

**Regulation 18  
Pre-Submission Draft  
Shropshire Local Plan  
2016 - 2038**

**Habitats Regulation Assessment**

**Summary**

**July 2020**

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## **Summary of the Habitats Regulations Assessment for the Regulation 18: Pre-Submission Draft Shropshire Local Plan 2016 - 2038**

### **1. Introduction**

- 1.1. It is a legal requirement for Local Authorities to prepare a Habitats Regulations Assessment (HRA) for plans and projects that have the potential to impact on habitats of European importance. Under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), the purpose of an HRA is to ensure that the proposals from any plan or project, or the cumulative effect of a number of plans or projects, will not adversely affect the integrity of any European site designated for wildlife.
- 1.2. Habitats Regulations Assessment plays an important role in protecting the conservation objectives of the Natura 2000 network of sites. These sites, often referred to as 'European Sites', include Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Candidate SACs (cSACs). Following UK government policy, potential SPAs (pSPAs), possible SACs (pSACs) and proposed and listed Wetlands of International Importance (Ramsar Sites) designated under the Ramsar Convention are also treated as though covered by the HRA regulations. The term 'international sites' includes all the above designations and is used throughout Shropshire's HRA reports.

### **HRA for the Regulation 18: Pre-Submission Draft of the Shropshire Local Plan 2016 to 2038**

- 1.3. This HRA is the fifth phase of the HRA of the Shropshire Council Local Plan Review (LPR) 2016-2038.
  - 1.1. The council began preparing the Local Plan review in 2017 and has undertaken four consultation stages as part of the Regulation 18 stage of plan preparation:
    1. Issues and Options – January 2017;
    2. Preferred Scale and Distribution of Growth – December 2017;
    3. Preferred Site Allocations – November 2018; and
    4. Strategic Sites – June 2019.
  - 1.2. These documents (which are available on the Council's website) each dealt with a specific aspect of the plan making process and sought to provide the opportunity for communities and other stakeholders to make comments on emerging proposals. Checks were made at the earliest stages of the review for possible adverse impacts on international sites and interim Habitats Regulations Assessments were published to accompany each consultation document.
  - 1.3. The Pre-Submission version of the Local Plan effectively pulls all these strands together, with the inclusion of a full set of Strategic and Development Management Policies, for the purposes of guiding and managing development effectively. This Habitats Regulations Assessment builds on the interim HRA reports and supports the Regulation 18: Pre-Submission Draft of the Local Plan.
  - 1.4. The purposes of this HRA Screening Report are to:
    - identify which international sites could possibly be affected by the proposals in the Pre-Submission Draft of the Local Plan (DLP),
    - identify the potential pathways by which the sites may be affected,

- Identify all elements of the DLP which would have no effect on an international site, so that they can be eliminated from further consideration in respect of this and other plans;
- identify all aspects of the DLP which would not be likely to have a significant effect on an international site (i.e. would have some effect, but minor residual), either alone or in combination with other aspects of the same plan or other plans or projects. At this stage, mitigation measures are not considered;
- identify those aspects of the DLP where it is not possible to rule out the risk of significant effects on an international site, either alone or in combination with other plans or projects, in the absence of mitigation measures. These elements of the DLP are then considered in the full Appropriate Assessment (Stage 2 of the HRA process).

### **Identifying international sites which could be affected by the Local Plan Review**

1.5. All international sites within a precautionary buffer of 15km of the county boundary have been screened in for consideration. Additional sites at a greater distance have been added to this list due to possible effect pathways over greater distances, such as river connections or recreational impacts, or through recommendations by statutory agencies. The international sites considered in the Consultation on Preferred Sites HRA Screening Report are listed below. Those sites within Shropshire are shown in bold:

- Berwyn SPA
- Berwyn and South Clwyd Mountain SAC
- **Brown Moss SAC**
- Cannock Chase SAC
- Downton Gorge SAC
- Elenydd SAC
- **Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses SAC**
- Fens Pools SAC
- Granllyn SAC
- Johnstown newt sites SAC
- **Midland Meres & Mosses Ramsar Site Phase 1:**
  - **Berrington Pool**
  - Betley Mere
  - **Bomere and Shomere Pools**
  - **Brown Moss**
  - **Clarepool Moss**
  - **Fenemere**
  - **Marton Pool (Chirbury)**
  - Quoisley Mere
  - **White Mere**
  - Wybunbury Moss
- **Midland Meres & Mosses Ramsar Site Phase 2:**
  - Aqualate Mere
  - Black Firs and Cranberry Bog
  - **Brownheath Moss**
  - Chapel Mere
  - **Cole Mere**
  - Cop Mere
  - **Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses**
  - Hanmer Mere
  - **Hencott Pool**

- Llyn Bedydd
  - **Morton Pool and Pasture**
  - Oakhanger Moss
  - **Oss Mere**
  - **Sweat Mere and Crose Mere**
  - Vicarage Moss
  - Montgomery Canal SAC
  - Motte Meadows SAC
  - Rhos Goch SAC
  - **River Clun SAC**
  - **River Dee & Bala Lake SAC**
  - Severn Estuary SPA
  - Severn Estuary SAC
  - Severn Estuary Ramsar Site
  - River Wye SAC
  - Tanat & Vrynwy Bat Sites SAC
  - **The Stiperstones & the Hollies SAC**
  - **West Midlands Mosses SAC:**
    - **Clarepool Moss**
    - Wybunbury Moss
- 1.6. A number of the above sites were screened out of the assessment in the HRAs of earlier stages. However, due to the amount of additional information available for the Pre-Submission Draft Local Plan, such as policy wording, identification of saved allocations and the results of commissioned research, all international sites have been re-screened as a precautionary measure.

### **Possible mechanisms for significant effects (impact pathways)**

- 1.7. The potential impact pathways identified have been combined under five main headings for the current screening exercise, namely
- Air pollution,
  - Hydrological impacts
  - Recreational impacts and other disturbance
  - Introduction of invasive species or diseases
  - Light pollution.
- Introduction of invasive species or diseases as a result of development are likely to be related to access by people or their pets and has been considered under Recreational impacts.
- 1.8. Further details of these impact pathways and the international sites that could be affected by them are given in the full HRA for the DLP.

### **Screening of policies, allocations and in-combination effects**

- 1.9. 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 cumulatively lead to a significant effect. This interaction can occur from proposals within the DLP or between the DLP and other plans or projects.
- 1.10. The policies, site allocations and saved allocations have been screened for effects alone and in-combination with each other. Where a likely significant effect, alone or in combination with other elements of the DLP, has been identified, the HRA's and Local Plans of neighbouring planning authorities have been consulted, together with any other relevant plans or projects.

## Summary of Findings

1.11. Of the 24 international sites which have been identified for consideration in this HRA, 12 and the majority of the two phases of the Midland Meres and Mosses Ramsar Sites were screened out at Stage 1, without the need for specific avoidance or mitigation measures:

- Berwyn SPA
- Berwyn and South Clwyd Mountain SAC
- Cannock Chase SAC
- Downton Gorge SAC
- Elenydd SAC
- Fens Pools SAC
- Granllyn SAC
- Johnstown newt sites SAC
- **Midland Meres & Mosses Ramsar Site Phase 1:**
  - **Berrington Pool**
  - Betley Mere
  - **Bomere and Shomere Pools**
  - **Clarepool Moss**
  - Quoisley Mere
  - Wybunbury Moss
- **Midland Meres & Mosses Ramsar Site Phase 2:**
  - Aqualate Mere
  - Black Firs and Cranberry Bog
  - **Brownheath Moss**
  - Chapel Mere
  - Cop Mere
  - Hanmer Mere
  - **Hencott Pool**
  - Llyn Bedydd
  - Oakhanger Moss
  - **Oss Mere**
  - **Sweat Mere and Crose Mere**
  - Vicarage Moss
- Motte Meadows SAC
- Rhos Goch SAC
- River Wye SAC
- **West Midlands Mosses SAC:**
  - **Clarepool Moss**
  - Wybunbury Moss

1.12. The remainder were subject to an Appropriate Assessment (Stage 2) due to potential water quality and quantity, recreational, light pollution and airborne dust impact pathways. Where necessary, specific policy wording to avoid or mitigate the adverse effects has been added to the DLP. As a result, all the remaining international sites, except the Severn Estuary SAC/SPA/Ramsar Sites, have been screened out as there will not be an adverse effect on site integrity as a result of the DLP:

- **Brown Moss SAC**
- **Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses SAC**
- **Midland Meres & Mosses Ramsar Site Phase 1:**
  - **Fenemere**
  - **Brown Moss**
  - **Marion Pool (Chirbury)**
  - **White Mere**

- **Midland Meres & Mosses Ramsar Site Phase 2:**
  - **Cole Mere**
  - **Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses**
  - **Morton Pool and Pasture**
- **Montgomery Canal SAC**
- **River Clun SAC**
- **River Dee and Bala Lake SAC**
- **Tanat & Vrynwy Bat Sites SAC**
- **The Stiperstones & the Hollies SAC**

1.13. Taking a precautionary approach, uncertainty remains for the Severn Estuary SAC/SPA/Ramsar Sites as a number of settlements scored red in the RAG assessment for wastewater capacity in the recently submitted Shropshire Water Cycle Study 2020 (WCS). It should be remembered that where a development is scored amber or red in a water supply or wastewater infrastructure assessment, it does not mean that development cannot or should not take place in that location, merely that significant infrastructure may be required to accommodate it. Four generic water protection policies have been included in the DLP, based on the findings of the WCS. Informal meetings have been held with water companies during the drafting of the WCS, but further discussions and the drawing up of a Statement of Common Ground are planned over the next few months. Prior to completing this work, Settlement Policies, together with allocated and saved sites, have been marked amber in the Screening table in Appendix 5 of the HRA if they were given a red rating by the WCS. Prior to finalising the Submission Local Plan, the HRA will be updated to cover any additional avoidance or mitigation measures if these are required, and to screen any changes to the DLP made following consultation responses.