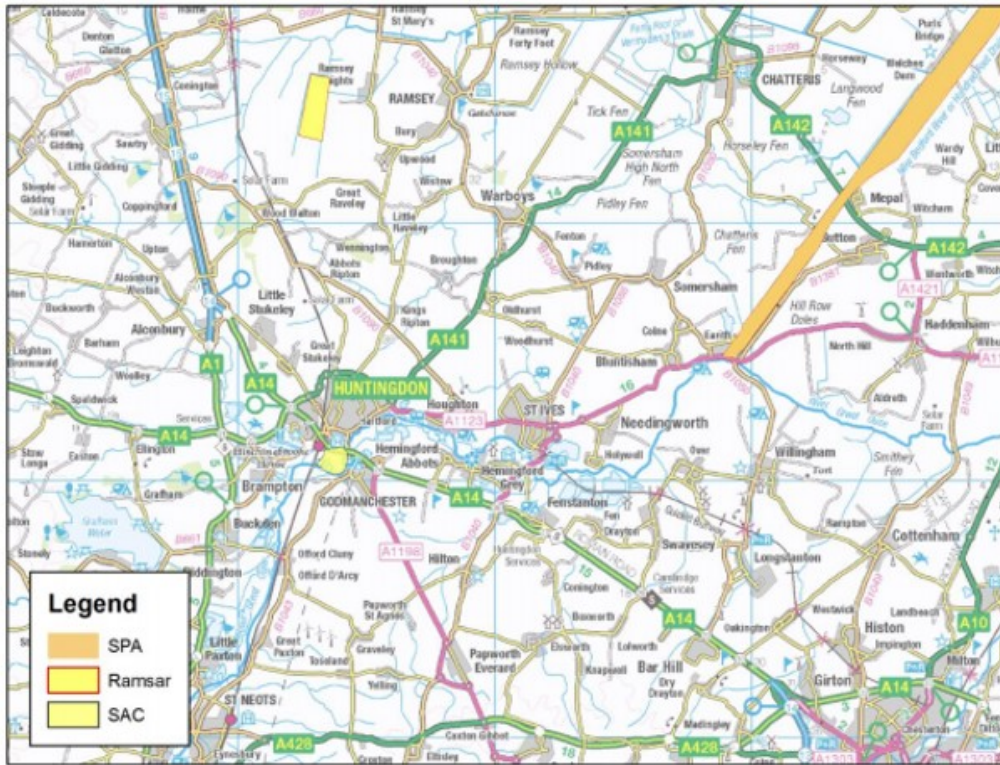


Sawtry Village Neighbourhood Plan 2022 to 2036



HRA Screening Request

September 2022



Sawtry Village Neighbourhood Plan 2022 to 2036

HRA Screening Request September 2022

Pre-submission Draft of the Neighbourhood Plan in accordance with
Regulation 14 of Neighbourhood Planning Regulations 2012



The Parish Council received professional planning support from NEIGHBOURHOOD-PLAN.CO.UK during the production of this Neighbourhood Plan.



NEIGHBOURHOOD-PLAN.CO.UK

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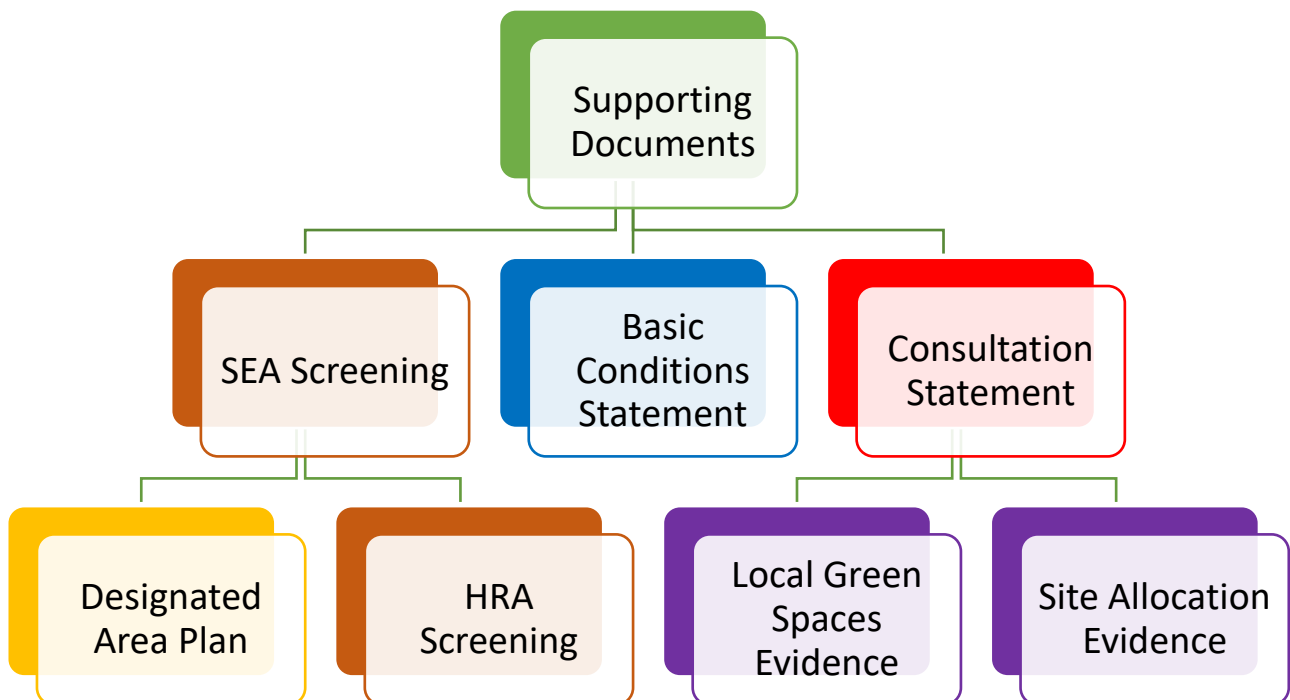
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Sawtry Village Neighbourhood Plan 2022 to 2036

The Neighbourhood Plan



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Sawtry Village Neighbourhood Plan 2022 to 2036



SAWTRY NEIGHBOURHOOD PLAN – HRA SCREENING REQUEST: SECTIONS

Introduction

Neighbourhood Planning and the Development Plan

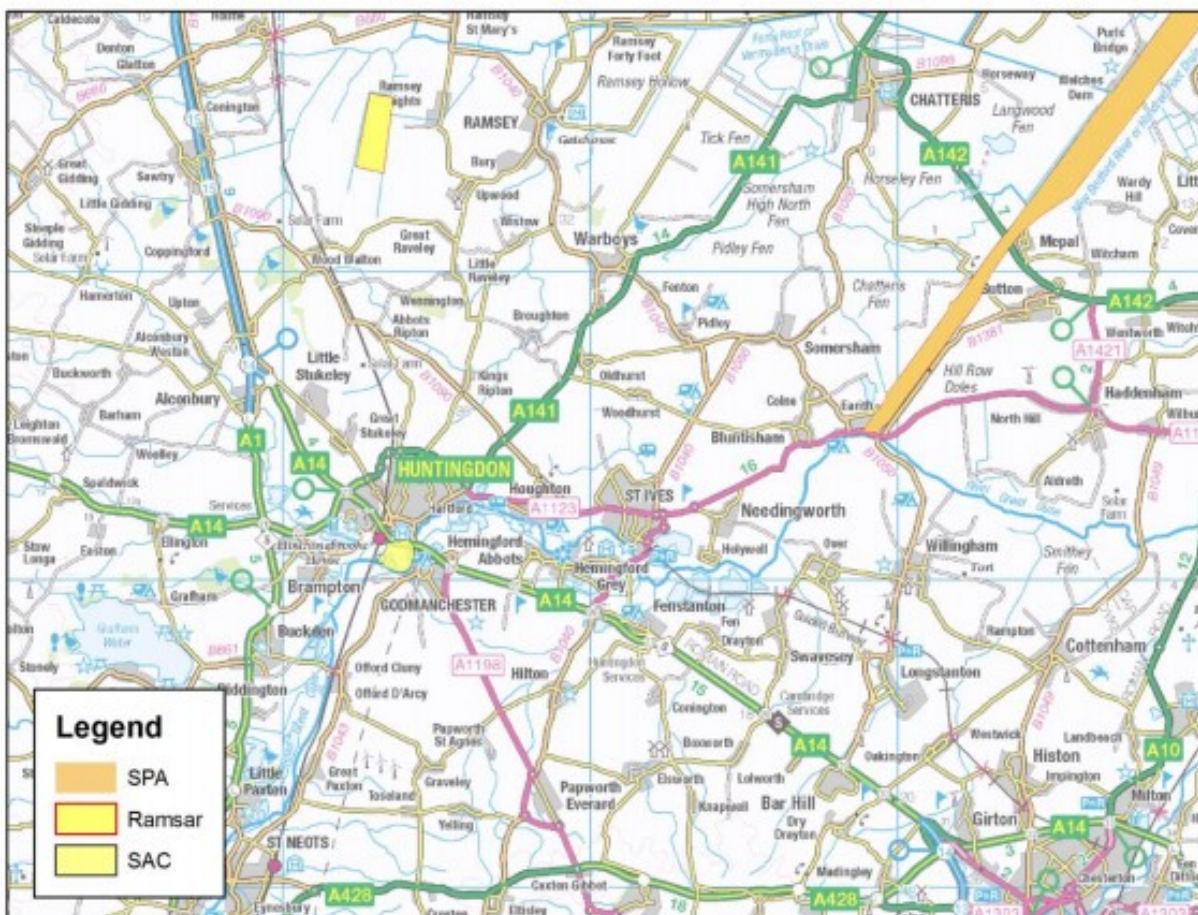
Habitats Regulation Assessment

Consultation and Conclusion

Appendix One: Designated Nature Sites

Introduction

1. Sawtry Parish Council have undertaken this Habitats Regulation Assessment Screening Request. It is the role of Huntingdonshire District Council as the Local Planning Authority (LPA) to undertake a screening of the Neighbourhood Plan under the Habitats Regulations. This document has been produced to assist the LPA undertake the screening in collaboration with the three designated environmental bodies, namely the Environment Agency; Natural England; and Historic England.
2. The Sawtry Village Neighbourhood Development Plan needs to consider whether a Habitats Regulation Assessment (HRA) in accordance with the Conservation of Habitats and Species Regulations 2017 would be required. There is a need to assess the likelihood of proposals or policies within a Neighbourhood Plan having a significant effect on the 'National Sites Network' consisting of areas designated as Special Areas of Conservation (SAC) or Special Protection Areas (SPAs). Consideration of the internationally designated Ramsar sites is also necessary; many Ramsar sites are also SACs or SPAs.
3. In the vicinity of the Neighbourhood Plan area the 'National Sites Network' of interest are the Orton Pit SAC (Peterborough); Nene Washes SAC; Ouse Washes SAC/SPA; Portholme SAC (Huntingdon/Godmanchester); Upper Nene Valley SAC/Upper Nene Valley Ramsar (Rushden); and Fenland SAC/Woodwalton Fen Ramsar. The closest to the Neighbourhood Plan area are Fenland SAC/Woodwalton Fen Ramsar lying approximately 2km to the east of the Parish; Orton Pit SAC lying approximately 8km to the north of the Parish; and Portholme SAC (Huntingdon/Godmanchester) lying approximately 9km to the south.



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4. Internationally designated wildlife sites in the 'National Sites Network' are accorded the highest level of protection under UK legislation. The purpose of the screening assessment is to ascertain whether there is potential for implementation of the Neighbourhood Plan to have significant effect on any such site.

Therefore, following the advice of Natural England on other Neighbourhood Plans, we believe it is appropriate to consider the potential effects of any proposed development on these important habitats.

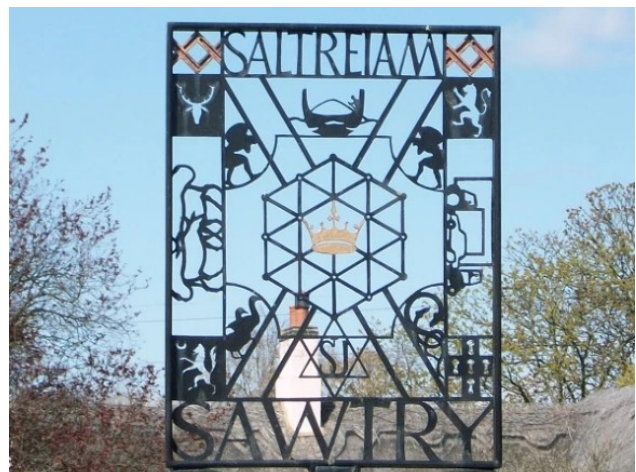
5. The Figure above shows the relevant designated sites within Huntingdonshire. Within a 15km radius of the neighbourhood area boundary are the Fenland Special Area of Conservation, and Woodwalton Fen Ramsar site; the Portholme Special Area of Conservation; the Orton Pit Special Area of Conservation; and Upper Nene Valley Special Protection Area, and Upper Nene Valley Ramsar.
6. The Habitats Regulations Assessment of land use plans relates to Special Protection Areas (SPAs), Special Areas of Conservation (SAC) and Ramsar Sites. SPAs were sites first classified in accordance with Article 4 of the EC Directive on the conservation of wild birds (79/409/EEC), more commonly known as the Birds Directive. They were classified for rare and vulnerable birds, listed in Annex I to the Birds Directive, and for regularly occurring migratory species. These SPA sites are now designated under the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, & c.) Regulations 2010 (as amended).
7. SACs were previously classified in accordance with EC Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Article 3 of this Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive. These sites are now designated under the Conservation of Habitats and Species Regulations 2017 (as amended).
8. Ramsar Sites are designated under the International Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention, Iran 1971 and amended by the Paris Protocol 1992). Although Ramsar Sites are not protected in law by domestic UK legislation as a matter of policy government has decreed that unless otherwise specified procedures relating to SPAs and SACs will also apply to Ramsar Sites.
9. The Neighbourhood Plan area contains no part of any relevant designated site within its boundary, and it does not abut any such sites. No cumulative effects with other plans or programmes are likely as the Neighbourhood Plan does not allocate land for development and so will not lead to issues in terms of increased recreational disturbance, water resources or water quality. The SPA/SAC/Ramsar sites within 15km of the Neighbourhood Area can be described as follows:
10. **Fenland SAC** falls partly within Huntingdonshire continuing to the north east. The SAC and Ramsar site is made up of three component Sites of Special Scientific Interest, which are Woodwalton Fen SSSI, Chippenham Fen SSSI and Wicken Fen SSSI. The part of Fenland SAC within Huntingdonshire is Woodwalton Fen SSSI. Fenland SAC contains one of the most extensive examples of the tall herb-rich East Anglian fen-meadow. The individual sites within Fenland SAC each hold large areas of calcareous fens, with a long and well-documented history of regular management.
11. **Woodwalton Fen Ramsar** site occupies a similar area to Woodwalton Fen SSSI (a component site of Fenland SAC). The site is within an area that is one of the remaining parts of East Anglia which has not been drained. The fen is near natural and has developed where peat-digging took place in the 19th century. The site has several types of open fen and swamp communities. The site supports fen violet *Viola persicifolia* and fen wood-rush *Luzula pallidula* and a large number of wetland invertebrates including 20 British Red Data Book species. Aquatic beetles, flies and moths are particularly well represented.
12. **Portholme SAC** is within Huntingdonshire District, close to the town of Huntingdon. It is designated as SAC for its lowland hay meadows. It is the largest surviving traditionally-managed meadow in the UK, with 91ha of alluvial flood meadow (7% of the total UK resource). There has been a long history of favourable management and very little of the site has suffered from agricultural improvement, and so it demonstrates good conservation of structure and function. It supports a small 14 population of fritillary *Fritillaria*

meleagris. Portholme SAC occupies a similar, but slightly smaller, area to Portholme Site of Special Scientific Interest.

13. **Orton Pit SAC** is within Peterborough. It is an extensive pond system, occupying the disused ridge-and-furrow created as a result of clay extraction for the brick-making industry, contains alkaline water low in nutrients. The site supports a total of ten species of charophyte including the main English population of bearded stonewort *Chara canescens*. *C. canescens* is an early coloniser of ponds at the site and is rarely found in ponds over 20 years old. It favours brackish conditions, which at Orton Pit are thought to be provided by the release of salts out of the top few millimetres of the clay that becomes oxidised over a period of time. Other nationally scarce stonewort species present include *Chara aspera*, *C. contraria*, *C. pedunculata* and *Tolypella glomerata*. The distribution of *Chara* species across the site varies according to the age and stage of succession of the ponds, with few being found in ponds greater than 25 years old. It also contains the largest known population of great crested newt *Triturus cristatus* in the UK and possibly in Europe. Orton Pit Site of Special Scientific Interest occupies the same area.
14. **The Upper Nene Valley Special Protection Area/Ramsar** site was formally classified by the UK government in 2011. It covers gravel pits totalling 1,358 hectares across two local authority areas namely North Northamptonshire and West Northamptonshire. It is a composite site comprising 20 separate blocks of land and water, fragmented by roads and other features, and located adjacent and/or close to urban areas. The range of habitats and the varied topography of the lagoons regularly provide valuable resting and feeding conditions for more than 20,000 wintering waterbirds, especially ducks and waders. The site is important for flood control, and human activities include recreation (bird-watching, walking, fishing, sailing, canoeing, water-skiing, cycling), research and environmental education.
15. This Statement has been prepared to accompany the Sawtry Village Neighbourhood Development Plan (“the Neighbourhood Plan”) under the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”). The relevant local planning authority is Huntingdonshire District Council. The Neighbourhood Plan has been drawn up by Sawtry Parish Council which is the designated body for the plan area.

Neighbourhood Planning and the Development Plan

16. The Sawtry Neighbourhood Plan forms part of the statutory Development Plan. This means that Huntingdonshire District Council will determine planning applications within the Parish in accordance with the development plan which includes this Neighbourhood Plan unless material planning considerations indicate otherwise (see [section 38\(6\)](#)¹ of the Planning and Compulsory Purchase Act 2004).
17. Designation of Neighbourhood Planning Area. Sawtry Parish Council's application for the designation of a Neighbourhood Area relating to the whole of the parish was [approved](#)² on 23 October 2019. Sawtry Parish Council is the ‘qualifying body’ under Section 61G of the Town and Country Planning Act 1990 (as amended) for the designated neighbourhood area in order to develop a neighbourhood plan. The area of the Neighbourhood Plan is based upon the parish boundary, which was seen as appropriate as this area is recognised as the distinct community of Sawtry. This Neighbourhood Plan is a Community Led Plan. It has been prepared by the Parish Council with professional support. It has been informed by public participation and early consultation with the local

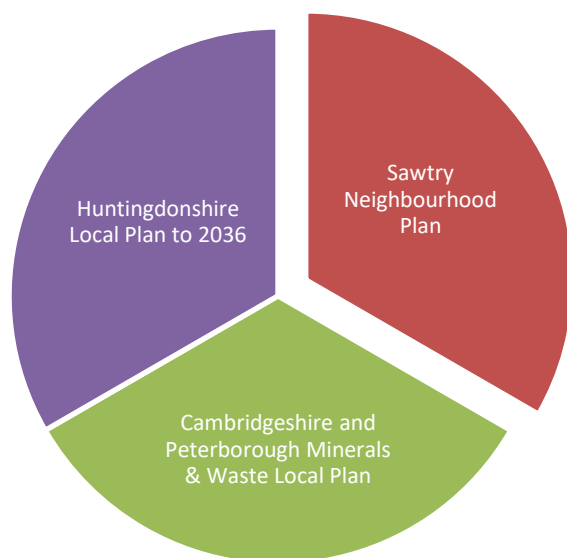


¹<http://www.legislation.gov.uk/ukpga/2004/5/section/38>

²<https://huntingdonshire.gov.uk/media/4040/sawtry-designation.pdf>

community. The formal Neighbourhood Plan preparation process involves two statutory periods of public consultation as prescribed in [Regulations](#)³.

18. The Neighbourhood Plan has been prepared by Sawtry Parish Council, a qualifying body, (Section 38A (12) of the Planning and Compensation Act 2004) for the Neighbourhood Area covering the Parish of Sawtry, as designated by Huntingdonshire District Council. The name of the neighbourhood area is the 'Sawtry Neighbourhood Area'. It does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.
19. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The document sets out the period of the Neighbourhood Plan which is from 2022 to 2036.
20. The '**Development Plan**' for Sawtry is made up of 3 main components as follows:



21. All policies within the Neighbourhood Plan should be read in conjunction with the Huntingdonshire Local Plan to 2036. When determining proposals for development, no policy will be applied in isolation and account will be taken of all relevant policies.
22. The policies in the Neighbourhood Plan must be in 'general conformity' with the strategic policies of the Local Plan. Huntingdonshire District Council as the Local Planning Authority defines which policies are to be considered 'strategic' with regard to the production of a neighbourhood plan. They consider that some of the policies and all the allocations within the Huntingdonshire Local Plan to 2036 are to be considered 'strategic' for the purposes of neighbourhood planning. Details of which policies are deemed 'strategic' is set out in the introduction of the Huntingdonshire Local Plan to 2036⁴.
23. **The Huntingdonshire Local Plan to 2036** adopted in May 2019 provides a framework for sustainable development and is complementary to the NPPF. The [Local Plan](#)⁵ includes some 38 policies under which planning applications are considered and also identifies areas of land (allocations) for development. The purpose of the Local Plan is to set out: the strategy for development in the whole of Huntingdonshire; policies for managing development; and details of sites for development to meet the needs of Huntingdonshire. Sawtry is designated as a 'Key Service Centre' (KSC) in the Local Plan and as such has a

³<https://www.legislation.gov.uk/uksi/2012/637/contents/made>

⁴See the yellow box between paragraphs 1.12 and 1.13 on Page 4 of the Huntingdonshire Local Plan to 2036

⁵<http://www.huntingdonshire.gov.uk/media/3872/final-adopted-local-plan-to-2036.pdf>

role in meeting the development needs of the district through a series of allocations for development in the Local Plan. The strategy also sets out a role for further sustainable development at KSCs in contributing to the social and economic sustainability of these settlements and supporting a thriving rural economy.

24. The system of neighbourhood planning allows Parish and Town Councils to produce neighbourhood plans to guide development at a local level. One of the requirements of such plans is that they should be in line with the 'strategic policies' of the adopted development plan for the local area.
25. Huntingdonshire District Council as the Local Planning Authority defines which policies are to be considered 'strategic' with regard to the production of a neighbourhood plan. They consider that for the purposes of neighbourhood planning that some of the policies and all the allocations within the Huntingdonshire Local Plan to 2036 are to be considered 'strategic' for the purposes of neighbourhood planning. Details of which policies are deemed 'strategic' is set out in the introduction of the Local Plan. A neighbourhood plan can establish general planning policies for the development and use of land in a particular area. Plans can include local priorities, planning policies, proposals for improving an area or providing new facilities or infrastructure and allocation of key sites for development.

Habitats Regulation Assessment

26. The Habitats Regulations Assessment (HRA) as required under Conservation of Habitats and Species Regulations 2017 require that Development Plans undergo an assessment to determine whether or not the Local Plan will have a significant effect on 'National Sites Network' or Ramsar sites.
27. In relation to the issue of a HRA the Huntingdonshire's Local Plan to 2036: Draft Final Sustainability Appraisal Report states: *"The HRA looks at the impact that the Local Plan is likely to have on European Sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites). HRA is a two-stage process that starts with a screening stage. If significant impacts on European sites cannot be ruled out by the screening stage a more detailed Appropriate Assessment will be required. The Appropriate Assessment will look at ways that significant effects can be avoided or mitigated against. HRA is required to be a separate process to sustainability appraisal. The HRA process has not been combined with the SA process. Although there are synergies between the two processes, they are distinct as SA is completed throughout the plan production process while HRA is better completed towards the end of the plan production process so that there is certainty about what environmental effects will arise from the plan. It is also considered beneficial if they are conducted separately with HRA being undertaken by an independent body."*
28. A Habitats Regulations Assessment (HRA) in the form of an Appropriate Assessment may also be required to accompany the Neighbourhood Plan where the policies and proposals of the plan may give rise to significant effects on internationally designated wildlife sites. The process to establish whether a HRA is necessary starts with a screening exercise to determine whether any internationally designated sites might be exposed to likely significant effects as a result of implementation of the Neighbourhood Plan and therefore whether further stages of the HRA process are required. The screening process by the LPA must have regard to the European Court of Justice Judgement in the case of People Over Wind & Sweetman v Coillte Teoranta.
29. The impact of that case can be summarised as *"In April 2018, in the case People Over Wind & Sweetman v Coillte Teoranta ("People over Wind"), the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means if a likely significant effect is identified at the screening stage of a habitats assessment, an 'Appropriate Assessment' of those effects must be undertaken."*
30. The Government has now made regulations through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018. These came into force on 28 December 2018 and now allow neighbourhood plans in areas where there could be likely significant effects on a

European protected site to be subject to an 'Appropriate Assessment' to demonstrate how impacts will be mitigated, in the same way as would happen for a draft Local Plan or planning application.

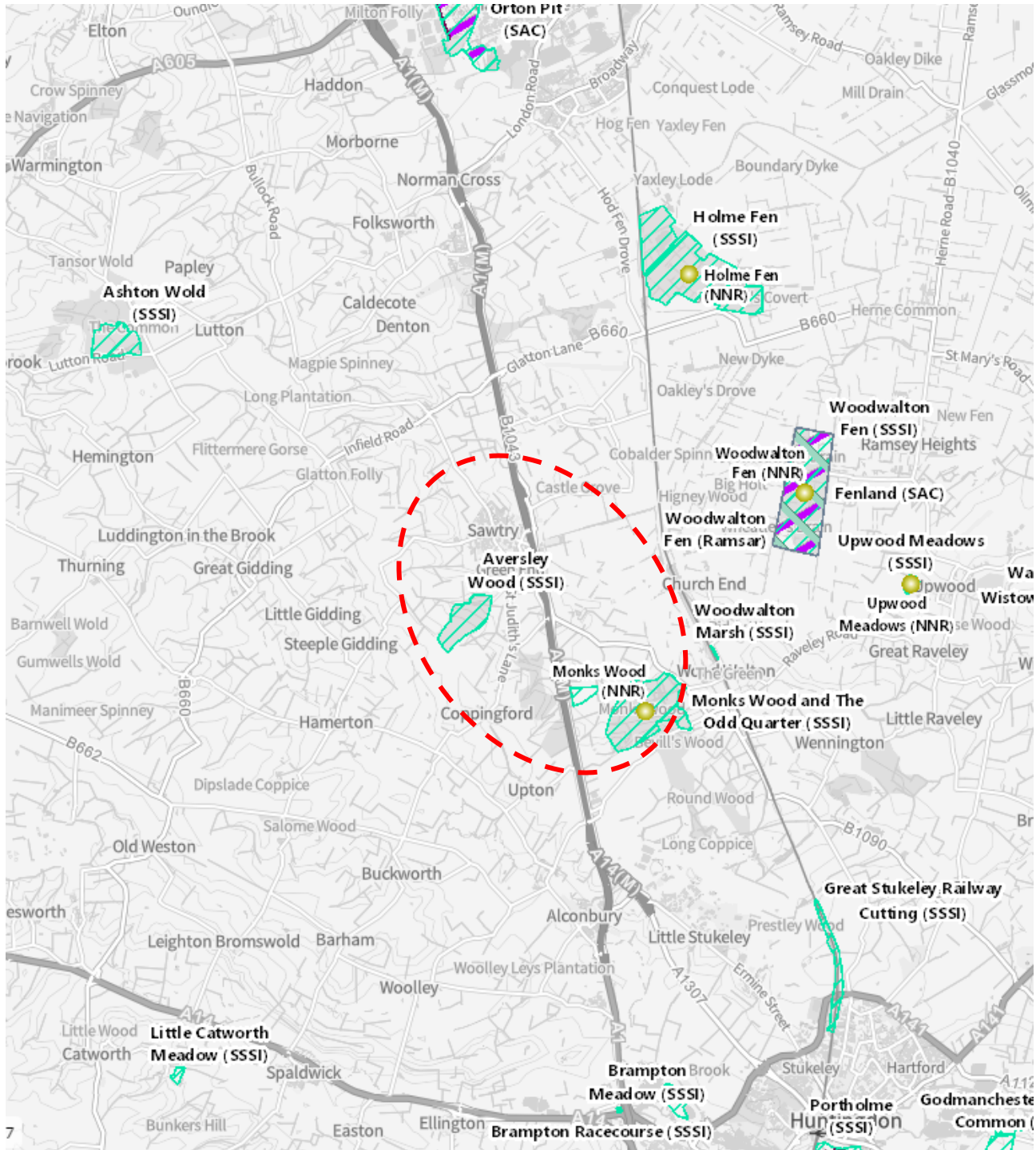
31. The Neighbourhood Plan includes no site allocations for development which would in combination with other site allocations in the Development Plan result in a potentially cumulative effect on any 'National Sites Network' or Ramsar sites including the four closest sites at Fenland Special Area of Conservation, and Woodwalton Fen Ramsar site; the Portholme Special Area of Conservation; the Orton Pit Special Area of Conservation; and Upper Nene Valley Special Protection Area, and Upper Nene Valley Ramsar. The Neighbourhood Plan is local in nature and scope, its policies are in conformity with National Planning Policy and the strategic policies of the Huntingdonshire Local Plan to 2036.
32. The SAC/SPA/Ramsar sites are protected, conserved and enhanced by adopted planning policies in the Local Plan to 2036. The Local Plan has been subject to Sustainability Appraisal (meeting Strategic Environmental Assessment requirements) and appropriate assessment under the Habitat Regulations Assessment. The Neighbourhood Plan does not conflict with any policies in this document, and will have limited additional effect.
33. The criteria for determining if an individual policy, or a combination of policies, would have a likely significant effect, and require assessment, are based on the characteristics of the relevant designated site and the objectives set by Natural England. The main factors to consider are:
 - Development on or adjacent to the designated site destroying part or all of the site, or changing the ecological functioning of the site (e.g. disrupting water flows or migration routes)
 - Increased public recreation, causing disturbance to birds, damage to vegetation, increased littering / flytipping or leading to management compromises (eg. grazing being restricted).
 - Reduction in water levels or flow, from increased water demand in the district requiring greater water abstraction
 - Reduction of water quality, from increased discharges of sewage and surface water drainage, or from pollution incidents, either during, or after, construction
34. The Neighbourhood Plan is considered in itself to have only a limited impact on the Fenland Special Area of Conservation, and Woodwalton Fen Ramsar site; the Portholme Special Area of Conservation; the Orton Pit Special Area of Conservation; and Upper Nene Valley Special Protection Area, and Upper Nene Valley Ramsar as the closest sites in the 'National Sites Network'.
35. The Neighbourhood Plan does not envisage any scale of growth beyond that being planned for in the Huntingdonshire Local Plan to 2036. The policies will ensure that opportunities for additional unplanned growth is limited. As such the Neighbourhood Plan is unlikely to result in significant increases in public recreation, water demand, or discharges of sewage or surface water drainage. The Neighbourhood Plan intends to secure the retention and expansion of other open space and local green space across Sawtry which can provide suitable opportunities for public recreation which will help to limit any need to utilise the SAC, SPA/Ramsar and SAC/Ramsar area. Impacts from the Huntingdonshire Local Plan to 2036 have been assessed separately and appropriate changes or mitigation put in place.
36. The other sites in the 'National Sites Network' are relatively distant from the Neighbourhood Plan Area, so impacts will be limited.

Consultation and Conclusion

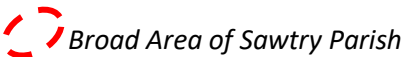
37. As a result of the screening assessment request above, based on the provisions of the Conservation of Habitats and Species Regulations 2017, the Parish Council as set out above concludes that the Neighbourhood Plan will not have an adverse effect on the integrity of any internationally designated sites either on its own or in combination with any other plans. Therefore, an Appropriate Assessment is not required.

38. Consultation on the draft Neighbourhood Plan and supporting documents will take place; this will include a draft of this HRA Screening Request. Consultation will be undertaken with Huntingdonshire District Council as the Local Planning Authority; and the Environment Agency; Natural England; and Historic England as the three statutory environmental bodies.

Appendix One: Designated Nature Sites



Extract from Magic [website](https://magic.defra.gov.uk/)⁶ © Defra



⁶<https://magic.defra.gov.uk/>