

HRA Screening of Stanton Drew Neighbourhood Plan

ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON EUROPEAN SITES
Conservation of Habitats and Species Regulations (2017)

PART A: The Proposal

Type of application: Neighbourhood Plan Pre-submission Draft 2018

Application site: Map Attached

Brief description of proposal: The plan has been produced under the Localism Act by a Neighbourhood Planning Steering Group including Parish Council members & community volunteers. Once the Plan has been completed, following a favourable local referendum, the Stanton Drew Neighbourhood Plan (SDNP) will form part of the Bath & North East Somerset Council's Development Plan. The SDNP includes policies for deciding where development should take place and the type and quality of that development, together with policies influencing social and community growth.

Background

Under Regulations 102-105 of the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations) all strategic and local development plans must be assessed for their impacts upon a network of European wildlife sites (European Sites). These regulations transpose the requirements the EC Habitats Directives into to UK law and are designed to protect the integrity of European Sites. They require the assessment of impacts and avoidance of harm to the Conservation Objectives of European sites. The process is generally referred to as a Habitats Regulation Assessment (HRA).

HRA is an iterative, multi-staged process, which should be applied at points throughout the plan making process. It should be used to help shape, form, and refine the Development Plan so that adopted policies and site allocations do not result in adverse impacts to the integrity of European sites.

The first stage of the process involves an assessment or screening of whether the plan is likely to have a significant effect on one or more European sites either alone or in combination. A precautionary approach should be used when assessing likely significant effect, and all opportunities should be taken to avoid or mitigate impacts, to prevent any likelihood of a significant effect. Where the likelihood of a significant effect cannot be excluded the process moves to a second stage and an Appropriate Assessment must be undertaken. This represents a more detailed investigation and assessment of possible impacts. Except in exceptional circumstances, where there are no alternative solutions and where there are imperative reasons of overriding public interest, Development Plans should only be adopted if the Appropriate Assessment ascertains that the plan will not adversely affect the integrity of any European Site.

As the competent authority, B&NES is required to carry out this initial assessment and if a likely significant effect is identified, to then continue on with investigating the potential effects more fully

in the form of 'Appropriate Assessment'. Ultimately the plan must be compliant with the legal obligation to maintain in 'favourable condition' the Special bird assemblage interest of the SPA. Essential attributes to these objectives for the SPA is maintaining the water levels & water quality of Chew Valley Lake, and to avoid physical disturbance of the habitat.

This document comprises an initial screening of likely significant effects of the Pre-submission Draft of Stanton Drew Neighbourhood Plan (2018), in accordance with Regulation 61 (see table below) of the Habitats Regulations 2017.

European sites to consider :

Map 1 shows the distribution of European Sites and their 5km buffer zones in close proximity to Stanton Drew Parish. The Parish lies within 1.8km of Chew Valley Lake SPA and entirely within a 5km buffer zone around the lake.

Given the proximity of the Parish and plan area to the SPA this site is identified for consideration of possible impacts:

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Part B: The European Sites (Natura 2000) potentially affected

1. Chew Valley Lake (SPA)

Component Sites of Special Scientific Interest (SSSIs): Chew Valley Lake

SENSITIVE INTEREST FEATURES : Chew Valley Lake SPA

This site qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:

Over winter;

Shoveler *Anas clypeata*

503 individuals representing up to 1.3% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6)

Conservation Objectives

Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

At the time of this HRA this site was reported as being in favourable condition

Is the proposal directly connected with or necessary to the management of the European site for nature conservation?	No
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PART C: Risk Assessment

C1:Details of the Plan:

The Neighbourhood Plan sets out:

- The Vision for the future of Stanton Drew
- The Scope and Main Objectives
- Issues and Policies
- Community Aspirations

The section on Issues and Policies is the section of the plan screened in for consideration. The details have been considered in terms of potential impacts to the Special Interest Features of Chew Valley Lake, and in terms of likely significant effect on the European Site (see Appendix 1). Each policy was considered in terms of likely impacts using the plan screening methodology set out in Tyldesley,D., and Chapman,C., (2013) *The Habitat Regulations Assessment Handbook*, (December) (2017) edition UK:DTA Publications Ltd.

C2:Discussion and Assessment of likely effects and their significance

CHEW VALLEY LAKE SPA

Vulnerabilities and potential adverse effects:

Chew Valley Lake has high ecological interest providing a range of important wetland and grassland habitats and supporting a diverse range of birds species. In the context of the Habitat Regulations it is important for over wintering Shoveler ducks.

The lake supplies drinking water to the city of Bristol and surrounding area. It also provides significant recreational facilities and opportunities including for fishing, sailing and walking.

The site is owned and managed by Bristol Water Plc who successfully implement a nature conservation strategy for the site, including a Biodiversity Action Plan. This includes a zoning scheme to minimise / avoid any adverse impacts on the wildlife of the area. It is recognised that there is potential for increases in visitor numbers to the site, including pressure for increased access to previously quiet, refuge areas of the lake. Increased recreational activity could lead to greater disturbance of the Annex 1 bird species for which the lake is designated.

Shoveler numbers, and those of the other ducks, are also sensitive to water levels, and tend to be higher in years when there is significant late summer drawdown of water at Chew Valley Lake. Increase in water use resulting from increase in the number of dwellings could impact upon water quality and water levels.

Possible Impacts of Stanton Drew Neighbourhood Plan

The SDNP makes provision for some new housing within the Housing Development Boundaries of the Parish in terms of scale and location, but does not propose any specific quantum of

development. The overall level of development and growth anticipated is very small and unlikely to result in any significant impacts to the SAC. This is explored in more detail below.

Water supply

Whilst the level of new housing supported by the SDNP is limited, any new residential development will result in some increased water usage. This will combine with increased demands from the new housing promoted by the B&NES Placemaking Plan, within the Bristol City Core Strategy and from the emerging West of England Joint Strategic Plan. Such increased demand for water, if unmanaged, could result in increased drawdown of the water levels at Chew Valley Lake. Whilst this could be beneficial at certain times of year, untimely, and unmanaged water level fluctuations could have adverse effects on the species for which the site is designated as a SPA. This effect could be compounded if summer droughts and decreased rainfall become more prevalent as a result of climate change.

New abstraction of water from Chew valley Lake is controlled under licence by the Environment Agency and the Catchment Abstraction Management Strategy covering the Chew Valley locus - this provides for sustainable management of water supplies and levels. Any increased drawdown should not therefore radically alter the levels of fluctuations, with licenses only being granted when water levels and flows are high. Bristol Water has other supply sources and any increase in demand would be monitored and managed to avoid levels falling to unacceptably low levels.

The scale of development supported by the SDNP is by comparison to planned growth elsewhere very limited and so unlikely to have any significant effect on the SPA through increased water usage.

Recreation

Chew Valley Lake is already used by significant numbers of people for a variety of recreational activities, including fishing, sailing and walking. These activities are closely monitored and managed by Bristol Water.

Increased population/dwellings at Stanton Drew could conceivably result in an increase recreational activity at the lake, leading to greater disturbance of the Annex 1 bird species for which the lake is designated.

However, the scale of development and growth anticipated is very small and a number of plans and processes are in place to deal with potential increases in recreational pressure on the existing recreational facilities. These measures includes the zoning of the lake for different activities at different times, and maintaining quiet undisturbed areas; a system of permits for access which restrict public access to the more sensitive parts of the site; and implementation of a Biodiversity Action plan to protect and enhance the conservation interests of the Lake. Given the limited proposals for residential development within the SDNP, and the active implementation of the Chew Valley Lake BAP/ management plan, no significant effects from the increased population levels supported are considered likely.

There is no direct reference to the lake or its Conservation status and perhaps as a result no supporting ambition to help protect and enhance supporting habitat for the European site.

Opportunities for impact avoidance and mitigation

The levels of new development proposed / supported by the SDNP plan are very limited and are not likely to cause any significant impacts, either alone or in combination, to the SPA. The plan includes environmental policies to help safeguard and enhance local wildlife. There is scope to improve the

plan by including a clear reference to the occurrence and status of the SPA in close proximity to the Parish and the opportunities to enhance habitat corridors towards and away from the lake.

C3: Possible In combination effects

Major projects or plans that are active or which may come forward during the lifetime of this plan, and which are relevant in terms of potential impacts and proximity to Natura 2000 sites are assessed as :

West of England Joint Strategic Plan
B&NES Placemaking Plan
Bristol City Core Strategy
Stowey Sutton neighbourhood Plan

None of these plans have been identified as having a significant effect upon the integrity of the European Sites considered here. The nature and scale of development proposed by the SDNP plan will mean no in combination effects are likely to occur.

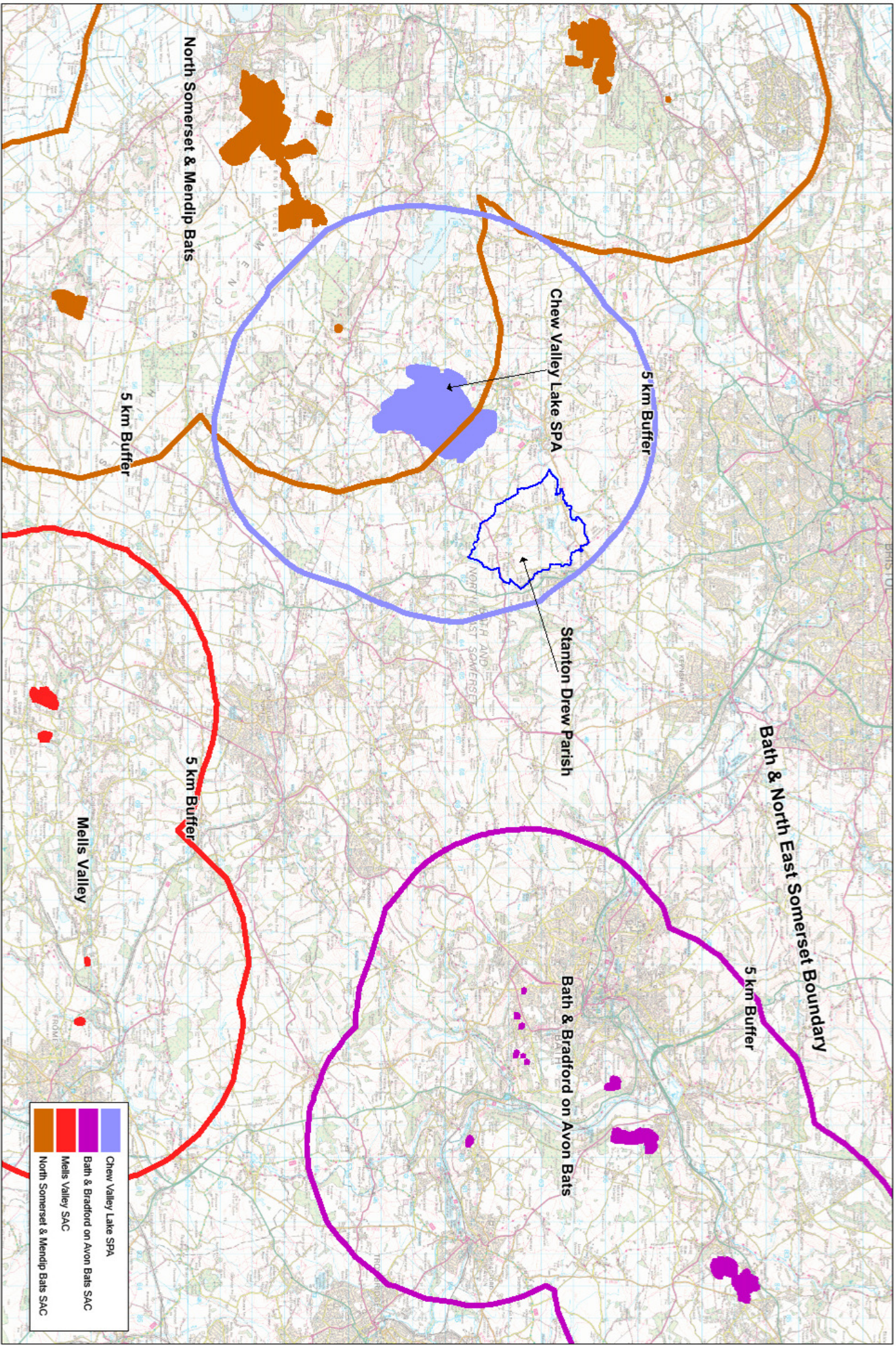
PART D: Conclusions and final recommendations

This pre-submission draft of the Stanton Drew Neighbourhood Plan does not raise concerns in the context of the Habitat Regulations.

Is the potential scale or magnitude of any effect likely to be significant?

- | | |
|--|-----------|
| a) Alone? | No |
| b) In combination with other plans or projects? | No |

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Stanton Drew Parish HRA Screening Parish and SPA / SAC Location Map

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Appendix 1: HRA Screening of Stanton Drew Neighbourhood Plan Policies

Neighbourhood Plan Policies	Screening Category	Response
<p>Policy P&D1 Stanton Drew Parish Council will support proposals for 'in-fill' development, defined as schemes of 3 or fewer dwellings, within the housing development boundary, provided:</p> <ul style="list-style-type: none"> Does not impact on the openness of the Green Belt the quantum of dwellings and their site coverage will not be an over-development of the plot in relation to the characteristics of neighbouring plots in respect of built form, massing and building line the development preserves open views the development protects the residential amenity of neighbours the scheme will not adversely affect any Heritage assets as set out in Heritage Policies EL6 that the scheme will not result in the loss of valuable trees, hedges or other natural features that form part of the character of the Parish and the Biodiversity is maintained or enhanced in line with Environment Policies EL2 & EL3. the development is well integrated with the existing village and enhances the facilities the development 	D/F	Not needed
<p>Policy P&D2 - Affordable allocation Allocations for any new Affordable Housing built within the Stanton Drew Neighbourhood Plan area will be on an agreed 4-tier system with the priority being for applicants with connections to the Parish of Stanton Drew, then for applicants with connections to adjoining Parishes, then for other parishes in the Chew Valley Neighbourhood Plan area and finally for the wider B&NES area.</p>	G	Not needed
<p>DESIGN POLICY SD1 - Compliance with the Development Plan. SD1 Stanton Drew Parish Council will support development proposals that are consistent with the National Planning Policy Framework (2012), the policies of the Bath and North-East Somerset District Council Development Plan (Core Strategy 2014 / emerging Placemaking Plan 2017), associated Supplementary Planning Documents and successor documents.</p>	G	Not needed
<p>DESIGN POLICY SD2 - Landscape Character SD2 To be supported any development proposals must retain the dispersed settlement pattern of the Parish with small settlements and farmsteads linked by a network of footpaths and narrow lanes (some sunken). The visibility of any new development should be considered, and the undulating nature of the landscape harnessed to inform the siting and form, contributing positively to the local landscape character.</p>	D/F	Not needed
<p>DESIGN POLICY SD3 - Landmark Views SD3 Development proposals should promote the retention of the landscape setting of the Parish and its surrounding countryside as an essential part of Stanton Drew's character and important views. Four key views in the Parish have been identified (see Protected Views Document 3 for view location maps, available at www.stantondrewpnp.co.uk and as noted on page 53 *.</p>	D/F	Not needed
<p>DESIGN POLICY SD4 - Conservation Area SD4a Development proposals in or affecting the setting of the Conservation Area must preserve or enhance the character and appearance of the Conservation Area. Applications should demonstrate how an appraisal of the Conservation Area has informed the design.</p> <p>SD5.1 Development proposals will be supported if appropriate to the character area and respect nearby colours, textures, materials, scale, ridge heights, plot location and boundary details. The design process should start with a thorough site appraisal so that the design is appropriate, sensitive to its location and respects its context.</p>	F	Not needed
<p>Design Policy SD5.2 SD5.2 Development proposals will be supported if safeguarding the unique character identified for each settlement and studies the form and pattern of surrounding buildings. Any development proposal should take account of the existing streetscape and layout. This should not prevent new forms begin explored.</p>	F	Not needed
<p>Design Policy SD5.3 SD5.3 Development proposals for new buildings and extensions will be supported if they incorporate high standards of energy efficiency and include, where possible, renewable energy generation in ways that respect local character.</p>	F	Not needed
<p>Design Policy SD5.4 SD5.4 High quality contemporary architecture incorporating imaginative and original design that adds to the unique character of the area is encouraged.</p>	F	Not needed
<p>Design Policy SD5.5 SD5.5 Development proposals must promote the retention of the traditional form of roads and associated footways, with road markings and signage kept to a minimum</p>	F	Not needed
<p>DESIGN POLICY SD6 - Use of the Stanton Drew Design Statement SD6 All applications for development in Stanton Drew Parish should include a statement demonstrating how they have taken into account the Design Principles of the Statement and engaged with the Parish Council and the agreed local community. Stanton Drew Parish Council will undertake to positively engage with any applicants and to engage with neighbouring Parishes if appropriate.</p>	F	Not needed
<p>Policy BP1 Business Retention BP1 The conversion of existing buildings and the small-scale development, expansion of existing business and horticultural or agricultural premises across the parish especially those that deliver local employment opportunities will be supported</p>	A	Not needed
<p>Policy BP2 Business Retention within the Housing Development Boundary BP2 The small-scale development of buildings for business use within the HDB, will be supported provided it conforms to the Design Statement Guidelines and are in character with the existing or neighbouring buildings. Small scale conversions or extensions to buildings e.g. for home workers, must demonstrate that they are required for business use.</p>	A	Not needed
<p>Policy BP3 Internet connectivity BP3 Development proposals will be supported for either residential and/or business, that makes provision to connect the Internet with a minimum symmetrical speed of 25Mbps and with realistic future-proof upgrades available [demonstrated through a 'Connectivity Statement' provided with relevant application] if it is in accordance with other policies in the Plan.</p>	A	Not needed
<p>Policy CIL1 Community Infrastructure Levy CIL1 Stanton Drew Parish Council will allocate CIL monies to further community infrastructure projects that are in line with the policies and majority aspirations expressed by the Parish in the Stanton Drew Neighbourhood Plan.</p>	A	Not needed
<p>Policy EL1 Development proposals that conserve the rural character, in accordance with the Parish Character Assessments and if in accordance with other policies in the Neighbourhood Plan will be supported.</p>	A/E	Not needed
<p>Policy EL2 Development proposals will be supported if the proposal promotes and protects green corridors and biodiversity and if the application also accords with other policies in the Neighbourhood Plan.</p>	A/E	Not needed
<p>Policy EL3 Development proposals should satisfactorily protect trees and hedges on or adjoining a development, and if development includes the planting of small copses or orchards, providing the application is in accordance with other policies in the Neighbourhood Plan.</p>	A/E	Not needed
<p>courses especially where they contain scheduled or rare species or support a rich assemblage of plants, invertebrates or amphibians. Any development likely to have an adverse effect on any water course either alone or in combination with other plans or projects, would not be in accordance with the Neighbourhood</p>	E	Not needed
<p>Policy EL5 Development proposals must take into account any lighting needs associated with the development during operational hours and these shall be the minimum required to perform the relevant lighting task. Lighting shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the wider countryside. In addition, dark corridors for bats and light sensitive species should be incorporated into all development within the Plan Area</p>	E	Not needed
<p>Policy EL6 Development proposal should not adversely affect the important Heritage Assets as set out in the Stanton Drew Heritage Assets 2014 document for the BaNES Placemaking Plan and that is in accordance with other policies in the Plan</p>	E	Not needed
<p>Policy EL8 Development proposals should not adversely affect the important views in and around the Parish, 4 of which have been identified in the Protected Views Document July 2016, and if they are in accordance with other policies in the Plan.</p>	E	Not needed

Screening categories	Code
A general statement of policy	A
Policy listing general criteria for testing proposals	B
proposals referred to but not proposed by the plan	C
environmental protection policies	D
steering change away from positive sites	E
do not propose change, but control approach (eg design)	F
no conceivable effect	G
actual or theoretical effects cannot undermine conservation objectives	H
LSE on a site alone	I
no LSE alone but an effect - check in combination	J
no LSE even in combination	K
LSE in combination	L

George Blanchard

From: Grundy, Amanda (NE) <Amanda.Grundy@naturalengland.org.uk>
Sent: 22 August 2018 09:42
To: George Blanchard
Subject: RE: 2018-09-04 253942 Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening Bath & NE Somerset Council
Attachments: 253942 Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening.pdf

Dear George

Thank you for consulting Natural England regarding the above – please find our comments attached

Kind regards, Amanda

Amanda Grundy
Lead Adviser
Somerset, Avon & Wiltshire Team
Natural England
Horizon House, Deanery Road, Bristol BS1 5AH
07900 608 311

amanda.grundy@naturalengland.org.uk

www.gov.uk/naturalengland

From: George Blanchard [mailto:George_Blanchard@BATHNES.GOV.UK]
Sent: 31 July 2018 11:22
To: 'enquiries@environment-agency.gov.uk' <enquiries@environment-agency.gov.uk>; Consultations (NE) <consultations@naturalengland.org.uk>; 'southwest@HistoricEngland.org.uk' <southwest@HistoricEngland.org.uk>
Subject: Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

Dear Consultee,

Please find attached a Draft SEA and HRA Screening for the Stanton Drew Neighbourhood Plan Area. This SEA and HRA Report have been prepared on behalf of Stanton Drew Parish Council by Bath and North East Somerset Council. Please note that this is still an emerging plan, the Steering Group completed their Reg. 14 consultation in April 2018 and plan to submit their plan later this year. I have also attached the current working draft of the Neighbourhood Plan to this email.

I would greatly appreciate your comments on this Draft SEA and HRA by 5pm on Tuesday 4th September 2018. If you are unable to make this deadline or if you have no comments please can you let me know by email or on the telephone number below.

Kind regards

George

George Blanchard
Planning Officer - Planning Policy
Bath and North East Somerset Council
Tel. 01225 477684
Email: george_blanchard@bathnes.gov.uk

Date: 22 August 2018
Our ref: 253942
Your ref: -



George Blanchard
Planning Officer - Planning Policy
Bath and North East Somerset Council
BY EMAIL ONLY
george_blanchard@bathnes.gov.uk

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

T 0300 060 3900

Dear Mr Blanchard

Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

Thank you for your consultation on the above dated 31 July 2018 which was received by Natural England on the same date.

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.

The Stanton Drew Neighbourhood Plan appears to be a well-researched and generally positive document that reflects local aspirations for the area and accords with relevant higher tier plans and policies.

Strategic Environmental Assessment (SEA)

There are no nationally designated sites or landscapes located in the Plan area, although it is within 200m of Folly Farm Site of Special Scientific Interest (SSSI) and within 2km of Chew Valley Lake SSSI and Special Protection Area (SPA) and the Mendip Hills Area of Outstanding Natural Beauty.

We have considered the screening assessment of the Neighbourhood Plan against the requirements of the criteria set out in the SEA Directive. Based on the information provided, Natural England agrees the Neighbourhood Plan appears unlikely to give rise to significant environmental effects and your conclusion that a Strategic Environmental Assessment is not required is reasonable.

Habitats Regulation Assessment (HRA)

The SDNP HRA notes that Stanton Drew Parish lies within 1.8km of Chew Valley Lake SPA and entirely within a 5km buffer zone identified in the HRA. It considers possible impacts on the SPA that could occur in relation to water supply and increased recreation, but concludes the overall level of development and growth anticipated from the SDNP is very small and unlikely to result in any significant impacts to the SAC.

Based on the information provided the Council's conclusion that Stanton Drew Neighbourhood Plan is unlikely to have significant effects on European sites, alone or in combination, appears reasonable and we agree that further assessment is not necessary.

Opportunities for impact avoidance and mitigation

Notwithstanding the above, while we would not expect the relatively modest development proposals

in the SDNP to result in a significant effects on Chew Valley SPA, we note and endorse the advice in the HRA that *there is scope to improve the plan by including a clear reference to the occurrence and status of the SPA in close proximity to the Parish and the opportunities to enhance habitat corridors towards and away from the lake*. Natural England would welcome such a reference in the SDNP in recognition of the importance and sensitivity of this national and European designated site.

We would be happy to comment further should the need arise but if in the meantime you have any queries relating to the specific advice in this letter please contact me on 07900 608311.

Yours sincerely

Amanda Grundy
Somerset, Avon & Wiltshire Area Team