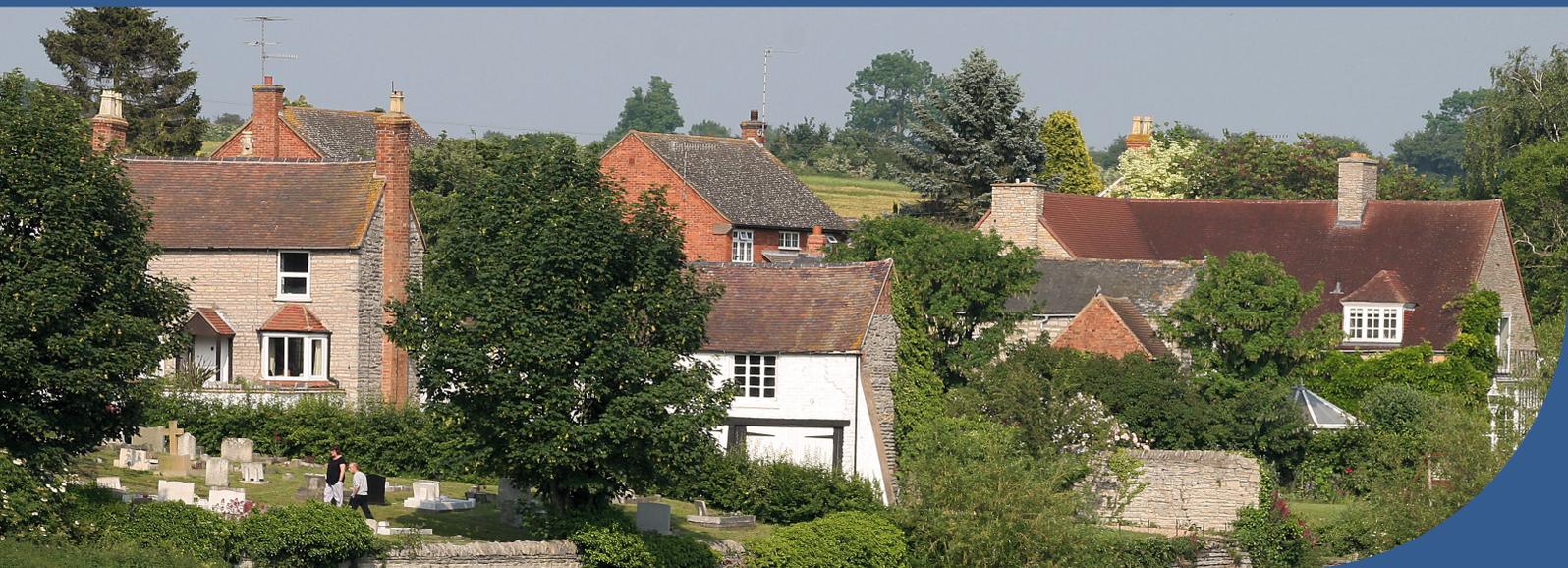


Strategic Environmental Assessment and Habitats Regulations Assessment of the Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document

SEA and HRA Screening Report

November 2020



LEPUS CONSULTING
LANDSCAPE, ECOLOGY, PLANNING & URBAN SUSTAINABILITY

Strategic Environmental Assessment and Habitats Regulations Assessment of the Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document

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Acronyms

ALC	Agricultural Land Classification
A&E	Accident and Emergency
AONB	Area of Outstanding Natural Beauty
DTA	David Tyldesley and Associates
EIA	Environmental Impact Assessment
EU	European Union
GP	General Practitioner
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zone
LNR	Local Nature Reserve
LSE	Likely Significant Effect
LWS	Local Wildlife Site
NCA	National Character Area
NHS	National Health Service
NPPF	National Planning Policy Framework
ODPM	Office of the Deputy Prime Minister
PP	Policy or Programme
PPG	Planning Policy Guidance
PRoW	Public Right of Way
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SLA	Special Landscape Area
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest

1 Introduction

1.1 This report

- 1.1.1 This screening report has been prepared to determine whether the Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document (hereafter referred to as the SPD) should be subject to a Strategic Environmental Assessment (SEA), in accordance with the European Directive 2001/42/EC (SEA Directive)¹ and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)². This report also informs the Habitats Regulations Assessment (HRA) of the SPD in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)³ and the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations)⁴.
- 1.1.2 This report screens the Gypsy and Traveller and Travelling Showpeople Supplementary Planning Document (SPD) Consultation Draft January 2021.

¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=en> [Date Accessed: 08/10/20]

² The Environmental Assessment of Plans and Programmes Regulations 2004. Available at: <http://www.legislation.gov.uk/uksi/2004/1633/contents/made> [Date Accessed: 08/10/20]

³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043> [Date Accessed: 08/10/20]

⁴ The Conservation of Habitats and Species Regulations 2017. Available at: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made> [Date Accessed: 08/10/20]

1.2 Strategic Environmental Assessment

1.2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive'⁵ and the Planning Practice Guidance (PPG) 'Strategic environmental assessment and sustainability appraisal' section⁶.

1.2.2 Under the requirements of the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004, certain types of plans that set the framework for the consent of future development projects must be subject to an environmental assessment.

1.3 Habitats Regulations Assessment

1.3.1 Habitats Regulations Assessment (HRA) is the process by which potential effects of a plan or project on the conservation objectives of habitats sites designated under the Habitats⁷ and Birds⁸ Directives are assessed. These sites form a system of internationally important sites throughout Europe known collectively as the 'Natura 2000 Network'.

⁵ Office of the Deputy Prime Minister (2005) A Practical Guide to the Strategic Environmental Assessment Directive. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practical_guidesea.pdf [Date Accessed: 08/10/20]

⁶ Ministry of Housing, Communities & Local Government (2019) Strategic environmental assessment and sustainability appraisal. Available at: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> [Date Accessed: 08/10/20]

⁷ Official Journal of the European Communities (1992). Council Directive 92 /43 /EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

⁸ Official Journal of the European Communities (2009). Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.

1.3.2 Habitats sites provide valuable ecological infrastructure for the protection of rare, endangered and/or vulnerable natural habitats and species of exceptional importance within the EU. These sites consist of Special Areas of Conservation (SACs), designated under European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive), and Special Protection Areas (SPAs), classified under European Directive 2009/147/EC on the conservation of wild birds (the Birds Directive). Additionally, paragraph 176 of the National Planning Policy Framework (NPPF)⁹ requires that sites listed under the Ramsar Convention (The Convention on Wetlands of International Importance, especially as Waterfowl Habitat) are to be given the same protection as fully designated habitats sites.

1.4 Stratford-on-Avon

1.4.1 Stratford-on-Avon district is located near the centre of England. In the 2011 Census, the district had a population of 120,485. Stratford-upon-Avon is the largest settlement in the district, with other main towns including Alcester, Henley-in-Arden, Shipston-on-Stour and Southam.

1.4.2 Within the district to the north west lies the West Midlands Green Belt, and in the south is part of the Cotswolds Area of Outstanding Natural Beauty (AONB). In addition to the rural landscape character, the district has a rich historical background, and is famed as the birthplace and resting place of William Shakespeare.

1.5 The Gypsy and Traveller and Travelling Showpeople SPD

1.5.1 In advance of the preparation of the Gypsy & Traveller Local Plan, Stratford-on-Avon District Council has prepared the Gypsy and Traveller and Travelling Showpeople SPD to provide specific advice and guidance on the provision of sites for Gypsies and Travellers and Travelling Showpeople.

⁹ Ministry of Housing, Communities & Local Government (2019) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 08/10/20]

- 1.5.2 This SPD has been prepared as an interim measure to provide additional planning guidance on Gypsy and Traveller and Travelling Showpeople development as set out in Policy CS.21 of the adopted Stratford-on-Avon Core Strategy¹⁰.
- 1.5.3 The latest Gypsy and Traveller Accommodation Assessment¹¹ (GTAA) identified a need for 70 additional Gypsy and Traveller pitches following the definition of Gypsy and Traveller based on ethnic identity or 59 pitches following the definition as set out in the 2015 Planning Policy for Traveller Sites¹², and six Travelling Showpeople plots up to 2035.
- 1.5.4 The SPD adds clarity to the two broad locations for new Gypsy and Traveller and Travelling Showpeople accommodation which were originally set out in the Core Strategy (see criterion 1 of Policy CS.21 of the Core Strategy). :
- The 'Avon Valley' outside the Green Belt; and
 - The remainder of the district outside the Cotswolds AONB.
- 1.5.5 Chapter 3 of the SPD presents policy guidance on the level and quality of expected detail that should accompany any planning applications being prepared for new permanent pitches and plots to be located in the two broad locations. .
- 1.5.6 Due to the large area that these two broad locations cover, it is not possible to specifically identify potential impacts that new development in these areas may have on the surrounding environment of the relevant broad area: only general high-level assessment is possible. This report has screened the broad areas on this basis to inform the determination of likely significant effects.

¹⁰ Stratford-on-Avon District Council (2016) Stratford-on-Avon District Core Strategy 2011 to 2031. Available at: <https://www.stratford.gov.uk/templates/server/document-relay.cfm?doc=173518&name=SDC%20CORE%20STRATEGY%202011%202031%20July%202016.pdf> [Date Accessed: 09/10/20]

¹¹ RRR Consultancy Ltd (2019) Stratford-on-Avon Gypsy and Traveller Accommodation Assessment Update Study. Available at: <https://www.stratford.gov.uk/doc/208274/name/Stratford%20on%20Avon%20GTAA%20Final%20Report%20April%202019.pdf> [Date Accessed: 08/10/20]

¹² DCLG (2015) Planning policy for traveller sites. Available at : https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf [Date Accessed: 08/10/20]

1.6 Relationship with the Gypsy and Traveller Plan

1.6.1 Local Plans must allocate sites for Gypsies and Travellers and Travelling Showpeople; whilst the Council prepare a new Local Plan, the SPD is an interim guidance document and will be subsumed by the Gypsy and Traveller Local Plan once it is adopted.

1.6.2 The following exercises have been undertaken as part of the preparation of the Gypsy and Traveller Local Plan to identify new sites to meet the identified need that fall within the broad locations:

- The Council conducted a call for sites in both March 2014 and again in March 2018, inviting landowners to submit details of land for consideration as a Gypsy and Traveller or Travelling Showpeople site. This did not result in any suitable sites being put forward for consideration, the only site submitted being located within the Green Belt;
- Consideration of available land in the ownership of Stratford-on-Avon District Council and Warwickshire County Council;
- Consideration of the potential to increase the capacity on existing authorised Gypsy & Traveller sites; and
- Liaison with members of the Gypsy and Traveller communities.

1.7 Relationship with the Core Strategy

1.7.1 Under the Planning & Compulsory Purchase Act 2004, policy guidance can be provided in SPDs. These form part of the Local Development Plan and are produced in accordance with the procedures introduced by the 2004 Act.

1.7.2 This SPD provides further detailed guidance on the interpretation of the following Core Strategy policies in relation to Gypsy and Traveller and Travelling Showpeople accommodation:

- CS.1 - Sustainable Development
- CS.9 - Design and Distinctiveness
- CS.21 - Gypsies and Travellers and Travelling Showpeople

2 SEA Screening

2.1 Strategic Environmental Assessment

2.1.1 SEA seeks to ensure that environmental considerations are part of the process of preparing certain plans and programmes. The objective of the SEA 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. It helps to ensure 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.

2.1.2 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.

2.1.3 Within 28 days of its determination, the plan makers 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 SEA Directive requires plans and programmes to be in general conformity with the strategic policies of the adopted development plan for the local area.

2.2.2 Planning Practice Guidance (PPG) 'Strategic environmental assessment and sustainability appraisal'¹³ states that:

¹³ MHCLG (2020) Strategic environmental assessment and sustainability appraisal. Available at: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> [Date Accessed: 08/10/20]

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- 2.2.3 *“Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies”.*
- 2.2.4 **Figure 2.1** presents a diagram prepared by the Office of the Deputy Prime Minister (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 SPD.
- 2.2.5 **Table 2.1** uses the questions presented in **Figure 2.1** to establish whether there is a need for SEA of the SPD.

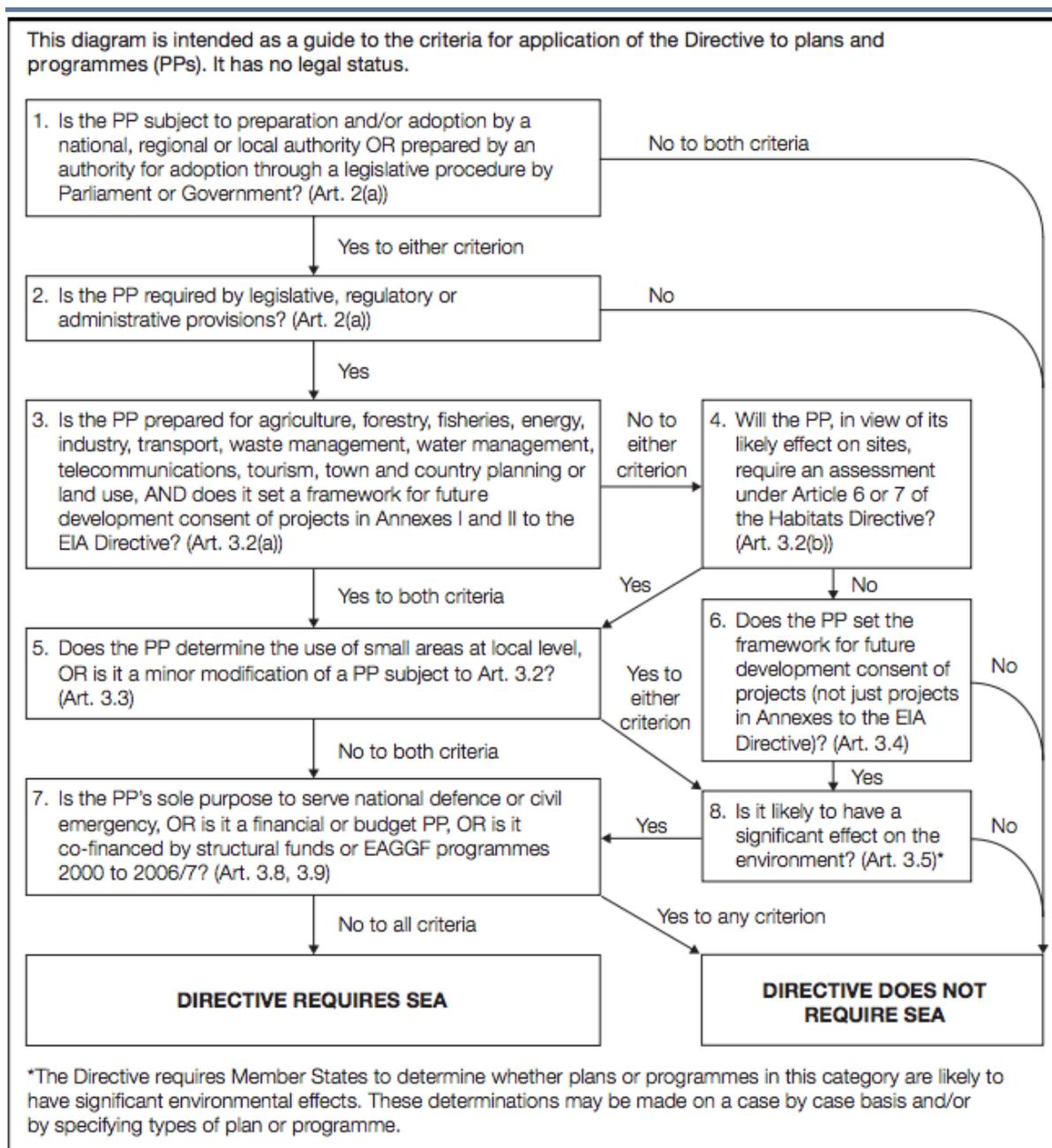


Figure 2.1: Application of the SEA Directive to plans and programmes¹⁴.

¹⁴ Office of the Deputy Prime Minister (2005) A Practical Guide to the Strategic Environmental Assessment Directive. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practical_guidesea.pdf [Date Accessed: 08/10/20]

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 SPD has been prepared by and will be adopted by Stratford-on-Avon District Council to give detail on the adopted Core Strategy.
Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	When the SPD is adopted, it will become a material consideration as part of the statutory development plan.
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 SPD is a daughter document to the Core Strategy and will follow the framework set for future development consents within Stratford-on-Avon.
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 Chapters 3 and 4.
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 SPD 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 sections 2.5 – 2.12 and Chapter 4.

2.3 Relevance to the SEA Directive

2.3.1 The criteria for determining the likely significance of effects from Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, have been used to screen the SPD. **Sections 2.5 – 2.12** consider the likely environmental effects of the plan.

Table 2.2: *Gypsy and Traveller and Travelling Showpeople SPD 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 SPD sets a framework for projects by providing detail on adopted policies of the Core Strategy. The SPD forms a material consideration for the nature and operating conditions of projects.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD adds detail to existing strategic planning policies set out in the Stratford-on-Avon Core Strategy. It does not create new policies.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD aims to conserve important aspects of the built and natural environment.
(d) environmental problems relevant to the plan or programme	No environmental problems were identified relevant to the SPD.
(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)	N/A
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects	The SPD is not expected to result in any significant environmental effects.
(b) the cumulative nature of the effects	The SPD is not considered to have any cumulative effects and is not thought to contribute to cumulative impacts in combination with the Stratford-on-Avon District Core Strategy.
(c) the transboundary nature of the effects	The SPD 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 SPD on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The magnitude and spatial extent of the effects outlined in (a) are not thought to extend further than the Plan area.

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Response
(f) the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage (ii) exceeded environmental quality standards or limit values (iii) intensive land-use 	It is considered unlikely that the SPD will adversely impact the special natural characteristics or cultural heritage features within the Plan Area. The SPD is 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 SPD is unlikely to result in any adverse impacts on protected landscapes.

2.4 Determination of likely significant effects

2.4.1 A summary of baseline conditions and an assessment of the potential effects of the SPD against each of the topics set out in Annex I (f) of the SEA Directive is presented in the following sections.

2.5 Biodiversity, flora and fauna

2.5.1 There are no Natura 2000 sites located with the district. The closest European designated site is 'Bredon Hill' SAC located approximately 11km to the south west of the district. There are 32 Sites of Special Scientific Interest (SSSI) located within Stratford-on-Avon.

2.5.2 There are three Local Nature Reserves (LNRs) in Stratford-on-Avon: River Arrow; Welcombe Hills; and Ufton Fields. There are 830 non-statutory Local Wildlife Sites (LWS) designations in the district and there are numerous stands of ancient woodland across Plan area.

2.5.3 Policy CS.6 'Natural Environment' seeks to ensure development contributes *"towards a resilient ecological network throughout the District that supports ecosystems and provides ecological security for wildlife, people, the economy and tourism"*. Policy CS.21 seeks to ensure Gypsy and Traveller sites are *"not located within an area of designated historic or environmental importance"*.

2.5.4 The SPD provides further clarity on the development which would be supported within the two broad locations for new Gypsy and Traveller sites. Section 3.3 of the SPD states that the Council will consider new provision in areas which are outside of “*Local Wildlife Sites, Sites of Special Scientific Interest (SSSIs), Ancient Woodland [and Local Nature Reserves]*”. This would be likely to help protect these designated sites from inappropriate development.

2.5.5 Overall, the SPD would not be expected to result in significant effects on biodiversity.

2.6 Population and human health

2.6.1 There are a wide range of services within Stratford-on-Avon district, , such as numerous public houses, restaurants, shops and community services, including four leisure centres.

2.6.2 There are approximately 55 primary schools and 15 secondary schools across the district. Primary schools are located in most settlements across the district. The secondary schools are located within Stratford-upon-Avon, Southam, Henley-in-Arden, Alcester, Studley, Shipston-on-Stour and Kineton.

2.6.3 There are no NHS hospitals with an A&E department in the district. The nearest NHS hospitals with an A&E department to the district include Alexandra Hospital to the north west, Warwick Hospital to the north east, and The Horton General to the south east.

2.6.4 There are a number of GP surgeries located across the district. In Stratford-upon-Avon, there are currently five surgeries. There are also surgeries in most of the towns and some of the villages.

2.6.5 Policy CS.21 of the Core Strategy states that pitches “*will be in a sustainable location in reasonable proximity to local services and facilities, including health and emergency services*”.

2.6.6 Section 3.2 of the SPD provides further detail on identifying appropriate sites for new Gypsy and Traveller pitches and states that in order to meet the identified thresholds for access, new permanent sites should be within either 4.8km from the edge of Stratford-upon-Avon and main rural centres or 3.2km from the edge of local service villages. In accordance with the ‘Home to schools travel and transport guidance’¹⁵, children under eight would be expected to walk up to 3.2km to their nearest school, and children aged between eight and 16 walk 4.8km. This would be likely to ensure new site end users have good access to a range of facilities, in particular access to education.

2.6.7 Therefore, the SPD would not be expected to result in significant effects on population and human health.

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.

2.7.2 There are eleven railway stations within Stratford-on-Avon, located towards the north west of the district, with services to Warwick, Birmingham, Kidderminster, Banbury and London.

2.7.3 There are many bus stops located across the district. The majority of the bus stops are located in Stratford-on-Avon and other main towns. Many of the services within the towns are frequent and provide residents with good access to surrounding services. Some services provide routes out-of-district to Redditch, Coventry and Solihull. Residents in more rural areas of the district may have more limited access via bus.

2.7.4 Policy CS.26 of the Stratford-on-Avon Core Strategy makes provision for “contributions towards local public transport services and support for community transport initiatives” and Policy CS.21 seeks to ensure Gypsy and Traveller sites “will have safe access to the highway and avoid significant impact on minor rural roads”.

¹⁵ Department for Education (2014) Home to school travel and transport guidance: Statutory guidance for local authorities. Available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575323/Home_to_school_travel_and_transport_guidance.pdf [Date Accessed: 09/10/20]

2.7.5 Overall, the SPD would not be expected to result in significant effects in relation to transport and accessibility.

2.8 Soil, water and air

2.8.1 The majority of the district is situated on Agricultural Land Classification (ALC) Grade 3 land. Areas between Wellesbourne in the north of the district to Bideford on Avon in the west of the district are situated on Grade 2 ALC land. Policy AS.10 of the Core Strategy seeks to ensure development in countryside and village *“avoid the loss of large areas of higher quality agricultural land”*.

2.8.2 Several main roads pass through the district, including the M40, A46, A429, A422, A439, A423 and A425. These roads provide access to Birmingham, Worcester, Coventry, Northampton and Oxford.

2.8.3 There are several rivers across Stratford-on-Avon such as the River Avon, River Stour, River Arrow, River Dene, River Itchen, River Alne and River Stowe. Flood Zones 2 and 3 are associated with these rivers. A large area of the district is located in areas identified at risk of surface water flooding.

2.8.4 Policy CS.4 of the Core Strategy states that *“all development proposals should be located in Flood Risk Zone 1”* and *“in all development, there should be no flooding, from all sources, to properties up to the 100 year flood event, including an allowance for climate change”*. Policy CS.21 states that Gypsy and Traveller sites *“should avoid areas prone to fluvial, pluvial or surface water flooding, and exclude areas with a 1 in 100 or greater annual probability of flooding”*.

2.8.5 Overall, the SPD would not be anticipated to result in significant effects in relation to soil, air and water.

2.9 Climatic factors

2.9.1 In conformity with the Core Strategy Policy CS.2, development proposals must demonstrate climate change mitigation and adaptation measures, including designs that reduce carbon emissions and promote renewable energy schemes.

-
- 2.9.2 Policy CS.3 of the Core Strategy states that “*small-scale community led initiatives for renewable and low carbon energy will be encouraged by the Council*”. This would be expected to help to ensure that measures are taken to reduce greenhouse gas emissions and minimise the district’s contribution towards the causes of climate change.
- 2.9.3 Policy CS.26 of the Core Strategy promotes local public transport stating that “*development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development*”. This could potentially help to encourage a modal shift away from personal car use.
- 2.9.4 The proposed development of up to an additional 70 Gypsy and Traveller pitches within Stratford-on-Avon would not be expected to significantly climatic factors. These Core Strategy policies would be likely to have a positive impact on the district’s commitment to combat climate change.
- 2.9.5 Overall, the SPD is not expected to lead to significant effects on climate change.

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 health and social infrastructure implications of the SPD; ‘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 Policy CS.21 seeks to ensure all Gypsy and Traveller and Travelling Showpeople sites have proper site management, ensure community cohesion between settled and traveller communities and be of good quality design, to include appropriate security, utilities and facilities. Overall, the SPD is not expected to lead to any likely significant effects on material assets within the district.

2.11 Cultural heritage

- 2.11.1 There are 84 Scheduled Monuments and eleven Registered Parks and Gardens with Stratford-on-Avon district. There are numerous Listed Buildings located across Stratford-on-Avon; a total of 65 Grade I Listed Buildings, 165 Grade II* Listed Buildings and 3,107 Grade II Listed Buildings. Besides these, there are a total of 76 Conservation Areas across the district.
- 2.11.2 Policy CS.21 states that “*the site is not located within an area of designated historic or environmental importance*” and future development will be in conformity with Core Strategy Policy CS.8, which seeks to protect and enhance the district historic environment.
- 2.11.3 Overall, the SPD is unlikely to lead to significant effects on cultural heritage.

2.12 Landscape

- 2.12.1 The Cotswolds AONB is partially located with the district to the south.
- 2.12.2 Stratford-on-Avon coincides with five National Character Areas (NCAs): Arden¹⁶; Severn and Avon Vales¹⁷; Dunsmore and Feldon¹⁸; Cotswolds¹⁹; and Northamptonshire Uplands²⁰.

¹⁶ Natural England (2014) National Character Area profile: 97. Arden. Available at: <http://publications.naturalengland.org.uk/publication/1819400?category=587130> [Date Accessed: 08/10/20]

¹⁷ Natural England (2014) National Character Area profile: 106. Severn and Avon Vales. Available at: <http://publications.naturalengland.org.uk/publication/1831421?category=587130> [Date Accessed: 08/10/20]

¹⁸ Natural England (2014) National Character Area profile: 96. Dunsmore and Feldon. Available at: <http://publications.naturalengland.org.uk/publication/4878893332824064> [Date Accessed: 08/10/20]

¹⁹ Natural England (2015) National Character Area profile: 107. Cotswolds. Available at: <http://publications.naturalengland.org.uk/publication/5900626?category=587130> [Date Accessed: 08/10/20]

²⁰ Natural England (2014) National Character Area profile: 95. Northamptonshire Uplands. Available at: <http://publications.naturalengland.org.uk/publication/5007752023769088?category=587130> [Date Accessed: 08/10/20]

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- 2.12.3 The Special Landscape Areas Study²¹ considered factors including scenic quality, landscape quality, cultural associations and natural heritage features to identify the Special Landscape Areas (SLAs). The Study identified four SLAs: Arden; Cotswold Fringe; Feldon Parkland; and Ironstone Hills Fringe.
- 2.12.4 The Landscape Sensitivity Assessment of Main Settlements²² assessed land at the edge of settlements for landscape sensitivity defined by the character of the landscape and urban edge.
- 2.12.5 The SPD provides clarity on the two broad locations for the future development of new Gypsy and Traveller sites. Section 3.4 of the SPD states that *“where proposals for new Gypsy and Traveller or Travelling Showpeople accommodation are located within either a Special Landscape Area or an Area of Restraint they will need to demonstrate that they satisfy the relevant policy requirements”*. This would be expected to help protect these landscape designations from inappropriate development.
- 2.12.6 Policy CS.12 of the Core Strategy seeks to ensure development proposals which would adversely impact the distinctive character and appearance of the area would be resisted, and cumulative effects of development in the area would be considered.
- 2.12.7 Policy CS.5 of the Core Strategy seeks to protect landscape character and quality and Policy CS.21 aims to ensure sites *“will not compromise the objectives of any national or local designation, including Special Landscape Areas”*. Due to the requirements set out in the Core Strategy and the SPD, the SPD would not be expected to result in significant effects on the landscape.

²¹ White Consultants (2012) Stratford-on-Avon District Special Landscape Areas Study. Available at: <https://www.stratford.gov.uk/doc/205823/name/ED4112%20Special%20Landscape%20Areas%20Study%20June%202012.pdf/> [Date Accessed: 08/10/20]

²² White Consultant (2011) Stratford-on-Avon District Landscape Sensitivity Assessment. Available at: <https://www.stratford.gov.uk/planning-building/landscape-and-green-infrastructure.cfm> [Date Accessed: 08/10/20]

3 HRA Screening

3.1 HRA method

3.1.1 The Habitats Regulations Assessment Handbook, produced by David Tyldesley Associates (referred to hereafter as the 'DTA Handbook'), provides an industry recognised good practice approach to HRA. The DTA Handbook, and in particular 'Practical Guidance for the Assessment of Plans under the Regulations'²³, which forms part F, has been used to prepare this report.

3.1.2 A step-by-step guide to the HRA methodology, as outlined in the DTA Handbook, is illustrated in **Figure 3.1**. In summary, the four key stages of the HRA process are as follows:

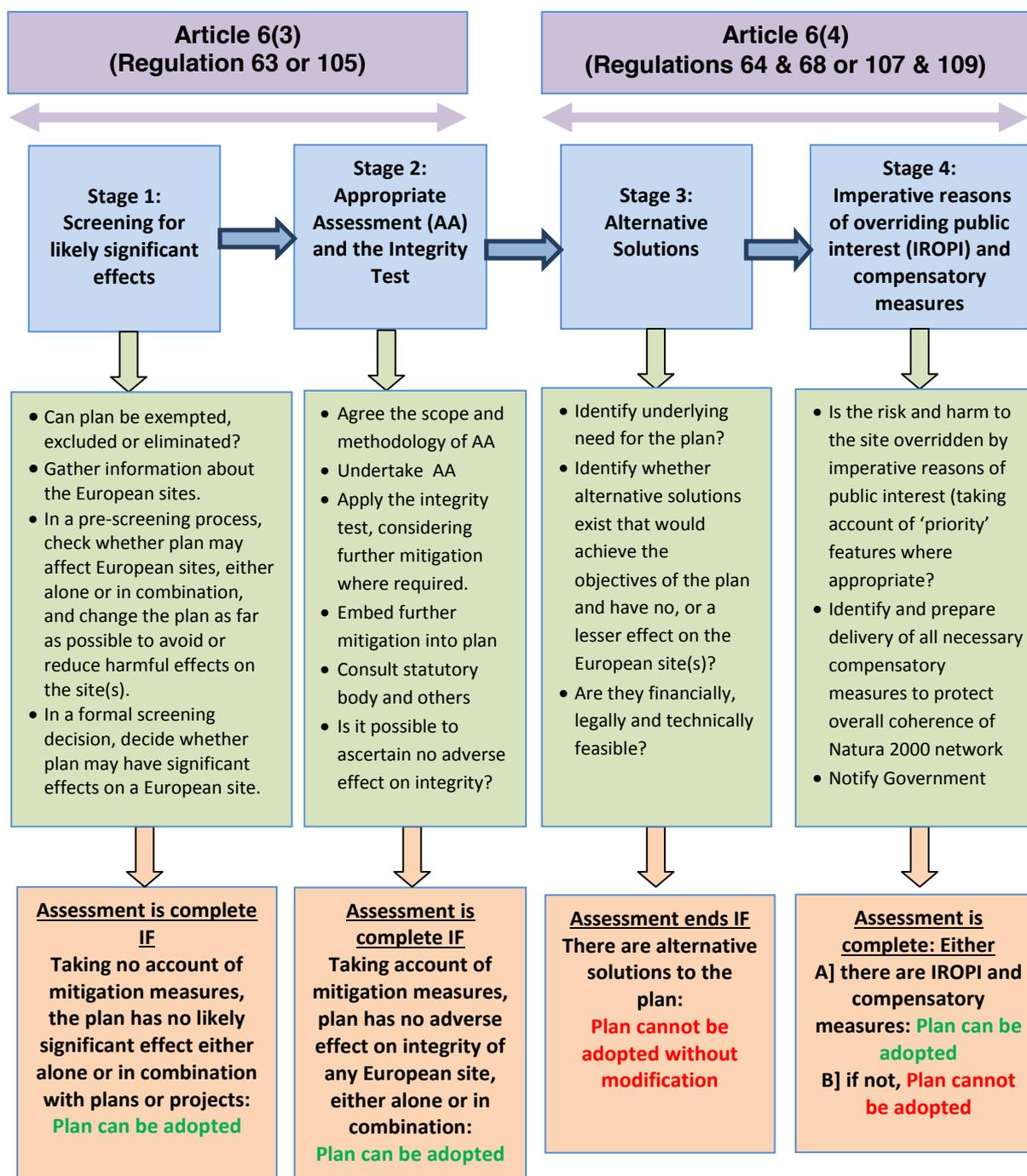
- **Stage 1. Screening:** Screening to determine if the Plan would be likely to have a significant effect on a habitats site²⁴. This stage comprises the identification of potential effects associated with the Plan on habitats sites and an assessment of the likely significance of the Plans effects.
- **Stage 2. Appropriate Assessment and the 'Integrity Test':** Assessment to ascertain whether or not the Plan would have a significant adverse effect on the integrity of any habitats site to be made by the Competent Authority. This stage comprises an impact assessment and evaluation in view of a habitats site's conservation objectives. Where adverse impacts on site integrity are identified, consideration is given to alternative options and mitigation measures which are tested.
- **Stage 3. Alternative solutions:** Deciding whether there are alternative solutions which would avoid or have a lesser effect on a habitats site.
- **Stage 4. Imperative reasons of overriding public interest and compensatory measures:** Considering imperative reasons of overriding public interest and securing compensatory measures.

²³ Tyldesley, D., and Chapman, C., (2013) The Habitats Regulations Assessment Handbook (September) (2013) edition UK: DTA Publications Limited. Available at: <https://www.dtapublications.co.uk/> [Date Accessed: 09/10/20]

²⁴ Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

3.1.3 This report presents the methodology and findings of Stage 1 of the HRA process: Screening.

Outline of the four-stage approach to the assessment of plans under the Habitats Regulations



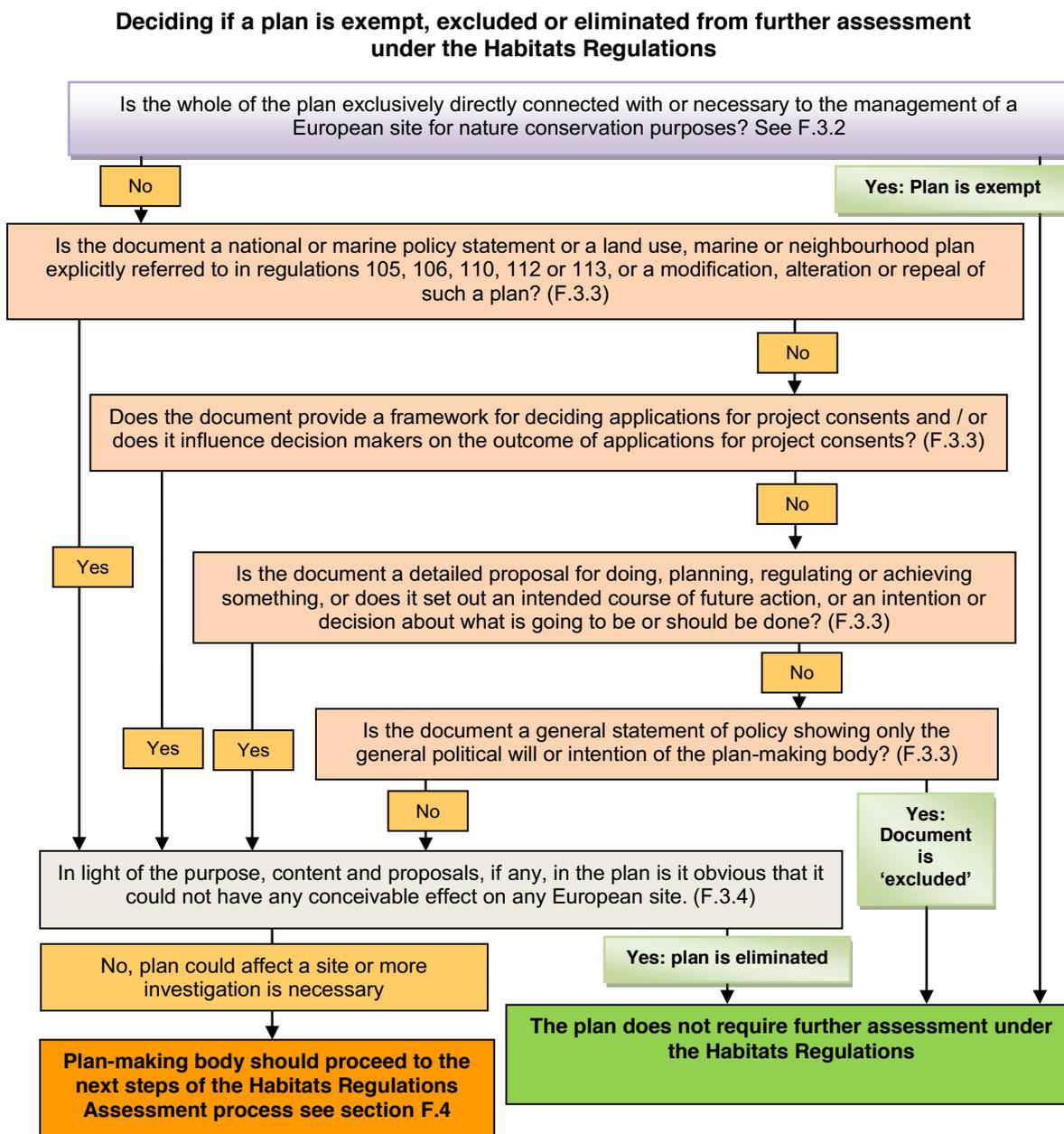
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Figure 3.1: *Stages in the Habitats Regulations Assessment*²⁵.

- 3.1.4 Screening comprises two key steps: firstly it must determine if the plan is exempt or can be excluded or eliminated from the HRA process. Secondly, where this is not possible, and taking no account of any mitigation such that the assessment is compliant with case law including the ruling in the *People Over Wind*²⁶ judgement, the screening process must determine if the plan may have a likely significant effect (LSE) on any habitats site either alone or in-combination with other aspects of the same plan or other plans or projects.
- 3.1.5 To determine if a plan should be exempt, eliminated or excluded from further assessment, a step-wise process set out in the DTA Handbook and replicated at **Figure 3.2** will be applied.

²⁵ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook* (October) (2018) edition UK: DTA Publications Limited. Available at: www.dtapublications.co.uk [Date Accessed: 09/10/20]

²⁶ InfoCuria (2018) Case C-323/17. Available at: <http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN> [Date Accessed: 09/10/20]



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Figure 3.2: Deciding if a plan is exempt, excluded or eliminated from the HRA process²⁷.

3.1.6 Where a plan cannot be eliminated through this process, further screening of its potential for LSEs must be undertaken. This stage considers the potential ‘significance’ of adverse effects. Where elements of the plan will not result in an LSE on a habitats site these may be screened out and not considered in further detail in the process.

²⁷ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook* (October) (2018) edition UK: DTA Publications Limited. Available at: www.dtapublications.co.uk [Date Accessed: 09/10/20]

- 3.1.7 The DTA handbook includes screening evaluation codes to summarise whether or not a plan component is likely to have significant effects alone or in-combination on any habitats site, see **Table 3.1**.

Table 3.1: Assessment and reasoning categories from Part F of the DTA Handbook

Assessment and reasoning categories from Chapter F of The Habitats Regulations Assessment Handbook (DTA Publications, 2013):

- A. General statements of policy / general aspirations.
- B. Policies listing general criteria for testing the acceptability / sustainability of proposals.
- C. Proposal referred to but not proposed by the plan.
- D. General plan-wide environmental protection / site safeguarding / threshold policies
- E. Policies or proposals that steer change in such a way as to protect habitats sites from adverse effects.
- F. Policies or proposals that cannot lead to development or other change.
- G. Policies or proposals that could not have any conceivable or adverse effect on a site.
- H. Policies or proposals the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in-combination with other aspects of this or other plans or projects).
- I. Policies or proposals with a likely significant effect on a site alone.
- J. Policies or proposals unlikely to have a significant effect alone.
- K. Policies or proposals unlikely to have a significant effect either alone or in-combination.
- L. Policies or proposals which might be likely to have a significant effect in-combination.
- M. Bespoke area, site or case-specific policies or proposals intended to avoid or reduce harmful effects on a habitats site.

- 3.1.8 Should a plan be considered likely to have a significant impact on a habitats 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 Previous HRA work

- 3.2.1 A Habitats Regulations Assessment was produced in April 2014, which assessed likely significant environmental effects arising from the site allocations and policy proposals set out in the Stratford-on-Avon Core Strategy²⁸. No habitats sites are located within the plan area. Nine habitats sites were identified using a 20km area of search around the Stratford-on-Avon District including any sites that were potentially connected through means other than geographical proximity, such as hydrologically. Habitats sites considered in the Core Strategy HRA included the following:

²⁸ Lepus Consulting (2014) Habitats Regulations Assessment of the Stratford-on-Avon Core Strategy. Proposed Submission Version of the Core Strategy. Available at:

-
- Bredon Hill SAC;
 - Dixton Wood SAC;
 - Fens Pools SAC;
 - Lyppard Grange Ponds SAC;
 - Oxford Meadows SAC;
 - Severn Estuary SAC;
 - Severn Estuary SPA;
 - Severn Estuary Ramsar; and
 - Wye Valley SAC.

3.2.2 Earlier assessment in June 2012²⁹ identified the capacity to treat wastewater as a potential adverse effect from the Core Strategy. The HRA however noted that adverse effects were not anticipated as a result of proposals in the plan since other plans (namely the draft Severn Trent Water Resources Management Plan, May 2013) have addressed the issue of wastewater treatment and habitat regulations issues. The HRA concluded that the Proposed Submission Version of the Core Strategy was not likely to lead to adverse effects on any habitats sites either alone or in-combination with other plans and as such there was no requirement to prepare an appropriate assessment.

<https://www.stratford.gov.uk/doc/205901/name/ED316%20Habitat%20Regulations%20Assessment%20of%20Proposed%20Submission%20Core%20Strategy%20April%202014.pdf> [Date Accessed: 09/10/20]

²⁹ Lepus Consulting (2012) Habitats Regulations Assessment of the Stratford-on-Avon Core Strategy. Screening Report. Available at:

<https://www.stratford.gov.uk/doc/205902/name/ED317%20Habitats%20Regulations%20Assessment%20of%20SDC%20Core%20Strategy%20July%202012.pdf> [Date Accessed: 09/10/20]

3.2.3 A technical note was prepared by Lepus in 2015³⁰ in support of the Core Strategy HRA which confirmed that there was no change to the results of the 2014 HRA following a review of the documents listed below:

- Final Water Resource Management Plan HRA (July 2014);
- Draft Drought Plan HRA (May 2013); and
- Natural England consultation response (July 2014).

3.3 Can the Plan be exempt, excluded or eliminated?

3.3.1 A series of questions have been posed to determine if the SPD can be exempt, excluded or eliminated from assessment under the Habitats Regulations (see **Table 3.2**).

Table 3.2: Can the plan be exempt, excluded or eliminated from consideration under the Habitats Regulations

Question	Response
Is the whole of the plan exclusively directly connected with or necessary to the management of a Habitats site for nature conservation purposes?	No
Is the document a national marine policy statement or a land use, marine or neighbourhood plan explicitly referred to in regulation 105, 106, 110, 112 or 113, or a modification, alteration or repeal of such a plan?	No
Does the document provide a framework for deciding applications for project consents and / or does it influence decision makers on the outcome of applications for project consents?	Yes
In light of the purpose, content and proposals, if any, in the plan is it obvious that it could not have any conceivable effect on any Habitats site?	No – plan could affect a site or more investigation is required
Plan making body should proceed to the next steps of the HRA process	

³⁰ Lepus Consulting (2015) External memo: technical note. Update to the Habitats Regulations Assessment. Available at:

<https://www.stratford.gov.uk/doc/205905/name/ED133%20Update%20to%20the%202014%20Habitats%20Regulations%20Assessment%20Aug%202015.pdf> [Date Accessed: 09/10/20]

3.4 Determination of likely significant effects

3.4.1 The next stage in the HRA screening process comprises the screening of the elements of the SPD itself. This process identifies LSEs of a plan or project upon a habitats site, either alone or in-combination with other plans or projects. This stage considers the potential ‘significance’ of adverse effects. Where elements of the SPD will not result in an LSE on a habitats site these may be screened out and not considered in further detail in the process. The evaluation codes set out in **Table 3.1** have been applied.

3.4.2 **Table 3.3** below provides a screening summary of all elements of the SPD. Each part of the SPD has been evaluated and classified using the codes in **Table 3.1**. All elements of the SPD are considered unlikely to have a LSE (alone or in-combination) and have therefore been screened out of the HRA process.

Table 3.3: Screening table

Element of the SPD	Assessment and reasoning	Screening category
Chapter 1	Administrative text and introduction to the SPD.	A
Chapter 2	Administrative text setting out Gypsy and Traveller and Travelling Showpeople accommodation needs.	A
Chapter 3	This chapter identifies broad locations for new permanent sites as per the Core Strategy. It does not allocate any new sites and as such does not facilitate development explicitly.	G
Chapter 4	This chapter sets out design requirements for new pitches. It does not facilitate or change development.	F
Appendix 1	This appendix extracts relevant core strategy wording.	A
Appendix 2	This appendix presents maps of the broad locations.	A
Appendix 3	Glossary.	A

4 Conclusions

4.1 SEA screening outcome

4.1.1 This report has screened the proposed Stratford-on-Avon Gypsy and Traveller and Travelling Showpeople SPD against the topics cited in Annex 1(f) of the SEA directive with a view to determining whether any significant environmental effects will arise as a consequence of the plan and whether, accordingly an assessment under the SEA Directive is required.

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 SPD.

4.1.3 It is recommended that the SPD **should not** be screened into the SEA process.

4.2 HRA screening outcome

4.2.1 This report has screened the proposed SPD to identify whether or not any likely significant effects will arise as a consequence of the plan with a view to determining whether more detailed Appropriate Assessment (Stage 2 of the HRA process) is required.

4.2.2 The output of the HRA screening process concluded that the SPD **would not** be expected to have a likely significant effect on any habitats site, either alone or in-combination with any other plan or project, and therefore, no further assessment is required.

4.3 Consultation

4.3.1 This report will be subject to consultation with Natural England, Environment Agency and Historic England. Their comments will be presented in **Appendix A**.

Appendix A: Consultation Responses

Ecological Services

Green Infrastructure

Landscape and Visual Impact Assessment

Landscape Character Assessment

Habitats Regulations Assessment

Strategic Environmental Assessment

Sustainability Appraisal



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