

Appendix D
Responses to SEA Scoping Consultation



ENGLISH HERITAGE

WEST MIDLANDS

By Email

Stephen.Isaac@ch2m.com
On behalf of Telford and Wrekin Council

Our ref: 0962
Your ref: -
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Email: kezia.taylerson@english-heritage.org.uk

24 January 2014

Dear Stephen,

Re: Strategic Environmental Assessment (SEA) Scoping Report consultation: Telford and Wrekin Local Flood Risk Management Strategy

Thank you for your email dated 12 December 2013 and the invitation to comment on the SEA Scoping Report for the Telford and Wrekin Flood Risk Management Plan. We note the objective relating to the historic environment and welcome your inclusion of the consideration of the historic environment within your flood risk management strategy. Below are some general comments to assist in scoping and carrying out your SEA on the Telford and Wrekin Flood Risk Management Strategy.

General comments

English Heritage recommends that our updated guidance (2013) on Strategic Environmental Assessment (SEA) / Sustainability Appraisal (SA) and the Historic Environment is used to inform the environmental assessment. The guidance is available via the English Heritage website: <http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>. The guidance sets out a series of general principles on the consideration of the historic environment in the assessment process. For each stage of the assessment more detailed advice is provided to help ensure that the impact of a proposed strategy on the historic environment is adequately addressed.

English Heritage welcomes the opportunity to engage in the assessment and preparation of the strategy for the following reasons:

- *The vulnerability of most heritage assets (designated and non-designated) to flooding, including occasional flooding, and the potential harm to or loss of their significance.*



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- *The potential impact of flood risk management measures on heritage assets and their settings, including impacts on water-related or water-dependent heritage assets.*
- *The potential impact of changes in groundwater flows and chemistry on preserved organic and palaeo-environmental remains. Where groundwater levels are lowered as a result of measures to reduce flood risk, this may result in the possible degradation of remains through de-watering, whilst increasing groundwater levels and the effects of re-wetting could also be harmful.*
- *The potential impact on heritage assets of hydro-morphological adaptations. This can include the modification/removal of historic in-channel structures, such as weirs, as well as physical changes to rivers with the potential to impact on archaeological and palaeo-environmental remains.*
- *The potential implications of flood risk on securing a sustainable use for heritage assets, including their repair and maintenance.*
- *The opportunities for conserving and enhancing heritage assets as part of an integrated approach to flood risk management and catchment based initiatives, this including sustaining and enhancing the local character and distinctiveness of historic townscapes and landscapes.*
- *The opportunity for increasing public awareness and understanding of appropriate responses for heritage assets in dealing with the effects of flooding as well as the design of measures for managing flood risk and improving resilience.*
- *The opportunities for improving access, understanding or enjoyment of the historic environment and heritage assets as part of the design and implementation of flood risk management measures.*

English Heritage advises that the relevant local authorities' conservation and archaeological officers are involved throughout the preparation, assessment and implementation of the strategy, as they are often best placed to advise on:

- *baseline information on the historic environment and heritage assets through the county-based Historic Environment Record (HER);*
- *the significance of designated and non-designated heritage assets;*
- *local historic environment issues and priorities, as for example heritage assets vulnerable to the effects flooding and or those that have been harmed by previous flooding events;*
- *how flood risk management measures can be tailored to avoid or minimise potential adverse impacts on the historic environment;*
- *the nature and design of any required mitigation measures; and*
- *opportunities for securing wider benefits for the future conservation, management and enjoyment of heritage assets, whether through the design and implementation of individual measures and schemes and wider catchment management proposals.*

The comments set out below supplement our general advice on SEA/SA by outlining specific considerations relevant to flood risk management.



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Review of Plans, Policies and Programmes

English Heritage advice on SEA/SA recommends that the review includes plans and programmes that have a direct bearing on the historic environment. An indicative list is provided of plans and programmes at the international, national, sub-national and local level.

English Heritage acknowledges that the current review will concentrate on those policies, plans, programmes that are most relevant to the flood risk management and to the implementation of the plan. Relevant historic environment considerations, however, should still be fully taken into account in the review as for example:

At the national level:

- *The National Planning Policy Framework recognises that the protection and enhancement of the historic environment is integral to achieving sustainable development.*
- *The Flood Risk Regulations 2009 include a requirement to have regard to the desirability of reducing the adverse consequences of flooding for the environment (including cultural heritage).*
- *The Flood and Water Management Act 2010 includes a requirement for local authorities, highway agencies and Internal Drainage Boards to contribute towards sustainable development when exercising their flood and coastal erosion risk management functions¹. Supporting guidance² on this duty includes, within its definition of sustainable flood and coastal erosion risk management, improving the resilience of the natural, historic, built and social environment to current and future risks, as well as protecting natural and heritage assets and enhancing the environment where it is most degraded.*
- *The National Flood and Coastal Erosion Risk Management Strategy for England includes a guiding principle on achieving multiple benefits, such as enhancing and protecting the built, rural and natural environments, cultural heritage and biodiversity and in all instances flood and coastal risk management should avoid damaging the environment, including the historic environment.*

At the local level:

- *Conservation area appraisals and accompanying management plans, particularly for conservation areas identified as at risk of flooding.*
- *World Heritage Site Management Plans where flood and/or coastal erosion is an identified issue.*

Baseline

In accordance with our guidance on SEA/SA English Heritage recommends that a broad definition of the historic environment is used to establish the baseline. This will include areas, buildings, features and landscapes with statutory protection (designated heritage assets), together with those parts of

¹ The Environment Agency has a duty under the Environment Act 1995

² Guidance for risk management authorities on sustainable development in relation to their flood and coastal erosion risk management functions (2011), Defra



the historic environment which are locally valued and important (non-designated heritage assets) and also the historic character of the landscape, townscape and seascape.

Together with our general advice on baseline information and the historic environment, the following data sources overleaf can be particularly useful in providing locally specific information, as for example:

- *Historic Environment Records: These can be interrogated in various ways, as for example, heritage assets located in identified Flood Risk Areas or river catchments, and or heritage assets associated with rivers and other water-dependent habitats or water-level management regimes (e.g. historic bridges, weirs, mills).*
- *Preliminary Flood Risk Assessments: These assessments may identify heritage assets as a key site at risk of flooding.*
- *The character of the historic landscape and townscape and other valued historic landscapes: Historic Characterisation studies such as county based historic landscape characterisations can help to identify surviving water meadows or areas where such historic land management could be reinstated as part of wider catchment management proposals. Urban historic characterisation studies may be useful in providing up-to-date, mapped data on present day land uses and the character of places as well as their historical development, including the historical extent of river floodplains and associated land uses. Such information may be of help informing the location and sensitive design of Sustainable Drainage Systems within the existing urban fabric.*

English Heritage also recommends that the baseline takes account of areas of archaeological importance and the potential for unrecorded archaeology. This may include buried, waterlogged archaeological and palaeo-environmental remains of significant interest and fragility that can be associated river valleys, floodplains and wetland areas.

English Heritage recommends that, wherever possible, the historical environment is mapped. This will aid the assessment process by helping to identify those heritage assets or groups of assets that may be at most risk from flooding and/or potentially impacted by proposed measures to help manage flood risk or improve resilience.

For both designated and non-designated heritage assets, an important consideration is the contribution of their setting to their heritage interest or significance. The significance of a heritage asset can be harmed or lost by development within its setting. New development within the setting of a heritage asset may also offer opportunities for enhancing or better revealing its significance, for example, removing a culvert may serve to improve the character and experience of a historic townscape or landscape.

With regard to heritage assets identified as at risk in the National Heritage at Risk Register or local registers, consideration could be given to screening the records to identify if the at risk status is associated in some way with flood risk and or whether flood risk might exacerbate the problem. For example, this might include whether a conservation area at risk is within a high flood risk area, or whether the sustainable use of a listed building at risk might be hampered by its location in a flood risk area as a result of limitations put on its use or the design solution for its repair and reuse.



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Up-to-date information on the National Heritage at Risk Register is available via: <http://www.english-heritage.org.uk/caring/heritage-at-risk/>

Key Environmental Issues

Environmental problems, issues and opportunities affecting the historic environment in the context of the plan could include the following depending on the local baseline and the nature and prevalence of flood risk.

- *Most heritage assets are vulnerable to flooding and a range of heritage assets are likely to be at risk of flooding, which may result in harm to or loss of their significance. This may be as a result of direct flood damage as well as inappropriate remedial works³.*
- *Proposed flood risk management measures and measures to improve resilience have the potential to impact on the significance of heritage assets, including the contribution made by their setting.*
- *Securing the sustainable use of heritage assets, including those identified as at risk, may be hindered by their location in high flood risk areas.*
- *Accommodating measures such as Sustainable Drainage Systems, whilst sustaining and enhancing the character of historic townscapes and landscapes and the significance of areas of archaeological interest and or potential interest.*

SEA Framework

English Heritage recommends the SEA assessment framework includes a specific headline objective for the SEA topic on Archaeology and Cultural Heritage, for example:

‘Conserve and enhance the historic environment, heritage assets and their settings’

In addition to the head-line objective, it can also be beneficial for the SEA framework to include relevant sub-objectives (decision-making criteria) to help ensure that all the key heritage issues are considered and potential effects (direct and indirect) appropriately assessed. Examples of decision-making criteria that may be relevant for the plan include:

- *Will the measures reduce the number of heritage assets at risk of flooding?*
- *Will the measures harm the significance of designated and non-designated heritage assets, including their setting?*
- *Will the measures help secure the sustainable use of a heritage asset and or improve its maintenance?*
- *Will the measures lead to changes in groundwater levels or chemistry that could alter the hydrological setting of water-dependent heritage assets, including palaeo-environmental deposits?*

³ English Heritage (2010) Flooding and Historic Buildings <http://www.english-heritage.org.uk/content/publications/publicationsNew/guidelines-standards/flooding-and-historic-buildings/flooding-and-historic-buildings-2nd-ed.pdf>

- Will the measures involve hydro-morphological adaptations comprising the modification/removal of weirs or other in-channel structures and physical changes to rivers including de-canalisation or re-cutting old meanders?
- Will the measures conserve and enhance the local character and distinctiveness of historic townscapes and landscapes?
- Will the measures increase public awareness and understanding of appropriate responses for heritage assets affected by flooding and the design and implementation of other measures aimed at risk management or improving resilience?
- Will the measures provide opportunities for improved access, understanding and enjoyment of the historic environment?

Whether or not these considerations, outlined above, are explicitly sub-objectives these should certainly inform your assessment and assist in coming to a view of the implications for the historic environment of the flood risk management strategy.

The English Heritage guidance on SEA/SA recognises that a combination of different types of indicators is likely to be necessary as part of the assessment process. However, the priority should be the inclusion of indicators which clearly demonstrate the significant impact(s) of the plan/strategy on the historic environment, whether positive or negative. For example, recording numbers of assets may be appropriate as part of the baseline, but are not normally recommended for monitoring impacts. This is because the 'number of heritage assets' does not consider the quality of those assets or the positive/negative effects new development may have had on the setting and significance of the heritage asset.

Appendix 4 of SEA/SA guidance provides examples of indicators for the historic environment that can be tailored to local circumstances and suggests ways in which they can be framed to:

- describe the baseline or state of the historic environment;
- monitor the type of impact or outcome; and
- track wider policy responses or actions taken to conserve and improve the historic environment, and mitigate any degradation (including avoiding or rectifying adverse impacts).

With respect to specific indicators for the plan additional, topic specific indicators might include:

- Number of heritage assets at risk of flooding
- Proportion of conservation areas at risk from flooding
- Number of flood risk management measures implemented that conserve and enhance heritage assets
- Number of designated and non-designated heritage assets harmed by flood risk management measures, including impacts on their settings



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We trust the above recommendations will be of help in taking forward the assessment. Should you require any further information or wish to discuss any of the above comments in more detail, please contact me.

Yours sincerely

Kezia Taylerson

Kezia Taylerson - Historic Environment Planning Adviser (West Midlands)



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Date: 24 December 2013
Our ref: 107130
Your ref: SEA of LFRMS



Mr. Stephen Isaac
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Dear Mr. Isaac

Consultation: Draft Strategic Environmental Assessment (SEA) Approach of Telford and Wrekin Borough Council's Local Flood Risk Management Strategy (LFRMS) and Habitat Regulations Assessment (HRA)

Location: Telford and Wrekin Borough

Thank you for your consultation on the above which was received by Natural England on 12 December 2013.

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.

**WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)
CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED)**

General comments on Approach to Strategic Environmental Assessment (SEA)

In general this approach enables assessment of the national and internationally protected flora, fauna and landscape that is within the Natural England remit. When a more detailed Environmental Statement (ES) is available, Natural England can provide further comment. Our comments are summarised below and more detail can be found in subsequent paragraphs.

- The ES should account for Midland Meres and Mosses Phase II RAMSAR site and thus Habitats Regulations Assessment should be performed for any proposal with potential for a likely significant effect.
- The Landscape and Visual Amenity section should specifically mention Shropshire Hills Area of Outstanding Natural Beauty (AONB); there is insufficient information to provide a comment at this time.
- Sites of Special Scientific Interest (SSSIs) both within the borough and in proximity of the borough should be included.
- Areas of best and most versatile agricultural land should be preserved where possible alternatives exist.
- Domestic and European Protected species should be considered in each proposal as per Natural England [Standing Advice](#).

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is partly within the Midland Meres and Mosses Phase II Ramsar site¹. Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have². The [Conservation objectives](#) for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

We note that a Habitats Regulations Assessment should be performed for aspects of the LFRMS works considered to have a likely significant effect (LSE) on the RAMSAR site. If the possibility of an LSE is determined, then an Appropriate Assessment should be completed.

Shropshire Hills Area of Outstanding Natural Beauty (AONB) – No Comment – Contact AONB Partnership

From the information available Natural England is unable to advise on the potential significance of impacts on Shropshire Hills AONB. We therefore advise you to seek the advice of the AONB Partnership when particular projects are expected to have an effect with the wider landscape. Their knowledge of the location and wider landscape setting of the specific projects should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able advise on whether the development accords with the aims and policies set out in the AONB management plan.

Sites of Special Scientific Interest (SSSIs) to include in the SEA

Due to the nature of flooding and interconnection between waterbodies, Natural England recommend an approach where designated sites not only within the Telford and Wrekin Borough boundary, but also within proximity of the Borough have been included. The following SSSIs fall within this remit. The SSSI notified features and more detailed information regarding each SSSI can be found on the [Natural England SSSI pages](#).

SSSIs within the Telford and Wrekin Borough Area and the vicinity (within 12.5 km of the centre of the borough (near SJ 650,150) are:

- Allscott Settling Ponds
- Aqualate Mere
- Attingham Park
- Buildwas River Section
- Buildwas Sand Quarry
- Chermes Dingle
- Farley Dingle
- Hodnet Heath

¹ Listed or proposed Ramsar sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

² Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://guidanceanddata.defra.gov.uk/habitats-regulations-assessments/>

- Lincoln Hill
- New Hadley Brickpit
- Newport Canal
- Lydebrook Dingle
- Muxton Marsh
- Sheinton Brook
- Tick Wood And Benthall Edge
- The Wrekin & The Ercall

Note this is not an exhaustive list of the sites that may need to be considered. There may be other designated sites that could be included due to hydrological linkages.

Protected Species

Flood risk management work associated with the Telford and Wrekin LFRMS could affect habitats that support either Domestic or European Protected Species. Areas that are known to be wildlife habitats or corridors should be highlighted and scoped into the SEA to be considered. If strategic, large-scale measures to protect known wildlife or their habitats are considered to be required, these should be included in the LFRMS to ensure a unified approach.

We do note that Protected Species avoidance, mitigation and compensation measures would be included on an individual proposal basis through the Planning process (both alone and in-combination with other proposals). This may mitigate the likelihood of effects from the LFRMS itself if the Planning process considers the LFRMS in combination with the Planning proposal.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk.

For any queries relating to the specific advice in this letter only please contact Susan Zappala on 0300 060 2498. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

Susan Zappala
Land Use Operations