



Staffordshire Moorlands Local Plan

Habitat Regulations Assessment

Submission Version
June 2018



Habitats Regulations Assessment Staffordshire Moorlands Local Plan – Submission Version

Addendum



Prepared on behalf of:
Staffordshire Moorlands District Council

Date: June 2018

Prepared by:
ClearLead Consulting Limited
The Barn, Cadhay, Ottery St Mary, Devon, EX11 1QT, UK
01404 814273

Contract Number: C0045



| | |
|----------------------------------|---|
| Contract No: | C0045 |
| Issue: | 1 |
| Author (signature): | V Pearson  |
| Project Director (signature): | J Mitchell  |
| Date: | June 2018 |

| Version Control Record | | | | |
|------------------------|------------------------------|----------|-------------------|-----------------|
| Issue | Status | Date | Reviewer Initials | Author Initials |
| 1 | Addendum prior to Submission | 05/06/18 | JM | VP |
| | | | | |

This report has been prepared by ClearLead Consulting, Limited. (ClearLead) with all reasonable skill, care and diligence. This report is confidential to the Client named on the front of this report and is protected by copyright for intellectual property. This report has been prepared at the Client's instruction and in accordance with the Services and the Terms agreed between ClearLead and the Client. ClearLead accepts no responsibility whatsoever to third parties to whom this report, or any part thereof, is made known, unless formally agreed by ClearLead beforehand. Any such party relies upon the report at their own risk.

ClearLead disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the Services.

Glossary

| | |
|---------------------------------|--|
| Appropriate Assessment (AA) | <p>An Appropriate Assessment (AA) is part of the Habitats Regulations Appraisal (HRA) process. It is required when a plan or project potentially affecting a Natura / European site:</p> <ul style="list-style-type: none"> Is not directly connected with, or necessary to the management of the site for nature conservation, and Is likely to have a significant effect on the site (either alone, or in combination with other plans or projects). <p>An AA is necessary to determine the potential effects of a plan or project upon the integrity of a Natura / European site; specifically, it should provide, and analyse sufficient information to allow a competent authority to ascertain whether the plan or project will not adversely affect the site's integrity.</p> |
| Development Plan | The statutory framework for planning decisions, including the adopted Local Plan and Neighbourhood Plans. |
| DPD (Development Plan Document) | A document containing local planning policies or proposals which form part of the Development Plan, and which has been subject to independent examination. |
| European Sites | <p>Directive 92/43/EEC on the conservation of natural habitats and wild flora and fauna, commonly known as the 'Habitats Directive,' provides for the protection of habitats and species of European Community importance. Article 2 of the Directive requires the maintenance (or restoration), at favourable conservation status, of habitats and species of European Community interest. This is partly implemented through a network of protected areas referred to as 'Natura 2000 sites' (N2K), or 'European sites', consisting of:</p> <ul style="list-style-type: none"> Special Areas of Conservation (SACs) - designated under the Habitats Directive¹; and Special Protection Areas (SPAs) - designated under the Wild Birds Directive². <p>'Ramsar sites', designated under the Ramsar Convention 1971, are treated by UK Government policy as if they were European sites in terms of the protection and management afforded to them. They should be included in assessment, where relevant.</p> <p>'European' sites are also called 'International' sites given their international level of protection.</p> |

¹ Council Directive 94/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive')

² Council Directive 79/409/EEC on the conservation of wild birds. The 'Wild Birds' Directive.

| | |
|---|---|
| Habitats Regulations Assessment (HRA) | An assessment in accordance with the Habitats Regulations (The Conservation of Habitats and Species Regulations 2010 as amended) to ascertain the significance of potential impacts of a plan on relevant European sites. The assessment determines whether the plan would adversely affect the integrity of the sites in terms of its nature conservation objectives. Where negative effects are identified, other options should be examined to avoid any potential for damaging effects. |
| In-Combination Effects | Where policies, plans or projects might affect European sites in combination with each other resulting in an In-Combination Effect. |
| Local Plan | The plan for the future development of the local area. |
| NPPF (National Planning Policy Framework) | Published in March 2012, the National Planning Policy Framework (NPPF) sets out the Government planning policies for England and how these are expected to be applied. The NPPF consolidates and replaces most previous planning policy guidance from Government. The NPPF is supported by the National Planning Practice Guidance (NPPG). |
| Policies Map | A map accompanying the Local Plan showing areas of protection and identifying locations for land use and development proposals. |
| SA (Sustainability Appraisal) | A systematic process required by the Planning and Compulsory Purchase Act 2004 and incorporating the requirements of the SEA Directive, aimed at appraising the social, environmental and economic effects of plan strategies and policies and ensuring that they accord with the objectives of sustainable development. |
| Special Area of Conservation | Under the Habitats Directive ³ ; Special Areas of Conservation (SAC) are designated in order to ensure that natural habitat types listed in the directive's Annex I and the habitats of the species listed in its Annex II are maintained or, where appropriate, restored to a favourable conservation status in their natural range. SPAs are part of the Natura 2000 network of European sites. |
| Special Protection Area | Under the Wild Birds Directive ⁴ . Special Protection Areas (SPAs) are designated according to scientific criteria such as '1% of the population of listed vulnerable species' or 'wetlands of international importance for migratory waterfowl'. SPAs are part of the Natura 2000 network of European sites. |

³ Council Directive 94/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive')

⁴ Council Directive 79/409/EEC on the conservation of wild birds. The 'Wild Birds' Directive.

Addendum

This addendum has been prepared to provide an update on the Habitats Regulation Assessment (HRA) at the time that the Local Plan is submitted for Examination in Public.

The Submission Version Local Plan was published and made available for receipt of representations over the period 27th February to 11th April 2018. Following this consultation, some minor modifications were made to the Local Plan wording by the District Council and these changes have been reviewed by ClearLead Consulting Ltd. The changes are all either for presentational purposes, to clarify the existing wording or are minor editorial changes such as the addition or removal of one or two words. None of the changes are deemed likely to result in a significant effect on a European site.

Natural England responded as follows to the consultation on the Submission draft Local Plan and accompanying HRA Report (February 2018):

“Natural England has reviewed the Habitat Regulations Assessment for the submission draft of the Local Plan. We note that our previous advice which highlighted the need to assess in-combination effects has been carried out and included in the plan. As a result of this additional information we agree with the HRAs conclusions that the Local Plan policies either alone or in combination will not result in an adverse effect on the integrity of any of the European sites.”⁵

Therefore, no change has been made to the HRA Report following consultation on the Submission Version Local Plan and its conclusions remain the same.

⁵ Staffordshire Moorlands Local Plan – Submission Version Representation Form completed by a Natural England representative, dated 9th April 2018.