

Strategic Environmental Assessment and Habitats Regulations Assessment of the Fenny Compton Neighbourhood Plan

SEA and HRA Screening Document

March 2020



LEPUS CONSULTING
LANDSCAPE, ECOLOGY, PLANNING & URBAN SUSTAINABILITY

Strategic Environmental Assessment and Habitats Regulations Assessment of the Fenny Compton Neighbourhood Plan

SEA and HRA Screening Document

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Acronyms

ALC	Agricultural Land Classification
AONB	Area of Outstanding Natural Beauty
BUAB	Built-Up Area Boundary
EIA	Environmental Impact Assessment
EU	European Union
GP	General Practitioner
HRA	Habitats Regulations Assessment
IROPI	Imperative Reasons of Overriding Interest
IRZ	Impact Risk Zone
LGS	Local Green Space
LWS	Local Wildlife Site
NCA	National Character Area
NHS	National Health Service
NPPF	National Planning Policy Framework
NP	Neighbourhood Plan
ODPM	Office of the Deputy Prime Minister
PP	Plan or Programme
PPG	Planning Policy Guidance
PRoW	Public Right of Way
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDS	Sustainable urban Drainage System

1 Introduction

1.1 This report

1.1.1 This screening report has been prepared to determine whether the Fenny Compton Neighbourhood Plan 2011 - 2031 (NP) 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 NP 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 Fenny Compton Neighbourhood Plan 2011 - 2031 Pre-Submission Version⁵.

¹ SEA Directive. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=en> [Date Accessed: 06/01/20]

² SEA Regulations. Available at: <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made> [Date Accessed: 06/01/20]

³ 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.

⁴ Habitats Regulations. Available at: <http://www.legislation.gov.uk/ukxi/2017/1012/contents/made> [Date Accessed: 06/01/20]

⁵ Fenny Compton Parish Council (2019) Fenny Compton Neighbourhood Plan 2011 - 2031 Pre-submission version.

1.2 Strategic Environmental Assessment

1.2.1 The basis for SEA 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'⁶ and the Planning Practice Guidance (PPG) 'Strategic environmental assessment requirements for neighbourhood plans' section⁷.

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 Habitat Regulations Assessment

1.3.1 HRA is the process by which potential effects of a plan or project on the conservation objectives of European sites designated under the Habitats⁸ and Birds⁹ Directives are assessed. These sites form a system of internationally important sites throughout Europe known collectively as the 'Natura 2000 Network'.

⁶ ODPM (2005) A Practical Guide to Strategic Environmental Assessment Directive. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf [Date Accessed: 06/01/20]

⁷ MHCLG (2019) Planning Practice Guidance: Strategic environmental assessment and sustainability appraisal. Available at: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#strategic-environmental-assessment-requirements-for-neighbourhood-plans> [Date Accessed: 06/01/20]

⁸ 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.

⁹ 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.

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- 1.3.2 European 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)¹⁰ 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 European sites.
- 1.3.3 The application of HRA to land-use plans is a requirement of the Conservation of Habitats and Species Regulations 2017 (as amended), the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive).
- 1.3.4 A Neighbourhood Development Plan provides a framework for deciding applications for project consents and influences decision makers on the outcome of applications for project consents. HRA applies to plans and projects, including all Neighbourhood Development Plans in England and Wales. The Habitats Regulations (paragraph 106) require that *"a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required"*.

¹⁰ MHCLG (2019) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 06/01/20]

1.4 The Fenny Compton Neighbourhood Development Plan

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

1.4.2 On 15th December 2016, Stratford-on-Avon District Council formally approved the boundary of the designated neighbourhood area of Fenny Compton (see **Figure 1.1**).

1.4.3 The NP offers a picture of the Parish and a vision for the 20-year period between 2011 and 2031. The key aim of the Plan is to protect the special attributes and facilities of the Parish that residents value and ensure that any future development is appropriate to the history and rural environment of the Parish and surrounding area.

1.4.4 The NP allocated one Built Up Area Boundary (BUAB) for Fenny Compton Village (see **Figure 1.2**).

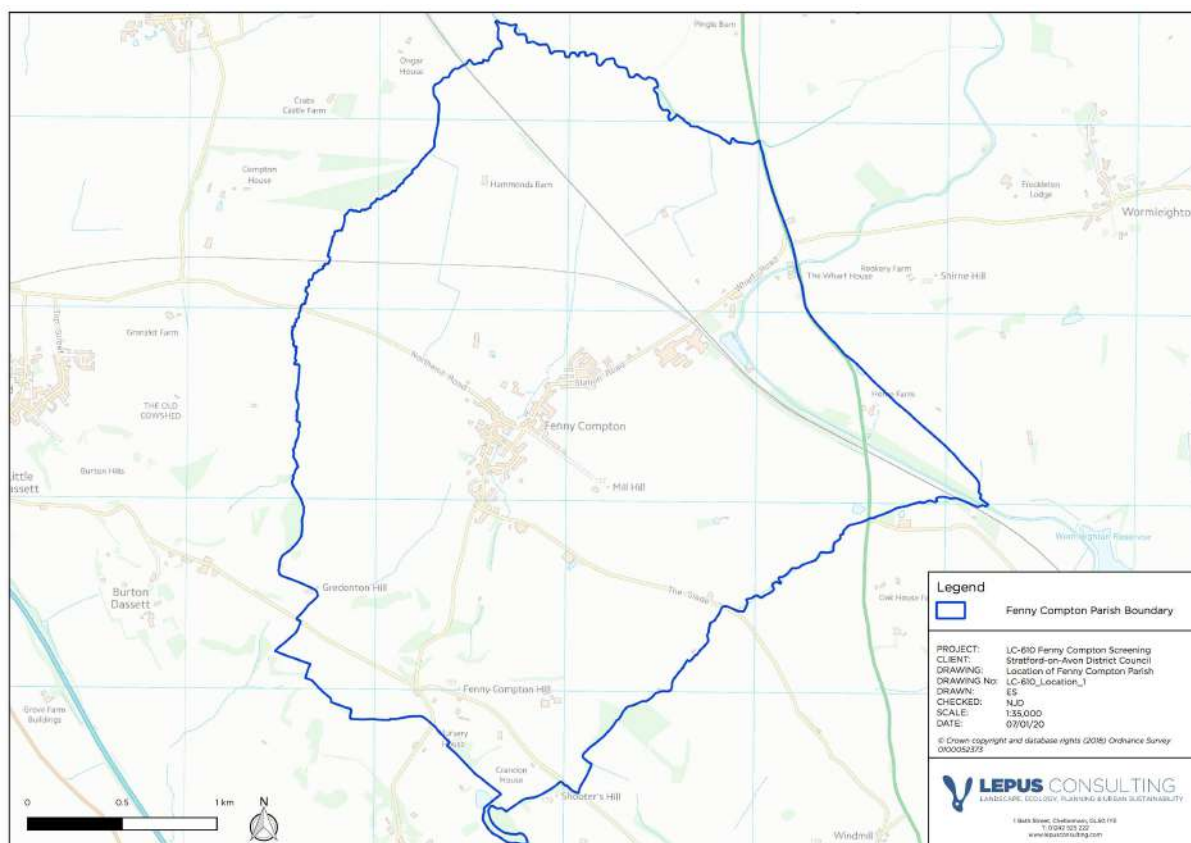


Figure 1.1: Fenny Compton Parish Boundary (source: Fenny Compton NP)

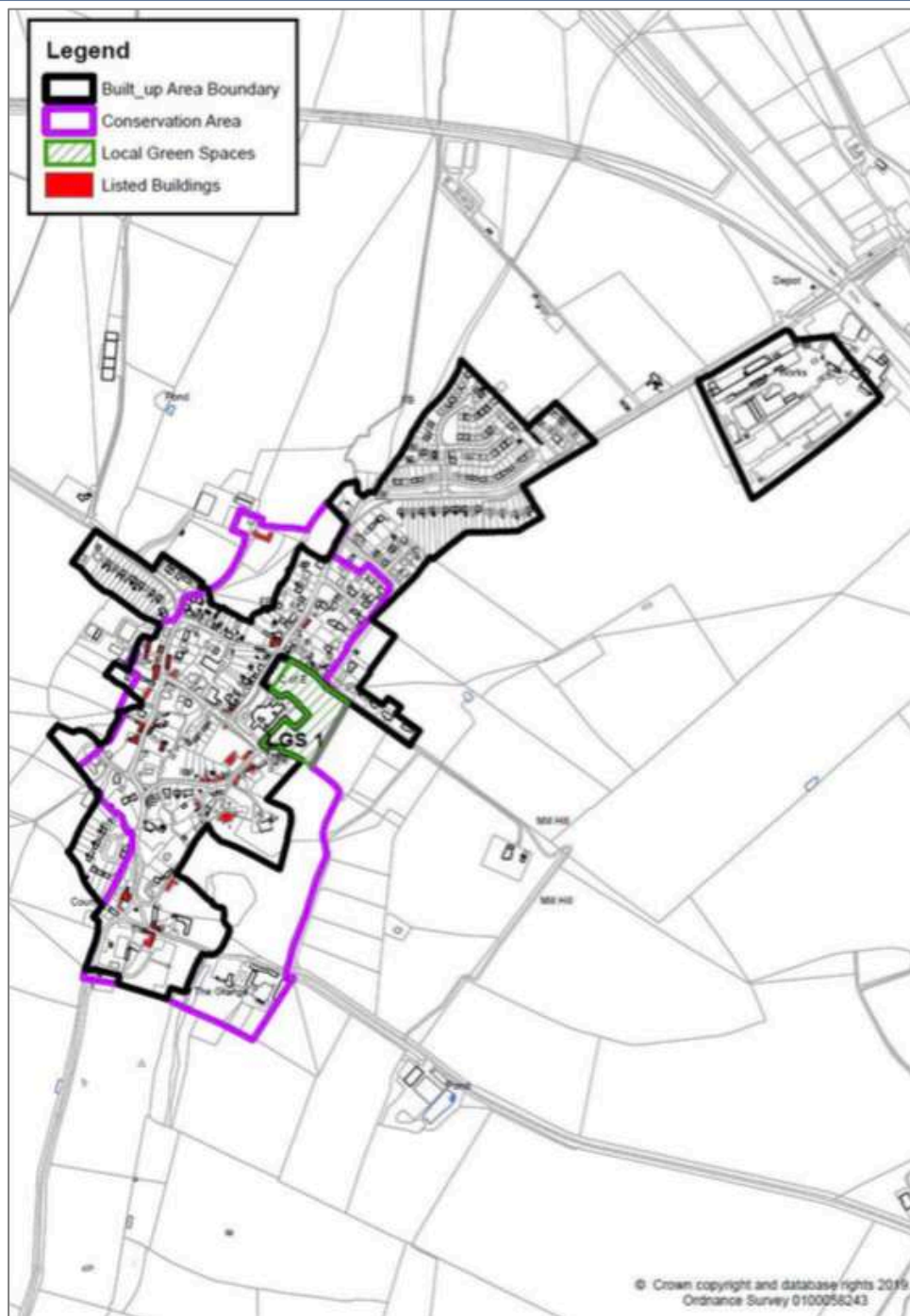


Figure 1.2: BUAB of fenny Compton Village (source: Fenny Compton NP)

1.4.5 The Plan must also have appropriate regard to existing policy, including:

- The National Planning Policy Framework (NPPF)¹¹ and related Planning Practice Guidance advice¹²; and
- Policies within the Stratford-on-Avon District Core Strategy¹³.

1.4.6 A summary of the NP policies are listed in **Appendix A**. These are associated with the NP's key principals as follows:

- Appropriate Development;
- Promoting Road Safety;
- Supporting Parish Amenities;
- Promoting Recreational Spaces;
- Flood Prevention;
- Environmental Sustainability;
- Promoting Businesses and Employment;
- Promoting Connectivity;
- Natural Environment; and
- Caring for Heritage assets.

Consultation

1.4.7 The NP is subject to public consultation, which provides an opportunity for the public and local organisations to comment on the NP. Statutory consultees will also be invited to comment. After consultation, responses will be taken into account and used to prepare a 'submission draft' of the NP.

¹¹ MHCLG (2019) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 06/01/20]

¹² MHCLG (2018) Planning Practice Guidance. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance> [Date Accessed: 06/01/20]

¹³ Stratford District Council (2016) Stratford-on-Avon Core Strategy 2011 to 2031. Available at: <https://www.stratford.gov.uk/planning-regeneration/core-strategy.cfm> [Date Accessed: 06/01/20]

1.4.8 The submission version of the NP is then subject to examination by the Independent Examiner. If the Independent Examiner approves the NP it will then be subject to a local referendum. If 50% or more of people voting in the referendum support the NP, then the NP will be adopted, gain statutory status and become part of the Development Plan for Stratford-on-Avon District, alongside the Core Strategy.

1.5 The Parish of Fenny Compton

1.5.1 Fenny Compton Parish is situated in the Stratford-on-Avon District of Warwickshire and comprises approximately 873 hectares of rural landscape. The Parish is located approximately 9km north of Banbury, 20km south east of Stratford-upon-Avon and 45km south east of Birmingham. The A423 passes through the east of the Parish.

1.5.2 The Parish has an estimated population of 800 residents. Fenny Compton village is the main settlement within the Parish and is classified as a Category 2 Service Village in Stratford-on-Avon District Council's Core Strategy¹⁴.

1.5.3 Within the village of Fenny Compton there are a variety of services including a village hall, doctors' surgery, primary school, village shop and bowling green. In addition to these services the Parish provides a wide range of community activities including a children's football team, allotments and village cinema.

1.5.4 The Parish has been subject to serious flooding in 1998 and 2006/7; following these flooding events substantial alleviation work has been undertaken. However, the village of Fenny Compton is still at risk of surface water flooding.

¹⁴ Stratford District Council (2016) Stratford-on-Avon Core Strategy 2011 to 2031. Available at: <https://www.stratford.gov.uk/planning-regeneration/core-strategy.cfm> [Date Accessed: 06/01/20]

1.6 Relationship with the Core Strategy

- 1.6.1 The NP is a land-use plan, prepared for town and country planning purposes. It sets out a framework for future development consents within the Fenny Compton Parish. As noted above, once adopted, the NP will form part of the Development Plan for the District, alongside the Core Strategy and other development plan documents and supplementary planning documents.
- 1.6.2 The NP sets out a series of policies that, once made, will be used to guide development and help to determine future planning applications. This important legal position means that the NP has to have regard to national planning policy and needs to be in 'general conformity' with the strategic planning policies set out in the Stratford-on-Avon District Core Strategy 2011-2031.
- 1.6.3 NPs are smaller in geographic scale than Core Strategies and Local Plans and serve to add further detailed policies and proposals to these documents. The Fenny Compton NP and the Stratford-on-Avon District Core Strategy will form part of the development plan for the area once the NP is 'made'.
- 1.6.4 Paragraph 13 of the NPPF¹⁵ states that *"neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies"*.
- 1.6.5 Should the NP be significantly refined in the future, a re-screening of any significant amendments should be undertaken for the purposes of the SEA and HRA screening processes.

¹⁵ MHCLG (2019) National Planning Policy Framework. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Date Accessed: 06/01/20]

2 The Screening Process

2.1 Strategic Environmental Assessment screening

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

2.2 The screening process

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

2.2.2 Paragraph 009 of the PPG 'Neighbourhood Planning' section states:

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

- *the emerging neighbourhood plan*

- the emerging Local Plan
- the adopted development plan

with appropriate regard to national policy and guidance”.

2.2.3 **Figure 2.1** presents a diagram prepared by the Office of the Deputy Prime Minister (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 Fenny Compton NP.

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

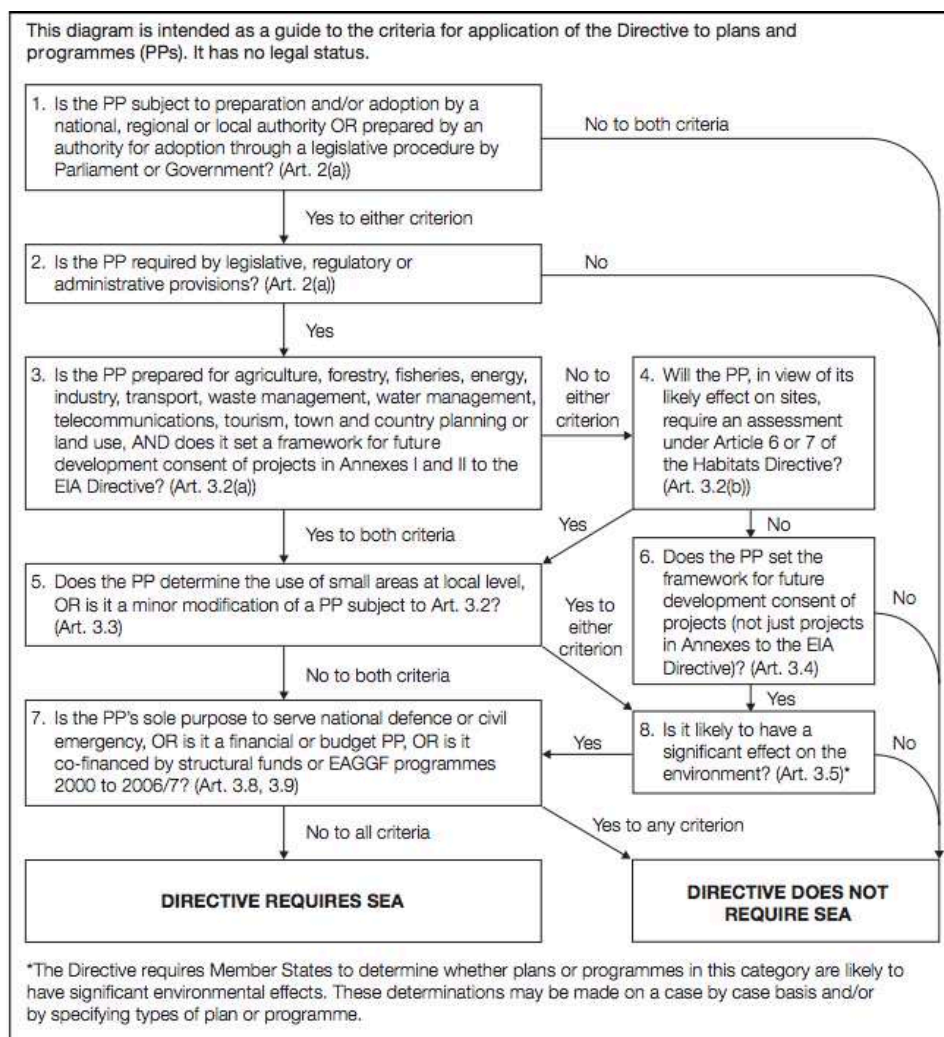


Figure 2.1: Application of the SEA Directive to plans and programmes¹⁶.

¹⁶ ODPM (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/practicalguidesea.pdf [Date Accessed: 06/01/20]

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 plan constitutes an NP, which will be subject to independent examination and brought into legal force if it receives 50% or more affirmative votes at referendum. The NP would form part of the statutory development plan for Stratford-on-Avon District.
Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	Communities and neighbourhoods have a right to produce an NP, however it is not required by legislative, regulatory or administrative bodies. If the NP is adopted it would become part of the statutory development plan for Stratford-on-Avon District, meaning it should continue to be screened under the SEA Directive.
Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	No	The NP is a land-use plan and sets the framework for future development consents within the Fenny Compton Neighbourhood Area. However, the NP is unlikely to set a framework for consent of projects in Annex 1 of the EIA Directive.
Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	See Chapter 3 and Chapter 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 NP 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 Section 2.5 - 2.12 and Chapter 4 .
Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial budget PP, OR is it co-financed by structural funds or EAGGD programmes 2000 to 2006/7? (Art 3.8, 3.9)	No	The NP is none of the documents listed.

2.3 Relevance to the SEA Directive

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

Table 2.2: *Fenny Compton NP 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 NP is prepared for town and country planning purposes and will form a part of the development management framework for Fenny Compton Parish once made.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NP must be in general conformity with the strategic planning policies set out in the Stratford-on-Avon District Core Strategy 2011 – 2031 and the National Planning Policy Framework. The NP forms part of the statutory development plan for Stratford-on-Avon District.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The NP contains policies that aim to conserve important aspects of the built and natural environment, as well as retaining and improving the local amenities and historical heritage assets (see Appendix A).
(d) environmental problems relevant to the plan or programme	No environmental issues were identified relevant to the Plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The NP is a land use plan and sets the framework for future development consents within the Fenny Compton NP area. It also sets out policies which planning applications within the NP area will need to adhere to.

Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects	The NP is not expected to result in any significant environmental effects.
(b) the cumulative nature of the effects	The NP 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 NP 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 NP 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.
(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 NP would adversely impact the special natural characteristics or cultural heritage features within the Neighbourhood Area. The NP would not be expected to cause exceedances of environmental standards or lead to intensive land use.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status	The NP 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 NP against each of the topics set out in Annex I (f) of the SEA Directive is presented in the following sections. The NP policies are set out in **Appendix A**.

2.5 Biodiversity, flora and fauna

2.5.1 There are no European designated sites located within 20km of Fenny Compton Parish. The nearest European designated site is 'Upper Nene Valley Gravel Pits' SPA and Ramsar site, which is located approximately 34km north east of the Parish. This is discussed further in **Chapter 3**.

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- 2.5.2 The 'River Itchen' SSSI is located 1.6km north of the Parish (see **Figure 2.2**). The BUAB is located within an SSSI Impact Risk Zone (IRZ). However, the IRZ indicates that residential and non-residential development would not be expected to result in adverse impacts on surrounding SSSIs.
- 2.5.3 There are numerous Local Wildlife Sites (LWSs) located within Fenny Compton Parish (see **Figure 2.3**). Policy 'Minor Commercial Developments' identifies three broad areas with potential for future commercial development. 'Wharf Road' is one of the areas identified for potential development. Development at Wharf Road has the potential to be located adjacent to 'Disused railway' potential LWS.
- 2.5.4 In addition, there are numerous areas of priority habitat located across the Parish. This includes lowland dry acidic grassland, good quality semi-improved grassland and traditional orchards.
- 2.5.5 NP Policy 'Wildlife' aims to retain and enhance the existing ecological networks, as well as seeking to support the creation of new ecological habitats and networks. The policy also states that the *"diversity of unimproved and semi-unimproved grassland on steep hillsides should be conserved through regular grazing"*.
- 2.5.6 It is suggested that the wording of Policy 'Wildlife' is revised and updated to include reference to LWSs and potential LWSs within the Parish, in particular stating that future development proposals should avoid adverse impacts on these LWSs. In addition, Policy 'Minor commercial developments' should be revised and updated to ensure future development under this policy would not result in adverse impacts on designated biodiversity assets, including LWSs and potential LWSs. If these suggested changes are made to the relevant policies, it would be anticipated that future development under Policy 'Minor commercial development' would not result in adverse impacts to surrounding LWSs.
- 2.5.7 In taking a proportionate approach, and in particular considering the strategic implications of the plan for biodiversity under Annex 1(f) of the SEA Directive, there is unlikely to be a significant long term, irreversible effect on biodiversity.

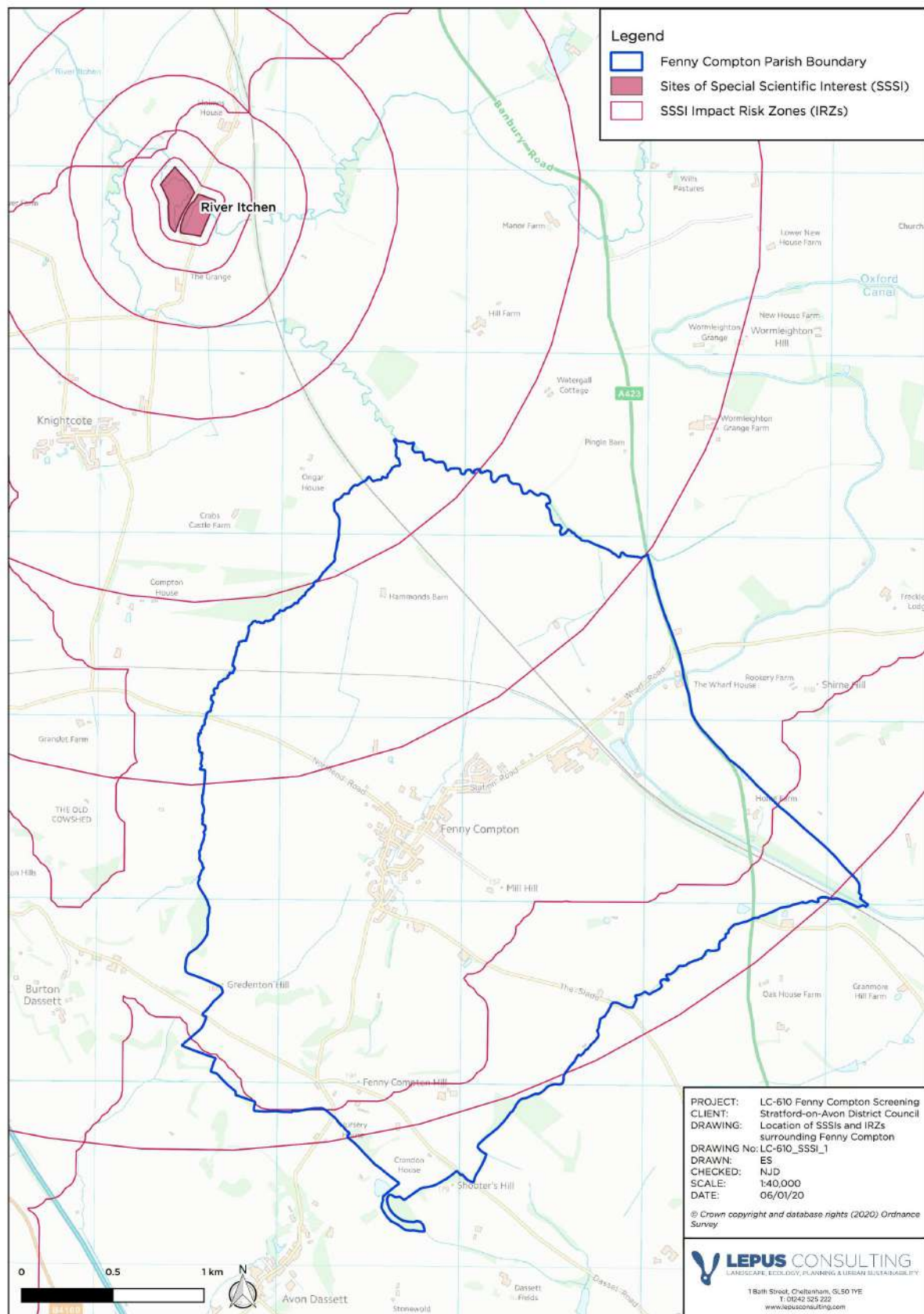


Figure 2.2: The SSSIs and corresponding Impact Risk Zones around Fenny Compton Parish (source: Natural England)

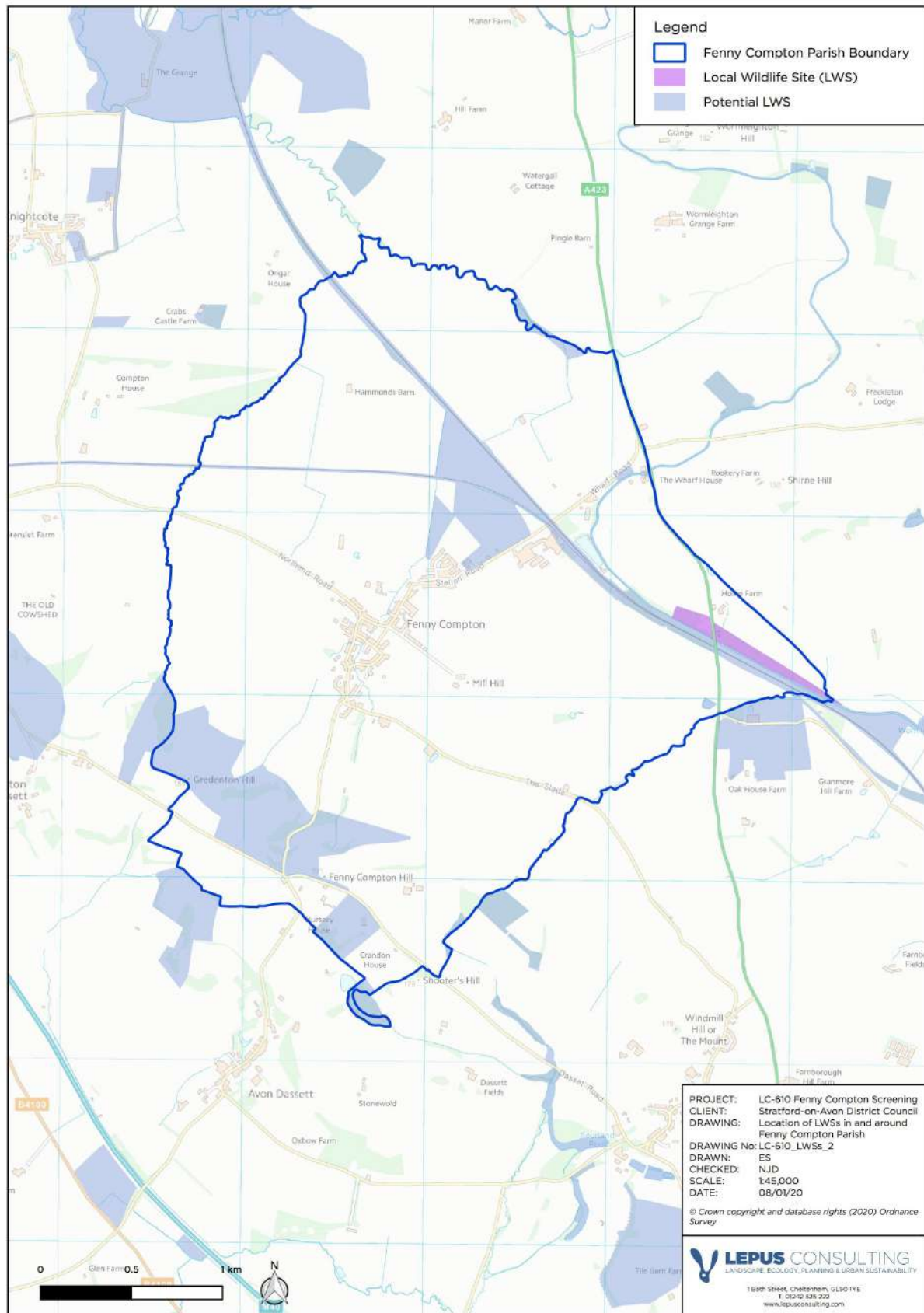


Figure 2.3: Local Wildlife Sites (LWSs) located in and around Fenny Compton Parish (source: Natural England)

2.6 Population and human health

- 2.6.1 Fenny Compton Surgery is located to the north of the high street. The nearest NHS Hospital with an A&E department is Horton General Hospital, located in Banbury, approximately 15km south of the Parish.
- 2.6.2 Local services within the Parish include The Dasset C of E Primary School, a public house and village hall, and other small businesses including a hairdresser. The single convenience store, the Co-op Food, is located in the centre of the Parish in Fenny Compton and serves a couple of neighbouring communities. However, not all residents are located within a sustainable distance to this store.
- 2.6.3 Policy 'Protection of Village Community Assets' of the NP aims to prevent the loss of existing facilities, as well as support the enhancement of these facilities and small-scale expansion or redevelopment of existing businesses. The policy will only support the loss of facilities should it be demonstrated that it is not of use to the community. Policy 'Development of new community facilities' aims to support proposals for new or improved community facilities.
- 2.6.4 Policy 'Home working' of the NP indicates that small-scale adaptation of homes to facilitate home working would be encouraged. This policy could potentially help to provide employment opportunities for residents. Policy 'Minor Commercial Development' would be likely to positively impact the local economy, as the policy makes provisions for commercial development infill at three identified locations within the Parish.
- 2.6.5 The nearest leisure centres to the Parish are Southam Leisure Centre in Southam and Woodgreen Leisure Centre in Banbury. Within the Parish, there are two children's play areas, a bowls club, sports pavilion and playing field, as well as numerous public footpaths. As a rural Parish, this would be expected to provide residents with excellent access to recreational activities, the surrounding countryside and a diverse range of natural habitats. In addition, Policy 'Protecting village recreational assets' of the NP aims to ensure the protection and potential enhancement of the existing recreational facilities. Policy 'Local Green Spaces' designates the school playing field as a Local Green Space (LGS). These policies would help to ensure that future development proposals within the Neighbourhood Area do not negatively impact the provision and accessibility of open spaces and recreational facilities for residents.

2.6.6 Residents within the Parish are heavily car dependent, as “90% of residents use a car every day or most days”. Policy ‘Sustainable housing’ of the NP aims to ensure future developments are designed to facilitate sufficient off-road parking capacity. However, higher volumes of vehicles in the Parish associated with future development would be expected to result in increased volumes of greenhouse gas emissions. Policy ‘Electric vehicle charging’ of the NP seeks to ensure that all new development proposals make provision for at least one electric charging point. This policy would be expected to contribute towards reduced greenhouse gas emissions within the Parish.

2.6.7 Overall, a significant adverse impact on human health would not be anticipated.

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 The Parish has limited access to bus services, with infrequent services operating from Fenny Compton to Banbury and Leamington. There is no railway station located within the Parish. The closest railway station is located in Banbury. Although the Fenny Compton NP does not provide policy on the provision of new and enhanced transport links, 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”.

2.7.3 The A423 passes through the east of the Parish, with the M40 located approximately 1km to the west of the Parish. Residents within the Parish would be expected to have good access to the surrounding road network.

2.7.4 Policy ‘Appropriate traffic management measures’ of the NP aims to ensure improvements in road safety and the management of increased traffic flows in the Parish. This would be expected to help ensure that the increased number of vehicles in the Parish from future development does not adversely impact the existing road network.

2.7.5 Although there is a primary school within the Parish, the nearest secondary school is Kineton High School, located approximately 7.6km north of Fenny Compton. It is likely that children travelling to this school would have to travel approximately 25 minutes from Memorial Road bus stop, Fenny Compton to Warwick Road bus stop, Kineton or travel approximately 18-minutes by car from Fenny Compton in order to reach this school.

2.7.6 Due to Policy CS.26 from the Core Strategy, it is considered unlikely that there will be a significant negative impact on transport and accessibility within the Parish as a result of the NP.

2.8 Soil, water and air

2.8.1 The majority of Fenny Compton Parish is located on ALC Grade 3 land (see **Figure 2.4**). The south west of the Parish is located on ALC Grade 4 land. Potential development within the Parish would be likely to result in a loss of some of the local area's best and most versatile (BMV) land.

2.8.2 Policy 'Sustainable housing' of the NP seeks to ensure that future development within the Parish is directed towards the defined BUAB of Fenny Compton. The BUAB is located on Grade 3 ALC land and therefore, development in this area could potentially result in a loss of BMV land. Policy 'Sustainable housing' of the NP supports the redevelopment of previously developed land, which is classed as an efficient use of land. This could potentially help to prevent the loss of BMV land.

2.8.3 The majority of the Parish is located over 200m from the A423 and wholly outside 200m¹⁷ of the M40 and surrounding roads. Therefore, new residents in the Parish would not be expected to be exposed to higher levels of air and noise pollution associated with these roads. Policy 'Appropriate traffic management measures' of the NP aims to improve road safety, ensure the management of traffic increases and potentially improve air quality in the Parish.

¹⁷ The Department for Transport (DfT) in their Transport Analysis Guidance (TAG) consider that, "beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant" Available at: <https://www.gov.uk/guidance/transport-analysis-guidance-webtag> [Date Accessed: 10/01/20]

2.8.4

The majority of the Parish and the entirety of the BUAB is located within Flood Zone 1 (see **Figure 2.5**). However, there are areas identified at high risk of surface water flooding, located within Fenny Compton (see **Figure 2.6**). Large sections of the BUAB coincide with areas identified as being at low, medium and high risk of surface water flooding. The NP acknowledges the concern over flood risk within Fenny Compton village, and Policies 'Sensitive building design' and 'Ensuring development manages the flood risk' propose the sensitive design of development for the management of rainwater run-off, and where appropriate, Sustainable Drainage Systems (SuDS) should be incorporated to reduce the likelihood of flooding. Overall, it is considered unlikely that there would be any significant adverse impacts on soil, air or water resources of the Neighbourhood Area as a result of the NP.

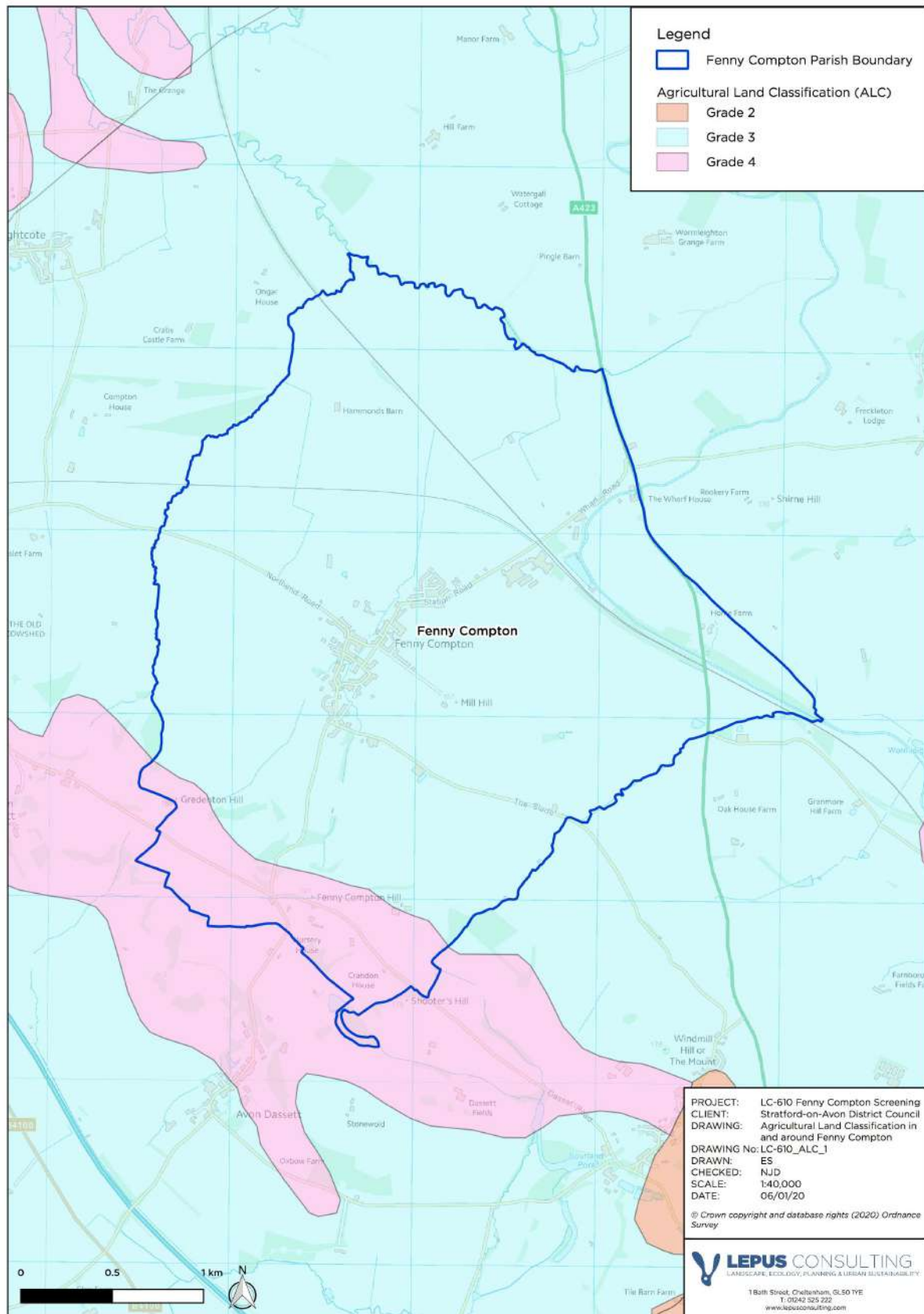


Figure 2.4: Agricultural Land Classification of Fenny Compton (source: Natural England)



Figure 2.5: Flood Zones in and around Fenny Compton Parish (source: Environment Agency)

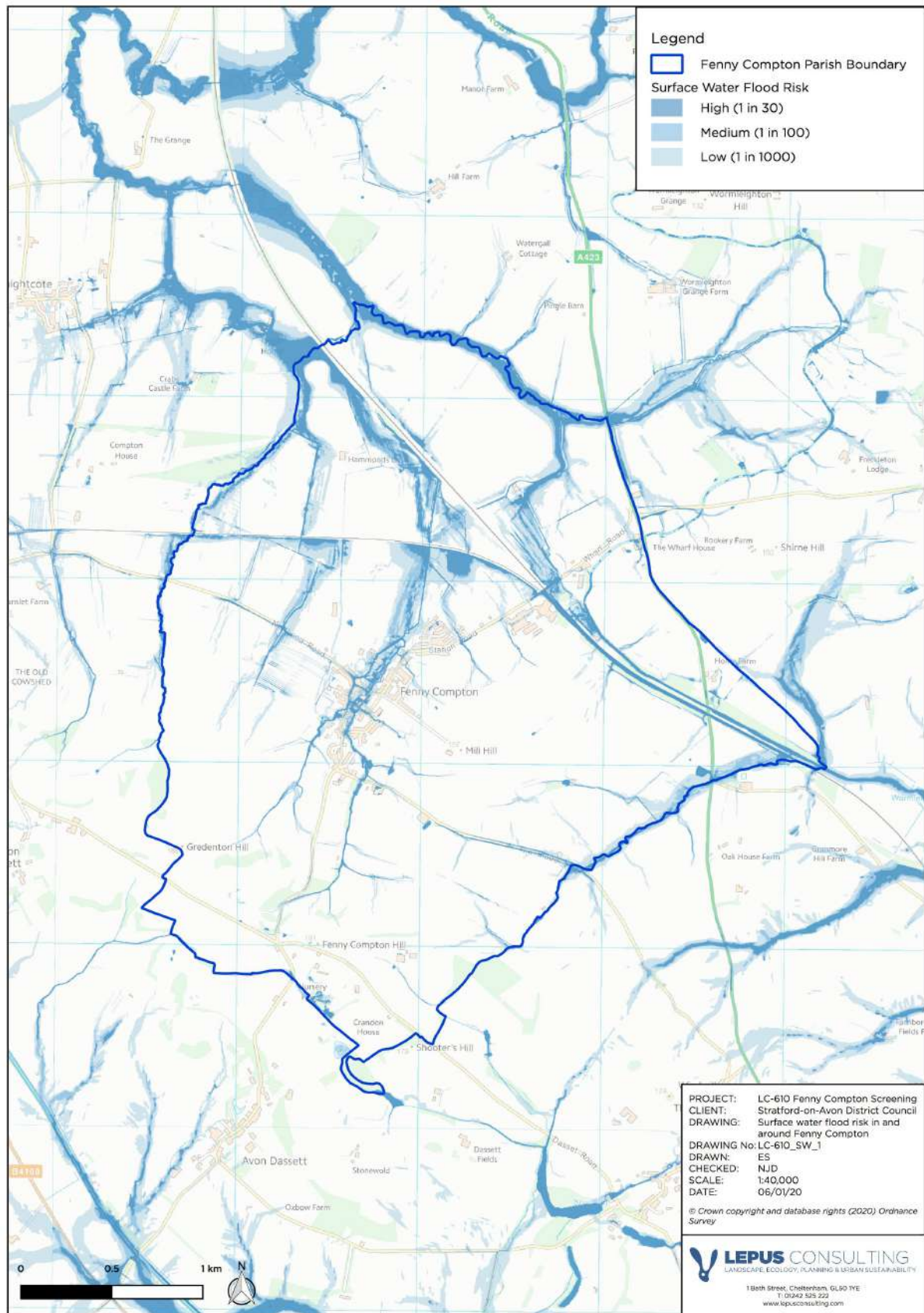


Figure 2.6: The extent of surface water flood risk within Fenny Compton Parish (source: Environment Agency)

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*". Policy 'Domestic energy production' of the NP seeks to ensure all new development proposals are designed to be as self-sufficient as possible, with power production from renewable energy sources. This would be expected to help to ensure that measures are taken to reduce greenhouse gas emissions and minimise the Parish's contribution towards the causes of climate change.

2.9.3 Residents within Fenny Compton currently have limited access to sustainable transport options, and as such, residents are reliant on car travel for access to many services, facilities and employment (see **Section 2.7**).

2.9.4 '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*". In addition, Policy 'Electric vehicle charging' of the NP seeks to ensure that all new development proposals are provided with at least one electric charging point. These policies would be likely to have a positive impact on the Parish's commitment to combat 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 NP; '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 Policies 'Home working', 'Minor commercial developments' and 'Development of new recreational facilities' of the NP would be likely to help improve local employment opportunities, by facilitating home working and supporting the expansion of new and existing businesses within the Parish. These policies could potentially help to reduce the number of residents commuting out-of-Parish for employment, and therefore, would be likely to reduce the number of private car journeys. Policy 'Protecting village recreational assets' would also be expected to have a positive impact on the local economy, by helping to prevent the loss of existing local services which provide some employment opportunities and encourage tourism in the local area.
- 2.10.3 Policies 'High-speed homes' and 'Connected Infrastructure' of the NP aim to support the delivery of improved telecommunications and broadband services throughout the Parish. This would be likely to result in benefits for residents choosing to work from home, as well as local businesses. In addition, the need to travel would be reduced, providing benefits to local air quality associated with reduced transport-related emissions.
- 2.10.4 It is therefore considered unlikely that the NP would have significant adverse impacts on material assets within the Neighbourhood Area.

2.11 Cultural heritage

- 2.11.1 There are 53 Listed Buildings located within Fenny Compton Parish: two Grade II* Listed Buildings; and 51 Grade II Listed Buildings (see **Figure 2.7**). There is one Scheduled Monument located within the Parish; 'Gredenton Hill Camp' to the south west of the Parish. The Fenny Compton Conservation Area covers the majority of Fenny Compton village (see **Figure 2.8**).
- 2.11.2 The majority of the Listed Buildings and Fenny Compton Conservation Area are located within the BUAB, where future development within the Parish would be directed in accordance with Policy 'Sustainable Housing'. In addition, commercial development proposed under Policy 'Minor commercial developments' could potentially impact upon local heritage assets, as development at Manor Farm and Avon Dasset Road have the potential to coincide with Fenny Compton Conservation Area.

-
- 2.11.3 Policy 'Conserving or enhancing the historic environment' of the NP seeks to ensure that *"the impact of any development on a heritage asset will be judged against the degree of harm and the significance of the heritage asset affected and weighed against any public benefits"*. Policy 'Sensitive building design' aims to ensure that changes within the village should respect the character of the area. These policies would be likely to help ensure that Policy 'Minor commercial developments' and future development proposals within the Parish do not negatively impact local heritage assets or their settings.
- 2.11.4 It is suggested that the wording of Policy 'Minor commercial developments' should be revised and updated to ensure future development under this policy would not result in adverse impacts on the character or significance of local heritage assets. If these suggested changes are made to the Policy, it would be anticipated that future development under Policy 'Minor commercial development' would not result in adverse impacts to surrounding heritage assets.
- 2.11.5 Overall, a significant adverse impact on the local historic environment would not be expected.

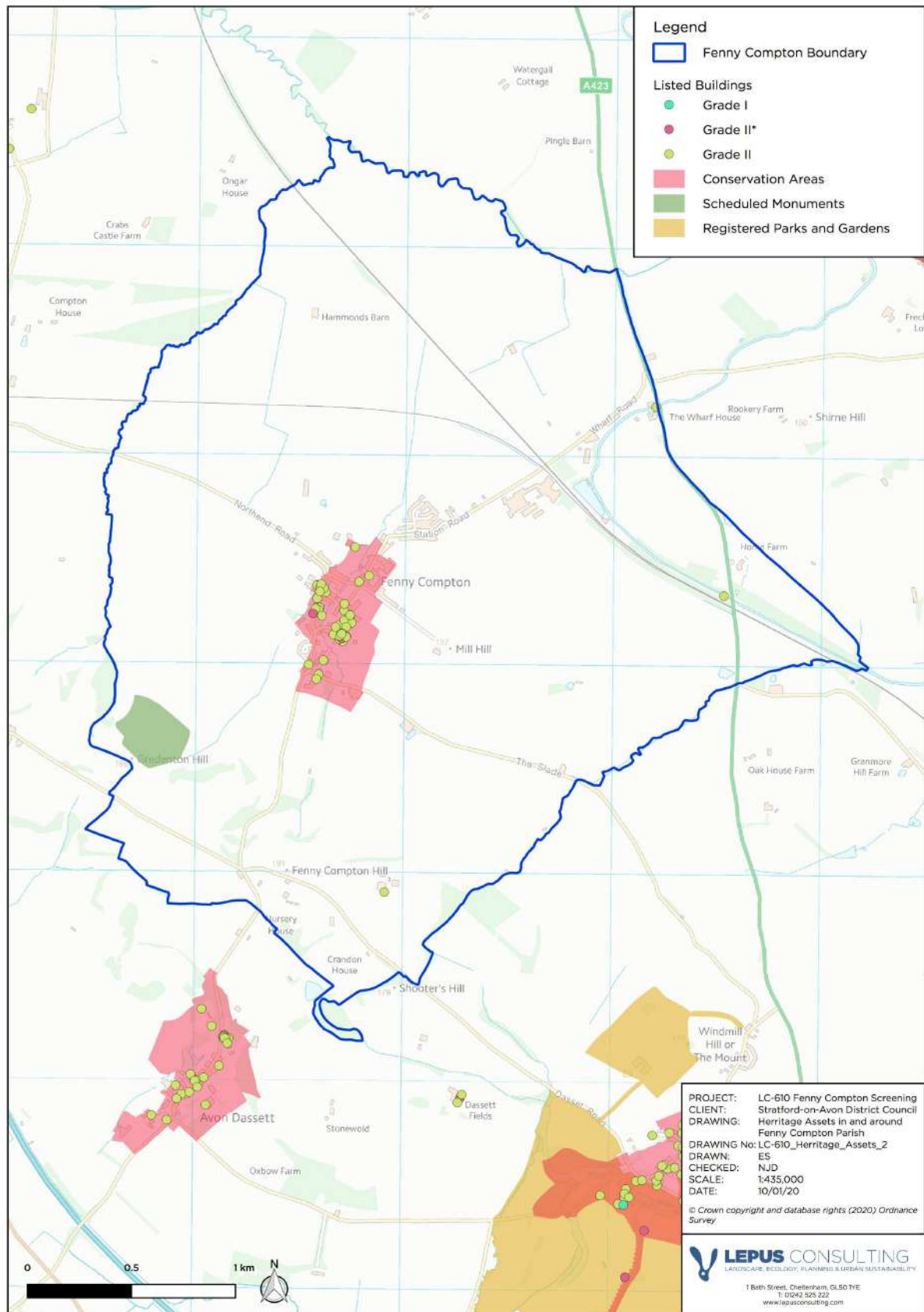


Figure 2.7: Heritage assets located in and around Fenny Compton Parish (source: Historic England).

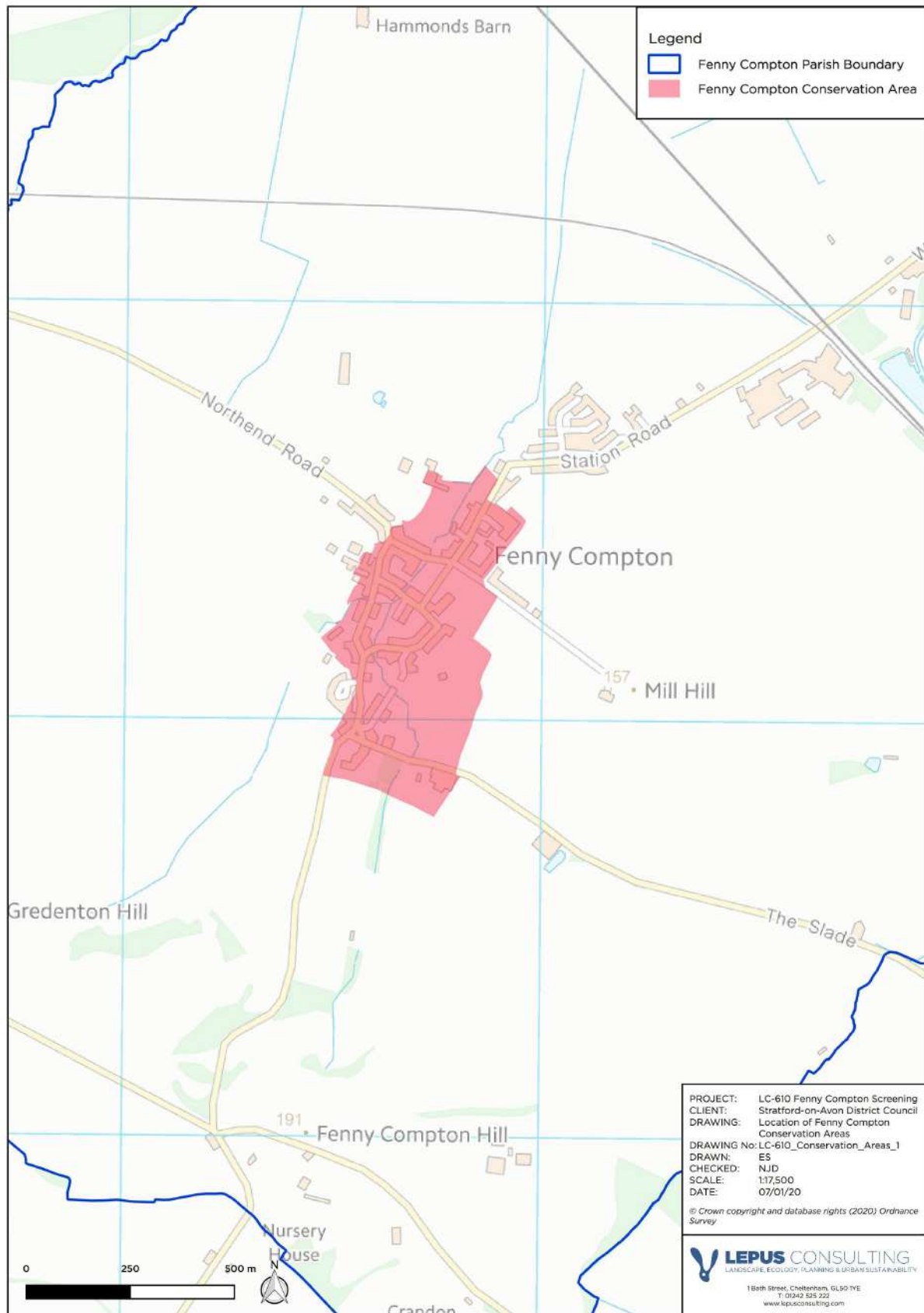


Figure 2.8: Fenny Compton Conservation Area (source: Stratford-on-Avon District Council).

2.12 Landscape

- 2.12.1 The north of the Parish is located within the National Character Area (NCA) 'Dunsmore and Feldon'¹⁸ (**Figure 2.9**). A key characteristic of this landscape includes *"the sense of a predominantly quiet, rural landscape heightened by its close proximity to several urban area, with a gently undulating landscape of low hills, heathland plateaux and clay vales separated by the occasional upstanding escarpment"*. The south of the Parish is located within the NCA 'Northamptonshire Uplands'¹⁹. Key characteristics of this landscape include *"gently rolling rounded hills and valleys"* and *"mixed farming dominates with open arable contrasting with permanent pasture"*.
- 2.12.2 The Cotswolds Area of Outstanding Natural Beauty is located approximately 1.7km south west of Fenny Compton Parish. There are no National Parks located in close proximity to the Parish, and 'Burton Dasset' Country Park is located approximately 500m to the west of the Parish (see **Figure 2.10**). Future development within the Fenny Compton BUAB would not be expected to adversely impact nationally designated landscapes or Country Parks.
- 2.12.3 Fenny Compton NP identifies that protection of valued landscapes is an important factor for many of the residents. **Figures 2.11** and **2.12** show valued views and viewpoints identified within the Parish. Policy 'Protection of Valued Landscapes' aims to ensure that future development proposals within the Parish do not adversely affect these locally important views.

¹⁸ Natural England (2014) National Character Area profile: 96. Dunsmore and Feldon. Available at: <http://publications.naturalengland.org.uk/publication/4878893332824064> [Date Accessed: 07/01/20]

¹⁹ Natural England (2014) National Character Area profile: 95. Northamptonshire Uplands. Available at: <http://publications.naturalengland.org.uk/publication/5007752023769088> [Date Accessed: 07/01/20]

-
- 2.12.4 A Landscape Sensitivity Study has determined the sensitivity of land to housing and commercial development around Fenny Compton Village²⁰ (see **Figures 2.13** and **2.14**). The potential commercial development at Manor Farm under Policy 'Minor commercial developments' is located within F01, a broad area identified as 'high' sensitivity. According to the study, within area F01, the *"zone comprises an area of pasture garden and employment uses"* and *"the area is of medium to low tranquillity due to employment activity"*. The proposed development is for infill development at the existing Manor Farm, and therefore, this would be unlikely to result in a significant adverse impact on the local landscape and the key sensitive characteristics identified in the study.
- 2.12.5 Policy 'Protection of Valued Landscapes' of the NP seeks to ensure that development proposals can *"demonstrate how they are appropriate to, and integrate with the character of the landscape setting while conserving, and where appropriate, enhancing the character of the landscape"*. Policy 'Sensitive building design' states that development needs to *"sit well in the landscape and the village environs and reflect local building styles"*. These policies would be expected to help protect the landscape character, identified valued views and ensure development is in-keeping with the existing character.
- 2.12.6 As a result, future development proposals would be likely to be in-keeping with the existing surroundings, and therefore, significant adverse impacts on the landscape would not be expected.

²⁰ White Consultants (2012) Landscape Sensitivity Assessment of Local Service Villages (Claverdon - Fenny Compton). Available at:
<https://www.stratford.gov.uk/doc/205840/name/Landscape%20Sensitivity%20Assessment%20LSVs%20Claverdon%20Fenny%20Compton.pdf> [Date Accessed: 03/09/19]

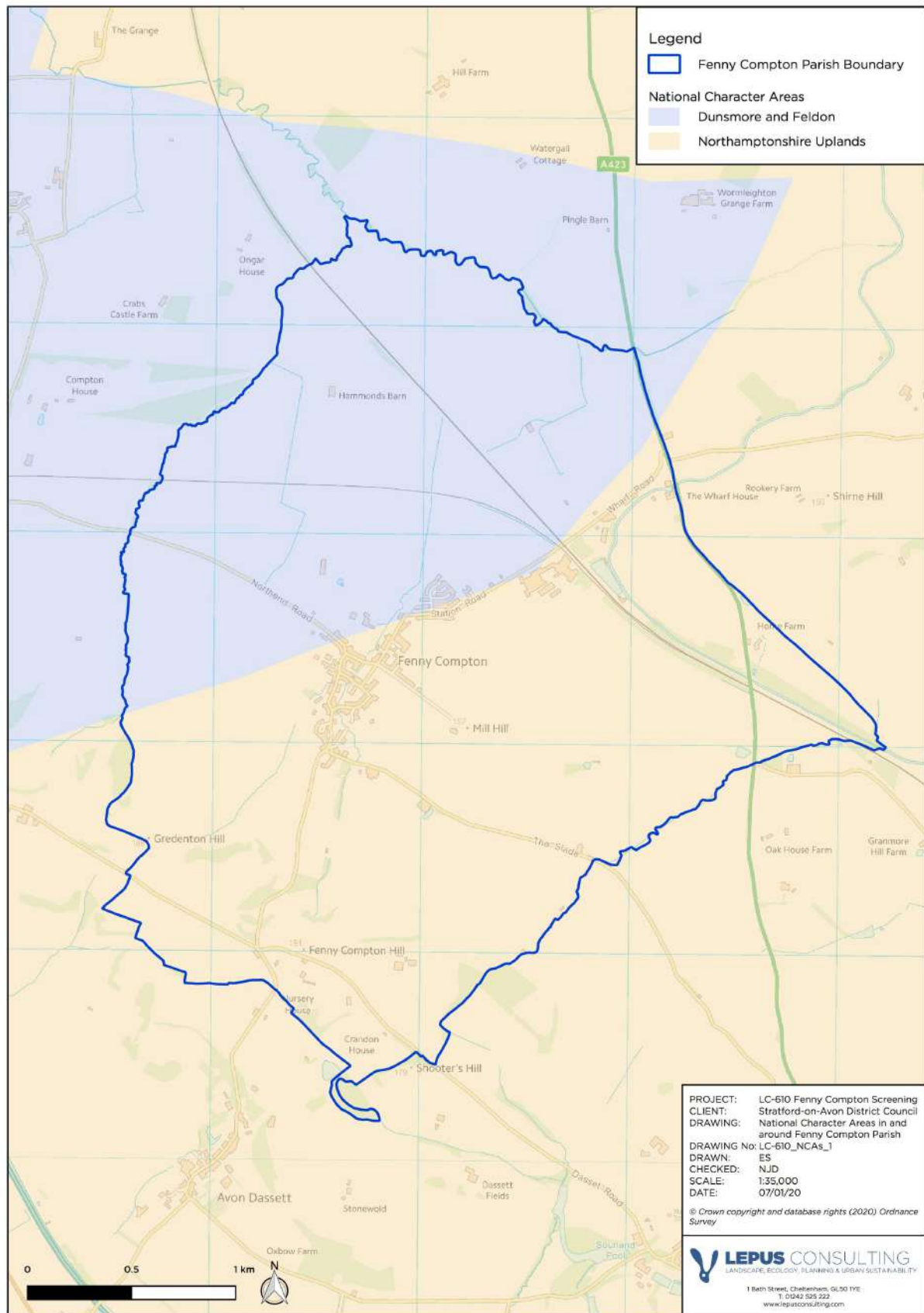


Figure 2.9: National Character Areas (NCAs) in and around Fenny Compton Parish (source: Natural England).



Figure 2.10: AONB and Country Parks surrounding Fenny Compton Parish (source: Natural England).

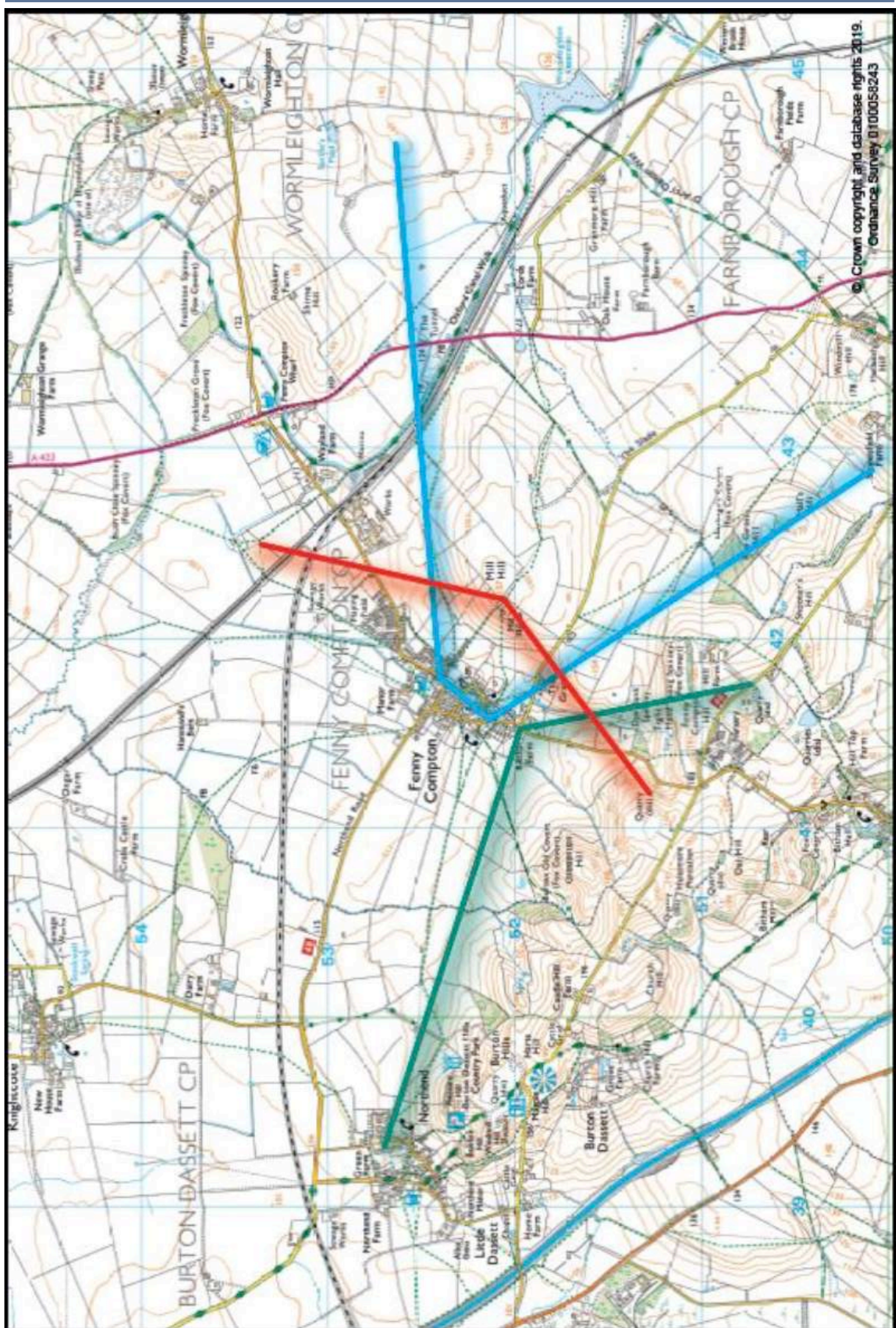


Figure 2.11: Valued views within Fenny Compton Parish (source: Fenny Compton NP)

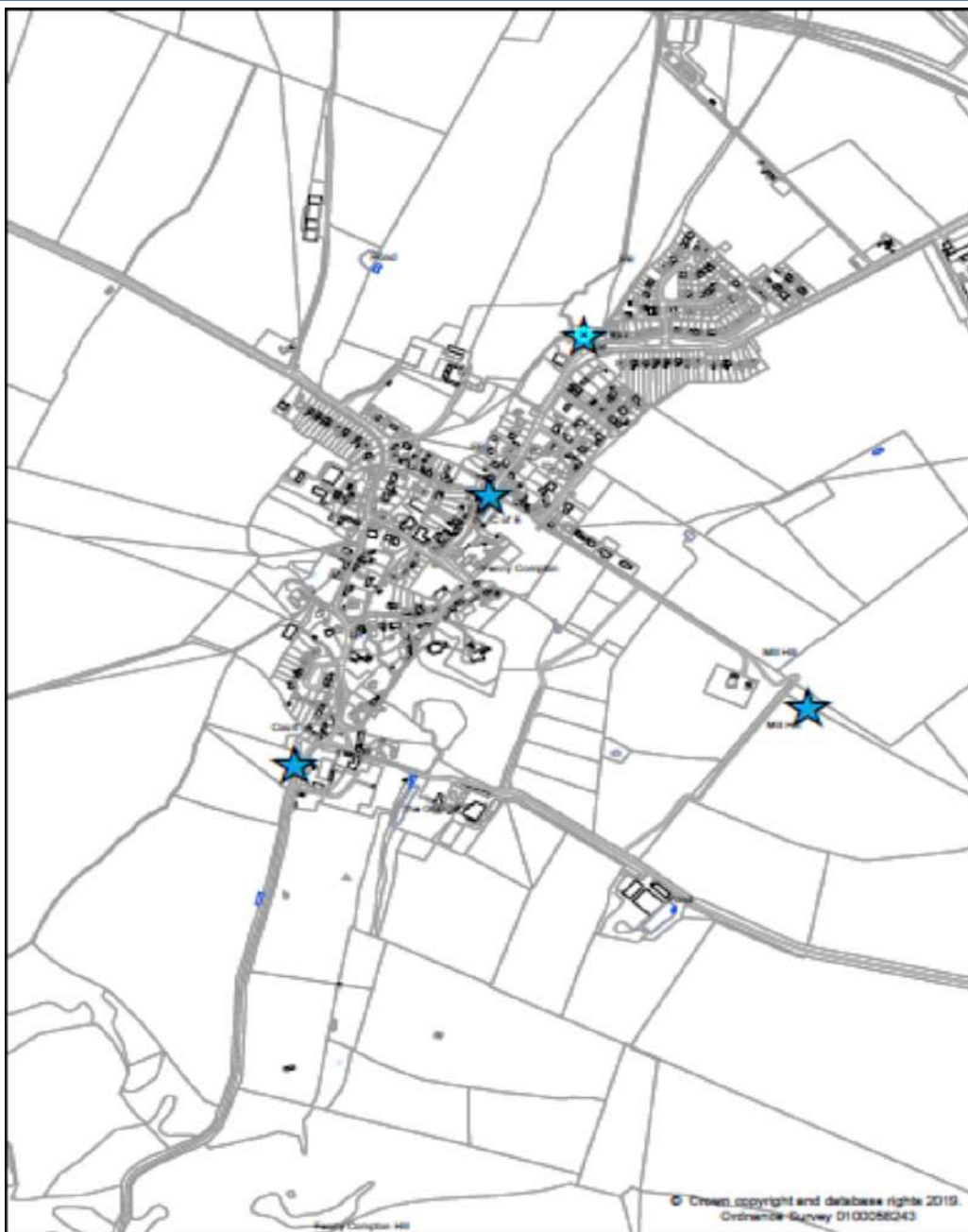


Figure 2.12: Valued viewpoints within Fenny Compton Village (source: Fenny Compton NP)

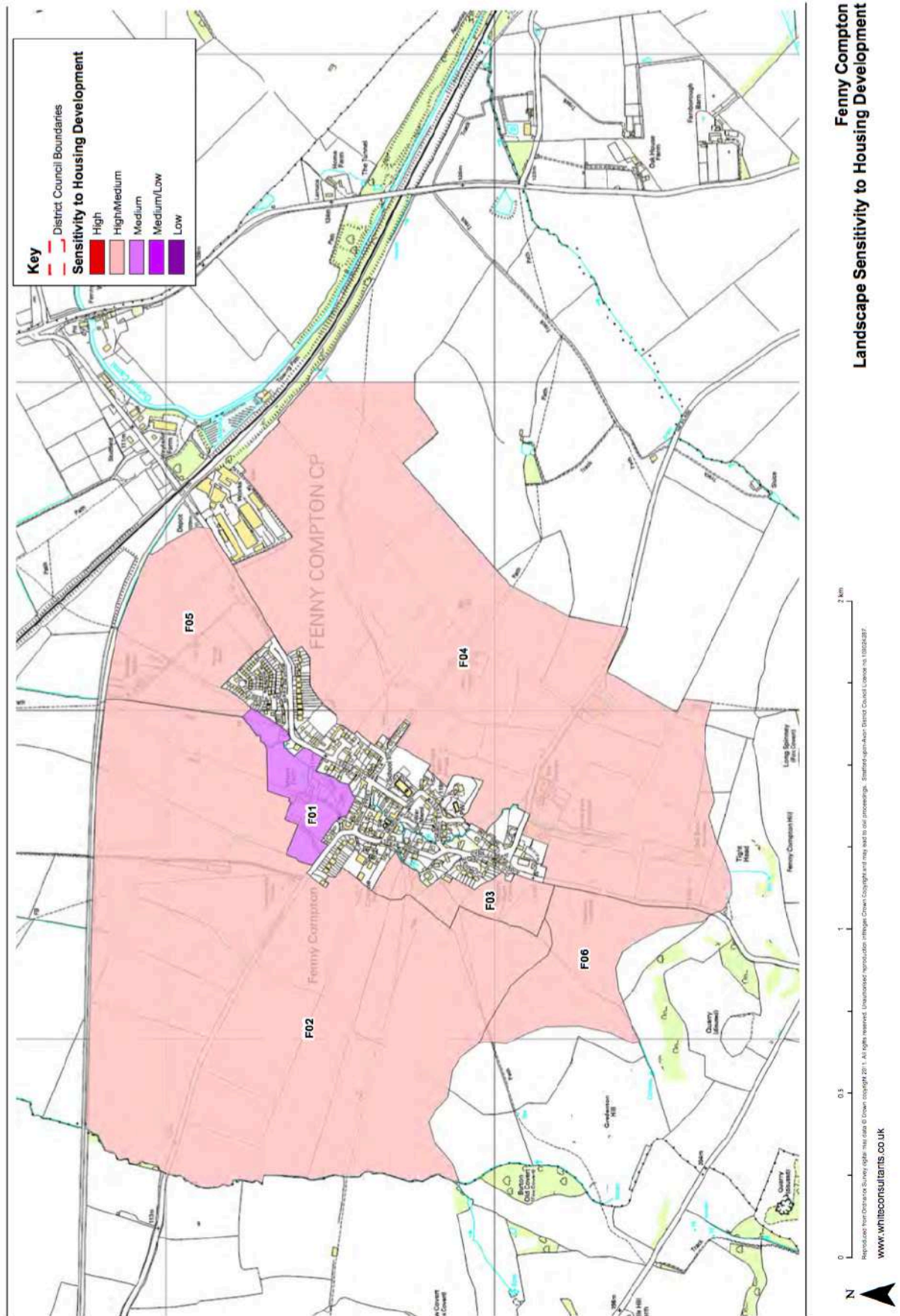


Figure 2.13: Fenny Compton landscape sensitivity to housing development (source: White Consultants)

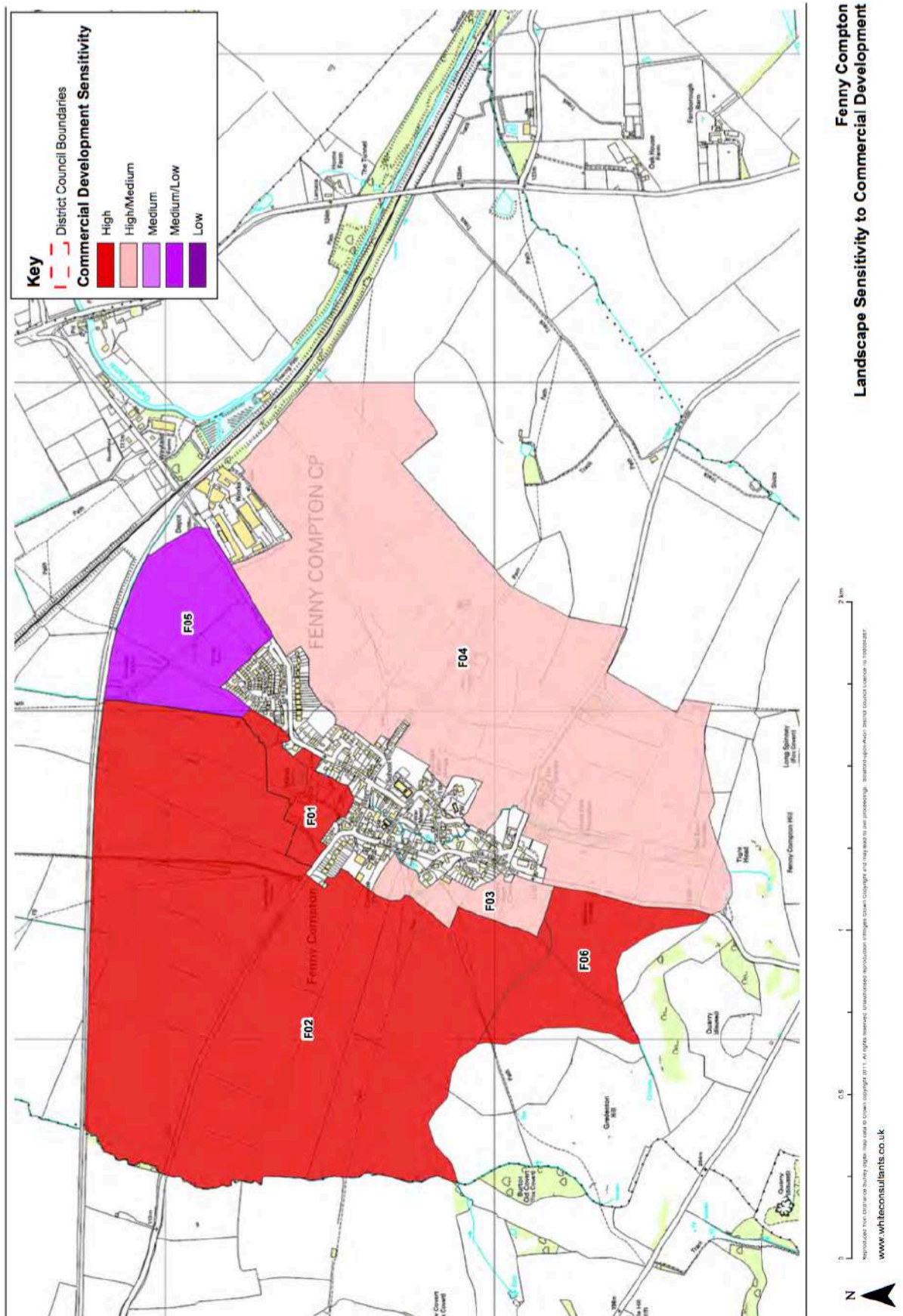


Figure 2.14: Fenny Compton landscape sensitivity to commercial development (source: White Consultants)

3 HRA Screening Process

3.1 Habitats Regulations Assessment screening

3.1.1 HRA screening is a requirement of Regulation 105 of the Conservation of Habitats and Species Regulations 2017²¹. HRA considers the potential adverse impacts of plans and projects on designated SACs, classified SPAs and listed Ramsar sites. This is in accordance with the Habitats Directive²² and the Birds Directive²³. SACs, SPAs and Ramsar sites are collectively known as the Natura 2000 network.

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

3.2 Determination of likely significant effects

3.2.1 The nearest Natura 2000 site to Fenny Compton Parish is 'Upper Nene Valley Gravel Pits' SPA and Ramsar, which is located approximately 35km north east of the Parish. 'Ensor's Pool' SAC is located approximately 36.5km north of the Parish. Due to this distance and the nature of the policies contained within the NP, there is unlikely to be any adverse impact on these Natura 2000 sites. Based on the available information, a significant impact of the NP on any Natura 2000 site can, therefore, be objectively ruled out at this stage. This decision has been taken in accordance with 'The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018'²⁴.

²¹ Conservation of Habitats and Species Regulations 2017. Available at: <http://www.legislation.gov.uk/ukxi/2017/1012/regulation/105/made> [Date Accessed: 06/01/20]

²² EU Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN> [Date Accessed: 06/01/20]

²³ EU Council Directive 2009/147/EC on the Conservation of wild birds. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0147&from=EN> [Date Accessed: 06/01/20]

²⁴ Available at: <http://www.legislation.gov.uk/ukxi/2018/1307/contents/made>

4 Conclusions

4.1 SEA Screening outcome

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

4.1.2 In accordance with topics cited in Annex 1(f) of the SEA directive, significant effects on the environment are considered to be unlikely to occur as a result of the NP, with the assumption that the recommendations set out in this screening report are incorporated into the final NP.

4.1.3 It is recommended that the Fenny Compton NP should **not** be screened into the SEA process.

4.2 HRA Screening outcome

4.2.1 This screening report has explored the potential effects of the proposed Fenny Compton NP with a view to determining whether a HRA is required.

4.2.2 It is recommended that the Fenny Compton NP should **not** be screened into the HRA process.

4.3 Consultation

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

Appendix A: Fenny Compton NP Policies

Key Principle	Policies
Appropriate development In harmony and at an appropriate scale to the existing village and the wider landscape	Sensitive Building Design Using the existing Village Design Statement paying attention to local styles; setting out points on materials; the location of development sites and the size of buildings and developments.
	Sustainable Housing Future housing in small scale developments after the Compton Buildings site is built out; all areas outside the built-up area boundary (BUAB) is classed as countryside; off road parking at the ratio of one parking space per bedroom; sustainability where new builds meet national standards for insulation and use of renewable technology.
Promoting road safety Ensuring new developments do not compromise safety for road and pavement users	Appropriate Traffic Management Measures Seek to minimise impact on local highway network; reduce vehicular impact through speed measures.
Supporting Parish amenities Encouraging new community facilities that meet residents' wishes	Protection of Village Community Assets Income from new development (S106 agreements) invested in community facilities; new facilities to be provided if an existing one is compromised by an acceptable development; developments that improve and enhance community facilities to be encouraged.
	Development of new community facilities Supported where they preserve local character; do not harm the landscape or existing residential amenities; provide improved facilities for young people and older residents.
Promoting recreational spaces Using development to encourage new and maintain existing recreational spaces	Protecting Village Recreational Assets Use of income from new developments (S106 agreements) invested in community facilities; not supporting the loss or partial loss of existing recreational spaces and facilities unless replaced; supporting proposals that enhance and improve existing facilities including: village hall, bowls club, sports pavilion and field, allotments.
Flood prevention Setting out how development can help improve the Parish's flood prevention infrastructure	Ensuring development manage the flood risk Managing surface water run off; managing risk of streams flooding; appropriate systems to be put in place such as sustainable drainage systems and flood water storage.
Environmental sustainability Encouraging the installation of renewable power generation technologies and the use of green energy appropriate to the village location	Domestic energy production New developments and building conversions designed to be self-sufficient in power production from renewable sources.
	Electric vehicle charging All new dwellings and commercial developments should include at least one electric vehicle changing point.
Promoting business and employment Encouraging coherent and sustainable minor commercial development	Minor commercial development Development at an appropriate scale to the village context; minimise impact on residential areas and traffic generation; use green technologies for power generation; provide electric car charging points.

Key Principle	Policies
in line with residents' wishes	<p>Home working Development of new dwellings should provide space adaptable for home working.</p>
<p>Promoting connectivity Ensuring smart connectivity is built into new residential and commercial developments in the Parish</p>	<p>High-speed homes All new dwellings to incorporate cable or suitable ducting to support high speed broadband.</p> <p>Connected infrastructure All new dwellings and commercial premises should provide high speed connectivity from building to road side.</p>
<p>Natural environment Accepting development that preserves valued landscapes and green spaces in the Parish</p>	<p>Protection of valued landscapes Development proposals to demonstrate integration with or enhancement of the landscape character.</p> <p>Local Green Spaces Preserving local green spaces for community use including the school sports field.</p> <p>Verges and hedges Development should respect the rural nature of the village and ensure existing hedges and verges are maintained.</p> <p>Wildlife Supporting and maintaining existing ecological networks; supporting new ecological habitats; primary hedge lines conserved and positive management of wildlife corridors; wildlife habitats and landscape features; existing Parish-owned trees preserved and managed and additional planting encouraged; diversity of unimproved and semi-improved grassland on steep hillsides conserved through regular grazing.</p>
<p>Caring for heritage assets To protect and conserve the heritage assets that shape the present character of the Parish</p>	<p>Conserving or enhancing the historic environment Development proposals demonstrate how the Neighbourhood's historic environment will be conserved or enhanced; detrimental impact of any development on any heritage asset will be weighed against community benefit; the conservation area will be similarly regarded.</p>

Appendix B: Consultation Responses

Date: 10 February 2020
Our ref: 308409
Your ref: Fenny Compton Neighbourhood Plan



[REDACTED]
Lepus Consulting Ltd
[REDACTED]

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear [REDACTED]

LC-610 Fenny Compton NP SEA and HRA Screening Report

Thank you for your consultation on the above dated 22 January 2020 which was received by Natural England on 22 January 2020

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

Screening Request: Strategic Environmental Assessment

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

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

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

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

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

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

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

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Fenny Compton 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.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely


Consultations Team



Historic England

[REDACTED]
Lepus Consulting Ltd.
1 Bath Street
Cheltenham
GL50 1YE

Direct Dial: [REDACTED]

Our ref: PL00675582

6 February 2020

Dear [REDACTED]

FENNY COMPTON NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: [<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](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.

Yours sincerely,

[REDACTED]

Historic Places Advisor

[REDACTED]

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TF

Telephone 0121 625 6888
HistoricEngland.org.uk



Tuesday, March 3, 2020 at 2:12:45 PM Greenwich Mean Time

Subject: RE: LC-610 Fenny Compton NP SEA and HRA Screening Report
Date: Tuesday, 3 March 2020 at 12:06:44 Greenwich Mean Time
From: WestMidsPlanning
To: [REDACTED]
Attachments: [REDACTED]

Good afternoon,

We concur with the conclusions of the report and do not require an SEA or HRA to be undertaken in support of the plan.

Kind Regards

Sustainable Places
West Midlands Area



Creating a better place
for people and wildlife



Ecological Services

Green Infrastructure

Landscape and Visual Impact Assessment

Landscape Character Assessment

Habitats Regulations Assessment

Strategic Environmental Assessment

Sustainability Appraisal



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