

## **Habitats Regulations Assessment - Screening Determination for the High Littleton and Hallatrow Neighbourhood Plan**

**April 2024**

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## 1. Introduction

This Habitats Regulations Assessment (HRA) relates to the High Littleton and Hallatrow Neighbourhood Plan, submitted to Bath & North East Somerset (B&NES) Council.

The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, hereafter referred to as the Habitats Regulations. Under these Regulations, a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission, or other authorisation.

## 2. Legislative requirements

The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the Habitats Regulations.

### Applicable Legislation

- **Conservation of Habitats and Species Regulations 2017:** Implements the EU Habitats Directive (92/43/EEC) in the UK.
- **Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019:** Amends the 2017 Regulations to ensure continued operability after Brexit.

### Criteria for HRA Requirement

Regulation 105 of the Habitats Regulations requires an appropriate assessment to be carried out for any plan or project that:

1. Is likely to have a significant effect on a European site (either alone or in combination with other plans or projects).
2. Is not directly connected with or necessary to the management of the site.

The process involves:

1. Screening to determine the likelihood of significant effects on any European sites.
2. If significant effects are likely, conducting an appropriate assessment to examine the implications for the site's conservation objectives.

### Determination Process

The determination process involves:

1. Considering the criteria specified in Schedule 1 of the Habitats Regulations, which include:
  - The characteristics of the plans and programmes.
  - The characteristics of the effects and of the area likely to be affected.
2. Consulting with the consultation bodies: Natural England, Environment Agency, and Historic England.

### 3. High Littleton and Hallatrow Neighbourhood Plan

#### Background

The parish of High Littleton and Hallatrow within Bath & North East Somerset (B&NES) are currently preparing a neighbourhood plan under the provisions of the Localism Act 2011.

#### Neighbourhood Area Designation

The designation of the High Littleton and Hallatrow Neighbourhood Area was approved on 6th October 2016.

B&NES Council publicised the High Littleton and Hallatrow Neighbourhood Area application for consultation over a time period of 4 weeks from 2nd September to 30th September 2016. No comments were received.

B&NES agree that the proposed High Littleton and Hallatrow Neighbourhood Area (illustrated in figure 1) is coherent, consistent, and appropriate in planning terms.

The High Littleton and Hallatrow Neighbourhood Area application and designation documents are available to view online via the [B&NES Neighbourhood Plan webpage](#) and the [High Littleton and Hallatrow Neighbourhood Plan webpage](#).

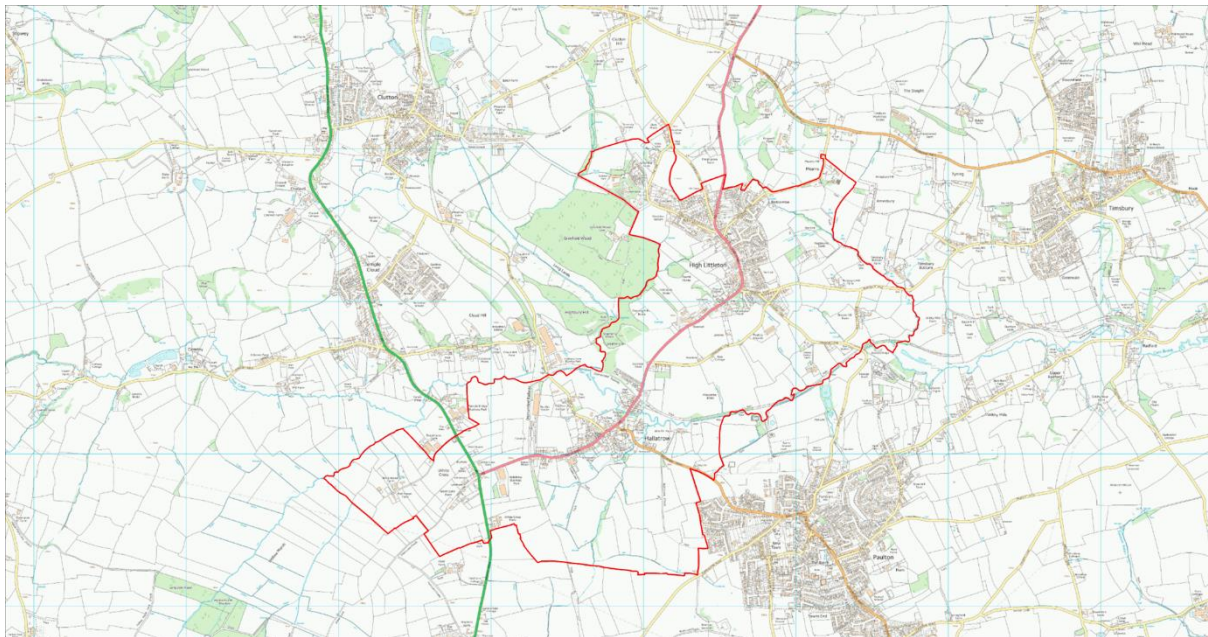


Figure 1 - Map of the High Littleton and Hallatrow Neighbourhood Plan Area

## 4. HRA Screening Assessment

### Potential Effects on European Sites

#### Identification of European Sites

The High Littleton and Hallatrow Neighbourhood Plan area is within reasonable proximity to several European sites, specifically:

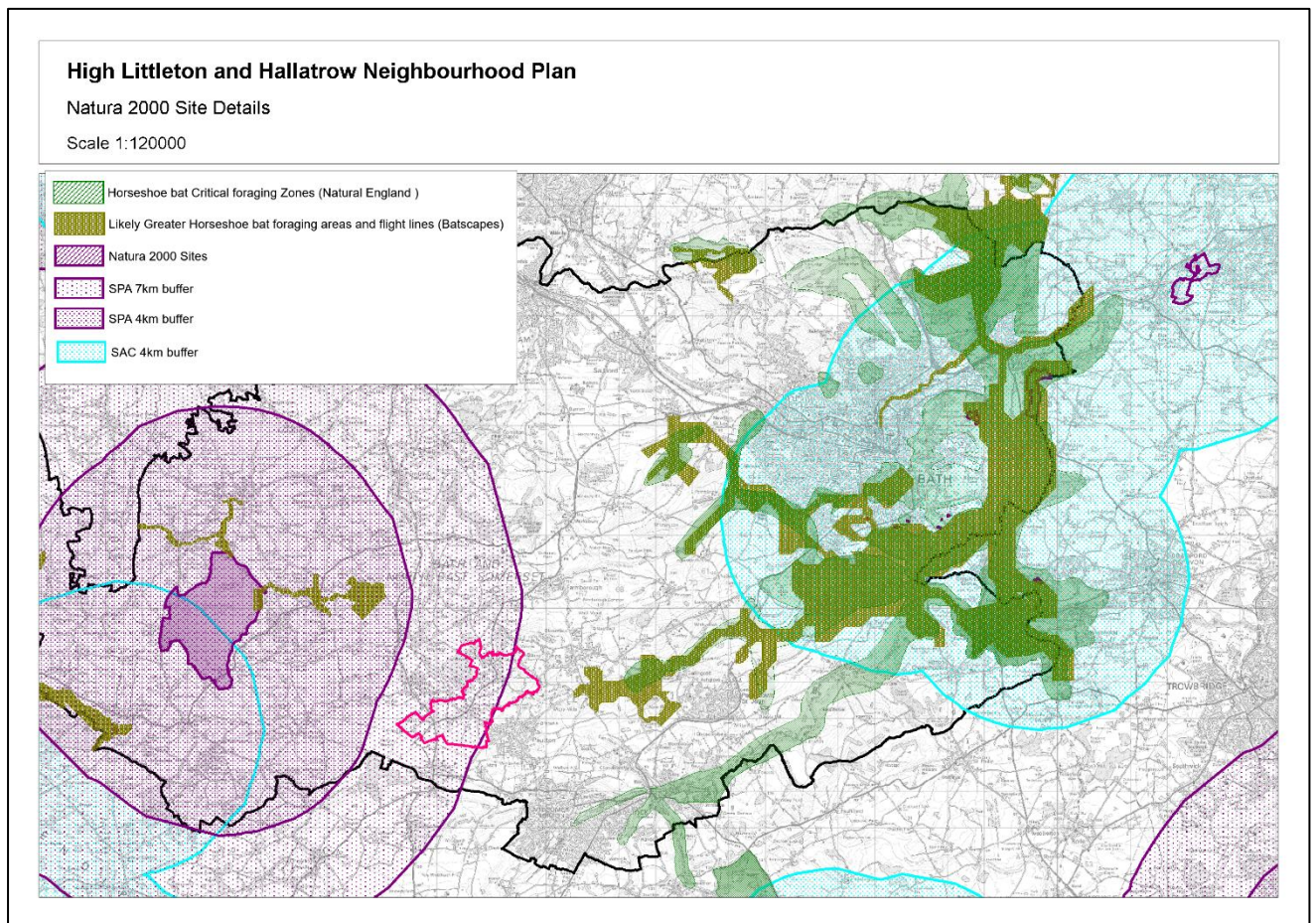
- **Chew Valley Lake Special Protection Area (SPA)**
- **Mells Valley Special Area of Conservation (SAC)**
- **Bath and Bradford on Avon Bats SAC**
- **North Somerset and Mendip Bats SAC**

Site characteristics and detailed information on each site including conservation objectives can be accessed on Natural England website below:

<http://publications.naturalengland.org.uk/category/5374002071601152>

**Figure 2** illustrates the location of the parish in relation to the Natura 2000 sites. The map shows:

- 4km buffer zones around the Bat SACs and Chew Valley Lake SPA.
- A 7km buffer zone around Chew Valley Lake SPA.



**Figure 2 - Natura 2000 sites**

The buffer zones shown on Map 1 indicate areas that are generally considered critical for maintaining the integrity of each European site. These buffers serve as initial alert areas to help assess the likelihood of plans or projects having a significant effect on a European site. For the Bat SACs, the buffers highlight areas most sensitive to land use changes that could impact these Natura 2000 sites, identifying key sustenance zones for the bats. For Chew Valley Lake, the 7km buffer marks the catchment area most likely to experience increased recreational pressures on the lake.

The High Littleton and Hallatrow Plan area is located within the 7km buffer for Chew Valley Lake; thus the plan's policies have been screened for potential effects on this site.

### **Methodology**

Each element of the plan has been categorised against screening criteria developed by Natural England to provide a clear audit trail for the screening assessment.

### **Screening Categories**

- **Category A1:** The policy will not itself lead to development e.g., because it relates to design or other qualitative criteria for development.
- **Category A2:** The policy is intended to protect the natural environment.
- **Category A3:** The policy is intended to conserve or enhance the natural, built, or historic environment.
- **Category A4:** The policy would positively steer development away from European sites and associated sensitive areas.
- **Category A5:** The policy would have no effect because no development could occur through the policy itself, the development being implemented through other policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- **Category B:** No significant effect.
- **Category C:** Likely significant effect alone.
- **Category D:** Likely significant effects in combination.

### Screening Assessment for High Littleton and Hallatrow Neighbourhood Plan

<b>Policy</b>	<b>Initial Screening Category</b>	<b>Summary and Assessment under Habitats Regulations</b>	<b>Comments and Recommendations</b>
Policy HLH1: Landscape	A3	Aims to preserve or enhance the rural landscape character of the area.	Will not lead to development or significant effects.
Policy HLH2: Biodiversity	A2, A3	Supports measures to enhance biodiversity and protect natural habitats.	Will not lead to development or significant effects.
Policy HLH3: Green Spaces	A2, A3	Designates Local Green Spaces for protection and enhancement.	Will not lead to development or significant effects.
Policy HLH4: Heritage	A3	Seeks to conserve and enhance heritage assets within the parish.	Will not lead to development or significant effects.
Policy HLH5: Sustainable Development	A1, A3	Encourages sustainable development practices.	Will not lead to development or significant effects.
Policy HLH6: Transport	A1	Addresses transport infrastructure and improvements.	Will not lead to development or significant effects.

#### **Assessment**

The High Littleton and Hallatrow Neighbourhood Plan does not allocate specific sites for development. The plan focuses on sustainable development principles, including infill development and protection of green spaces. Given the nature and scope of the plan, it is not anticipated to have significant effects on the nearby European sites

## **5. HRA Screening Decision**

Regulation 105 of the Habitats Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall:

- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
- (b) consult the consultation bodies.

B&NES Council considers that the proposed High Littleton and Hallatrow Neighbourhood Plan is unlikely to have significant environmental effects and accordingly does not require a Habitats Regulations Assessment. This decision is made for the following key reasons:

1. The neighbourhood plan proposals are considered to be in general conformity with the Development Plan documents of Bath & North East Somerset Council and this has been subject to HRA assessments.
2. The neighbourhood plan is not proposing additional development over and above that described in the Development Plan. The neighbourhood plan explains that 'limited infill' development within the village housing development boundary will be subject to the usual controls and restrictions of the adopted Core Strategy and Placemaking Plan.

This Draft Screening Report has been sent to Natural England, Environment Agency, and Historic England for their opinions.

### **Conclusion**

B&NES Council concludes that the High Littleton and Hallatrow Neighbourhood Plan does not require a Habitats Regulations Assessment as it is unlikely to have significant environmental effects.



## **Appendix 1: Responses from Natural England, Historic England and the Environment Agency**