

# Habitats Regulations Assessment for the Design SPD

## Screening Statement

Gosport Borough Council

February 2014

## **1.0 Introduction**

- 1.1 Gosport Borough Council is required to consider whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance including 'European sites' which are designated within Gosport Borough and the wider sub-region. This consideration is undertaken through a process known as a Habitats Regulations Assessment which is a requirement of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations)<sup>1</sup>.
- 1.2 European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs, designated under the Habitats Directive) and Special Protection Areas (SPAs, designated under European Union Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)).
- 1.3 Government policy (National Planning Policy Framework (NPPF) (DCLG 2012) and Circular 06/05 (ODPM, 2005)) requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
- 1.4 The HRA must be applied to all Local Development Documents (LDD) in England and Wales and aims to assess the potential effects of a land use plan against the conservation objectives of any European sites designated for their nature conservation importance.

## **2.0 Design SPD Background**

- 2.1 The Design SPD aims to inform developers, the public and other stakeholders of the Borough Council's expectations and aspirations for the design of new development in the Borough. The SPD will be used by the Borough Council when assessing and determining planning applications. It aims to ensure new development is of a high quality which reflects the local character, history and identity of the Borough.
- 2.2 The SPD will initially be linked to 'saved' Policy R/DP1 of the Gosport Borough Local Plan Review (2006) which sets out general standards of development within the Borough. The SPD also relates closely to the Design Policy of the emerging Gosport Borough Local Plan 2011-2029.

## **3.0 Habitat Regulation Assessment Screening**

- 3.1 The emerging Gosport Borough Local Plan 2011-2029 has been subject to a full Habitat Regulation Assessment<sup>2</sup> (Urban Edge 2012). Policy LP10 relates to design issues and is considered the main policy to which this SPD is linked.
- 3.2 All the proposed policies were screened for likely significant effects on the European sites. Such effects were sorted into one of 17 categories which are derived from the

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<sup>1</sup> the UK's transposition of European Union Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)

<sup>2</sup> <http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/local-development-framework/gosport-borough-local-plan-2029/gosport-borough-local-plan-2011-2029-consultation-draft-december-2012/evidence-studies/habitats-regulation-assessment/?Habitats%20Regulation%20Assessment>

draft HRA guidance document produced for Natural England (Tyldesley, 2009). They determine which, if any, elements of the plan would be likely to have a significant effect on any interest feature of any European site, alone or in combination with other projects and plans, directly or indirectly.

3.3 As a result of the screening, the HRA<sup>3</sup> concluded that the design policy LP10 would have **no negative effect** on any of the European sites, primarily as **the policy itself does not lead to development, for example, it relates to design and other qualitative criteria for development.**

3.4 This screening opinion is therefore also relevant to the contents of the Design SPD.

#### **4.0 Conclusion**

4.1 No further detailed Habitats Regulations Assessment is required as the SPD will have no negative effect on any European site.

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<sup>3</sup> See Appendix 1 of the HRA for the Gosport Borough Local Plan 2011-209 for the full screening table and methodology.