

Hallow Neighbourhood Development Plan

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



May 2020

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1. INTRODUCTION

1.1 BACKGROUND

This screening report is designed to determine whether or not the content of the draft Hallow Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

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

- the Neighbourhood Plan allocates sites for development;
- the Neighbourhood Plan 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 the SEA of the Local Plan in the area.

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

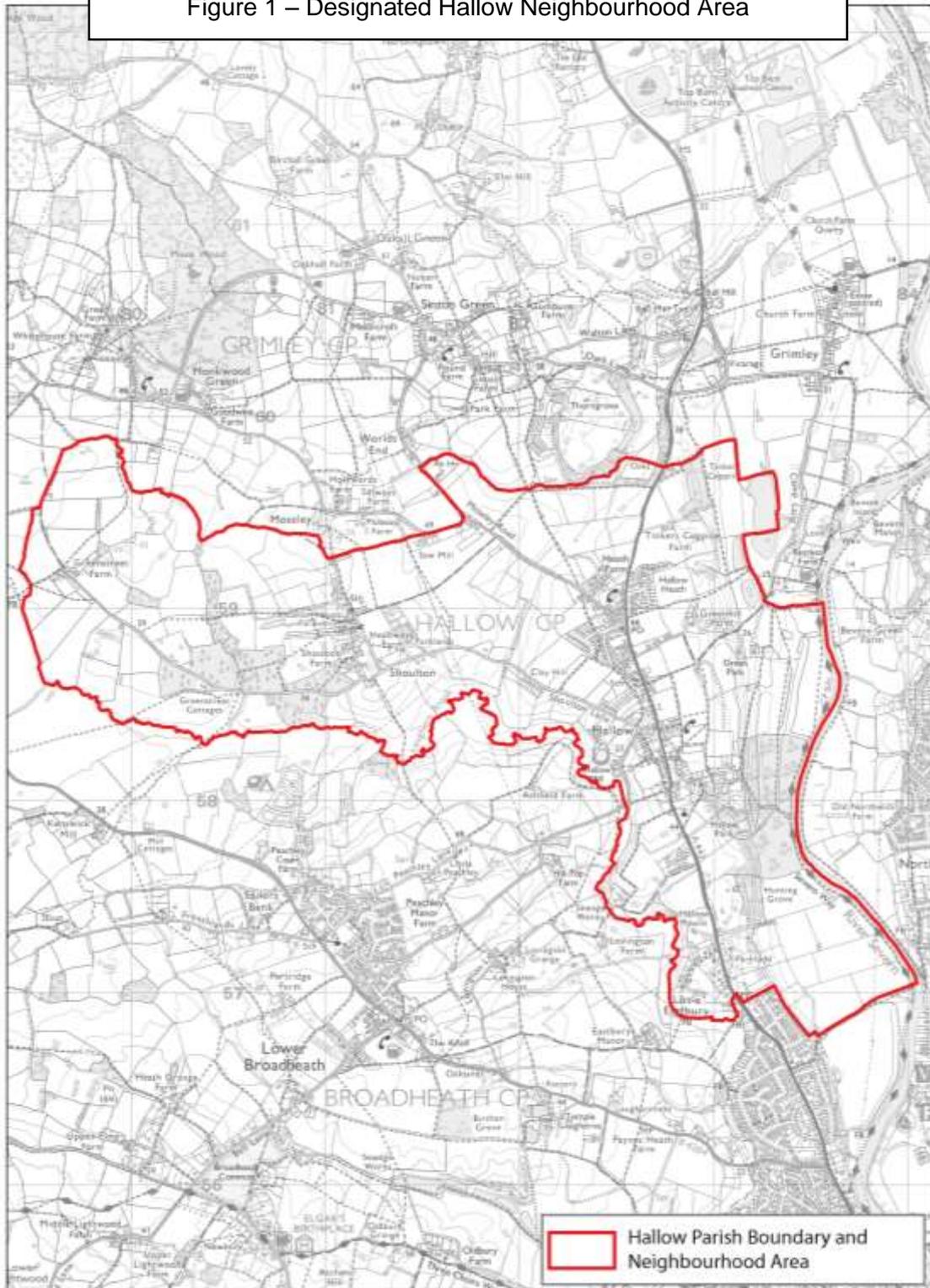
When deciding on whether the proposals are likely to have significant effects, the local authority is required to consult Historic England, Natural England and the Environment Agency. Where the local planning authority determines that the plan is unlikely to have significant environmental effects (and,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

1.2 DRAFT HALLOW NEIGHBOURHOOD PLAN SUMMARY

The Hallow Neighbourhood Plan is essentially a community-led framework for guiding future development and growth of the parish to the year 2041. Fifteen draft policies have been proposed, focusing on topics including Natural Environment and Rural Character, Housing, Community and Recreational Facilities, Built Facilities, Transport and Infrastructure.

1.3 HALLOW DESIGNATED NEIGHBOURHOOD AREA

Figure 1 – Designated Hallow Neighbourhood Area



1.4 DRAFT HALLOW NEIGHBOURHOOD PLAN POLICY SUMMARIES

Fifteen policies are proposed in the draft Hallow Neighbourhood Plan (HNP); they are summarised below.

DRAFT POLICY	SUMMARY
<p>HAL1 Landscape and Biodiversity</p>	<p>Policy HAL1 supports development that is designed so that it protects or enhances the local landscape.</p> <p>Development proposals are to be assessed against the following 5 criteria:</p> <ul style="list-style-type: none"> a) Impact on the form, relationship, pattern and character of the neighbourhood areas different settlements; b) Respect for field systems and other historic boundaries; c) Whether buildings are sympathetic to key features in the landscape (e.g. routeways, hedgerows, trees, water features and watercourses); d) Whether landscaping (when used) reduces the impact and softens the appearance of development and helps it to integrate new development into the surrounding countryside. Newly planted trees, hedgerows or vegetation to be of native species and compatible with the surrounding landscape. All landscaping proposals to include details for their long-term management and maintenance; and e) Applicants to demonstrate that inclusion of any lighting features is necessary. Lighting features to minimise light pollution to help preserve the neighbourhood area’s dark skies. <p>New development, where relevant, to be informed by:</p> <ul style="list-style-type: none"> a) Hallow Design Guide (2019); and b) Worcestershire County Council’s Landscape Character Assessment Supplementary Guidance. <p>Design and Access Statements (where prepared) to set out how the development proposal has taken account of the Hallow Design Guide and WCC LCA Supplementary Guidance.</p>
<p>HAL2 Local Green Spaces</p>	<p>Policy HAL2 proposes the designation of 6 Local Green Spaces (identified on the Proposals Map) on which any development must be consistent with national Green Belt policy.</p>

DRAFT POLICY	SUMMARY
	<p>The proposed Local Green Spaces are:</p> <ol style="list-style-type: none"> 1. Tinkers Coppice Wood 2. Gravel Pit 3. Old Churchyard 4. Village Green 5. Greenhill Fishing Ponds 6. Woodland, east of Church Lane
<p>HAL3 Important Views</p>	<p>Policy HAL3 seeks to retain 26 important views (shown on the Policies Map and identified in Table 3).</p> <p>It is proposed that development proposals affecting the 26 views should be designed in such a way so as not to have a significant adverse impact on their visual quality and amenity.</p>
<p>HAL4 Green Infrastructure</p>	<p>Part 1 of Policy HAL4 proposes that all new development proposals should demonstrate how they maintain green infrastructure in Hallow (including recreational, ecological, historic and landscape character functions of natural habitats; drainage and ecological value of the network of watercourses and features; and recreational function of existing footpaths, bridleways, public rights of way and publicly accessible green space).</p> <p>Part 2 of Policy HAL4 proposes that all new development proposals should demonstrate how they respond to opportunities to restore existing green infrastructure.</p> <p>Part 3 of Policy HAL4 proposes that (where possible and feasible) all new development proposals should demonstrate how they incorporate new green infrastructure that creates connections and links to the existing network of green infrastructure.</p> <p>Part 4 of Policy HAL4 proposes that any development proposal which would create new green infrastructure should be accompanied by a management plan setting out how the green infrastructure will be managed and maintained.</p> <p>Development proposals that would disrupt or sever the existing green infrastructure network would not be supported.</p>
<p>HAL5 Biodiversity</p>	<p>Policy HAL5 proposes that all new development proposals should provide a net gain in biodiversity by incorporating the following 4</p>

DRAFT POLICY	SUMMARY
	<p>features:</p> <ul style="list-style-type: none"> a) Existing wildlife habitats and landscape features (e.g. woodland, watercourses, unimproved grassland and orchards) to be retained or created; b) Native flora in hedgerows, landscaping and open spaces to be planted; c) Biodiversity-friendly environment to be created (by including features such as bat boxes, bird boxes, nest cups, and bee bricks); and d) Wildlife friendly boundary treatments to be included that facilitate the movement of species. <p>Residents of new dwellings to be provided with information on the biodiversity features integrated into their new home.</p>
<p>HAL6 New Housing Development in Hallow Village 2021-2041</p>	<p>Policy HAL6 proposes the allocation of a 2.23 hectare site at Green Hill Lane, Hallow (identified as Phase 3 on Map 14) for housing.</p> <p>The allocation would be subject to the following 2 conditions:</p> <ul style="list-style-type: none"> a) Access to be via SWDP site allocation SWDP59zzi; and b) Easement/buffer to the gas pipeline to be provided on the south of the site.
<p>HAL7 Housing Needs</p>	<p>Part 1 of Policy HAL7 proposes that all new residential development proposals of 5 or more units provide a mix of types, sizes and tenures of housing.</p> <p>The precise mix of housing to be assessed on a “site by site” basis, taking account of the requirements of SWDP14 and the most up-to-date information available on local housing needs. Policy HAL7 proposes that, in particular, the mix should seek to meet the needs of those seeking their first home and those looking to downsize.</p> <p>Part 2 of Policy HAL7 proposes that any new affordable housing should be to meet the needs of people with a strong local connection, assessed against the MHDC Rural Lettings Policy (or successor policies).</p>
<p>HAL8 Design</p>	<p>Part 1 of HAL8 proposes that all development proposals should demonstrate that the design has regard to the Hallow Design Guide, including the design for windows, materials, boundary treatments and landscaping.</p>

DRAFT POLICY	SUMMARY
	<p>Part 2 of HAL8 proposes that all development proposals should have a positive impact on health and well-being and should:</p> <ul style="list-style-type: none"> a) enhance neighbourhood attractiveness, layout and design; b) provide opportunities for physical activity, active travel (walking, cycling, use of public transport); c) produce buildings and places that are accessible to all, but pay special attention to the needs of people with disabilities, older people, children and those with children; and d) create healthy, safe, physically and visually attractive environments that promote social interaction, physical activity and opportunities for food growing.
<p>HAL9 Communities Facilities</p>	<p>Part 1 of Policy HAL9 resists the loss of 5 existing community facilities (identified on the Policies Map) unless it can be demonstrated that the proposal meets the criteria in SWDP Policy 37B (or its successor).</p> <p>The 5 community facilities are:</p> <ul style="list-style-type: none"> 1. Post Office Stores 2. Ladygo stores 3. Parish Hall 4. The Crown Inn 5. Sports and Social Club <p>Part 2 of Policy HAL9 supports the development of new community facilities, particularly health facilities, subject to criteria in SWDP Policy 37A (or its successor) being met.</p>
<p>HAL10 Recreation</p>	<p>Policy resists the loss of 5 existing recreation facilities (identified on the Policies Map) unless it can be demonstrated that the proposal meets the following 3 criteria:</p> <ul style="list-style-type: none"> a) The proposal is for a community/recreational use; or b) An assessment of need has clearly demonstrated that the recreation facility is surplus to requirements; or c) Replacement provision of the recreation facility of at least equivalent value to the community is provided within the neighbourhood area.

DRAFT POLICY	SUMMARY
<p>HAL11 Non-Designated Heritage Assets</p>	<p>Part 1 of Policy HAL11 seeks to nominate 30 non-designated heritage assets for consideration in the District Council's Local List Supplementary Planning Document.</p> <p>Part 2 of Policy HAL11 proposes that the suitability of development proposals affecting non-designated heritage assets (including the 30 nominated assets) be assessed against SWDP 24 (Management of the Historic Environment) or its successor.</p>
<p>HAL12 Archaeological Assets</p>	<p>Policy HAL12 requires all development proposals in areas shown on maps in the Worcestershire Historic Environment Record (HER) to conserve or enhance known surface and subsurface archaeology.</p> <p>Policy HAL12 proposes that a lack of current evidence of surface or sub-surface archaeology must not be taken as proof of absence and that any proposals where potential archaeology exists would be subject to planning condition.</p>
<p>HAL13 Hallow Conservation Area</p>	<p>Policy HAL13 seeks to preserve or enhance Hallow Conservation Area (shown on Map 15) and its setting by requiring proposals for new development to adhere to the following 10 principles:</p> <ul style="list-style-type: none"> a) Maintain the historic pattern of the built form and open spaces in the Conservation Area by respecting the historic layouts associated with the historic, incremental development of Hallow village; b) Complement the scale, height and massing of existing historic development in the context of both the immediate surrounding area and the wider Conservation Area; c) Reflect the proportions found in the elevations of traditional buildings and employ traditional detailing; d) Retain and employ local detailing and architectural decoration and other features; e) Use high-quality local and traditional materials; f) Include boundary treatments that are appropriate and take their cue from the best examples of such treatments in the vicinity of the site; g) Protect the important views identified in the Hallow Conservation Area Appraisal and Management Strategy; h) Retain trees, green spaces and other landscape features; i) Protect features of ecological and biodiversity value; and j) Where possible and appropriate, remove and replace negative features within the Conservation Area that are the

DRAFT POLICY	SUMMARY
	product of previous unsympathetic development or alterations.
<p>HAL14 Sustainable Transport</p>	<p>Policy HAL14 supports sustainable transport (use of public transport, walking and cycling) by encouraging new development to improve facilities for pedestrians, cyclists and public transport.</p> <p>Policy HAL14 provides in-principle support for the following 6 transport initiatives:</p> <ul style="list-style-type: none"> i. A cycle route on the eastern side of the village. It is proposed that new development should include a cycle path to link into this route (where relevant and feasible). ii. A dedicated on-road cycle route to Worcester. iii. Enhanced bus transport infrastructure. iv. Creation of opportunities for shared transport. v. Improved pedestrian and cycle links to key facilities identified in the Neighbourhood Plan. vi. Improvements and new connections to existing Public Rights of Way (PROW) (Table 7) and the creation of new PROW.
<p>HAL15 Infrastructure</p>	<p>Policy HAL15 proposes that all development proposals that generate the need for additional infrastructure provision will only be supported when suitable mechanisms (such as planning conditions and obligations) are put in place to ensure the required infrastructure provision is implemented within a reasonable timescale.</p>

1.5 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) PROCESS

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

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

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

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

Stage	Y/N	Reason
1. Is the Hallow Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	This is a Neighbourhood Plan that is being prepared by a qualifying body the Localism Act 2011. If the Plan is passed by means of an Examination and Referendum, it will be formally adopted by the Local Planning Authority. It will then form part of the local development framework and be afforded significant weight in planning decisions.
2. Is the Hallow Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	Neighbourhood Plans are not mandatory requirements, and the Hallow Neighbourhood Plan is being prepared voluntarily by the local qualifying body in line with the provisions of the Localism Act. If the Plan is adopted however it will form part of the statutory development plan, and it is therefore considered necessary to answer the following questions to determine if an SEA is required.
3. Is the Hallow Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	The Plan is prepared for town and country planning and sets out a framework for future development consent of projects, including the allocation of a specific area of land for development.
4. Will the Hallow Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	See Screening Opinion for HRA in Section 3 of this report.
5. Does the Hallow Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Hallow Neighbourhood Plan is made up of a number of policies which, when adopted, will form part of the Local Development Framework and so will have significant weight in planning decisions.

6. Does the Hallow Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When adopted, the Hallow Neighbourhood Plan will be a statutory planning document. It will form part of the Local Development Framework and so will have significant weight in planning decisions. The responsibility for issuing development consent will remain with the Local Authority.
7. Is the Hallow Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	Not Applicable
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	The Hallow Neighbourhood Plan could potentially have a significant effect on the environment, mainly owing to the proposed housing allocation in Policy HAL6. To investigate the likelihood of potential impacts further a case-by-case assessment has been conducted, the full results of which can be found in Table 2.

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

1.6 HABITATS REGULATIONS ASSESSMENT (HRA) PROCESS

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

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

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

2. SEA SCREENING

2.1 SEA SCREENING ASSESSMENT

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

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

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

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

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

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

2.2 SEA SCREENING OPINION

Table 2 assesses the likelihood of significant environmental effects arising from the Draft Hallow Neighbourhood Plan in its current form.

In general, the policies and proposed allocation in the Draft Hallow Neighbourhood Plan are in-line with the strategy of the adopted SWDP, which has been subject to a Sustainability Appraisal incorporating a Strategic Environmental Assessment.

The policies of the Draft Hallow Neighbourhood Plan seek to avoid or minimise environmental effects through the provision of guidance on issues which are specific to the neighbourhood area. It is therefore likely that the Draft Hallow Neighbourhood Plan will have, both directly and indirectly, a positive environmental impact rather than negative, by setting out guidance addressing how developers can minimise impacts on a number of environmental receptors. However, the emerging plan identifies a potential housing allocation which, whilst adjacent to a SWDP allocation, was not featured in SWDP assessments, and hence the likelihood of it having a significant environmental impact if included in the adopted neighbourhood plan has not been examined.

Pending the responses of the consultation and the formal views of the statutory environmental bodies, the Draft Hallow Neighbourhood Plan may require a full Strategic Environmental Assessment.

3. HRA SCREENING

3.1 HRA SCREENING ASSESSMENT

There are no internationally designated wildlife sites within the Hallow Neighbourhood Area. For the purposes of this screening assessment, sites that fall within a 20km radius are also considered. There are two sites identified within this range – Lyppard Grange SAC and Bredon Hill SAC which are approximately 5km east and 20km south-east of the Hallow Neighbourhood Area respectively.

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

Bredon Hill SAC is an area of pasture woodland and ancient parkland situated approximately 4.5km south-west of Evesham. The site provides habitat for the Violet Click Beetle *Limoniscus Violaceus*, which develops in the decaying wood either of very large, old hollow beech trees (Windsor Forest) or ash trees (Worcestershire and Gloucestershire border sites). Currently the key site attributes which Natural England understands the species to require is related to the abundance and condition of the ancient trees on the designated site within which it develops.

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

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

The policies in the draft Hallow Neighbourhood Plan are considered to be in general conformity with the SWDP, and although the draft Plan does propose an additional land allocation over and above that in the SWDP, the scale of such allocation is considered small enough not to have an impact on any internationally designated wildlife sites. With this and

the SWDP AA in mind, it is considered that the draft Hallow Neighbourhood Plan will have no negative impact on internationally designated wildlife sites.

3.2 HRA SCREENING OPINION

As a result of the above assessment, it is considered that the policies of the draft Hallow Neighbourhood Plan are in general conformity with those contained in the SWDP. Although the draft Hallow Neighbourhood Plan does deviate from the land allocations contained within the SWDP, the level of such allocations are considered small enough not to have an impact on internationally designated wildlife sites. It is therefore concluded that the draft Hallow Neighbourhood Plan is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.

4. CONCLUSIONS

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

The SEA screening exercise featured in Section 2 concludes that the draft Hallow Neighbourhood Plan may require a full Strategic Environmental Assessment to be undertaken. This is because the Neighbourhood Plan proposes a land allocation for development adjacent to an existing allocation in the SWDP.

The HRA screening exercise featured in Section 3 concludes that the draft Hallow Neighbourhood Plan does not require a full Habitats Regulation Assessment Appropriate Assessment to be undertaken. There are no internationally designated wildlife sites within the Hallow Neighbourhood Area, with Lyppard Grange SAC and Bredon Hill SAC falling within a 20km radius. The impact on these sites as a result of the land allocations contained within the SWDP has been assessed in the SWDP HRA AA, and although the draft Hallow Neighbourhood Plan does deviate, the level of such allocations are considered small enough to conclude that it is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.

Both of the above mentioned recommendations were subject to consultation with the statutory environmental bodies (i.e. the Environment Agency, Historic England and Natural England) before a formal decision was made on the requirement of a full SEA and HRA AA. The five week consultation period ran from Monday 24 February until 5pm on Monday 30 March 2020; the responses to the consultation and subsequent internal correspondence can be found at Appendix 1.

On the requirement for a full SEA, the Environment Agency and Natural England concluded that the draft Hallow Neighbourhood Plan was unlikely to give rise to a significant impact on a European site and as such a full SEA was not required, whilst Historic England deferred to the advice of Malvern Hills District Council's own Archaeology and Conservation Officers. The advice received from Malvern Hills District Council's Archaeology and Planning Adviser and Senior Conservation Officer can be found at Appendix 1, but in summary it was determined that a full SEA would not be required.

On the requirement for a HRA AA, the statutory environmental bodies unanimously agreed that a HRA AA was not required.

APPENDIX 1 - CONSULTATION RESPONSES AND SUBSEQUENT INTERNAL CORRESPONDENCE

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Forward Planning
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[REDACTED]
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Date: 26 March 2020

F.A.O: Mr Reiss Sadler

Dear Sir

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

Thank you for referring the above consultations, which were received on 24 February 2020. We would offer the following comments to assist your consideration at this time.

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

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

Whilst, in consideration of the matters within our remit, the Neighbourhood Plan is considered unlikely to have significant environmental impacts we note in that a full SEA may be required as the Plan proposes a land allocation for development adjacent to an existing allocation within the SWDP.

Habitats Regulation Assessment: *Article 6(3) of the European Habitats Directive (1992) requires that any plan (or project), which is not directly connected with or necessary to the management of a European site (also known as a "Natura 2000" site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans*

Environment Agency
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or projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives.

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

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

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

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

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

Yours faithfully

Mrs Anita Bolton
Planning Advisor

[Redacted signature block]

Dear Reiss,

HALLOW 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 may be required, albeit it appears that no designated heritage assets are affected by the housing site allocation proposed.

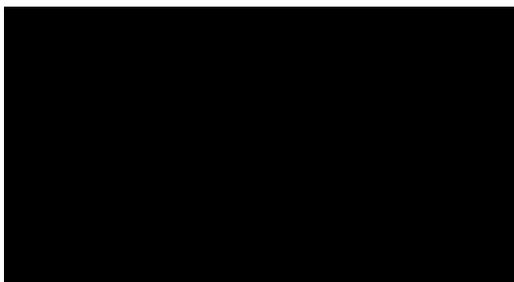
Beyond this, no information is supplied that would allow a judgement to be made in respect of potential impacts upon more locally significant heritage assets including potential archaeological remains. We advise in that respect that your judgement is based upon the advice of your own conservation officers and in-house archaeological adviser and in particular the Worcestershire Historic Environment Record (HER) may hold pertinent information and should be consulted.

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

Best Wishes,



Historic Places Adviser | West Midlands
Historic England | [Redacted]





www.HistoricEngland.org.uk | [@HistoricEngland](https://twitter.com/HistoricEngland)



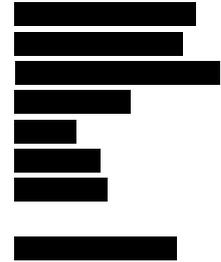
Historic England

Date: 06 April 2020



David Clarke
Planning Officer
Malvern Hills District Council

BY EMAIL ONLY



Dear David,

Hallow Draft Neighbourhood Plan - Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Opinion

Thank you for your consultation on the above dated 21 February 2020 which was received by Natural England on the same date.

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

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) for the Hallow Neighbourhood Plan.

We understand from the report that an additional housing allocation is included within the Hallow Neighbourhood Plan which has not been considered by the South Worcestershire Development Plan and so the environmental effects of this site have not been assessed.

A full SEA Environmental Report can be required if the neighbourhood plan is considering an allocation which has not already been appraised by the relevant Local Plan and if it affects a sensitive area and the features for which it was designated. Sensitive areas as defined by the Environmental Impact Regulations (2011) include Sites of Special Scientific Interest (SSSI).

The proposed additional site falls within an Impact Risk Zone (IRZ) for Northwick Marsh SSSI. Impact Risk Zones are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals to protected sites, including SSSIs. They define zones around each site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The potential environmental risk to this SSSI from residential development would be from the hydrological connection and the impact of foul or surface water. However provided the foul waste from new dwellings is disposed of to the mains sewer and any surface run-off is appropriately treated and enters the River Severn downstream of the SSSI there would be unlikely to be any significant environmental effect from residential development in this location.

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

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Roslyn Deeming on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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Yours sincerely

Roslyn Deeming
Senior Adviser
Area Delivery
East Midlands Area

From: David Clarke

Sent: 24 April 2020 15:51

To: Aidan Smyth

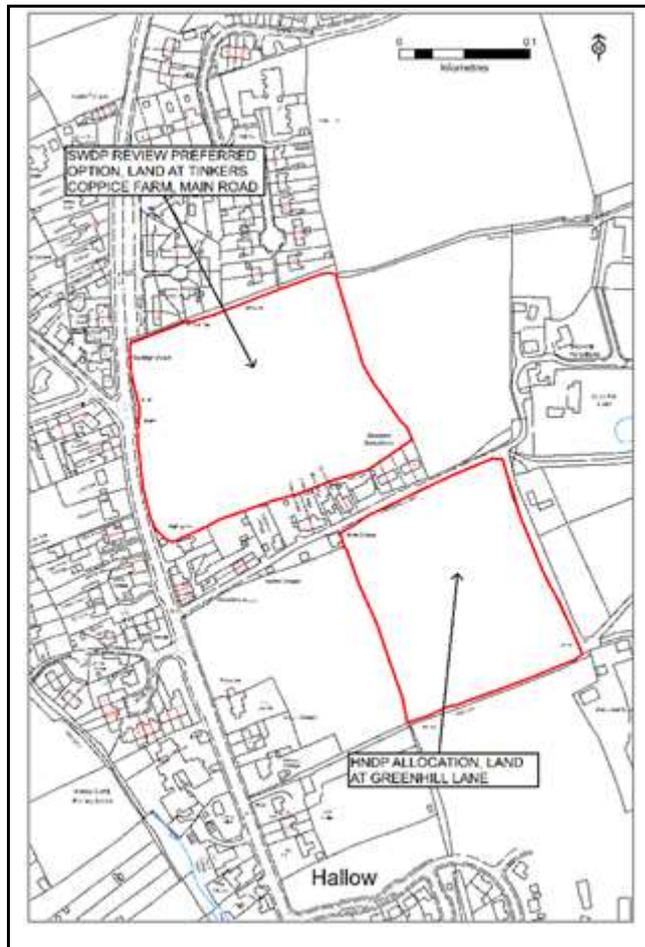
Subject: Hallow Neighbourhood Plan - Significant Effects on the Historic Environment?

Hello Sarah & Aidan,

I am writing to ask whether, in your opinion, the proposed housing allocation in the draft Hallow Neighbourhood Plan (see details below) is likely to have a significant environmental effect on the historic environment at Hallow.

The proposed allocation is for approximately 30 dwellings on a 2.2 hectare site off Green Hill Lane in Hallow – see map below.

The Green Hill Lane site sits behind an existing SWDP allocation – SWDP 59zzi. We have agreed in principle with Hallow Parish Council to replace the site proposed in the SWDP Preferred Options (land at Tinkers Coppice) with the Parish's preferred site at Green Hill Lane.



As background to this request for your opinion, you may be aware that we (MHDC) have to decide whether or not a draft Neighbourhood Plan requires a Strategic Environmental Assessment (SEA). To decide whether Neighbourhood Plan proposals are likely to have

significant environmental effects we prepare a draft Screening Opinion and consult Historic England, Natural England and the Environment Agency. A copy of the draft Screening Opinion for the Hallow NDP is attached.

If Neighbourhood Plans allocate sites for development we automatically conclude that the Plan may require a full SEA, subject to the professional opinions from Historic England, Natural England and the Environment Agency.

Historic England seem reluctant to conclude that a SEA is not required if a Neighbourhood Plan has allocated a site for development. In the case of Hallow, Historic England acknowledge that no designated heritage assets appear to be affected by the proposed housing allocation but recommend that our decision is based on advice from yourselves – see response from Historic England attached.

If an SEA is required for the proposed site allocation in Hallow, we need to advise the Parish Council which historic environment impacts are considered likely to be significant because Planning Practice Guidance says that a SEA *“does not need to be done in any more detail, or use more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan”*.

Hopefully the above is clear, but if you need further background information or wish to discuss the request further please do not hesitate to let me know.

I would like to be in a position to let the Parish Council know next week whether they are required to commission a SEA. If possible, a response by next Wednesday would therefore be appreciated.

Regards,

David

David Clarke
Planning Officer
Malvern Hills District Council
The Council House
Avenue Road
Malvern
Worcestershire WR14 2AF

From: aidan Smyth
Sent: 01 May 2020 15:33
To: David Clarke
Cc: Sarah Lowe
Subject: RE: Hallow Neighbourhood Plan - Significant Effects on the Historic Environment?

Hi David,

I have assessed the archaeological potential of the site using our access to the HER.

A trench evaluation adjacent to the allocated land identified a modern ditch but nothing of archaeological significance. The allocated site shows evidence of wide ridge and furrow in LiDAR data. The site at Tinkers Coppice Farm shows evidence of 19th or early 20th century agricultural activity.

In the wider environs there is some evidence of cropmarks which possibly represent prehistoric activity in the area. There is no confirmed Romano/British occupation within the application site.

The site at Tinkers Coppice Farm is likely to have similar evidence to the evaluated site to its south, however an application within this site will require archaeological investigation by condition to confirm the archaeological potential, further mitigation may be required but is dependant upon the evaluation results. The allocated site has a higher archaeological potential as the medieval ridge and furrow (R&F) is still evident. The R&F can mask earlier archaeology. Prior to determination of an application in this site a geophysical survey will be requested followed by targeted evaluation. Mitigation by archaeological works or by design may then be required by condition.

Kind regards,

Aidan.

Aidan Smyth
Archaeology And Planning Advisor

Wychavon and Malvern Hills District Councils

www.wychavon.gov.uk
www.malvernhills.gov.uk

From: David Clarke
Sent: 01 May 2020 15:51
To: Aidan Smyth
Cc: Sarah Lowe
Subject: RE: Hallow Neighbourhood Plan - Significant Effects on the Historic Environment?

Hi Aidan,

Many thanks – this is most helpful.

For clarity, my interpretation is that in your opinion the proposed allocation of the site at Greenhill Lane is unlikely to have significant environmental impact on archaeology that would trigger the need for a Strategic Environmental Assessment (SEA). Is that correct?

Regards,

David

From: aidan Smyth
Sent: 01 May 2020 16:04
To: David Clarke
Subject: RE: Hallow Neighbourhood Plan - Significant Effects on the Historic Environment?

Hi David,

That is correct, archaeological potential in the area is moderate to low. In terms of archaeology I think the requirements of planning applications would be enough to allow us to assess the sites. An SEA would not add anything to our understanding of the archaeological potential of the site, this is mainly due to the trench evaluation adjacent to the proposed areas of development.

Kind regards,

Aidan.

From: Sarah Lowe

Sent: 22 May 2020 09:53

To: David Clarke

Cc: Reiss Sadler; Andrew Ford; Jim Burgin

Subject: RE: Hallow Neighbourhood Plan - Significant Effects on the Historic Environment?

Dear David

I have considered the proposed Hallow Neighbourhood Plan housing allocation site off Greenhill Lane and can confirm that an SEA report will not be required for the site.

The above would not preclude the requirement for a Heritage Statement to be submitted with any application coming forward for the site as there are 5 no listed buildings to the west of the site, along Main Road.

Kind regards

Sarah

Sarah Lowe BSc(Hons), Dip(Hons)Arch, PGDipHistEnvCons

Senior Conservation Officer

Planning and Infrastructure

Malvern Hills District Council