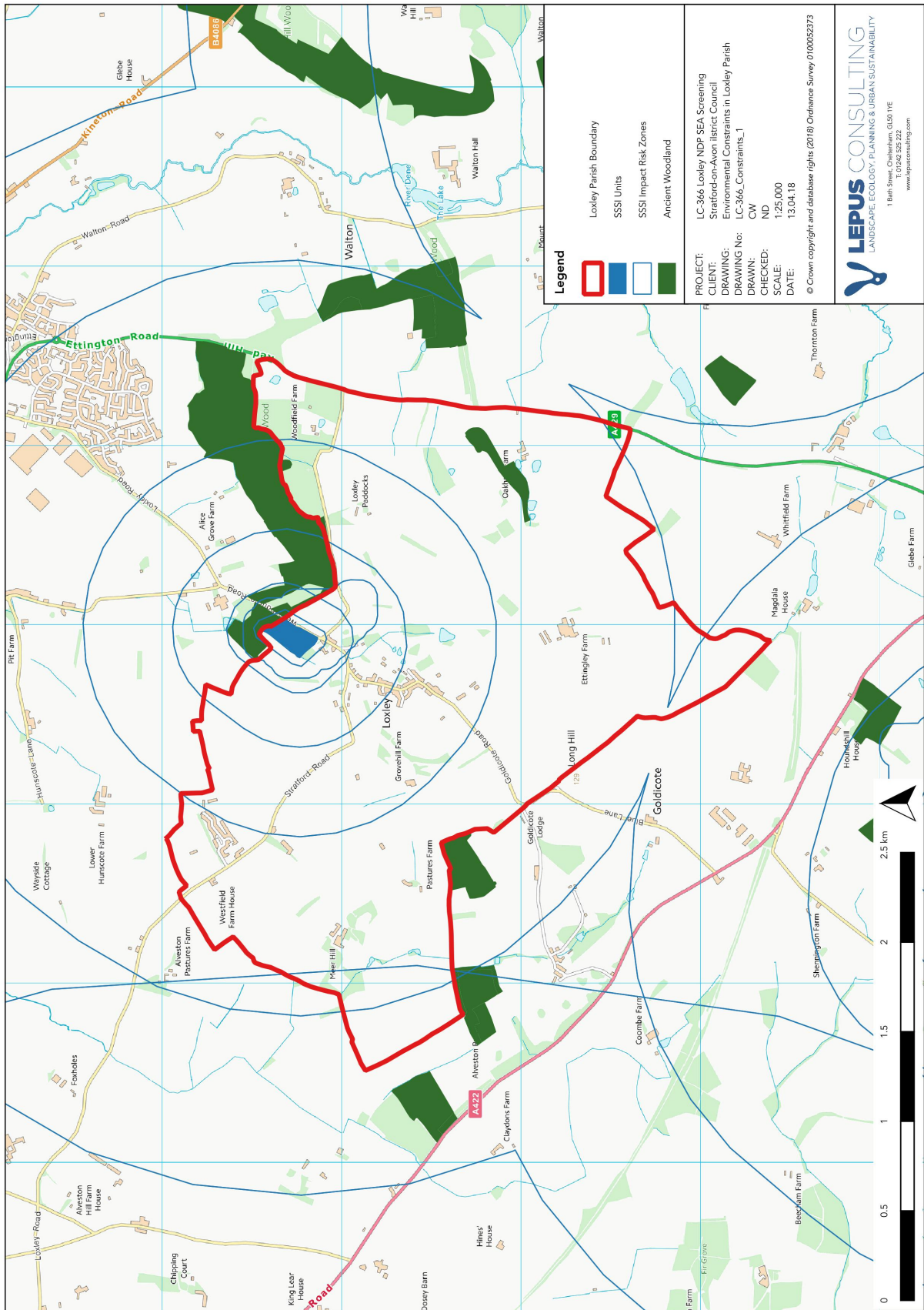


Figure 2.2: Environmental constraints of Loxley Parish.



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## 2.6 Population and human health

- 2.6.1 Local residents have limited access to some key services and facilities, with no secondary school, supermarket, employment areas or GP surgery. The nearest GP surgery is 5km away in Stratford-on-Avon.
- 2.6.2 There are approximately 23 dwellings proposed within the Parish. This would be unlikely to result in issues with the capacity of local services. Policy LC1 promotes the use of community assets and will help to ensure there is no loss of the current community services, to further discourage outward commuting for work.
- 2.6.3 The 'Housing and the Built Environment Strategic Objective' aims to meet local housing needs and support district targets in the form of small-scale development. The sites are all allocated for between one and eight dwellings in the proposed NDP, for a total of 23 homes.
- 2.6.4 Policy H2 focuses on local housing needs and the creation of affordable housing.
- 2.6.5 The Stratford-on-Avon Core Strategy Policy CS.15 allows local need schemes within and adjacent to settlements ,including small-scale community-led schemes, to meet a need identified by that community. Local need will be based on a local connection to the Parish.
- 2.6.6 The NDP has designated Local Green Spaces and any development proposal that is likely to harm these spaces, or their significance will not be supported.
- 2.6.7 Overall, it is anticipated there will be no adverse impacts on population and human health under the polices set out in the NDP.

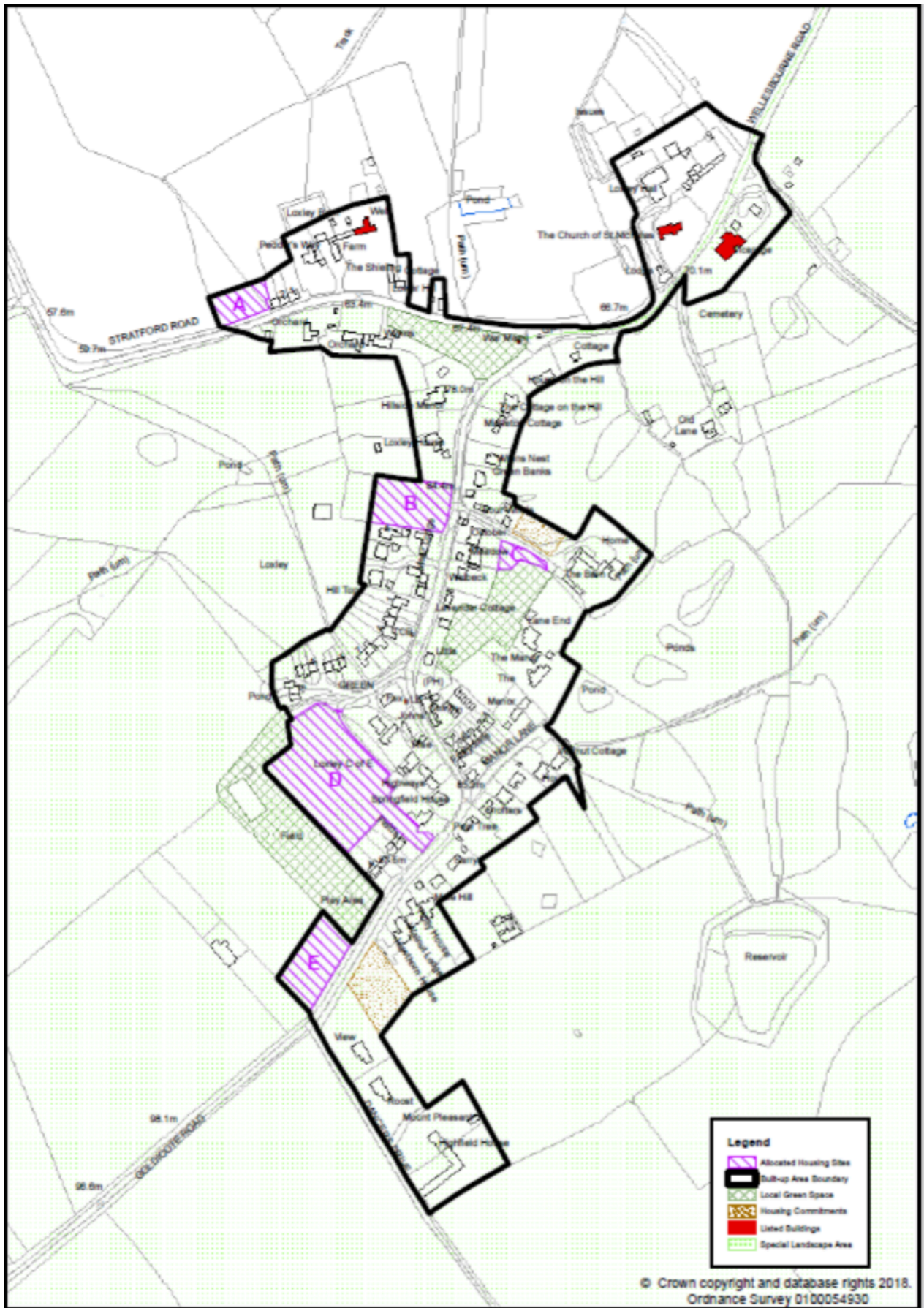


Figure 2.3: Village map, showing village boundary, proposed site allocations and Listed Buildings. Provided by Loxley Parish Council.

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## 2.7 Transport and accessibility

- 2.7.1 Whilst not an Annex 1(f) topic in itself, transport and accessibility interact with a number of the topics such as population and human health, material assets and climatic factors. There is an approximate 8-minute walk from one side of the village to the other, so it is likely that development at the proposed edges of the current neighbourhood boundary would be within walking distance of the majority of the village services.
- 2.7.2 The nearest shopping centre is 5km away in Stratford-upon-Avon. An infrequent bus service runs between Loxley and Stratford-upon-Avon, three times a day. There is one bus stop within the Parish. The nearest train station is approximately 6.5km away in Stratford-upon-Avon. Overall, access to public transport is poor and consequently, Loxley is heavily dependent on car-usage.
- 2.7.3 There is an average of 2.2 cars per household and the majority of residents' commute outside the village for work. The Parish has a good road network, being bordered to the east by the A429, which runs 9km north to meet the M40 at Junction 15, and south into the Cotswolds.
- 2.7.4 Policies proposed under the Traffic and Transport Strategic Objective would be likely to provide a safer environment for drivers and pedestrians alike, with non-obstructive parking for local residents.
- 2.7.5 Many of the homes within the Parish were built prior to the era of motor vehicles and do not have adequate parking facilities. Policy TT1 focusses on the provision of off-road parking, where new developments would be expected to provide one space per bedroom along with the safe storage for cycles. Any development opportunities which will increase the potential for off-street parking will also be supported. New development should also consider existing pedestrian and cycle routes, or if appropriate, provide new routes.
- 2.7.6 Policy TT2 will help to ensure that development proposals will not lead to an adverse impact on the safety of road users, the capacity of the local network and safe access and visibility of road junctions. A recent community survey illustrated the issues in road safety, in particular traffic speeding and the increased volume of traffic within Loxley Parish.

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## 2.8 Soil, water and air

- 2.8.1 The Parish is predominantly Grade 3 agricultural land. It is therefore likely that the construction and development of 23 homes would result in the loss of some of the Parish's productive soil. However, versatile soil loss will be negligible due to the small scale of development.
- 2.8.2 There are no major roads within the Parish boundary and therefore there is limited air, noise or light pollution issues from roads and road transport. The NDP will not alter this.
- 2.8.3 According to the Environment Agency, the village is not prone to fluvial flooding. There is some risk of surface water flooding throughout the Parish<sup>9</sup>, mainly in fields to the east of the village. Some areas of the village are prone to surface water flooding, which includes a strip of land within Site D. The area at risk of surface water flooding covers approximately one third of Site D and ranges from low risk to high risk. Development here could potentially place new residents at risk of surface water flooding and exacerbate surface water flooding in other areas of Loxley Village.
- 2.8.4 The Flooding Policy<sup>10</sup> aims to ensure that all development proposals are required to address potential flood risk and incorporate appropriate Sustainable Drainage Systems (SuDS) into all new development to control surface water run-off. It is assumed that proposed development will be in conformity to this policy, as well as those in the Stratford on Avon District Core Strategy, to help prevent exacerbation of surface water flood risk in Loxley. As such, a significant adverse impact on soil, water and air within Loxley Parish can be objectively ruled out at this stage.

## 2.9 Climatic factors

- 2.9.1 Policy NE4 supports any development proposal which relates to the production of renewable energy, as long as they integrate into the character of the village and its environs. The NDP emphasises the importance of mitigating climate change for future generations.

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<sup>9</sup> Environment Agency (2018) Long term flood risk information. Available at: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

<sup>10</sup> Please note this is a forthcoming Policy and is not implemented into the May 2018 Pre-Submission Consultation of the Loxley NDP

2.9.2 Policy LC2 will be likely to help preserve and enhance the flood risk attenuation service provided by Local Green Spaces.

2.9.3 Loxley is limited in terms of sustainable transport options, which leaves residents highly dependable on their cars to access services, facilities and employment. There is a maximum of 23 dwellings proposed, and it is therefore anticipated that there would be a negligible increase in greenhouse gas emissions in relation to existing levels.

## 2.10 Material assets

2.10.1 The material assets topic considers social, physical and environmental infrastructure. This sub-section should be read alongside 'Population and human health', which details some health and social infrastructure implications of the NDP; 'Climatic factors', which considers transport infrastructure in terms of sustainable transport; 'Soil, water and air', which considers water infrastructure and agricultural land classification; and the 'Biodiversity, flora and fauna' sub-section, which considers environmental infrastructure.

2.10.2 The Local Community Strategic Objective hopes to ensure that the existing community facilities are maintained and enhanced, as well as supporting the development of any new facilities to promote sustainable living and improve quality of life. Policy LC2 aims to ensure development proposals do not change or result in a loss of a community asset, unless it can be demonstrated that the use of the building is no longer viable. This could lead to satisfactory relocation.

2.10.3 The proposed development of 23 homes across five sites would have no adverse impacts on local environment, social and physical infrastructure.

## 2.11 Cultural heritage (including architectural and archaeological features)

2.11.1 Within the Parish there are three Listed Buildings. The Church of St Nicholas is a Grade I Listed Building, thought to have been built c.1286. It is situated on a slight hill, approximately 250m from Site A. It is considered to be unlikely that the proposed development of three homes at Site A will impact the setting or character of the Church. Views of the Site from the Church are perverted by an extensive tree and hedgerow network.



- 2.11.2 The Grade II Listed Building 'Loxley Farm Farmhouse' is approximately 100m from Site A. It is considered to be unlikely that the proposed development of three homes would lead to an alteration of the setting or character of the Listed Building due to the fact there are already dwellings surrounding the Farmhouse, and the proposed site is not in direct view of the Farmhouse.
- 2.11.3 Policy H3 seeks to ensure all proposed development will be in keeping with the distinctive character of the village, in scale, density, massing, height, landscape design, layout and materials.
- 2.11.4 In line with the Stratford-on-Avon Core Strategy, where proposals will affect a heritage asset, applicants will be required to undertake and provide an assessment of the significance of the asset using a proportionate level of detail relating to the likely impact the proposal will have on the asset's historic interest.
- 2.11.5 Overall, a significant impact on cultural heritage caused by the NDP is considered to be unlikely.

## **2.12 Landscape**

- 2.12.1 The Parish is located outside the Green Belt. It is within the Dunsmore and Feldon National Character Area (NCA), which is predominantly rural, agricultural and crossed by small rivers and tributaries<sup>11</sup>.
- 2.12.2 Policy NE1 helps ensure all new development will conserve or enhance the high landscape quality of the Special Landscape Area and any development that is likely to diminish the distinctive character will be resisted. Development that has an adverse impact on valued landscapes will also be resisted. Policy NE2 aims to ensure measures are in place to improve landscape quality, scenic beauty and tranquillity with minimal light pollution. There is currently no street lighting in the village. Policy NE3 also notes the importance of trees and hedgerows for their historic, visual or biodiversity values.
- 2.12.3 Overall, a significant adverse impact on landscape is not expected to be caused by the NDP.

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<sup>11</sup> Natural England (2013) NCA Profile: 96 Dunsmore and Feldon. Available at: <http://publications.naturalengland.org.uk/publication/4878893332824064>

## 3 HRA Screening

### 3.1 Habitats Regulations Assessment Screening

3.1.1 Habitat Regulations Assessment (HRA) screening is a requirement of Regulation 102 of the Conservation of Habitats and Species Regulations 2010<sup>12</sup>.

3.1.2 HRA considers the potential adverse impacts of plans and projects on designated Special Areas of Conservation (SACs), classified Special Protection Areas (SPAs) and listed Ramsar sites. This is in accordance with the Habitats Directive<sup>13</sup> and the Birds Directive<sup>14</sup>, translated into UK law through the Conservation of Habitats and Species Regulations 2017. SACs, SPAs and Ramsar sites are collectively known as the Natura 2000 network.

3.1.3 Should a development, plan or project be considered likely to have a significant impact on a Natura 2000 site, the HRA proceeds to an Appropriate Assessment. If likely significant effects cannot be avoided, mitigated or compensated to the extent that the conservation status of the EU site will not be undermined, the HRA proceeds to Imperative Reasons of Overriding Interest (IROPI).

### 3.2 Determination of likely significant effects

3.2.1 The nearest Natura 2000 site to Loxley Parish is Bredon Hills SAC, located approximately 28km south west. The development and policies proposed within the NDP are unlikely to impact on the SAC in any way. Based on the available information, a likely significant effect (LSE) on any Natura 2000 site can be objectively ruled out at this stage.

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<sup>12</sup> Conservation of Habitats and Species Regulations 2010. Available at: <http://www.legislation.gov.uk/uksi/2010/490/regulation/102/made>

<sup>13</sup> EU Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora

<sup>14</sup> EU Council Directive 2009/147/EC on the Conservation of wild birds

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## 4 Conclusions

### 4.1 SEA Screening outcome

4.1.1 This screening report has explored the potential effects of the proposed Loxley NDP with a view to determining whether an environmental assessment is required under the SEA Directive.

4.1.2 In accordance with topics cited in Annex 1(f) of the SEA directive, significant effects on the environment are considered to be unlikely to occur as a result of the NDP.

4.1.3 It is recommended that the Loxley NDP should not be screened into the SEA process.

### 4.2 HRA Screening outcome

4.2.1 This screening report has explored the potential effects of the proposed Loxley NDP with a view to determining whether a habitats regulations assessment is required. It is recommended that the Loxley Neighbourhood Development Plan should not be screened into the HRA process.

### 4.3 Next steps

4.3.1 This report has been subject to consultations with Natural England, Environment Agency and Historic England. Their comments are presented in **Appendix B**.



# Appendix A: Loxley NDP Policies

Strategic Objective	Policy Code	Policy Name
Housing and the Built Environment	H1	Housing Growth
	H2	Local Housing Needs
	H3	Design and Character
	H4	Re-use of Rural Buildings
	H5	Replacement Dwellings
Natural Environment	NE1	Protection of Special Landscape Area and Values Landscapes
	NE2	Biodiversity
	NE3	Trees and Hedgerows
	NE4	Renewable and Low Carbon Energy
Local Community	LC1	Community Assets
	LC2	Designated Local Green Spaces
	LC3	Encouraging the Use of Public Routes
Traffic and Transport	TT1	Local Parking Standard
	TT2	Highway Safety

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# Appendix B: Consultation Responses



Historic England

WEST MIDLANDS OFFICE

Ms Catherine Wright

Direct Dial: 0121 625 6887

Lepus Consulting Ltd.

1 Bath Street

Our ref: PL00437282

Cheltenham

GL50 1YE

5 November 2018

Dear Ms Wright

### **LOXLEY 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/>

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



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone 0121 625 6870  
HistoricEngland.org.uk





Historic England

WEST MIDLANDS OFFICE

Yours sincerely,

Peter Boland  
Historic Places Advisor  
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cc:



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*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

Date: 13 November 2018  
Our ref: 262329  
Your ref: Loxley NDP – SEA & HRA Screening



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**BY EMAIL ONLY**

[catherine.wright@lepusconsulting.com](mailto:catherine.wright@lepusconsulting.com)

Dear Ms Wright

**Loxley's Neighbourhood Development Plan Strategic Environmental Assessment and Habitats Regulation Assessment Screening**

Thank you for your consultation request on the above dated and received by Natural England on 22<sup>nd</sup> October 2018.

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: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

**Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

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

Yours sincerely

Sharon Jenkins  
Consultations Team

Ms Catherine Wright  
Lepus Consulting  
1 Bath Street  
CHELTENHAM  
Gloucestershire  
GL50 1YE

**Our ref:** KP/2018/100028/01-L01  
**Your ref:** LC-426  
**Date:** 21 November 2018

Dear Ms Wright

**STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS REGULATIONS  
ASSESSMENT OF THE LOXLEY NEIGHBOURHOOD DEVELOPMENT PLAN**

Thank you for consulting the Environment Agency in relation to the above screening document.

I have reviewed the SEA / HRA Screening Document, looking in detail at the following paragraphs:

2.5 Biodiversity, Flora and Fauna

I concur with the identification of protected sites, and agree with the findings of the report that development within the Neighborhood Plan boundary and emerging policies are unlikely to have an adverse effect on Loxley Church Meadows SSSI.

Furthermore Policy NE2 of the emerging plan support biodiversity gains, through the provision of new green infrastructure.

2.8 Soil, Air and Water

This chapter acknowledges that there is flood risk from surface water flooding within the Neighbourhood Plan area, and supports the use of SuDS within all new development to ensure that there is no exacerbation of surface water flooding within Loxley.

Conclusion

I have reviewed the relevant Environment Policies within emerging Loxley Neighbourhood Development Plan and the adopted Stratford on Avon District Council Core Strategy (2011 -2031) and agree that they are in general conformity with each other.

Environment Agency  
9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

Therefore I agree with the conclusions within the report that the emerging Loxley Neighbourhood Plan is unlikely to have a significant effect on the environment and therefore agree that neither a SEA or Habitats Regulation Assessment is required.

Yours sincerely

**Mrs Becky Clarke**

Planning Specialist – Sustainable Places  
Direct e-mail [becky.clarke@environment-agency.gov.uk](mailto:becky.clarke@environment-agency.gov.uk)



Ecological Services

Green Infrastructure

Landscape and Visual Impact Assessment

Landscape Character Assessment

Habitats Regulations Assessment

Strategic Environmental Assessment

Sustainability Appraisal



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