

Wyre Forest District Local Development Framework

Habitat Regulations Assessment
Screening Report for:

- Kidderminster Central Area Action Plan
Development Plan Document
- Site Allocations and Policies Development
Plan Document



Wyre Forest District Council

July 2012

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SUMMARY

- i) This screening report is intended to identify Natura 2000 sites which could possibly be affected by the Wyre Forest District Site Allocations and Policies and Kidderminster Central Area Action Plan Development Plan Documents. These DPDs have already been through the initial issues and options and preferred options stages of consultation in January 2009 and May 2011 respectively. These documents have now been developed further and will undergo a six-week publication period commencing in July 2012.
- ii) These DPDs follow on from the Core Strategy DPD which was adopted in December 2010. An Appropriate Assessment Screening Report was prepared for the Core Strategy DPD and underwent consultation with Natural England, Worcestershire Wildlife Trust and the Environment Agency in January 2008. A further consultation was carried out in September 2009 prior to the Core Strategy Publication in early 2010.
- iii) An updated Appropriate Assessment Screening Report was published in May 2011 alongside the preferred options paper for the Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs and the draft Churchfields Masterplan SPD. It considered whether or not any further Appropriate Assessment work needed to be undertaken by looking at the impact of the more detailed policies with the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD on the Natura 2000 sites. The report concluded at that time that no further work was necessary and this conclusion was supported by Natural England.
- iv) The report has subsequently been updated to reflect the fact that the Churchfields Masterplan has been adopted and the DPDs have progressed to Publication stage. The conclusion that no further work is necessary remains unchanged.

1.0 INTRODUCTION

- 1.1 In October 2005, the European Court of Justice ruled that Appropriate Assessments (AA) must be carried out on all land use plans in the UK. The purpose of AA of land use plans is to ensure that protection of the integrity of European sites is a part of the planning process. The requirement for AA of plans or projects is outlined in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). The European sites consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites (OMS) which are collectively known as Natura 2000 sites.
- 1.2 The National Planning Policy Framework (NPPF) requires that potential Special Protection Areas (pSPAs) and candidate Special Areas of Conservation (cSACs) are considered in the same way as if they had already been classified or designated for the purpose of considering development proposals. The NPPF also requires that listed Ramsar sites receive the same protection as designated SPAs and SACs in terms of policy.

2.0 METHODOLOGY

- 2.1 Guidance from the Department for Communities and Local Government (DCLG), 'Planning for the Protection of European Sites: Appropriate Assessment' (2006) identifies three stages involved in the completion of Appropriate Assessments. These are as follows:
1. Evidence Gathering and Screening (the test to identify whether a plan option is 'likely to have a significant effect' using the precautionary principle).
 2. Appropriate Assessment and ascertaining the effect on site integrity (**only necessary if there are found to be likely significant effects**).
 3. Mitigation measures and alternative solutions (required where an option has been found to have adverse effects on the integrity of the European Site, these effects should be mitigated).
- 2.2 This report covers Stage 1 (evidence gathering and screening) of the above process. It has been informed by data produced by Natural England and the Joint Nature Conservation Committee. The screening process determines whether the subsequent stages 2 and 3 of the AA are required. Natural England have responded on the earlier version of this

document and it was also made available made available with the Sustainability Appraisal Report for public consultation alongside the Preferred Options Papers and Draft Churchfields Masterplan.

- 2.3 Department of Communities and Local Government guidance 'Planning for the Protection of European Sites: Appropriate Assessment' produced in 2006 states that Appropriate Assessment (AA) should be made available to the community and may be consulted on as appropriate on the preferred options at regulation 26 stage (pre-submission public participation). The Screening Report is now being published alongside the Publication Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs.

3.0 EVIDENCE GATHERING AND SCREENING

- 3.1 The initial screening assessment examined the likely effects of the Site Allocations and Policies DPD, Kidderminster Central Area Action Plan DPD and Draft Churchfields Masterplan SPD upon Natura 2000 sites. This revised version no does not include information for the Churchfields Masterplan as it is now adopted. The screening reports for the Core Strategy DPD and the initial screening report for the Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs concluded that no further work was necessary; it may be possible after this stage to conclude that no further work is necessary for these documents also.
- 3.2 Government guidance states that significant effects may be incurred even in cases where the area of the plan is some distance away. As a precautionary measure any Natura 2000 sites within 15km (straight line) of the District boundary were included in the initial screening process. Information was gathered from the Joint Nature Conservation Committee (JNCC) record as to the location of the sites, their status and their reason for designation. It was considered that due to the quantum of development envisaged, there would be no significant effect on Natura 2000 sites beyond this 15 km buffer.
- 3.3 There are no Natura 2000 sites within the District boundary. However, there are two sites within 15 km of the District boundary. The first of these is Fens Pool which is approximately 8.7km north of the District boundary and the second is Lyppard Grange Ponds which is approximately 12.9km south of the District boundary. A map showing the location of the sites and their proximity to the District boundary can be found on the final page of this screening Report. Additionally, there is a direct hydrological connection to the Severn Estuary SAC/SPA/Ramsar site via the River Severn and its tributaries. This link has been considered within the table set out at Appendix 1 to this report.

Table One :European Sites which could be affected by the Wyre Forest District Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs				
Name of site	Grid Reference	Approximate Distance from District Boundary	Reason for designation and conservation objectives	Vulnerability
Fens Pool SAC	SO920888	8.7km	Great Crested Newt has been identified at the site. The site shows evidence of past industrial activity and includes a range of habitats from open water, swamp, and inundation communities to unimproved natural and acidic grassland and scrub.	The Great Crested Newt population at this site is dependant on the control of fish, maintenance of adequate water quality given an urban catchment and the protection of surrounding terrestrial habitats from major ground disturbance, fish introductions and pollution by expanding the number of ponds in the current cluster. Land contamination could be a possible future issue.
Lyppard Grange Ponds	SO879556	12.9km	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats.	The site is composed of two ponds in an area of public open space surrounded by residential development. The site is vulnerable to the effects of recreational pressure and the introduction of fish which affect the suitability of the ponds as a breeding area for the Great Crested Newt.

Source: Joint Nature Conservation Committee (JNCC) www.jncc.gov.uk

4.0 POSSIBLE FUTURE DEVELOPMENT

4.1 The Core Strategy sets out the District Council's intention to provide 4,000 dwellings on urban brownfield land principally within Kidderminster and Stourport-on-Severn. The allocation of sites through the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD will follow a sequential approach as set out in policy DS01 as follows:

1. key regeneration sites within the Kidderminster Central Action Area Plan boundary
2. other major (>1 Ha) brownfield sites within Kidderminster and Stourport-on-Severn urban areas
3. smaller infill brownfield sites within Kidderminster, Stourport-on-Severn and Bewdley
4. brownfield sites within the rural settlements

Table Two: Assessment of Likely Significant Effects					
Site	Key environmental conditions to support site integrity	Possible impacts arising from Site Allocations or KCAAP	Is there a risk of a significant effect?	Possible impacts from other trends plans etc.	Is there a risk of significant 'in combination'
Fens Pools SAC	Great Crested newt has been identified at the site.	None	No	None	No
	The site shows evidence of past industrial activity and includes a range of habitats from open water, swamp, and inundation communities to unimproved natural and acidic grassland and scrub.	None	No	None	No
Lyppard Grange Ponds SAC	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats	None	No	None	No
	The ponds are associated with good quality terrestrial habitats	None	No	None	No

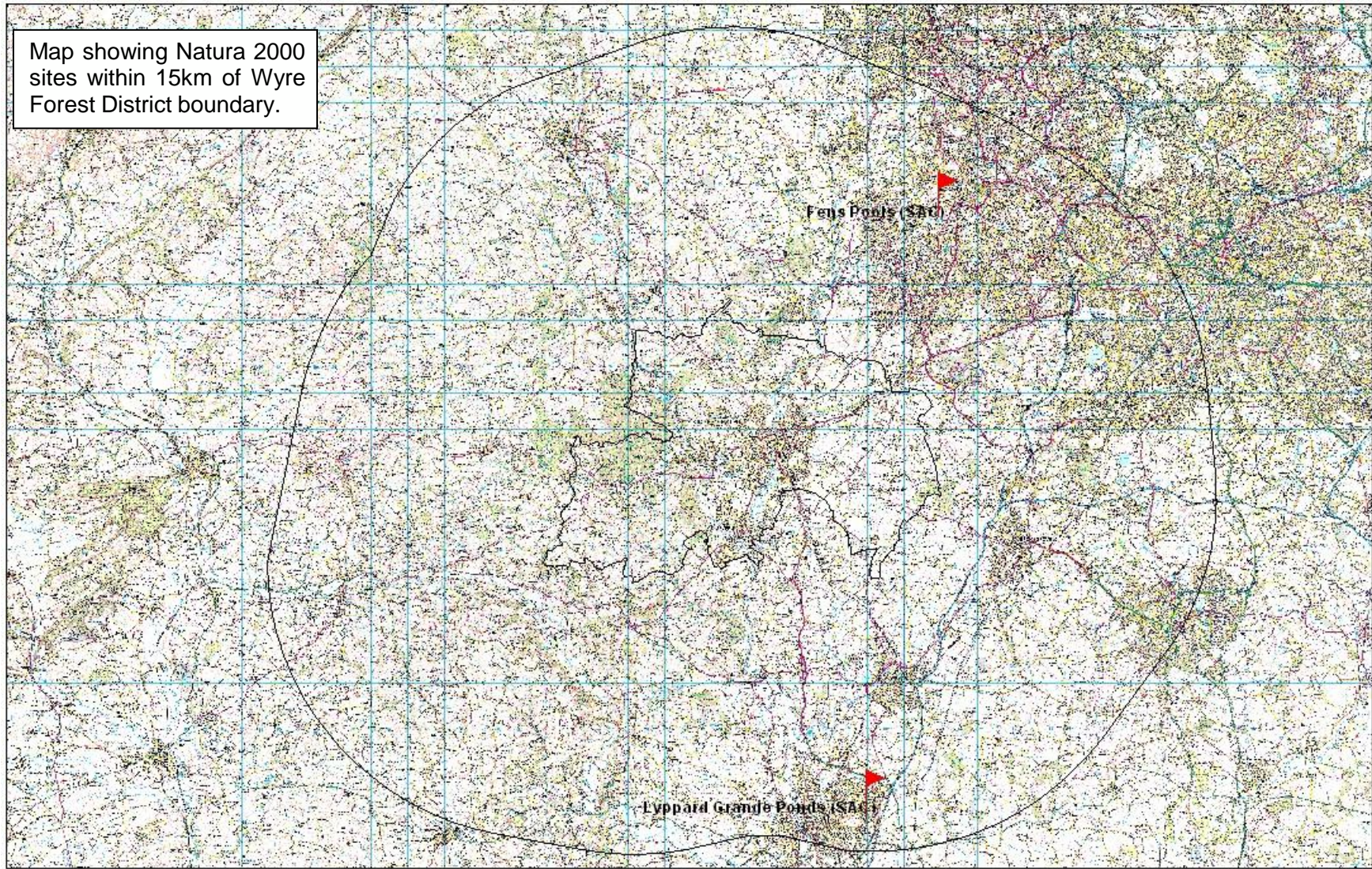
- 4.2 Publication documents have now been prepared for the Site Allocations and Policies DPD and the Kidderminster Central Area Action Plan DPD. These are currently out for consultation for a period of six weeks.
- 4.3 A matrix setting out the publication policies and proposed development sites from the DPDs can be found at Appendix 1. This shows the reasons why it is considered that the proposals will have no significant effects on Natura 2000. The main vulnerability of both of both the Fens Pool and the Lyppard Grange sites is the population of Great Crested Newts, the policies are not likely to have any significance on this population because of the distance between the development sites and the SACs and the lack of direct linkages which could affect water quality. Recreation is an identified vulnerability for the Lyppard Grange sites, however, the level of development proposed within Wyre Forest District is unlikely to lead to a significant increase in the number of visitors to the site.

4.4 In conclusion, it is not considered that there are not any likely significant effect and therefore it is not necessary to progress to the next stage.

5.0 NEXT STAGES

5.1 It is considered that due to the scale of growth envisaged within the District and the fact that the sites identified are located some distance away, that no further appropriate assessment work will be required for these two DPDs.

Map showing Natura 2000 sites within 15km of Wyre Forest District boundary.



Wyre Forest
District Council

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Scale: 1: 260000

Date: February 2011



Appendix 1

Site Allocations and Policies Preferred Options DPD

Section	Policy	Likely impact on SAC
A Desirable Place to Live	1 - 8	The housing requirement of 4,000 dwellings up to 2026 will almost all be met from brownfield redevelopment sites in the 2 main towns. This will not have significant impact on SACs.
A Good Place to do Business	9 - 13	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Adapting to and Mitigating Against Climate Change	14 - 19	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Unique Place	20 – 30	Policies are intended to conserve or enhance the natural, built or historic environment and enhancement measures will not be likely to have any effect on SACs.
South Kidderminster Enterprise Park	31 - 35	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
West Kidderminster	36 - 37	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Kidderminster Smaller Sites	38	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn Town Centre	39 - 43	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn – Eastern Approaches	44 - 48	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although some sites are immediately adjacent to the River Severn / Stour, it is considered that their

		redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Stourport-on-Severn – West	49 - 50	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Stourport-on-Severn – Smaller sites	51	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Bewdley	52 - 53	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Rural	54 - 55	Sites are within or immediately adjacent village envelopes and should have minimal effect on sensitive areas.
Previously Developed Sites in the Green Belt	56	Policy will help to steer development away from sensitive areas.

Kidderminster Central Area Action Plan Preferred Options DPD

Section	Policy	Likely impact on SAC
A Desirable Place to Live	1 - 2	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Good Place to do Business	3 - 9	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Adapting to and Mitigating Against Climate Change	10 - 11	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
A Unique Place	12 - 18	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.

Churchfields	19 - 26	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Eastern Gateway	27 - 34	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Western Gateway	35 - 37	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Castle Wharf	38	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although this site is immediately adjacent to the River Stour, it is considered that its redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Crossley Park & Mill Street	39	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas. Although this site is immediately adjacent to the River Stour, it is considered that its redevelopment will have minimal effect on SACs further downstream in the Severn Estuary.
Traditional Town Centre	40 - 41	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.
Heritage Processions	42 - 45	Concentration of development in urban areas will not affect SACs and will help to steer development away from sensitive areas.