

**Habitats Regulations Assessment (HRA)**  
**Update Note March 2011**  
**Revised Proposed Submission Core Strategy DPD and Development**  
**Management Policies DPD**

**Introduction**

Swindon Borough is currently developing its Core Strategy and Development Management Policies Development Plan Documents. These documents will provide the planning framework that guides development in the Borough over the period to 2026.

The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. This Directive requires an HRA to be undertaken on proposed plans, which are likely to have a significant effect on one or more Natura 2000 sites either individually, or in combination with other plans or projects. This means the Core Strategy & Development Management DPDs require a HRA.

**Stages of the Habitats Regulations Assessment**

Swindon Borough's Core Strategy & Development Management Policies DPDs have already been through all stages of HRA, which the Council commissioned Enfusion to undertake.

The first stage was the initial screening exercise which was undertaken on the Preferred Options Core Strategy in March 2008 and it established that the Core Strategy had the potential to lead to significant effects on three European sites within a 15km radius of Swindon. Following on from this, an Appropriate Assessment (AA) was undertaken on the Proposed Submission Core Strategy in July 2009. This report established that no adverse effects on site integrity arising from the Core Strategy and recommendations were proposed as to avoid and mitigate against any potential effects.

The AA recommended that if significant changes were proposed to either policy or implementation within the Core Strategy then there would be a need to revisit the AA findings. The AA report should also support any future assessment work.

**Revised Proposed Submission Core Strategy & Development Management Policies DPD**

The Revised Proposed Submission documents are based on the Proposed Submission document however they have been altered in line with the Government's intent to abolish the RSS and the need for Localism. The intent to abolish the RSS has led to more locally derived housing and employment figures and the need for localism has highlighted the need to clearly articulate the community's aspirations.

In light of these changes, the structure of the Core Theme policies has been changed to reflect the priorities in the Swindon Borough Sustainable Community Strategy and the introduction of Spatial Strategy policies SC3 to SC9 reflects the aspirations of various communities instead of including one broad policy.

The result of the above has led to one overarching change: reduction in growth. Housing and employment figures have been reduced thus the proposed urban extensions have been amended. The new Spatial Strategy Policies SC3-SC9 reflects the aspirations of the various communities however the content of these policies does not introduce any new proposals.

### **Appropriate Assessment Findings**

The initial screening work identified three main areas of impact: water resources, water quality and air pollution on which there was considered to be the potential for likely significant effect at three European sites: North Meadow & Clattinger Farm SAC; Kennet & Lambourne Floodplain SAC; and the River Lambourne SAC. The Appropriate Assessment investigated these potential effects and established: how the individual sites would be affected; the potential for in combination effects and recommendations for avoidance and mitigation.

#### Water Resources & Quality

The assessment concluded that indirect pressures on water resources and water quality, which may lead to likely significant effects, could arise from the predicted growth in demand resulting from new development. The Core Strategy in part would be a cause of this, however, it was assessed that these issues are addressed systematically through water resource planning, regulatory assessments and augmentation / management measures.

It is envisaged the reduction in growth would reduce the indirect pressures on water resources and quality and therefore also reduce the potential for likely significant effects. The new Spatial Strategy policies do not create any additional adverse impacts upon water resources and quality.

#### Atmospheric Pollution

The assessment concluded that air pollution in particular NOx gases are a key concern if a road carrying a significant proportion of new traffic runs within 200 metres of a European Site. The extension to the north and west of Swindon could increase traffic on the A419 and the North Meadow and Clattinger Farm SAC is within 200m of the A419. However, the current condition assessments for this site indicate that air pollution is not having an adverse effect on the site and that site level management is the key factor in maintaining site integrity.

The amount of housing proposed within the urban extension to the north of Swindon, Policy NC5: Tadpole Farm has been decreased and the sites to the

west of Swindon have been removed from the Core Strategy. Thus the contributions to air pollution arising from the potential of increased traffic upon the North Meadow and Clattinger Farm SAC will be decreased due to reduced growth.

### **Recommendations for the Revised Proposed Submission Core Strategy & Development Management Policies DPD**

The Appropriate Assessment recommended amendments to the Proposed Submission document July 2009. As explained above, the revised Core Strategy & Development Management Policies do not create any additional effects on the European sites therefore no further amendments are proposed.

Even though there has been a reduction in growth and subsequently the extent of the predicted impacts will be less, it is still essential to ensure the Revised Core Strategy & Development Management Policies include avoidance and mitigation measures. Table 1 includes the recommendations from the Appropriate Assessment and illustrates where and how these recommendations should be integrated into the current Core Strategy and Development Management Policies DPD.

### **Monitoring and Review**

It is key that monitoring of the biodiversity interest within the plan area is undertaken given the connectivity between habitats and the overall assessment of environment condition that the monitoring of designated sites affords. It is proposed that the indicators stated within the AA, which are proposed through the SA/ SEA process, should be used to monitor the Core Strategy.

### **Consultation Arrangements**

This Update Note is presented alongside the Revised Proposed Submission Core Strategy & Development Management as part of the evidence base for examination. It should be read in conjunction with the HRA Report, which was published alongside the Proposed Submission Core Strategy in July 2009.

The Update Note has been undertaken by Swindon Borough Council and reviewed by Enfusion Ltd. Natural England have been consulted and have agreed this Update Note serves as an adequate update of the Habitats Regulations Assessment.

Table 1: HRA Recommendations

Impact	Recommendations for Proposed Submission	Incorporated into Revised Proposed Submission Policies
Recreational Pressure	<ul style="list-style-type: none"> <li>• Core Policies to address the potential for recreational pressures to have a likely significant effect on North Meadow and Clattinger Farm SAC and provide specific direction for lower tier GI policy and strategy to ensure compliance with the Habitats Regulations at this site</li> </ul>	<p><b>CT3 Safeguarding our Environment</b> Habitat Sites are identified as part of Swindon’s green infrastructure network.</p> <p><b>DMP11 Green Infrastructure</b> Supporting text under ‘Biodiversity’ includes consideration of North Meadow and Clattinger Farm SAC.</p> <p><b><u>Recommended changes:</u></b></p> <p>Under ‘Delivery’ in DMP11, add the following sentence to the end of the first bullet point:</p> <p><i>‘(This includes off setting the impacts of recreational pressures on key GI assets)’</i></p>
Water Resources & Quality	<ul style="list-style-type: none"> <li>• Core Policies to identify the pressures and constraints associated with the water resources</li> <li>• Development Management Policies to ensure that water demand and efficiency issues recognised</li> <li>• Require Code for Sustainable</li> </ul>	<p><b>CT3 Safeguarding our Environment</b> Part C includes how water supply issues will be addressed. Supporting text under ‘Water Resources &amp; Treatment’ includes mitigation of potential impacts of water extraction on European Sites.</p> <p><b>DMP2 Energy &amp; Sustainable Construction</b> The policy includes CSH &amp; BREEAM requirements</p>

Impact	Recommendations for Proposed Submission	Incorporated into Revised Proposed Submission Policies
	<p>Homes (minimum level 3) where appropriate</p> <ul style="list-style-type: none"> <li>• Seek 'water neutral' development, use develop contributions for reductions in water usage/improve efficiency</li> </ul>	
Air Pollution	<ul style="list-style-type: none"> <li>• Emphasis the requirement for sustainable transport solutions to accompany all new developments</li> <li>• Ensure that new developments, including proposals for new road schemes associated with new development are subject to monitoring proposals.</li> </ul>	<p><b>CT7 Keeping Swindon Moving</b> The policy includes how emissions will be minimised and the supporting text explains this in more detail. The policy does encourage sustainable transports modes but this is not explicit.</p> <p><b>DMP10 Transport Requirements</b> Part A of the policy includes how promotion of sustainable travel choices will be assessed.</p> <p><b><u>Recommended changes:</u></b></p> <p>CT7 could emphasis the need to reduce the risk of adverse impacts of air pollution on North Meadow &amp; Clattinger Farm SAC through the supporting text.</p> <p>Promotion of sustainable travel choices could be made more explicit in CP7.</p>