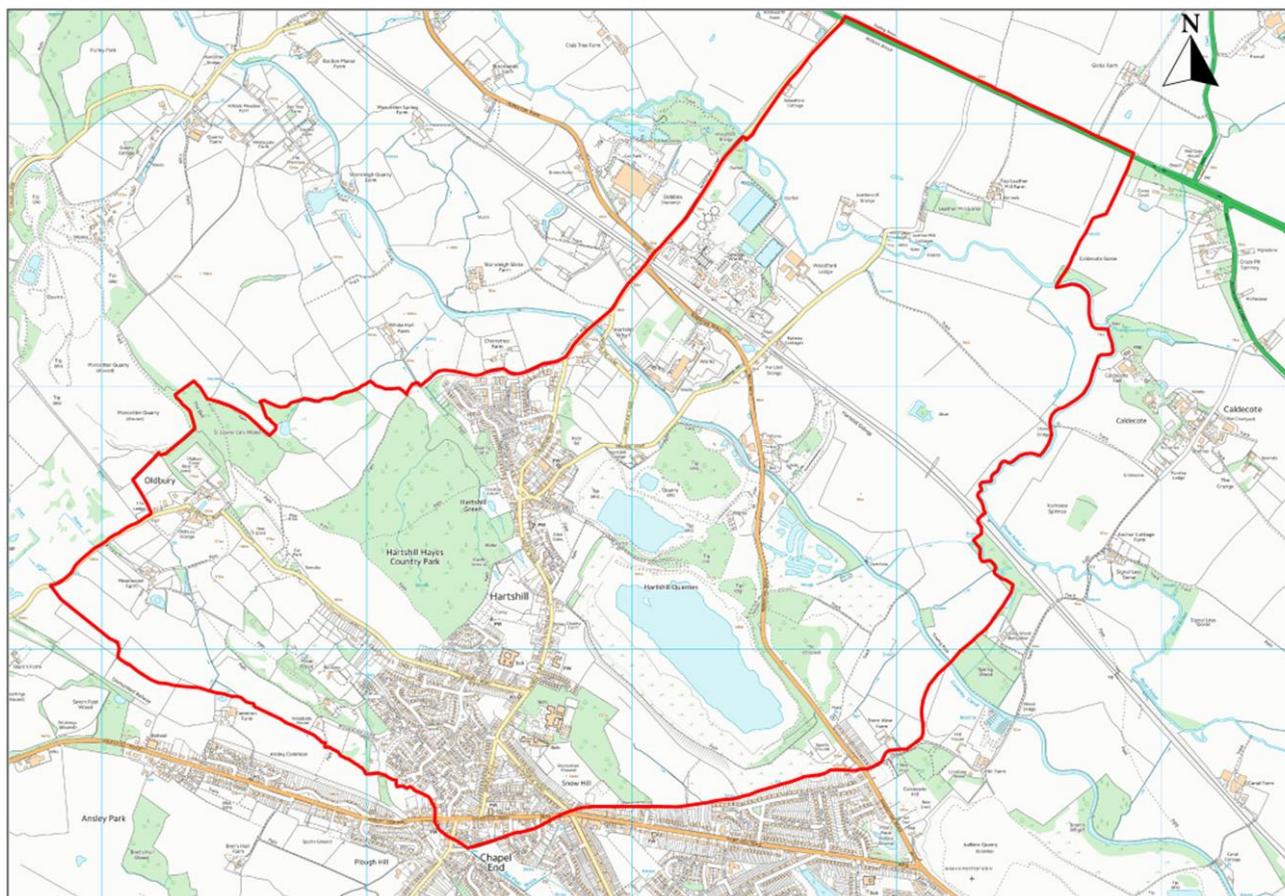


# **Hartshill Regulation 16 Submission Neighbourhood Development Plan Environmental Report**

**April 2016**



**Map 1 Hartshill Designated Neighbourhood Area** © Crown copyright and database rights [2015] Ordnance Survey 100055940  
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## 1.0 Introduction and Background

- 1.1 This Environmental Report has been prepared to accompany the Regulation 16 Submission Draft of the Hartshill Neighbourhood Development Plan (NDP). This Environmental Report should be read alongside the Regulation 16 Submission Plan, the Basic Condition Statement and Environmental Report.
- 1.2 This Environmental Report has been prepared in accordance with The Neighbourhood Planning (General) Amendment Regulations 2015 (SI 2015 No. 20) that state:

“(e) (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004(a); or

(ii) where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination.”

- 1.3 This report sets out how North Warwickshire Borough Council and the three statutory bodies English Nature, Environment Agency and Historic England do not consider the Hartshill NDP to have any significant environmental effects and, accordingly, the plan does not require an environmental assessment.

## 2.0 Strategic Environmental Assessment Screening

2.1 North Warwickshire Borough Council contacted the three statutory bodies on the contents of the Hartshill NDP on 20<sup>th</sup> August 2015.

2.2 The responses of the three bodies are included at Appendix 1.

2.3 Historic England, based on the Draft Plan received, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations, stated that:

“a Strategic Environmental Assessment is currently unlikely to be necessary”

2.4 Natural England (NE) commented:

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

2.5 NE also noted the plan area did not affect any of the following:

- SSSI
- SAC
- SPA
- Ramsar Site
- National Park
- AONB
- Coast Heritage

2.6 The Environment Agency responded that the plan did not require its own appraisal and that land at Hartshill Quarry had already previously been assessed as part of the Site Allocations Plan.

2.7 Based on these responses and their own assessments North Warwickshire Borough Council concluded in October 2015 that the Hartshill NDP was unlikely to have significant environmental effects and did not require further Strategic Environmental Assessment.

2.8 The Regulation 14 plan was placed on consultation from 26<sup>th</sup> October 2015 to 7<sup>th</sup> December 2015. Historic England and Natural England responded to this consultation in a generally

supportive way. They did not identify anything that their views expressed in August/September 2015 on the SEA had changed (Appendix 2)

**Appendix 1 – Response of Statutory Bodies**

Ms Sue Wilson  
North Warwickshire Borough Council  
Planning Department  
PO Box 6  
Atherstone  
Warwickshire  
CV9 1BG

**Our ref:** UT/2009/106364/SE-03/SC1-L01

**Your ref:**

**Date:** 16 September 2015

Dear Ms Wilson

**SEA Screening request for Hartshill Neighbourhood Plan**

Thank you for your email which was received on 20 August 2015.

We do not consider that this plan requires support of its own Sustainability Appraisal as the sites proposed with in it have been previously assessed as part of the Site Allocations process.

We refer you to our letter dated: 20 August 2014 (UT/2009/106364/SL-02/P01-L01) which addresses these issues.

If you have any queries, please do not hesitate to contact us.

Yours sincerely

**Ms Noreen Nargas**  
**Planning Advisor**

Direct dial 01543 404970

Direct fax 01543 444161

Direct e-mail [noreen.nargas1@environment-agency.gov.uk](mailto:noreen.nargas1@environment-agency.gov.uk)

Ms Susan Wilson

Our ref: 1498

Forward Planning and Economic Strategy

Your ref:

North Warwickshire District Council

The Council House

Telephone

South Street

0121

Atherstone

6256887

Warwickshire

CV9 1DE

25 August 2015

Dear Ms Wilson

## **HARTSHILL DRAFT NEIGHBOURHOOD PLAN SEA/HRA CONSULTATION**

Thank you for the above consultation.

For the purposes of consultations on SEA, Historic England confines its advice to the question, "Is the Plan or proposal 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 by the LPA in their consultation to us.

On the basis of the information supplied, including that set out in the draft plan, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England are of the opinion that the preparation of a Strategic Environmental Assessment is currently unlikely to be necessary.

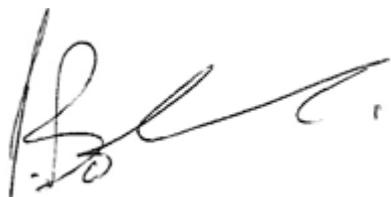
The views of the other statutory consultation bodies should be taken into account before

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: <http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>.

As regards the HRA Assessment English Heritage does not wish to comment in detail and would defer to Natural England and other statutory consultees.

I hope this is helpful.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Boland', with a stylized flourish extending to the right.

Pete Boland

Historic Places Adviser

E-mail: [peter.boland@HistoricEngland.org.uk](mailto:peter.boland@HistoricEngland.org.uk)

Date: 11 September 2015  
Our ref: 163536  
Your ref: Hartshill Neighbourhood Plan



[SusanWilson@NorthWarks.gov.uk](mailto:SusanWilson@NorthWarks.gov.uk)

**BY EMAIL ONLY**

Hombeam House  
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Electra Way  
Crewe  
Cheshire  
CW1 6JC

T 0300 060 3900

**Planning consultation: Hartshill Neighbourhood Plan**

Thank you for your consultation on the above dated 20 August 2015.

### **Strategic Environmental Assessment / Sustainability Appraisal**

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

We have checked our records and based on the information provided, we can confirm that the development plan will not be in, adjacent to or in close proximity to the following site designations:

Site of Special Scientific Interest (SSSI)  
Special Area of Conservation (SAC),  
Special Protection Area (SPA)  
Ramsar Site  
National Park  
Area of Outstanding Natural Beauty  
Coast Heritage

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

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

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Page 1 of 2



Natural England is accredited to the Cabinet Office Service Excellence Standard

Yours faithfully

Stephanie Jones  
Sustainable Development Team – South Mercia

## Appendix 2 – Statutory Bodies Response on Regulation 14 Consultation



Hartshill Parish Council

Our ref: 1557

PO Box 5036

Your ref:

Nuneaton

CV11 9FN

Telephone

0121

6256887

01 December 2015

Dear Sirs

### **HARTSHILL DRAFT NEIGHBOURHOOD PLAN REGULATION 14 CONSULTATION**

Thank you for the invitation to comment on the draft Neighbourhood Plan.

Historic England is supportive of the content of the document and we applaud the comprehensive approach taken to the historic and natural environment and the wide range of clearly justified policies that are clearly focused upon “constructive conservation”. We are particularly pleased to see the emphasis on design and local distinctiveness including non-designated heritage assets and the recognition that highly locally significant green spaces should be protected.

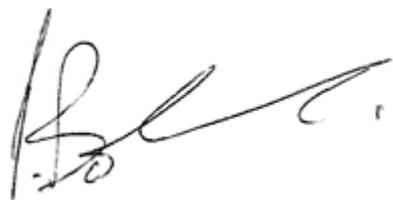
We do have a minor comment in relation to Policy H18 Heritage Assets where we would suggest, in line with the NPPF, that all heritage assets should be conserved in a manner proportionate to their significance. The first sentence of the policy might, therefore, usefully be amended to read:

*"All new development proposals.....the need to conserve and enhance heritage assets and particularly those listed in Table 2....."*

Beyond these observations we have no other substantive comments to make and overall Historic England considers that the Hartshill Draft Neighbourhood Plan is a well-considered, concise and fit for purpose document that takes a suitably proportionate approach and constitutes a very good example of community led planning.

I hope this is helpful.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Pete Boland', with a small '1' at the end of the signature.

Pete Boland

Historic Places Adviser

E-mail: [peter.boland@HistoricEngland.org.uk](mailto:peter.boland@HistoricEngland.org.uk)

Date: 07 December 2015  
Our ref: 169271  
Your ref: Regulation 14 Hartshill Neighbourhood Plan



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[hartshillparishcouncil@gmail.com](mailto:hartshillparishcouncil@gmail.com)

**BY EMAIL ONLY**

**Planning consultation:** Hartshill Neighbourhood Development Plan  
**Location:** Hartshill, Warwickshire

Thank you for your consultation on the above received by Natural England on 20 October 2015.

### **Introduction**

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have the resources to get involved in all neighbourhood plans and will prioritise our detailed engagement to those plans that may impact on internationally or nationally designated nature conservation sites, and/or require Strategic Environmental Assessment or screening for Habitats Regulations Assessment.

We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required.

**Natural England generally welcomes the draft neighbourhood plan which sets out policies that will guide the future sustainable development of Hartshill.**

We would also like to take this opportunity to welcome the following policies (and have provided advice/supporting information where appropriate):

### **Policy H6**

Natural England is generally supportive of open space policies as part of a wider Green Infrastructure approach. The incorporation of high quality, sustainable and multifunctional greenspace within built development can provide a range of economic, environmental and social benefits and is fundamental to the creation of sustainable communities.

Green infrastructure (GI) can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. GI can improve connectivity to other green spaces, provide opportunities for recreation, promote sustainable transport and enhance landscape character.

Natural England encourages GI that has been designed in response to the existing landscape features and aims to deliver biodiversity enhancement through the creation of new habitats that contribute to local biodiversity priorities identified in the local Biodiversity Action Plan.

GI can be designed to maximise the benefits needed for this development. Additional evidence and case studies on green infrastructure, including the economic benefits of GI can be found on the Natural England [Green Infrastructure web pages](#).

#### **Policy H9**

We note there are areas of Ancient Woodland within the plan area including land noted in this policy Hartshill Hayes. Section 118 of the [National Planning Policy Framework](#) states that:

“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

#### **Policy H11**

Natural England encourages landscape enhancement policies and proposals in Local Plans, including criteria based policies on *appropriate design* and *securing enhancement* to the landscape from development proposals.

We suggest consideration is given to including a reference within the supporting text for the policy to the Town and Country Planning Association’s ‘By Design’ series of guidance for sustainable communities, Climate Change Adaptation by Design and Biodiversity by Design are particularly relevant.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.

<http://www.naturalengland.org.uk/publications/nca/default.aspx>

#### **Policy H17**

Natural England is very pleased to see this policy included in this Neighbourhood Plan. We advise the wording in policy H17 be strengthened to include the wording *existing habitat retained and enhanced where possible* with the supporting text amended accordingly. This will ensure new development is guided as per the duties placed upon (LPA) under the *Natural Environment and Rural Communities Act 2006* and the *National Planning Policy Framework* (paragraph 118).

#### **General support available for Neighbourhood Plans**

Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: <http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: <http://www.nbn-nfbr.org.uk/nfbr.php>

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the *Natural Environment and Rural Communities Act 2006*, Natural England should be consulted again at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours faithfully

Stephanie Jones  
Sustainable Development Team – South Mercia