

Wythall Parish Neighbourhood Development Plan 2021-2040

Basic Conditions Statement

August 2026

(minor update to reflect amended Basic Conditions)

(Version: APL.Wythall.102.C)

Introduction

1. This Statement has been prepared by Wythall Parish Council (the Parish Council) to accompany its submission to the local planning authority, Bromsgrove District Council, of the Wythall Parish Neighbourhood Development Plan 2021-2040 (the Neighbourhood Plan) under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012.

Legal matters for Examination

(1) The examiner must consider the following: -

- (a) whether the draft neighbourhood development plan meets the basic conditions,
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,
- (c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- (d) such other matters as may be prescribed.

The Basic Conditions

2. The preparation of the Wythall NDP took place prior to changes to the statutory Basic Conditions, brought into force through the Levelling-up and Regeneration Act 2023.
3. The provisions of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (UK Statutory Instruments 2026 No. 169 (C. 16)) (*'the 2023 Regulations'*) came into force on 25th March 2026.
4. The 2023 Regulations have brought into force Section 98 of the Levelling up and Regeneration Act (*LURA*) (contents of a neighbourhood development plan) and section 99 (neighbourhood development plans and orders; basic conditions). These new rules amend parts of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990.
5. The new legal compliance requirements set out in section 98 specify details of the policies a neighbourhood plan may include, as follows:-
 - i. So far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must:*
 - ii. be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change, and*
 - iii. be designed to take account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area.*
6. In addition, there is a new Basic Condition requirement as set out in Section 99:

- i. the making of the Neighbourhood Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.*
- 7. This replaces the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.
- 8. The provisions also add a Basic Condition related to the provision of an environmental outcomes reports. However, the framework for environmental outcomes reports has yet to be put in place at the time of writing on 3rd August 2026.

Summary of the Basic Conditions

- 9. Following the 2023 Regulations (new Basic Conditions are underlined), a draft neighbourhood development plan meets the Basic Conditions if: -
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,
 - b) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
 - c) the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not made.
 - d) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
 - e) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.
- 10. In addition, whilst not basic conditions, the qualifying body must demonstrate that, so far as is appropriate having regard to the subject matter of the plan:
 - a) the plan is designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and,
 - b) the plan is designed to take account of any Local Nature Recovery Strategy prepared under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood area.

Statement of compliance with updated Basic Conditions and other requirements

a) Having regard to national policies and advice contained in guidance issued by the Secretary of State

11. The Neighbourhood Plan has been prepared having regard to national policies, in particular those set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) suite. It is contended that the neighbourhood plan accords with the core Planning Principles at the heart of the NPPF. The NPPF was updated in December 2024 and this version will be utilised in this Basic Conditions Statement.
12. **Table 1** provides a summary of how policies in the neighbourhood plan conform to the NPPF 2024. The NPPF paragraphs set out are those considered most relevant. The table is not intended to be an exhaustive list of all NPPF policies.

Table 1 – Meeting Basic Conditions to comply with the requirements of the NPPF

Neighbourhood Plan Policy	NPPF December 2024 References	Comments
WYTHALL 1 – Local Community Facilities	NPPF Para 88(d), 98, 100, 101 109, 110, 111, 128	Paragraph 98 of the NPPF says that planning policies and decisions should plan positively for the provision of community facilities to enhance the sustainability of communities and residential environments. WYTHALL 1 identifies important community facilities and seeks to establish their use and importance, to provide appropriate policy support in accordance with Paragraph 98 (c). Paragraph 98 (d) of the NPPF says that planning policies and decisions should ensure that established shops, facilities and services are retained for the benefit of the community. WYTHALL 1 seeks to fulfil this purpose in accordance with this and with Paragraph 98 (c) whilst recognising the limitations on this imposed by permitted development rights.
WYTHALL 2 - Affordable Housing Tenure	NPPF Para 64-66,	WYTHALL 2 is supported with evidence provided through the Wythall Housing Needs Assessment, prepared by AECOM. The policy seeks consideration of local housing affordability thresholds in the formulation and determination of proposals in accordance Bromsgrove DC adopted policies and the NPPF.
WYTHALL 3 - Housing Types and Sizes in Wythall	NPPF Para 64-66 and 71	WYTHALL 3 is supported with evidence provided through the Wythall Housing Needs Assessment. The policy seeks consideration of local housing type needs in a broad-based policy which recognises the need for a broad-range of housing provision.
WYTHALL 4 – Good Design and Development Form in Wythall Parish	NPPF Para 29, 115(c) 125(e), 129-130, 131-136, 139.	WYTHALL 4 is supported with evidence provided through a Design Guidelines and Design Codes report (2023). The report identifies character types within Wythall Parish and provides design principles to maintain character features, local design vernacular and materials. The policy required development proposals to demonstrate how the design principles for each character area and broader design codes have been addressed or considered.
WYTHALL 5 – Environmental Performance of Buildings	NPPF Para 164-165, 167	NPPF paragraphs 164 and 165 encourage new development to be planned in ways which avoids increased vulnerability to climate change, reduces greenhouse gas emissions, presents positive strategies for energy use within developments and identifies opportunities for decentralised energy systems. Building Regulations set out how much new developments should meet these goals. Within the incoming Future Homes Standard framework, WYTHALL5 provides support for the adoption of measures which go as far as possible as soon as possible within viability and other considerations.

WYTHALL 6 - Wythall Parish Local Heritage Assets	NPPF Para 202-203, 216 and footnote 75	Paragraph 216 of the Framework states that non-designated heritage assets can merit consideration in planning matters, stating that ‘In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Section 16 of the NPPF covers all aspects of the historic environment. Paragraph 203 states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment”. Appendix A of the Plan sets out criteria through which non-designated heritage assets in Wythall Parish have been identified.
WYTHALL 7 - Local Green Space Sites	NPPF Para 106-108	Local Green Spaces have been considered for designation in the Neighbourhood Plan. A number of sites are put forward. For each site, how they meet the criteria set by the NPPF is explained. Policy is in accordance with the NPPF which applies green belt policy principles to proposed development on Local Green Space sites.
WYTHALL 8 – Biodiversity Gains from new development in Wythall Parish	NPPF Para 187(d), 192	Paragraph 192 of the NPPF says plans should identify map and safeguard components of local wildlife-rich habitats and wider ecological networks, wildlife corridors and stepping stones and that connect them and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. It also says that plans should identify and pursue opportunities for securing measurable net gains for biodiversity. WYTHALL 8 requires that developments which are required to provide a net gain in biodiversity do in accordance with the hierarchy set out in regulations with a preference for on-site delivery of net gain the first instance. Where this cannot be achieved, the preference is for delivery of net gain with Wythall Parish in accordance with priorities as they are identified. Supporting information is provided in the plan to demonstrate (in the absence of a published draft Local Nature Recovery Strategies that opportunities for Nature Network enhancement and expansion to provide nature corridors exist within Wythall Parish.
WYTHALL 9 – Support for Bus Services	NPPF Para 109-110	NPPF Paragraph 109 says that in considering transport issues from the earliest stages of plan-making, a vision-led approach should be used to identify transport solutions that deliver well-designed, sustainable and popular places. Part (e) says that this should involve opportunities to promote walking, cycling and public transport. WYTHALL 9 recognises that new strategic development will bring the potential to improve strategic bus routes to and from the areas and also the penetration of local services within existing residential areas of the parish. This recognises that in many ways, the existing area lacks public transport services and many local services are too far to walk to. Sustainability objectives to reduce the need to travel by car also apply to existing built development.

WYTHALL 10 – Support for Rail Services and Station improvements	NPPF Para 109-110	NPPF Paragraph 109 says that in considering transport issues from the earliest stages of plan-making, a vision-led approach should be used to identify transport solutions that deliver well-designed, sustainable and popular places. Parts (a), (b), (c) and (e) say that this should involve early engagement with local communities considering transport infrastructure improvements, considering the impacts from development on transport and movement networks. In the context of potential future strategic development in the area, WYTHALL 10 identifies local priorities for improvements to rail services and station infrastructure from a local community perspective as a contribution to fulfilling the requirements of paragraph 109 of the NPPF.
WYTHALL 11 – Support for improvements to priority walking and cycling routes	NPPF Para 109, 111(d)	NPPF Paragraph 109 says that in considering transport issues from the earliest stages of plan-making, a vision-led approach should be used to identify transport solutions that deliver well-designed, sustainable and popular places. Part (c) says that this should involve opportunities to promote walking, cycling and public transport. Paragraph 111 (d) says that planning policies should provide for attractive and well-designed walking and cycling networks. WYTHALL 11 is supported by work undertaken by the Neighbourhood Plan Steering Group to identify key walking and cycling network and to assess the current efficacy and performance of these routes considered against principles set out in national guidance LTN1/20. WYTHALL 11 encourages developers to consider the opportunities to deliver the priorities identified for improvements to walking and cycling networks. Given that future development in the area could potentially be strategic in scale, then clearly identifying community priorities within an assessed framework utilising national guidance principles is helpful contribution for the Neighbourhood Plan to make and it should enable positive engagement to take place over the potential to deliver on priorities to improve the scope for walking and cycling within Wythall Parish.

b) Contributes to the achievement of sustainable development

13. The following sustainability assessment has been carried out to assess how the policies in the Wythall Parish Neighbourhood Plan contribute positively to delivering sustainable development. The NDP will serve an economic, social and environmental objective and seeks to balance them. **Table 2** summarises the various sustainability outcomes of each policy in the Wythall Parish Neighbourhood Plan.

Table 2 – Contribution to Sustainable Development

Neighbourhood Plan Policy	Economic objective	Social Objective	Environmental Objective
WYTHALL 1 – Local Community Facilities	Ensuring a good network of community facilities and assets supports a well-balanced community which is an economic advantage. Would support the retention of services in Wythall Parish.	It is an important aspect of sustainable development that community facilities are present and available locally. Would meet an important community objective to retain existing local facilities used by schools and residents.	Local community facilities allow people to use their cars less in accessing key local services. Would support local availability of facilities reducing the need to travel to other places for services used by the local community.
WYTHALL 2 - Affordable Housing Tenure	Supports the availability of homes affordable to the local working population on average incomes.	Supports the retention of a balanced community and over-concentration of the elderly, based on affordable housing provision.	A supply of homes affordable to people who work in the area should contribute to objectives which seek to reduce the need to travel by car.
WYTHALL 3 - Housing Types and Sizes in Wythall	Local policies which support a range of housing to meet identified local needs will help the economy of the area to function better.	The policy targets specific requirements where lack of provision may be preventing life stage-related access to the right kind of housing, which supports a balanced community.	Local housing provision to meet local needs will reduce the need for people to move away and travel back to work in the area by car.
WYTHALL 4 – Good Design and Development Form in Wythall Parish	Promotes an attractive living environment which is important to attract workers.	Ensures that new developments complement existing communities and integrate with them.	Will ensure that the character of the villages is retained as new housing is provided.
WYTHALL 5 – Environmental Performance of Buildings	Will support businesses in reducing and managing energy costs.	More energy efficient buildings will support local people to manage energy costs more effectively.	Will make a contribution to net zero carbon objectives
WYTHALL 6 - Wythall Parish Local Heritage Assets	Supports retention of interesting features which add to the attractiveness of the area.	Provides support for local features of heritage cultural value to local residents.	
WYTHALL 7 - Local Green Space Sites	A key part of providing a high-quality local environment which is attractive.	Supports health and well-being for local residents.	Supports linked-up and improved green spaces and habitats and supports local alternatives in the parish to reduce pressure on sensitive habitats.

WYTHALL 8 – Biodiversity Gains from new development in Wythall Parish	An attractive and biodiverse local environment will be more attractive to businesses for people to locate within the area.	Greater local biodiversity encourages local people to appreciate and connect with nature and to foster well-being.	Clear environmental benefits accrue from a co-ordinated attempt to improve biodiversity from new development and to ensure habitats are strengthened and connected.
WYTHALL 9 – Support for Bus Services	Good public transport services facilitate take-up of available job, shopping and leisure opportunities for a wider section of the population.	Supports greater mobility and access to jobs and services for sections of the population who rely on public transport.	Greater use of bus services helps to reduce carbon emissions from private cars
WYTHALL 10 – Support for Rail Services and Station improvements	Good public transport services facilitate take-up of available job, shopping and leisure opportunities for a wider section of the population.	Supports greater mobility and access to jobs and services for sections of the population who rely on public transport.	Greater use of bus services helps to reduce carbon emissions from private cars
WYTHALL 11 – Support for improvements to priority walking and cycling routes	Safe and convenient routes to key services, places of work or transport hubs increase the available employment opportunities for local people and support healthy living	Supports healthy living and provides means of sustainable travel for all sections of the population.	Greater active travel reduces carbon emission from all forms of transport and encourages healthy living.

c) Will not result in less housing provision than would be delivered

14. The Development Plan for the NDP is:

- a. Bromsgrove District Local Plan 2011-2030 (adopted 25 January 2017)
- b. Waste Core Strategy for Worcestershire, Adopted Waste Local Plan 2012-2027 (adopted November 2012)
- c. Worcestershire Minerals Local Plan 2018-2036 (adopted July 2022)

15. The Wythall Parish Neighbourhood Plan does not contain any policies relating to minerals and waste planning. Where policies from the Bromsgrove District Local Plan are relevant to the policies in the Wythall Parish Neighbourhood Plan, these are specifically referenced within the supporting text of the document. The Wythall Parish Neighbourhood Plan adds non-strategic local policy detail in support of the higher tier policies and does not conflict with or undermine them. **Table 3** provides references between Neighbourhood Plan policies and development plan policies.

16. Based on current local plan, the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not made.

Table 3 – Conformity with the Development Plan

Neighbourhood Plan Policy	Adopted Bromsgrove Local Plan Policy Support
WYTHALL 1 – Local Community Facilities	BDP6 relates to infrastructure contributions. WYTHALL 1 identifies local priorities arising from an audit of community facilities undertaken in support of the NDP. BDP12.1 and 12.2 relate to Sustainable Communities. WYTHALL1 provides local detail on community infrastructure requirements in support of the delivery of these policies. BDP25.1, 25.3 and 25.4 – relate to health and well-being specifically through the retention, replacement and provision of sport, recreation and amenity assets. WYTHALL 1 provides local priorities for community infrastructure retention, improvement and provision which contributes to local health and well-being.
WYTHALL 2 - Affordable Housing Tenure	BDP8.3 (Affordable Housing) relates to the mix of affordable housing tenures on individual schemes which will take into account local needs, the housing mix in the local area and impacts on viability. WYTHALL2 is supported by a local housing needs assessment which provides a robust assessment of local area housing affordability thresholds in relation to household income and different types of affordable housing product. The policy is applied with appropriate flexibility and recognition of viability considerations. BDP9 (Rural Exception Sites) and BDP10 (Homes for the elderly)
WYTHALL 3 - Housing Types and Sizes in Wythall	BDP7 (Housing Mix and Density) relates to the provision of housing taking account of identified housing needs in terms of the size and type of dwellings. WYTHALL3 is based on evidence provided in the Wythall Housing Needs Assessment produced in support of the NDP. BDP10.1 and 10.2 (Homes for the elderly) encourages housing development which meets the needs of the elderly, supporting independent living as circumstances change. The WYTHALL3 identifies housing types which would meet local housing needs of the elderly.
WYTHALL 4 – Good Design and Development Form in Wythall Parish	BDP19.1 (a) and (e) relate to securing good design in new development by using appropriate tools and guidance, and ensuring that development enhances the character and distinctiveness of the local area. WYTHALL4 is supported by a Design Guidance and Codes Report prepared by AECOM for character areas identified in Wythall Parish. It provides broader design codes to be applied appropriately to the local context. A key purpose of the policy is to identify character features which should be taken into consideration if and when new development areas are identified.
WYTHALL 5 – Environmental Performance of Buildings	BDP19.1 (c & d) includes a range of commitments which are reflected in WYTHALL5 which provides encouragement to developers to make a contribution to carbon emissions reduction. BDP22.1 (a, d, e, f) is also relevant to policy WYTHALL5.

WYTHALL 6 - Wythall Parish Local Heritage Assets	BDP20.2 (b) supports development which sustains and enhances the significance of non-designated heritage assets. WYTHALL6 uses local information and the Historic Environment Record to identify local non-designated heritage assets which are designated through the policy.
WYTHALL 7 - Local Green Space Sites	BDP24.1 (a) relates to the provision of a high-quality multi-functional green infrastructure network with a holistic approach to development with priorities determined by local circumstances. WYTHALL7 identifies and designates Local Green Spaces in accordance with criteria set out in the NPPF, with detailed description and assessment set out in Appendix B of the plan. BDP25.1 supports proposals and activities that protect, retain or enhance existing sport, recreational and amenity assets. WYTHALL7 designates Local Green Space sites to achieve this policy goal.
WYTHALL 8 – Biodiversity Gains from new development in Wythall Parish	BDP21.1 (d) expects developments to achieve net gains in biodiversity and (e) to contribute to targets set out for priority habitats and species, the environmental priorities of the Local Nature Partnership, participating in the biodiversity offsetting scheme or its replacement, and connect to the Nature Improvement Area(s), the Living Landscape schemes or their equivalents. WYTHALL8 provides local priorities for delivery of net gain in biodiversity from development in accordance with development plan policy, recognising the existence of new regulations on biodiversity net gain and new arrangements for Local Nature Recovery Strategy in Worcestershire to secure priority improvements to the Nature Recovery Network. The plan identifies priority habitats and Nature corridor priorities already identified.
WYTHALL 9 – Support for Bus Services	BDP6, BDP16.2 and BDP16.4 relate to infrastructure and financial contributions to improvements in public transport from new development. Given the potential for strategic development in the parish, WYTHALL9 identifies potential investment priorities for consideration as part of new development to improve public transport links to and from the area, and within it to provide local access to services.
WYTHALL 10 – Support for Rail Services and Station improvements	BDP6, BDP16.2 and BDP16.4 relate to infrastructure and financial contributions to improvements in public transport from new development. Given the potential for strategic development in the parish, WYTHALL10 identifies policy objectives to improve rail service frequency and extent from Wythall Station to support existing and future residents. BDP16.5 relates to the improvement of car parking and cycling provisions at stations. WYTHALL10 identifies specific requirements to improve car parking capacity at Wythall Station to serve existing and future needs.
WYTHALL 11 – Support for improvements to priority walking and cycling routes	BDP16.6 relates to infrastructure for pedestrians and cyclists which should be provided in a safe and sustainable environment. WYTHALL11 identifies existing and proposed routes with clear recommendations for improvements that could be potentially delivered through new development and/or through future investment.

d) Compatibility Strategic Environmental Assessment (SEA Directive 2001/42/EC) & Habitats Regulations Assessment (Habitats Directive 92/43/EEC)

17. Wythall Parish Council requested a screening opinion for SEA and HRA from Bromsgrove District Council. In July 2024, a Draft Screening Assessment was issued by Bromsgrove District Council which is attached as **Appendix 3**. The concluding section of the Draft Screening Assessment stated that:

SEA Assessment

9.1 On the basis of the SEA Screening assessment set out in sections 6 and 7 above, it is concluded that the Wythall Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA report.

Habitat Regulations Assessment

9.2 As set out in section 8 above, there are no internationally designated nature conservation sites within the Neighbourhood Plan area or within 15km of it. However, the results do show that there is one Special Area of Conservation (SAC) located within 20km of the neighbourhood plan area. This site is Fens Pools, a 20ha SAC site located near to Pensnett in Dudley Borough which is located 17.3km from Wythall Parish at the closest point.

9.3 However using an approach of a 15km radius from the neighbourhood area, based on consideration of other neighbourhood plan HRA screening exercises across the UK, it is concluded that the Wythall Neighbourhood Plan will not have an adverse effect on the integrity of designated sites either on its own or in combination with other plans, and therefore does not require a Habitat Regulation Assessment to be undertaken.

18. The Draft Screening Assessment was subject to consultation with the Environment Agency, Natural England and Historic England. Each of these organisations responded to the consultation to confirm their agreement with the Draft Screening Assessment conclusions that a SEA or HRA report is not required – their responses are attached as **Appendix 4**.

Human Rights Legislation

19. The Wythall Parish Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The main issues for planning in the context of human rights are: protection of property, right to respect for private and family life and prohibition of discrimination. The NDP complies with the requirements of the Human Rights Act 1998. All reasonable attempts were made to ensure that all Wythall Parish residents, and all relevant stakeholders, were given the opportunity to contribute to and comment upon the NDP.

e) Prescribed condition and legal compliance

20. The Plan is submitted by Wythall Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by Wythall Parish Neighbourhood Development Plan Steering Group, which is overseen by the Parish Council.
21. The parish of Wythall has been formally designated as a Neighbourhood Area under the Neighbourhood Planning Regulations 2012 and was formally approved by Bromsgrove District Council on 15th September 2020. The decision letter and Wythall Parish Council's letter requesting designation are attached as **Appendix 1**. The map showing the extent of the designated Neighbourhood Area is attached as **Appendix 2**.
22. The Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
23. The Plan identifies the period to which it relates as 2021 to 2040. This relates to and extends beyond the Bromsgrove Local Plan which has a plan period ending in 2030.
24. The Plan does not deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
25. The Plan relates only to the Neighbourhood Area within Wythall Parish. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

Consideration of Climate Change

26. The Draft NDP has considered how development can contribute towards improved resilience to the effects of climate change. This is evidenced in the following objectives and policies:

Policy WYTHALL 4 – Good Design and Development Form in Wythall Parish – requires planning application to consider how they can address Wythall design codes and guidance, specifically in relation to sustainable design and climate resilience codes included in Table 5 - E1 (Resilience to climate change), E2 Assessing alternative energy sources), E3 (Energy efficiency measures towards Net-Zero carbon) and E4 (Electric vehicle charging).

Policy WYTHALL 5 – Environmental Performance of Buildings encourages high standards of environmental performance in new buildings and, where possible, measures to improve the sustainability of heritage buildings.

Policy WYTHALL 9 – Support for Bus Services, Policy WYTHALL – 10 Support for Rail Services and Station improvements and Policy WYTHALL 11 – Support for improvements to priority walking and cycling routes – The policies identify key measures that are needed to support travel by sustainable travel modes.

Consideration of Local Nature Recovery Strategy

27. The Draft Wythall NDP was developed as work on the Local Nature Recovery Strategy was starting. Available baseline information was utilised to identify nature network priorities and expansion opportunities.

OBJECTIVE 3 - To identify and deliver a green and blue infrastructure network comprised of Local Green Space, Green travel corridors, formal and incidental open spaces, watercourses, ponds, wetlands and connected habitats which meet a variety of public realm, travel, health, well-being, biodiversity and other functions.

Policy WYTHALL 4 – Good Design and Development Form in Wythall Parish – requires planning application to consider how they can address Wythall design codes and guidance, specifically in relation to green infrastructure and habitation creation codes included in Table 5 – D1 (Retaining landscape habitats), D2 (Replacing landscape features), D3 (Wildlife habitats), D4 (Interconnectivity), D5 (Recreational green space), D6 (Natural offsets), D7 (Street trees and grass verges).

Policy WYTHALL 8 – Biodiversity Gains from new development in Wythall Parish – The policy says that where biodiversity net gain requirements cannot be achieved on application sites, proposals should aim to meet biodiversity net gain requirements in accordance with local nature recovery priorities more broadly within Wythall Parish. The policy also says that new developments which contribute to local habitat network enhancement, expansion and connection in the north and east of Wythall Parish will be supported.

Appendix 1 – Designation Decision for Neighbourhood Area

This Appendix contains Bromsgrove District Council's decision letter determination of a request for designation of the Neighbourhood Area by Wythall Parish Council. The Parish Council's written request for designation is also included.

Wythall Parish Council C/O Deputy Clerk Beaundesert Road Hollywood Worcestershire B47 5DP		Bromsgrove District Council www.bromsgrove.gov.uk
		Planning and Regeneration Parkside, Market Street, Bromsgrove, Worcestershire, B61 8DA Main switchboard: (01527) 881288 Email: strategicplanning@bromsgroveandredditch.gov.uk
Tuesday 15th September 2020		
SENT BY EMAIL		
Dear Ms Henderson		
Wythall Parish Neighbourhood Area Designation		
Following the application, dated the 27th August 2020, of Wythall Parish Council to designate the entire parish as a Neighbourhood Area for the purposes of neighbourhood planning, the Wythall Parish Neighbourhood Area has been designated by Bromsgrove District Council.		
This is in accordance with Regulation 5A of the Neighbourhood Planning (General) Regulations 2012 (as amended) by the Neighbourhood Planning (General) (Amendment) Regulations 2015 and by The Neighbourhood Planning (General) and Development Management Procedure (amendment) Regulations 2016 including Section 61G of the Town and Country Planning Act 1990 (as amended) for the purposes of Neighbourhood Planning by the Localism Act 2011.		
A copy of this letter, along with your application letter and map of the parish, will be placed on the District Council's website. I would also request that a copy of this letter is placed on the Parish Council's website and any noticeboards in the parish as you see appropriate.		
Should you require any further guidance on the following stages of neighbourhood planning, please do not hesitate to contact me.		
Yours sincerely,		
Mike Dunphy Strategic Planning and Conservation Manager		



WYTHALL PARISH COUNCIL

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PARISH CLERK
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27th August 2020

M Dunphy
Strategic Planning & Conservation Manager
Bromsgrove District Council
Parkside
Market Street,
Bromsgrove,
Worcestershire
B61 8DA

Dear Mike,

On behalf of Wythall Parish Council I would like to submit a formal application to Bromsgrove District Council for designation of the Parish of Wythall as a Neighbourhood Area for the purposes of creating a Neighbourhood Plan.

The attached map shows an appropriate area for designation as a Neighbourhood Area, being the community represented within the boundary of the Parish of Wythall.

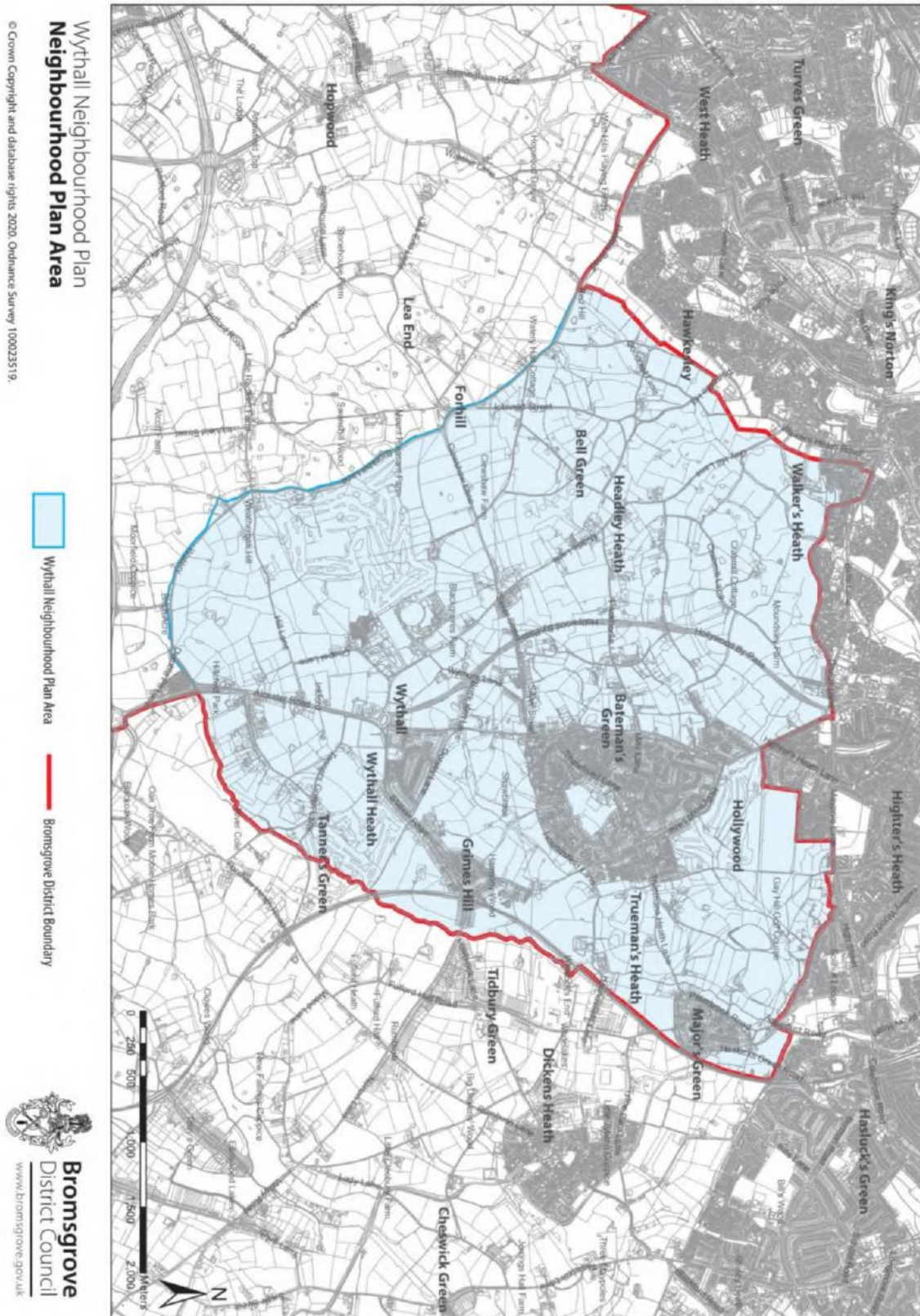
The body making the area application, namely Wythall Parish Council, is the relevant body for the purposes of section 61 G(2) of the Town and Country Planning Act 1990 (inserted by paragraph 2 of Schedule 9 to the Localism Act 2011) and as stated in The Neighbourhood Planning (General) Regulations 2012.

Yours Sincerely

Anne-Louise Henderson
Deputy Clerk



Appendix 2 – Map showing designated Neighbourhood Area



Appendix 3: Draft SEA and HRA Screening Assessment from Bromsgrove District Council



Bromsgrove
District Council

www.bromsgrove.gov.uk

Strategic Environmental Assessment and Habitat Regulation Assessment

Draft Screening Assessment

Wythall Parish Neighbourhood Plan

July 2024

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1. Introduction

- 1.1 This report sets out the screening assessment for the Wythall Parish Neighbourhood Plan and has been prepared by Bromsgrove District Council. The purpose of the screening is to assess if the Neighbourhood Plan will require a Strategic Environmental Assessment (SEA) and /or a Habitat Regulation Assessment (HRA). Conclusions for both SEA and HRA in this Screening Opinion are included in Section 9 of this report.

2. Introduction to Strategic Environmental Assessment and Habitat Regulation Assessment

Strategic Environmental Assessment (SEA)

- 2.1 Strategic Environmental Assessment (SEA) is required under the [Environmental Assessment of Plans and Programmes Regulations 2004](#) legislation for all plans which may have a significant effect on the environment. In order to determine whether a plan has a significant effect on the environment, it is necessary to screen the policies and proposals contained within a plan. When a neighbourhood plan becomes “made” (adopted) it will have legal status as part of the statutory development plan for the neighbourhood area it relates to. There is therefore a legal requirement to assess the policies and proposals in the draft Wythall Neighbourhood Plan against and this is set out in [Regulation 9](#) of the above 2004 Regulations.
- 2.2 The objective for SEA is: *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”* ([2001 SEA Directive, Article 1 - Objectives](#)).

Habitat Regulation Assessment (HRA)

- 2.3 The [Conservation of Habitats and Species Regulations \(as Amended\) 2017](#) requires an assessment of land use planning proposals to determine whether a plan is likely to have significant effects on European designated sites of nature conservation importance within, close to, or connected to the plan area. European sites are areas of international nature conservation importance that are protected for the benefit of the habitats and species they support. This assessment is known as a Habitat Regulations Assessment (HRA). For the purposes of the HRA, designated sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC), and Ramsar wetland sites.

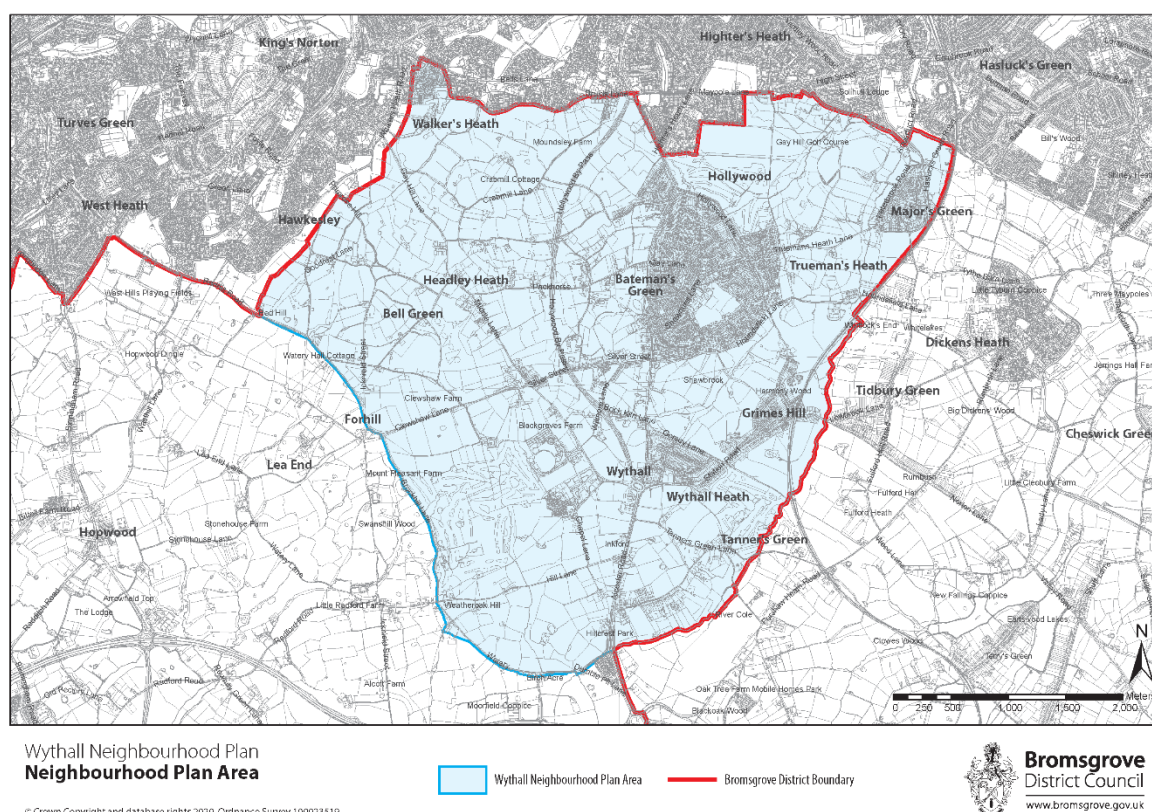
3. Neighbourhood Plans and SEA / HRA

- 3.1 [Regulation 15 of the 2012 Neighbourhood Planning \(General\) Regulations](#) sets out the information that must accompany a neighbourhood plan when submitted to the local planning authority. Amendments to the Neighbourhood Plan Regulations at Regulation 15 (e) made additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environment assessment is not required.
- 3.2 The National Planning Policy Framework (NPPF) makes it clear that “Local plans should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements” ([NPPF 2023](#), #32). The legal requirements referred to (SEA legislation) are included in NPPF footnote 17, which also states that: *“Neighbourhood plans may require SEA, but only where there are potentially significant environmental effects”*.
- 3.3 Neighbourhood plan areas that are located in close proximity to a European designated site may also require HRA, depending on the complexity of policies and proposals contained within the plan and the likely significant effects. The Duty to Cooperate requires the Local Planning Authority (alongside the Statutory Consultees - Natural England, Environment Agency, and Historic England) to advise and assist on SEA and HRA requirements. This involves the Local Planning Authority undertaking a screening assessment of the emerging neighbourhood plan proposals at an early stage.
- 3.4 If an SEA or HRA is found to be required, the gathering of evidence for its preparation can be integrated into the process of producing the neighbourhood plan. If the outcome of this screening opinion concludes that SEA or HRA is not necessary, a statement will be prepared that sets out how environmental issues have been taken into account and considered during the preparation of the Wythall Neighbourhood Plan. This statement will be submitted to the Local Planning Authority in accordance with Regulation 15 referred to above, alongside the proposed Neighbourhood Plan, following the pre-submission (‘Regulation 14’) consultation.

4. The Wythall Neighbourhood Plan

- 4.1 Work on the Wythall Neighbourhood Plan commenced in 2020. A steering group of parish councillors and interested residents from the parish was set up to oversee the preparation of the neighbourhood plan.
- 4.2 Wythall Parish (see Figure 1) is located in Bromsgrove District within Worcestershire County. The parish is located to the north of the M42 motorway and south of the district's border with Birmingham CC/Solihull MBC. The parish shares its eastern boundary with the district boundary with Solihull and the western boundary is formed by Redhill Road and Brockhill Lane. The parish is home to the built up areas of Wythall, Hollywood, Drakes Cross and Major's Green in the east, surrounded by land within the designated West Midlands Green Belt.

Figure 1: Wythall Neighbourhood Plan Area



- 4.3 The draft Wythall Neighbourhood Plan (May 2024) includes the following policies:

Policy Ref	Policy Title	Summary
WYTHALL 1	Local Community Facilities	Proposals which avoid the loss of community facilities will be supported. Local community facilities are listed.

Policy Ref	Policy Title	Summary
WYTHALL 2	Affordable Housing Tenure	Sets out desired affordable housing tenures
WYTHALL 3	Housing Types and Sizes in Wythall	New housing provision to meet a range of housing needs but 1-bed and 2-bed low rise apartments and houses will be welcome.
WYTHALL 4	Good Design and Development Form in Wythall Parish	Development to be undertaken in accordance with the Design Guidelines and Codes Report. Development at an increased density than adjacent residential should set out measures to avoid overbearing.
WYTHALL 5	Environmental Performance of Buildings	New buildings and alterations/extensions to existing buildings are expected to achieve high standards of environmental performance.
WYTHALL 6	Wythall Parish Local Heritage Assets	Sets out non-designated heritage assets
WYTHALL 7	Local Green Space Sites	Sets out Local Green Spaces
WYTHALL 8	Biodiversity Gains from new development in Wythall Parish	Requirement to secure BNG on application sites in the first instance and for new developments to contribute to local habitat network enhancement
WYTHALL 9	Support for Bus Services	Major development which includes measures to improve public transport services will be supported
WYTHALL 10	Support for Rail Services and Station improvements	Major development which includes measures to improve facilities and rail services at Wythall station will be supported
WYTHALL 11	Support for improvements to priority walking and cycling routes	Major development which includes measures to improve walking and cycling routes and signage will be supported

5. Applying the SEA & HRA Screening to the Wythall Neighbourhood Plan

5.1 The SEA screening is a two stage process consisting of:

- Stage 1 – this stage considers the Neighbourhood Plan against the SEA assessment criteria set out in Planning Practice Guidance (PPG). If it is determined at this stage that there is potential for the Neighbourhood Plan to have a significant effect on the environment then stage 2 should be carried out.
- Stage 2 – this stage involves testing the relevant Neighbourhood Plan against the criteria set out in [SEA Directive Annex II](#), to determine the likely significance of environmental effects.

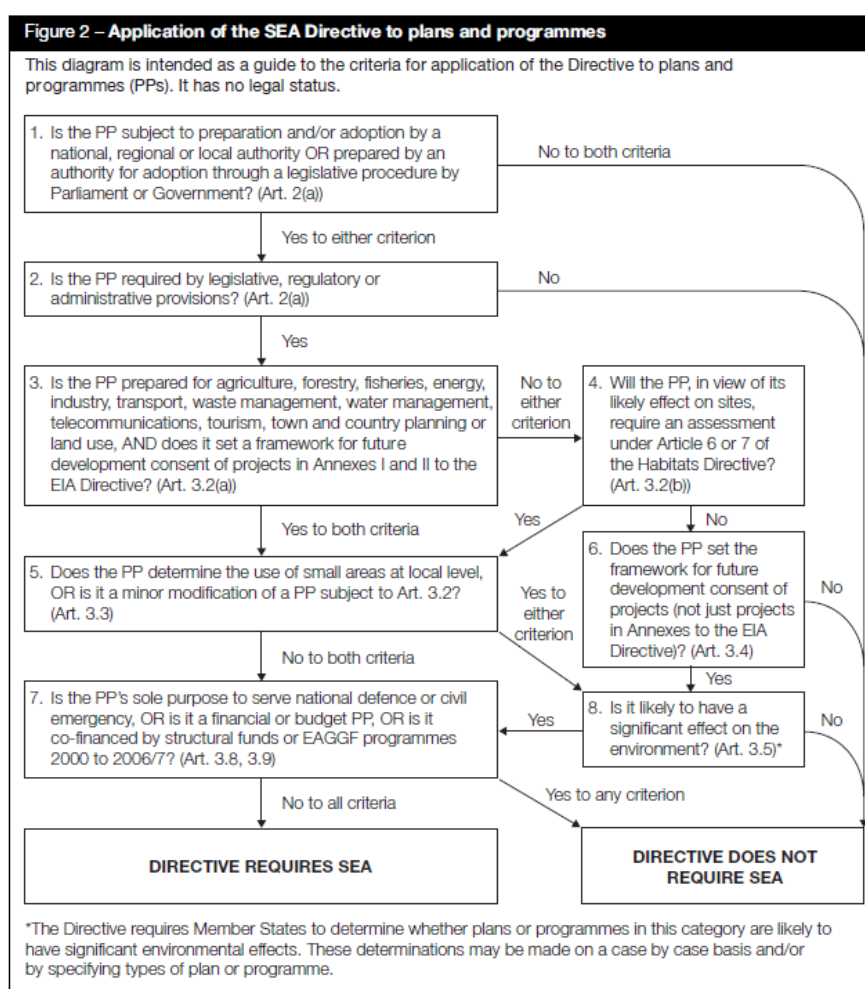
5.2 The HRA screening approach involves consideration of the European designated nature conservation sites within a reasonable distance of the Neighbourhood Plan area, and the potential impact of the proposals within the plan on these designated sites.

6. SEA Screening Stage 1: Application of SEA Directive to the Wythall Neighbourhood Plan

6.1 To establish if a Neighbourhood Plan needs to be accompanied by a SEA, stage 1 of the screening assessment is required to assess the plan against a series of criteria set out in the SEA Directive.

6.2 The diagram shows the screening process and how a plan would be assessed against the SEA Directive criteria.

Figure 2: Application of the SEA Directive to plans and programmes



Source: [A Practical Guide to Strategic Environmental Assessment Directive](#), ODPM 2005

6.3 An assessment of the characteristics of the Wythall Neighbourhood Plan against these criteria is set out in Table 1 below.

Table 1: SEA Screening Stage 1 – Application of the SEA Directive to the Wythall Neighbourhood Plan (following flow chart in Figure 2 above)

SEA Assessment Criteria	Neighbourhood Plan Outcome (Y/N)	Commentary
1) Is the Wythall Neighbourhood Plan subject to preparation and / or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament or Government? (Article 2(a))	Yes	The Wythall Neighbourhood Plan is being prepared by a qualifying body (Parish Councils) under the Town and Country Planning Act 1990 (as amended). The Local Planning Authority (Bromsgrove District Council) has a statutory obligation to “make” a Neighbourhood Plan once it has successfully gone through the relevant statutory preparation stages, culminating in a local referendum. At this stage, the Neighbourhood Plan becomes part of the statutory development plan for the neighbourhood area. To this extent, the Neighbourhood Planning process is directed through a legislative procedure which is set out in The Neighbourhood Planning (General) Regulations 2012 (as amended) and the Localism Act 2011 (as amended).
2) Is the Wythall Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	No	The preparation of Neighbourhood Plans is optional and is a decision to be made by the Parish/Town Council or Neighbourhood Forum. However, if the decision is taken to prepare a Neighbourhood Plan, the qualifying body is required to follow the set of regulatory and administrative procedures as set out in the Neighbourhood Planning Regulations 2012 (as amended) and the Localism Act 2011 (as amended). <i>Whilst Figure 2 above indicates that a ‘No’ response to this question indicates that SEA is not required, if the Neighbourhood Plan is ‘made’ it will form part of the statutory development plan and therefore it is considered necessary to answer the additional questions set out in Figure 2.</i>
3) Is the Wythall 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	Yes	A Neighbourhood Plan must relate to town and country, spatial and/or land use planning. Once made, it will form part of the statutory framework (“development plan”) for the determination of planning applications. Neighbourhood Plans therefore set specific frameworks for future development consents.

SEA Assessment Criteria	Neighbourhood Plan Outcome (Y/N)	Commentary
framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))		
5) Does the Wythall Neighbourhood Plan determine the use of small areas at local level OR is it a minor modification of an existing plan/programme subject to Article 3.2? (Article 3.3)	Yes	A Neighbourhood Plan can set out detailed, localised policies to reflect local aspirations, concerns or issues. The Neighbourhood Plan can also determine the use of sites in its neighbourhood plan area by making site specific land use allocations. The Wythall Neighbourhood Plan does not propose to allocate any new sites within its area for development.
8) Is the Wythall Neighbourhood Plan likely to have a significant effect on the environment (Article 3.5)?	Potentially	A Neighbourhood Plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals within the Neighbourhood Plan. This requires individual assessment of the Neighbourhood Plan. The relevant criteria for determining whether Neighbourhood Plans are likely to have significant environmental effects are set out in Annex II of the SEA Directive. Stage 2 of this screening assessment determines whether or not the Wythall Neighbourhood Plan will lead to any significant effects on the environment and, therefore, whether the Neighbourhood Plan will need to be accompanied by a SEA.
SEA COULD BE REQUIRED		

SEA Screening Stage 1: Conclusions

6.4 The conclusion of the assessment set out in Table 1 is that Strategic Environmental Assessment of the Wythall Neighbourhood Plan could be required. For this reason an analysis of the proposed neighbourhood plan is required to determine the likely significant effects on the environment. Therefore, it is necessary to complete stage 2 of the SEA screening process.

7. SEA Screening Stage 2: SEA Directive Annex II – Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan referred to in Article 3(5)

7.1 Table 2 below sets out the assessment against the SEA criteria for the Wythall Neighbourhood Plan. This is to determine whether the implementation of the Neighbourhood Plan will have a significant effect on the environment. The criteria against which the screening is carried out are taken directly from [Annex II of Directive 2001/42/EC](#) (also known as the SEA Directive), as required by Article 3(5).

7.2 The criteria from Annex II are as follows:

1. The characteristics of plans and programmes, having regard, in particular, to:
 - 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 degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,

- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

Table 2: SEA Screening Stage 2 – Assessment of likelihood of significant effects on the environment

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
1) The characteristics of plans and programmes, having regard, in particular to:		
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.	No	The Wythall Neighbourhood Plan will only be setting the framework for projects in a local context. There is a statutory requirement for the Neighbourhood Plan's policies to be within the context of strategic policies in the adopted Bromsgrove District Plan (BDP, 2017). It therefore cannot provide for development that is not in general conformity with the adopted Local Plan. Rather, it will make policies and proposals that will be applicable to the designated neighbourhood plan area. The draft Neighbourhood Plan does not include site allocations.
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Wythall Neighbourhood Plan will be in general conformity with the adopted Bromsgrove District Plan (BDP, 2017). The Neighbourhood Plan will also be in conformity with the National Planning Policy Framework (NPPF) and guidance set out in the National Planning Practice Guidance (PPG). The conformity of the Neighbourhood Plan with both national and local strategic policy is part of the basic conditions which will be tested at examination stage by an Independent Examiner.
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The draft Wythall Neighbourhood Plan includes a policy on Environmental Performance of Buildings but this does not propose to introduce any standards which go beyond national targets.
d) Environmental problems relevant to the plan or programme.	No	It is not considered that the Wythall Neighbourhood Plan will introduce any environmental problems, rather it will seek to encourage sensitive development in relation to the environment.

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
e) The relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	No	The Wythall Neighbourhood Plan will not impact on the implementation of European Community legislation on the environment. Strategies relating to waste disposal or water protection are mostly dealt with by Worcestershire County Council. Bromsgrove District Council itself has a number of strategies in place, relating to waste collection and environmental protection. Community consultations as part of the plan process may identify specific local environmental concerns or issues, but these are generally not issues which could be addressed through a Neighbourhood Plan.
2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) The probability, duration, frequency and reversibility of the effects	No	It is considered that the overall impact of the Wythall Neighbourhood Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts.
b) The cumulative nature of the effects	No	It is considered that the effect of this Wythall Neighbourhood Plan will be largely beneficial therefore any cumulative impacts will also be beneficial.
c) The transboundary nature of the effects	No	The effects of the proposals within the Wythall Neighbourhood Plan are limited to the designated neighbourhood area and are unlikely to have a significant impact on neighbouring areas outside of this boundary.
d) The risks to human health or the environment (e.g. due to accidents)	No	No significant risks to human health or the environment are envisaged through the application of this Neighbourhood Plan.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Wythall Neighbourhood Plan is applicable only to developments within the neighbourhood plan area (Wythall Parish area). Therefore, the potential for environmental effects are likely to be minimal and limited to the neighbourhood plan area.
f) The value and vulnerability of the area likely to be affected due to: a. Special natural characteristics or cultural heritage;	No	The Wythall Neighbourhood Plan is applicable to proposed developments within Wythall Parish but it does not allocate sites for development and is unlikely to have an impact on the value or vulnerability of the area as it is not in itself proposing development.

Criteria for determining the likely significance of effects (Schedule 1 of SEA Regulations)	Is the Wythall Neighbourhood Plan likely to have a significant environmental effect?	Justification for Screening Assessment
b. Exceeded environmental quality standards or limit values; or c. Intensive land-use.		
g) The effects on areas or landscapes which have a recognised national, community or international protection status.	No	The overall impact of the Wythall Neighbourhood Plan will be positive by maximising the positive environmental effects of development and minimising or avoiding negative impacts. Wythall has a number of local sites for nature conservation including one SSSI and some Local Wildlife Sites but these are protected by separate policies in the adopted Bromsgrove District Plan. If a Habitat Regulations Assessment (HRA) is deemed necessary, then a SEA would also be required. The results of the HRA screening assessment are set out in sections 8 and 9 of this report.

SEA Screening Stage 2: Conclusions

7.3 On the basis of the SEA Screening Assessment set out in Tables 1 and 2, the conclusion is that the Wythall Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA. The main reasons for this conclusion are:

- There are no plans for the proposed Wythall Neighbourhood Plan to allocate sites for development;
- The policies in the draft Wythall Neighbourhood Plan seek to reinforce the policies in the adopted Bromsgrove District Plan, which has itself been subject to SA and SEA;
- Policies and proposals within the Wythall Neighbourhood Plan itself are unlikely to have significant environmental effects; rather it is the specific developments that come forward as part of planning applications within the neighbourhood area that may result in environmental effects;
- The Wythall Neighbourhood Plan will seek to avoid or minimise negative environmental effects by providing guidance for applicants when making proposals for development within

the neighbourhood plan area. This will help to reduce adverse environmental effects occurring within the neighbourhood plan area.

7.4 This determination is pending the findings of consultation and the formal views of the statutory environmental bodies.

8. HRA Screening

- 8.1 In addition to the screening of the Wythall Neighbourhood Plan in relation to SEA, there is a requirement to assess if the proposals within the Neighbourhood Plan could have an adverse impact on European designated nature conservation sites. This Habitats Regulation Assessment (HRA) is required by [The Conservation of Habitats and Species Regulations 2017](#) (as amended).
- 8.2 The HRA involves an assessment of any plan or project to establish if it has potential implications for European sites. The HRA will consider if the proposals in the Neighbourhood Plan have the potential to harm the habitats or species for which European sites are designated. European sites are:
- Special Protection Areas (SPA) designated under the Wild Birds Directive ([2009/147/EC](#))
 - Special Areas of Conservation (SAC) designated under the Habitats Directive ([92/43/EEC](#))
- 8.3 In addition to SPA and SAC sites, Ramsar sites are designated under the [Ramsar Convention](#) (Iran 1971 as amended by the Paris Protocol 1982). Although they are not covered by the Habitats Regulations, as a matter of UK Government Policy, Ramsar sites should be treated in the same way as European sites.
- 8.4 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a “screening” exercise where the details of nearby internationally designated sites within a reasonable distance from the Neighbourhood Plan area are assessed to see if there is any potential for the Neighbourhood Plan proposals to have an impact on the international site. For the purposes of this HRA screening assessment a “reasonable distance” will be taken to be sites within 15km of the designated Neighbourhood Plan Area.
- 8.5 For the HRA “screening” assessment, Defra’s [MAGIC Map](#) was examined to determine whether any Special Protection Areas, Special Areas of Conservation sites, or Ramsar sites were located within a reasonable distance of the designated Neighbourhood Plan area.
- 8.6 The outcome was that no internationally designated sites fall within the Neighbourhood Plan area or within 15km of it. The nearest site is the [Fens Pool Special Area of Conservation](#) (SAC) in the Dudley MBC area which is 17.3km from the nearest point of the Wythall Neighbourhood Plan area.

8.7 Fens Pool SAC lies close to Pensnett in Dudley and is a 20ha site consisting of mostly dry grassland, heath and scrub, plus bogs, marshes and fens and open water.

8.8 The other nearest internationally designated sites are:

- Lyppard Grange SAC (Worcester City Council area) – 25.6km
- Ensor Pool SAC (Nuneaton and Bedworth Borough area) - 27.1km

9. SEA & HRA Screening Conclusion

SEA Assessment

- 9.1 On the basis of the SEA Screening assessment set out in sections 6 and 7 above, it is concluded that the Wythall Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA report.

Habitat Regulations Assessment

- 9.2 As set out in section 8 above, there are no internationally designated nature conservation sites within the Neighbourhood Plan area or within 15km of it. However, the results do show that there is one Special Area of Conservation (SAC) located within 20km of the neighbourhood plan area. This site is [Fens Pools](#), a 20ha SAC site located near to Pensnett in Dudley Borough which is located 17.3km from Wythall Parish at the closest point.
- 9.3 However using an approach of a 15km radius from the neighbourhood area, based on consideration of other neighbourhood plan HRA screening exercises across the UK, it is concluded that the Wythall Neighbourhood Plan will not have an adverse effect on the integrity of designated sites either on its own or in combination with other plans, and therefore does not require a Habitat Regulation Assessment to be undertaken.

10. Next Steps

Strategic Environmental Assessment (SEA)

- 10.1 The next stage will be to consult with the Statutory Consultees (Natural England, the Environment Agency, and Historic England) on this Screening Report of the Wythall Neighbourhood Plan. The Statutory Consultees will be asked to consider the Screening Report and confirm if they consider an SEA is necessary or not.
- 10.2 If the Statutory Consultees advise that an SEA is necessary then an environmental report will be required for the Neighbourhood Plan. The environmental report will integrate the requirements of the SEA Regulations. This will ensure that the potential environmental effects (the focus of the SEA) are given full consideration in the preparation of the neighbourhood plan. The environmental report will be published alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority when the proposed Neighbourhood Plan is submitted under Regulation 15 of the Neighbourhood Planning Regulations.
- 10.3 If it is concluded that the emerging Neighbourhood Plan does not require SEA, then it will be necessary to publish the Statutory Consultee responses together with this screening assessment on the Bromsgrove District Council website and the Wythall Parish Council website. In accordance with Regulation 15 (e)(ii) of the 2012 Neighbourhood Planning (General) Regulations (as amended), a statement of reasons why an environmental assessment is not required will need to be published and submitted to the Local Planning Authority with the proposed Neighbourhood Plan.

Habitats Regulations Assessment (HRA)

- 10.4 Consultation with the Statutory Consultees will also make a request of Natural England to consider the screening assessment of the Habitat Regulations Assessment (HRA) and to advise if an Appropriate Assessment is necessary or not. If Natural England advises that HRA is necessary then a report will be prepared and will sit alongside the draft Neighbourhood Plan when it goes out to formal consultation. It will also be submitted to the Local Planning Authority with the proposed Neighbourhood Plan.

11. Further Information

- 11.1 A copy of the draft Wythall Neighbourhood Plan has been sent to the Statutory Consultees alongside this Screening Assessment document.

Appendix 4 – Consultation Responses to Draft Screening Assessment

Bromsgrove District Council
Planning Policy
Burcot Lane
Bromsgrove
Worcestershire
B60 1AA

Our ref: SV/2018/109855/OT-01/IS1-L01

Your ref:

Date: 23 July 2024

FAO: Gemma Hawkesford

Email Cc to: strategicplanning@bromsgroveandredditch.gov.uk

Dear Gemma,

**Consultation on SEA/HRA screening assessment - Wythall Parish
Neighbourhood Plan (Bromsgrove District Council)**

I refer to your email of the 02 June 2024 with regard to the Wythall Parish SEA/HRA Screening Assessment for the Neighbourhood Development Plan (NDP). We have reviewed the submitted documentation and offer the following comments for your consideration at this time.

Flood Risk: Based on our indicative Flood Map for Planning (Rivers and Sea), the NDP area has no main rivers within the vicinity. The River Cole (ordinary watercourse) runs along the Southern and Eastern border of the Parish boundary bringing extents of Flood Zone 3 and 2 (the high and medium risk zones respectively). However, the plan area is shown to be predominantly located in Flood Zone 1, and therefore has a low fluvial flood risk potential.

It should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with the drainage team at Bromsgrove District Council as the Lead Local Flood Authority (LLFA).

Site Allocations: We would not, in the absence of any site allocations proposed within the NDP, offer any bespoke comment at this time.

However, please note that other potential development areas may be at flood risk given the presence of 'ordinary watercourses' which are un-modelled based on the scale and nature of the stream and receiving catchment (less than 3km²).

Water Catchment Quality: It is noted that Wythall falls within the wider Tame Anker and Mease Management Catchment area and then into one sub catchment area. This consists of the Cole from Source to Springfield Water body which is considered as having a 'poor ecological status'. The aim is to achieve 'good' status by 2027.

Environment Agency
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

SEA / HRA Screening Opinion

To assist your Council's determination of the SEA and HRA Screening Opinion (dated July 2024), we note the conclusions achieved:

- The SEA Screening Opinion concludes that the 'Wythall Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA.'
- The HRA Screening Opinion concludes that the 'Wythall Neighbourhood Plan will not have an adverse effect on the integrity of designated sites either on its own or in combination with other plans, and therefore does not require a Habitat Regulation Assessment to be undertaken.'

We therefore agree and advise based on the Screening Report submitted and in consideration of matters within our remit that the NDP is considered unlikely to have significant environmental impacts and or significant effects on European designated sites, based on the above conclusions we do not believe a full Appropriate Assessment will be required.

Furthermore, we do not offer detailed bespoke advice on policy but advise you ensure conformity with the local plan and refer to guidance within our area neighbourhood plan "pro-forma guidance", I have attached an updated version for your consideration. Notwithstanding the above, for example it is important that these plans offer robust confirmation that development is not impacted by flooding and that there is sufficient wastewater infrastructure in place to accommodate growth. I trust the above is of assistance at this time.

Yours faithfully

Mr. Ewan Burvill

Planning Officer

Direct e-mail ewan.burvill@environment-agency.gov.uk

Date: 23 July 2024
Our ref: 480909
Your ref: Wythall Neighbourhood Plan



Ms Gemma Hawkesford
Bromsgrove District Council and Redditch Borough Council

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

T 0300 060 3900

BY EMAIL ONLY

strategicplanning@bromsgroveandredditch.gov.uk

Dear Ms Hawkesford

Wythall Neighbourhood Plan - SEA/HRA Screening Consultation

Thank you for your consultation on the above dated and received by Natural England on 2 July 2024.

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 (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that:

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent

¹ Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle
Consultations Team



Historic England

Ms Gemma Hawkesford

Direct Dial: 0121 625 6887

Bromsgrove District Council and Redditch

Borough Council

Our ref: PL00796295

19 July 2024

Dear Ms Hawkesford

WYTHALL NEIGHBOURHOOD PLAN SEA & HRA SCREENING OPINION CONSULTATION

Thank you for your consultation and the invitation to comment on the SEA 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/)



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Historic England

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

Yours sincerely,

P. Boland.

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



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