

Wyre Forest District Council

Habitat Regulations Assessment Screening Report

for the

Wyre Forest District Local Plan Review

February 2018

Wyre Forest Habitat Regulations Assessment Screening Report

1) INTRODUCTION

This Habitat Regulations Assessment (HRA) screening report is intended to identify European sites which could possibly be affected by the Wyre Forest District Local Plan Review. The emerging Local Plan Review has been through a number of stages of consultation as follows:-

- Issues and Options: 6 week public consultation which closed on 16th October 2015
- Preferred Options: 8 week public consultation which closed on 14th August 2017.

All representations received for the Issues and Options consultation were reported to Members and were used to develop the Preferred Options document. We are currently in the process of reporting to Members the consultation responses received for the Preferred Options document. These consultation responses are being used to help inform the emerging Pre-Submission document which will be published for a six week consultation period in Summer/Autumn 2018.

An Appropriate Assessment Screening Report was prepared and underwent consultation with Natural England, Worcestershire Wildlife Trust and the Environment Agency in September 2009 for the currently adopted Core Strategy (adopted December 2010). For the adopted Core Strategy, it was concluded that no further Appropriate Assessment work was required.

It is now necessary to undertake a new Habitat Regulation Assessment screening report for the Local Plan Review (hereafter referred to as the emerging Local Plan). The previous screening assessment was also undertaken before the NPPF was published in March 2012, so the new screening assessment will need to follow post NPPF requirements.

OUTLINE OF THIS SCREENING REPORT

Following this introduction:

Section 2 – Background to Habitat Regulations Assessment (page 3)

Section 3 – outlines the methodology used for this HRA (page 4)

Section 4 – outlines details of the emerging Local Plan (page 4)

Section 5 – Evidence gathering and screening (page 4)

Section 6 – Assessment of likely significant effects (page 6)

Section 7 – Development needs in WF District and neighbouring Local Authority areas (page 8)

Section 8 – Details the other projects and plans identified which may lead to in-combination effects on the European sites (page 8)

Section 9 – Conclusions (page 9)

Section 10 – Next Steps (page 10)

Section 11 – Appendices (page 11)

2) BACKGROUND TO HABITAT REGULATIONS ASSESSMENT

This report presents the analysis and findings of the screening stage of a Habitat Regulations Assessment for the emerging Wyre Forest District Local Plan Review.

The EU Habitats Directive [92/43/EEC] on the Conservation of Natural Habitats and Wild Flora and Fauna institutes a legislative framework for the protection of European sites. European Sites are designated to protect areas of important and valuable habitat, or species of flora, fauna and birds which are rare or threatened in a European context. European sites include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). HRA is also required, as a matter of UK Government policy, for potential SPAs (pSPA), and candidate SACs (cSAC) for the purposes of considering plans and projects, which may affect them. This network of SPA and SAC sites is known collectively as Natura 2000 or European sites. Hereafter, all the above-designated nature conservation sites are referred to as 'European sites'. Additionally, despite not being included in the Natura 2000 network of sites, Ramsar Sites are covered by the Directive, and are therefore also included in this screening assessment and referred to under the term 'European sites'. Ramsar sites are listed Wetlands of European Importance.

The requirement for a Habitat Regulations Assessment of strategic land use plans, policies and projects is outlined in article 6(3) and (4) of the Habitats Directive, and its stated purpose is to provide a critical examination of the likelihood of significant individual and in-combination impacts upon the nature conservation objectives of European sites arising from the land use plan.

It is important to identify potential adverse impacts at an early stage in the development of plans and policies in order that any alterations necessary to ameliorate or mitigate impacts can be made.

There are four stages of HRA process. These are summarised below:

Stage 1 – Screening	To test whether a plan or project either alone or in combination with other plans and projects is likely to have a significant effect on a European site.
Stage 2 – Appropriate Assessment	To determine whether, in view of a European site's conservation objectives, the plan (either alone or in combination with other projects and plans) would have an adverse effect (or risk of this) on the integrity of the site with respect to the site structure, function and conservation objectives. If adverse impacts are anticipated, potential mitigation measures to alleviate impacts should be proposed and assessed.
Stage 3 – Assessment of alternative solutions	Where a plan is assessed as having an adverse impact (or risk of this) on the integrity of a European site, there should be an examination of alternatives (e.g. alternative locations and designs of development).
Stage 4 – Assessment where no alternative solutions remain and where adverse impacts remain	In exceptional circumstances (e.g. where there are imperative reasons of overriding public interest). Compensatory measures would usually be required to offset negative impacts.

This report comprises the stage 1 – Screening of the Plan.

3) METHODOLOGY

This report is concerned with Stage 1, screening of European sites to identify and assess the likelihood and significance of impacts to these sites arising singularly from policies within the emerging Local Plan, and in combination with other plans and policies. The process for screening has involved the following steps:

- Identification of European sites within and outside the plan area that are potentially affected;
- The characteristics of these European sites and their conservation objectives;
- Assessment of likelihood and significance of impacts to European sites occurring as a result of the emerging Local Plan;
- In combination effects from other relevant plans or projects.

If significant impacts are considered likely, progression to Stage 2, Appropriate Assessment, is triggered.

4) OUTLINE OF EMERGING LOCAL PLAN

The emerging Local Plan will be the principal Local Plan document for Wyre Forest District. It will set out Wyre Forest District Council's spatial vision, strategic objectives, spatial strategy, policies and site allocations to guide future development and growth during the period up to 2036. This will include residential development (including Travellers and Travelling Showpeople Accommodation), retail and employment uses. It will also consider where new infrastructure will be required to support the anticipated developments (e.g. roads, schools, utilities, open spaces).

The emerging Local Plan has just completed its Preferred Options stage and work is now progressing on the Pre-Submission Plan. It is anticipated that the emerging Local Plan will be ready for submission in Winter 2018/19 with the Examination in Public commencing in early 2019.

Once adopted the Local Plan will provide the basis for determining planning applications. It will also allocate sites for development of housing, employment and mixed use schemes.

5) EVIDENCE GATHERING AND SCREENING

This HRA screening assessment examines the likely effects of the emerging Local Plan, either alone or in combination with other projects or plans, upon European sites. The HRA screening report for the adopted Core Strategy (adopted December 2010) concluded that no further work was necessary; however it is possible that the situation may have changed overtime and there will be new policies and site allocations in the emerging Local Plan. It is therefore necessary for the Council to undertake another screening assessment for the emerging Local Plan.

European Site Identification

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, this screening report has assessed to see if there are any European sites within 15km (straight line) of the District boundary. Information has been gathered from the Joint Nature Conservation Committee (JNCC) record as to the location of the European sites, their status and their reason for designation.

No European sites within the District boundary have been identified. However, there are two Special Areas of Conservation (SAC) sites within 15km of the District boundary. The first of these is Fens Pools SAC which is approximately 8.7km north of the District boundary and the second is Lyppard Grange Ponds SAC which is approximately 12.9km south of the District boundary. A map showing the location of the SAC sites and their proximity to the District boundary can be found in **Appendix 1** of this screening report. No SPA or Ramsar sites have been identified either within the District or within 15km of the District boundary.

The Characteristics of the European Sites identified

The following provides a summary of the European sites that have been identified outside of the District but within a 15km area around the District:

- Fens Pools SAC – The site comprises of a series of small pools and a wide range of other habitats from swamp, fen and inundation communities to unimproved neutral and acidic grassland and scrub. Great crested newts *Triturus cristatus* occur as part of an important amphibian assemblage. The site, which shows evidence of post industrial activities, overlies Etruria marls and coal measures of the Carboniferous period;
- Lyppard Grange Ponds SAC – This site can be found behind the community shopping area in Warndon Villages in the City of Worcester. The area serves as public open space within recently constructed housing and other built development. The SAC includes two field ponds located in the grounds of the former Lyppard Grange Farm. These two ponds, along with the surrounding terrestrial habitats, support a large breeding colony of great crested newts. The terrestrial habitat within these grounds now comprises rough grassland with brambles and scrub, and retains many mature native and exotic trees. Despite its small size, the site is very important for local wildlife as part of a network of nature conservation areas throughout the Villages and forms part of a Local Nature Reserve.

A map showing the location of the sites and their proximity to the District boundary can be found in **Appendix 1** of this Screening Report.

The conservation objectives of the European Sites identified

The table below shows the European Sites that could be affected by the emerging Local Plan. A detailed explanation of the conservation objectives is set out in **Appendix 2**.

Table 1: European Sites which could be affected by the Wyre Forest District Local Plan Review

Name of site	Grid Ref	Approximate Distance from District Boundary	Reason for designation and conservation objectives	Vulnerability
Fens Pools 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 dependent 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 SAC	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

6) ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The emerging Local Plan sets out the District Council’s intent to provide the future development and growth during the period up to 2036, as required by its OAHN. This future development and growth will be located on urban brownfield land and greenfield sites (some of which are Green Belt) within sustainable locations within the District.

Table 2 below provides an assessment of the likely significant effects the emerging Local Plan might have on the identified European sites.

Table 2: Assessment of Likely Significant Effects

Site	Environmental conditions to support site integrity	Possible impacts arising from Local Plan Review	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. The site is located outside of the District. No effects envisaged.	No effects envisaged.	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. The site is located outside of the District. No effects envisaged.	No effects envisaged.	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. The site is located outside of the District. No effects envisaged.	No effects envisaged.	None	No
	The ponds are associated with good quality terrestrial habitats	None. The site is located outside of the District. No effects envisaged.	No effects envisaged.	None	No

7) DEVELOPMENT NEEDS IN WYRE FOREST DISTRICT AND NEIGHBOURING LOCAL AUTHORITY AREAS

The table below summarises the development needs in Wyre Forest District and neighbouring Local Authority areas that could also lead to ‘in combination’ impacts with Wyre Forest District emerging Local Plan.

Area	Development Plans or Proposals
Wyre Forest District	Emerging Local Plan - Housing requirement of 6,000 and 40ha employment land between 2016 – 2036.
Bromsgrove DC	Bromsgrove District Plan – adopted January 2017. The BDP identified land to deliver around 4,700 homes between 2011-2030. BDP Policy 3 states that a full Green Belt Review will be carried out and further sites will be allocated within a Local Plan Review by 2023 to contribute approx 2,300 dwellings towards the plan target of 7,000 dwellings up to 2030. The employment land requirement is 28ha between 2011 – 2030. Impacts identified for Longbridge AAP may work in combination with other impacts generated through the BDP.
Redditch Borough Council	Redditch Borough Local Plan, adopted January 2017. Provision is made for around 6400 dwellings, 55ha employment land between 2011 – 2030 (3400 dwellings and 15.5ha of employment land to be provided in Bromsgrove District and another 12ha of employment land will be provided in Stratford-on-Avon)
Worcester City Council, Wychavon District Council, Malvern Hills District Council	South Worcestershire Development Plan, adopted February 2016. Housing provision for 28,400 dwellings, and 300.97ha of employment land provision between 2006 – 2030.
South Staffordshire District Council	The Core Strategy, adopted December 2012, sets out a requirement for at least 3850 homes to be built between 2006 and 2028. The emerging SAD document needs to allocate a minimum of 1012 homes in the remainder of the plan period. The SAD document was submitted to the Secretary of State in September 2017. The examination of the SAD is current underway and the Inspectors decision is awaited.
Shropshire County Council	The Core Strategy, adopted March 2011, sets out a requirement to deliver 27,500 dwellings and around 290 hectares of employment land across the County over the plan period 2006 – 2026. Shropshire County Council is currently undertaking a partial Local Plan Review for the period 2016 to 2036.
Dudley MBC	Black Country Core Strategy, adopted 2011. Housing provision for 16,127 dwellings, 648ha employment land provision between 2006 – 2026.

8) DETAILS OF OTHER PROJECTS AND PLANS

The Habitats Directive requires Local Authorities to assess ‘in-combination’ effects alongside direct effects. ‘In-combination’ effects occur when otherwise non-significant proposals combine, and can cumulatively lead to a significant effect. This interaction can occur from proposals within the Development Plan or between the Development Plan and other projects and plans.

The table in **Appendix 3** details the other projects and plans identified which may lead to in-combination effects on the European sites.

9) CONCLUSIONS

There are two European sites (Natura 2000) within the 15km area around Wyre Forest District. The conclusions of these two sites are set out below:

Fens Pools SAC	It is considered unlikely that the emerging Local Plan could have a significant effect on the Fens Pools SAC either alone or in combination. Plans in Wyre Forest will have no effect on human disturbance on this site which is already surrounded by development and easily accessed. The emerging Local Plan is unlikely to have any effect on protected species at or around this European site. Water quality is unlikely to be influenced by the emerging Local Plan since the site is already surrounded by residential development and road networks. The impacts on water supply are considered unlikely as there are no direct hydrological links between the site and the District. Due to the location of the site outside of Wyre Forest District and the fact that the emerging Local Plan process has no powers or influence over the future use of the site, it is considered that no significant effects are envisaged.
Lyppard Grange Ponds SAC	It is considered unlikely that the emerging Local Plan could have a significant effect on the Lyppard Grange Ponds SAC either alone or in combination. Plans in Wyre Forest will have no effect on human disturbance on this site which is already surrounded by development and easily accessed. The emerging Local Plan is unlikely to have any effect on protected species at or around this European site. Water quality is unlikely to be influenced by the emerging Local Plan since the site is already surrounded by residential development and road networks. The impacts on water supply are considered unlikely as there are no direct hydrological links between the site and the District. Due to the location of the site outside of Wyre Forest District and the fact that the emerging Local Plan process has no powers or influence over the future use of the site, it is considered that no significant effects are envisaged.

Due to the scale of growth envisaged within the District and the fact that the European sites identified are located some distance away, it is considered that no further appropriate assessment work is required for the emerging Local Plan.

In accordance with Habitats Regulations, this Stage 1 of the HRA has also completed an in-combination assessment. None of the other projects and plans identified (see Section 8) will lead to likely significant effects on the European Sites in combination with the proposals contained in the emerging Local Plan, provided that any mitigation measures identified for other projects and plans are put in place.

In conclusion, the Stage 1 screening assessment has determined that the Wyre Forest District Local Plan Review (2016-2036) will not lead to likely significant effects, either alone or in combination, on the qualifying features of the European Sites.

It is therefore recommended that the Wyre Forest District Local Plan Review should not be subject to a detailed Habitats Regulations Assessment process. Should the Local Plan Review be changed or updated from that which is assessed in this document, then the HRA should be revisited.

10) NEXT STAGES

Consultation

This screening report is subject to a five week consultation with Natural England. Any responses from Natural England will be taken into account and this report will be reviewed and amended if necessary.

Emerging Local Plan

The District Council is currently preparing its publication Local Plan Review document. This will be published for a six week pre-submission consultation to be held during 2018. Following the pre-submission public consultation, the Local Plan Review submission document, together with any representations received, will be submitted to the Planning Inspectorate and will undergo an independent examination.

11) APPENDICES

Appendix 1 – Map of European Sites (Natura 2000) – see attached pdf.

Appendix 2 – European site: Conservation Objectives (where possible from Natural England)

European Site:	Lyppard Grange Ponds SAC
Conservation Objectives:	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying features, by maintaining or restoring:</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species; • The structure and function of the habitats of qualifying species rely; • The population of qualifying species; and • The distribution of qualifying species within the site.
Qualifying Features:	S1166: Triturus cristatus Great crested newt

European Site:	Fens Pools SAC
Conservation Objectives:	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species; • The structure and function of the habitats of qualifying species; • The supporting processes on which the habitats of qualifying species rely; • The population of qualifying species; and • The distribution of qualifying species within the site.
Qualifying Features:	S1166: Triturus cristatus Great crested newt

Appendix 3 – Table of Other Projects and Plans

The table below lists the other projects and plans. This list is not exhaustive, but begins to pick out those plans with potential for in-combination effects with the emerging Local Plan. It does not take into account wider planning applications which may come forward. The list does not include national and international strategies as it is accepted that these are reflected in the strategies at the local scale.

Organisation and Title of HRA	Findings of HRA	Potential for In-Combination effects with the emerging Wyre Forest District Local Plan
Worcestershire County Council – HRA Screening Assessment of the Worcestershire Local Transport Plan 4, September 2016	The Screening Report recommended that the Worcestershire LTP4 should not be subject to a detailed Habitats Regulations Assessment process.	The adopted LTP4 will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.
South Worcestershire LAs – South Worcestershire Development Plan Habitat Regulations Assessment (Appropriate Assessment) Report, November 2012	The SWDP does not propose any development within or adjacent to any of the identified European sites so will not lead to the direct loss or fragmentation of designated habitats or species. Two European sites lie within the plan area (Bredon Hill SAC and Lyppard Grange Ponds SAC), however; considering the location of proposed development as well as the designated features of the sites themselves, it is assessed that the SWDP will not have likely significant effects (either alone or in combination) on either European site through habitat fragmentation and/or loss. The report concluded that the SWDP will not have adverse in combination effects on the integrity of the identified European sites.	The adopted SWDP will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.
Worcestershire County Council - Habitat Regulations Assessment (HRA) Screening Report - Worcestershire Flood Risk Management (WFRM), June 2015	The screening report concluded that, with the mitigation measures proposed, the Worcestershire Local Flood Risk Management Strategy is not likely to have any significant negative effects on any	The WFRM will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.

	European sites, alone or in combination with other plans or projects.	
South Staffordshire Council – Habitat Regulations Assessment for South Staffordshire Allocation Sites for Housing, Employment and Gypsy, Traveller and Travelling Showpeople, November 2016.	<p>The HRA found that none of the allocation sites would affect Fens Pools SAC, Midland Meres and Mosses Ramsar site (Phase 1), Midland Meres and Mosses Ramsar site (Phase 2), Pasturefields Saltmarsh SAC and West Midland Mosses SAC and these were removed from further assessment.</p> <p>Lyppard Grange Ponds SAC was not assessed by the HRA as this site was not within the range of the Plan.</p>	The emerging South Staffs Site Allocation Document will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.
Bromsgrove District Council – Habitat Regulations Assessment Screening Report for the Bromsgrove District Plan: Pre-Submission version.	The screening assessment concluded that the implementation of the Bromsgrove District Plan would have no ‘likely significant effects’ on any Natura 2000 site, alone or in combination with other plans or projects. Therefore a Stage II Appropriate Assessment was not required.	The adopted BDP will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.
Shropshire County Council – Habitat Regulations Assessment Screening Report for the Core Strategy Development Plan Document – published March 2009	The HRA screening report in concluded that the Fens Pools SAC should not be assessed further as it was considered unlikely that the Shropshire Core Strategy could have a significant effect on Fens Pools SAC either alone or in combination. Lyppard Grange Ponds SAC was not assessed as not located near to Shropshire border. The Core Strategy was adopted in March 2011.	The adopted Shropshire Core Strategy will not have any significant effects on the European sites identified in this screening report. Therefore any proposals arising from the Plans would not have a detrimental impact on the European sites.

