

consultations@naturalengland.org

Via email only, no hard copy to follow
October 2017

Dear Sir/Madam

HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING OF THE DAVENTRY LOCAL PLAN PART 2

This letter presents the findings of an HRA screening exercise of the above-mentioned Local Plan. The screening exercise has considered potential Likely Significant Effects (LSEs) of the above-mentioned Local Plan on the Upper Nene Gravel Pits SPA and Ramsar site, as agreed with Natural England in email correspondence with Roslyn Deeming on 13 March 2013 (reference: 77555) – see Appendix A.

The Daventry Local Plan Part 2: Preferred Options Consultation (October 2017)

The Local Plan builds on the West Northamptonshire Joint Core Strategy (WNJCS) by providing local detail. The Local Plan covers the entire administrative area of Daventry, including areas within the Northampton Related Development Area (outlined in the WNJCS).

On adoption, the Local Plan will replace the 1997 Daventry Local Plan and will make provisions for the district up to 2029.

The Local Plan will: set the settlement hierarchy and spatial strategy; allocate land for specific uses (such as housing and employment); provide approaches to rural housing and other countryside uses, set policies to help meet the need of gypsies, travellers and travelling showpeople, designate locally protected areas; set out policies for the regeneration or enhancement of the town centre; and provide planning policies to guide development. The Local Plan contains a separate Policies Map that will display the areas covered by the spatial strategies.

The Need for HRA

HRA is required under the EU Habitats Directive (92/43/EEC) and the Conservation of Habitats and Species Regulations 2010 (as amended) for any proposed plan or project which may have a significant effect on one or more European designated sites.

The Conservation of Habitats and Species Regulations 2010 transposes into English Law the requirement to carry out Appropriate Assessment for land use plans. Regulation 102 of the Conservation of Habitats and Species Regulations 2010 sets out that “the plan-making authority for that plan shall, before the plan is given effect, make an appropriate assessment for the implications for the site in view of that site’s conservation objectives”.

Regulation 61 of the Conservation of Habitats and Species Regulations 2010 requires Appropriate Assessment of plans and projects likely to have a significant effect on a European site. This means that the effects of such plans/projects on European sites designated for their nature conservation value (Natura 2000 sites (SPAs, SACs), Ramsar sites¹) need to be assessed to ensure that the integrity of these sites is maintained.

¹ Under the National Planning Policy Framework 2012 (para 118), Ramsar Sites, and possible SACs/ proposed SPAs must be given the same protection as SACs and SPA fully designated under international and domestic legislation

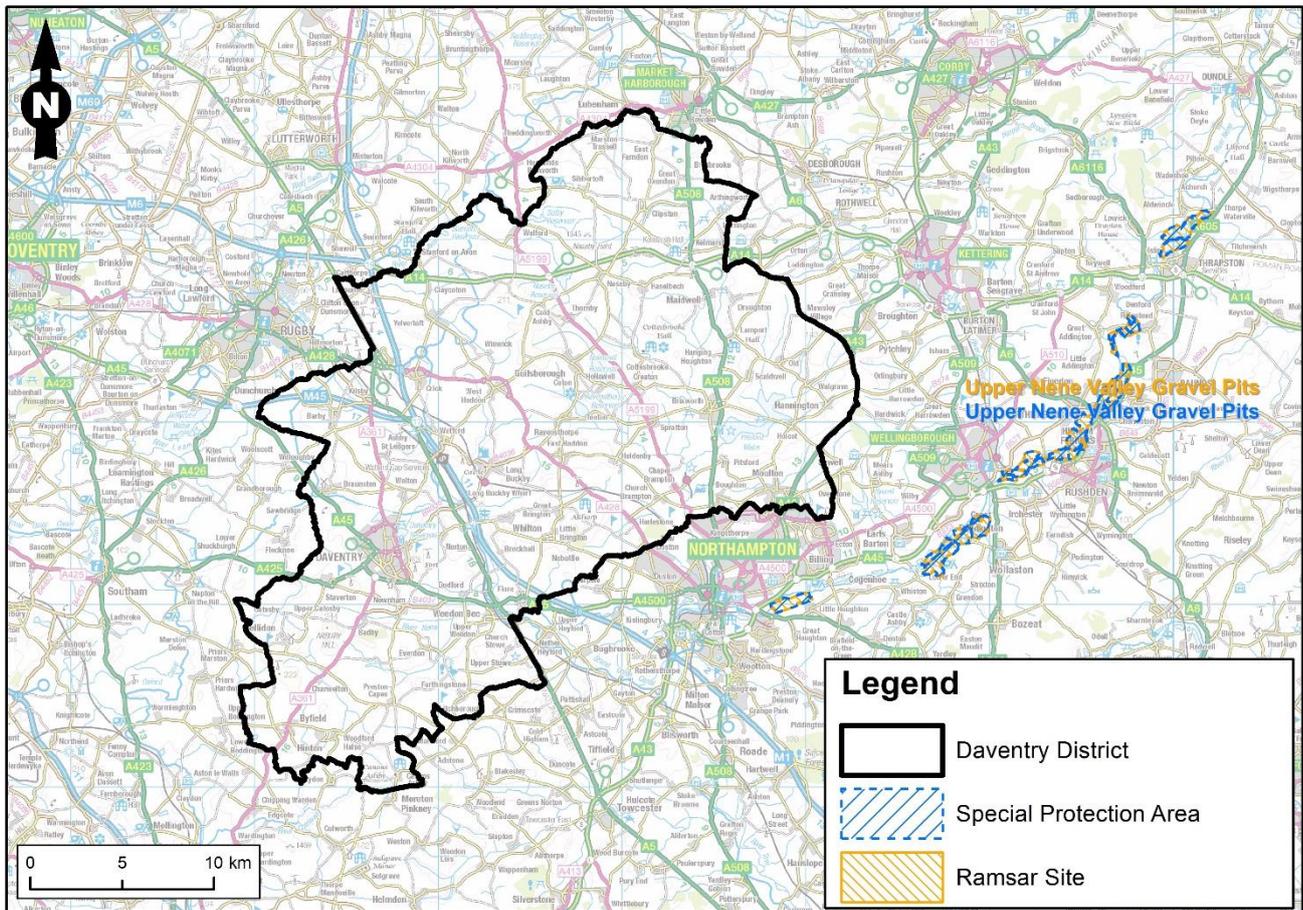
The preparation of the above-mentioned plan needs to be subject to HRA to ascertain if there is potential for LSEs on any European site as a result of the plan.

European Sites

This screening exercise has only considered the Upper Nene Gravel Pits SPA and Ramsar site. This is because other European sites have been screened out in the Appropriate Assessment of the West Northamptonshire Joint Core Strategy. This reasoning was confirmed by Natural England in its letter of 13 March 2013 which stated that as the Daventry Part 2 Local Plan will need to be in conformity with the Joint Core Strategy this reasoning is sound.

The Upper Nene Gravel Pits SPA and Ramsar Site

A component site of the Upper Nene Valley Gravel Pits SPA and Ramsar Site is situated to the South-east of Northampton. The location is shown on Figure 1.



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Figure 1: Location of Upper Nene Valley Gravel Pits SPA and Ramsar Site in Relation to Daventry

The SPA site stretches discontinuously from Northampton to Thrapston, and has been designated as an SPA on the strength of the assemblage of overwintering water birds. The site supports nationally important numbers of two overwintering Annex I species (great bittern *Botaurus stellaris* and golden plover *Pluvialis apricaria*), and a population of overwintering gadwall *Anas strepera* which exceeds the 1% limit for the biogeographical population that is set in Article 4.2 of the Birds Directive (79/409/EEC).

The integrity of the SPA site depends on maintenance of extensive reed beds with a wet base and open channels suitable for bittern, a high water table in winter and the maintenance of varied topography and water levels as well as a continued variety of vegetation and prey species for the various bird species using the site.

The Ramsar Site has been designated based on the criterion of supporting an overwintering water bird assemblage and supporting significant populations of mute swan *Cygnus olor* and gadwall *Anas strepera*. Factors with potentially adverse impacts on this site are:

- Loss of supporting habitat through land take;
- Reduced water quality (through increase in sewage, surface water runoff and pollution);
- Disturbance by light, activity and noise of urbanisation, affecting bird species;
- Increase in visitor pressure leading to erosion and disturbance of bird species; and
- Potential in combination effects with projects and development in the central area.

The part of the SPA nearest Northampton is one of the most sensitive areas as it supports circa 40% of the golden plover throughout the SPA. According to Natural England, the golden plover prefer to use the flood storage area at Clifford Hill (Northamptonshire Washlands, see Figure 1) and are already subject to significant recreational disturbance, in particular dog walkers. This has been supported by bird disturbance survey work undertaken as a part of the Appropriate Assessment (AA) of the WNJCS. A summary of the findings of the AA for the WNJCS is provided in Box 1.

Box 1

The AA of the *Emergent* Joint Core Strategy identified that the plan could have an adverse effect on the SPA and Ramsar site due to the proximity of development and quantum of development proposed in Northampton. However, in the *Submission* WNJCS and the *Proposed Changes* WNJCS, the quantum of development in Northampton was reduced and, in particular, a previously proposed Southeast Sustainable Urban Extension option which was in close proximity to the SPA and Ramsar site to the southeast of Northampton, was not included. Impact avoidance measures, such as policy wording to minimise potable water use in new developments and the inclusion of a 250m zone to Policy BN4 (shown in Figure 7 of the WNJCS) addressing the potential for building height and sightlines to affect the SPA birds, have been added to the WNJCS and the AA concluded that the WNJCS would not result in any adverse effects on European designated sites.

Policies S10, BN4, BN7a and BN0 of the WNJCS provide policy wording which protects the Upper Nene Valley Gravel Pit SPA and Ramsar from activities, such as construction, which could harm it through creating pollution.

The Findings of HRA Screening for the Daventry Local Plan Part 2

Assessment of the likely effects has indicated that there is no likely pathway to the Upper Nene Valley Gravel Pits SPA and Ramsar Site. All of the allocated sites within the plan are focused on Daventry which is separated from the SPA and Ramsar Site by over 30km. Readers should refer to the Proposals Map within the Local Plan Part 2 for more details of the allocations. The distance between the allocations and the SPA and Ramsar Site means that there is no likelihood of the Plan causing the following direct effects:

- Loss of supporting habitat through land take; and
- Disturbance by light, activity and noise of urbanisation, affecting bird species.

With regard to reduced water quality (through increase in sewage, surface water runoff and pollution) and increase in visitor pressure, the following observations can be made:

- Reduced water quality (through increase in sewage, surface water runoff and pollution): All development will need to comply with Policies BN4, Policy S10, Policy BN7a and Policy BN9 of the West Northamptonshire Joint Core Strategy; and
- Increase in visitor pressure leading to erosion and disturbance of bird species: All development will need to comply with Policy BN4 of the West Northamptonshire Joint Core Strategy, which states that new development will need to demonstrate that the impact of any increased recreational activity (indirect or direct) on the Special Protection Area and Ramsar site will not have a detrimental impact. Any development that will lead to an increase in recreational activity on the Special Protection Area

will be required to include necessary mitigation including development of and implementation of habitat and access management plans.

Since the plan has been found to not have a viable effect pathway to the European Sites, it cannot contribute to in-combination effects. Therefore, no Likely Significant Effects to the Upper Nene Valley Gravel Pits SPA and Ramsar Site are considered to result from the implementation of the Part 2 Local Plan for Daventry.

Yours faithfully



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Enc - Appendix A

APPENDIX A

NATURAL ENGLAND CORRESPONDENCE 13 MARCH 2013 (REFERENCE: 77555)

Date: 13 March 2013
Our ref: 77555
Your ref: HRA Docs



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BY EMAIL ONLY

Dear Vicky

Habitat Regulations Screening for West Northamptonshire Joint Planning Unit Development Plan Documents

Thank you for your email of 6th February regarding Habitat Regulations Screening for three Development Plan Documents, namely the Daventry District Settlements and Countryside Local Plans, South Northamptonshire Settlement and Development Management Local Plan, West Northamptonshire Joint Gypsies, Travellers and Travelling Showpeople Allocations Local Plan.

You suggest in your email that you propose that only the Upper Nene Gravel Pits SPA and Ramsar site needs to be considered in the screening exercises of the above-mentioned Local Plans because other European sites have been screened out in the Appropriate Assessment of the West Northamptonshire Joint Core Strategy. As the three DPDs will need to in conformity with the Joint Core Strategy we agree that this reasoning is correct. We would however suggest that an explanation is included in your screening report which clearly explains why other European sites have been screened out.

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

For any queries relating to the specific advice in this letter only please contact Roslyn Deeming on 0300 060 1524. 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

Roslyn Deeming
Land Use Adviser