

Pontesbury Parish Neighbourhood Development Plan

Habitat Regulation Assessment Screening Statement

August 2022

Habitat Regulation Assessment Screening Statement for the Pontesbury Neighbourhood Development Plan (PDNP)

Summary

This document is the Habitat Regulation Assessment (HRA) Screening Statement for the Pontesbury Neighbourhood Development Plan (PDNP).

This HRA Screening Statement concludes that there is no likely significant effect on any European Site as a result of the policies contained within the PDNP and as such the PDNP is 'screened out' of the HRA process and no further HRA assessments (including 'Appropriate Assessments') are deemed necessary.

Neighbourhood Planning

Neighbourhood planning is a new community right introduced by the Localism Act 2011 and guidance on its implementation is provided in the National Planning Policy Framework (NPPF).

Neighbourhood Plans form part of the Statutory Land Use Plan and as such must be subject to HRA under The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations].

Pontesbury Neighbourhood Development Plan

Pontesbury Parish Council submitted its application to Shropshire Council for designation of its Neighbourhood Area in September 2016. After a formal six week consultation Shropshire Council Cabinet resolved to support the Neighbourhood Area application made by Pontesbury Parish Council and that the area shown in the application should be designated as a Neighbourhood Area (see map below that shows the designated boundary). A formal notice was published on 1st March 2017 that confirmed the designation.

The Pontesbury Neighbourhood Development Plan is based around 6 key objectives that were drawn up from the 2018 public consultation, made available for approval at a drop in session on 2nd July 2019 and refined in light of the responses to the 2020 Questionnaire.

These themes and the related issues have informed the preparation of 16 planning objectives that in turn led to the development of 16 draft planning policies. It is possible that these objectives and policies may be refined as the draft plan is considered at the formal consultation stages.

Habitats Regulation Assessment

The Conservation of Habitats and Species Regulations 2010 (as amended) set out the process by which HRA of plans and projects must be undertaken. Further guidance has been provided by government and Natural England on the process.

Shropshire Council has undertaken several stages of HRA during the preparation of the Local Plan Review and has carried out a Habitat Regulation Assessment Screening Report (Submission Version). This HRA Screening Statement follows the process used in the latest HRA report and relies on the evidence gathered during that process.

Shropshire Council is the 'Competent Authority' in terms of HRA for the 'making' of the Pontesbury Neighbourhood Development Plan. The Parish Council produced this HRA Screening Statement to accompany the draft Neighbourhood Development Plan.

Natural England has been given an opportunity to formally comment on this HRA Screening Statement and Shropshire Council will have regard to the representations of Natural England prior to 'making' the Neighbourhood Plan as required under Regulation 61 (3).

The HRA process assesses the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance. The European Sites situated in close proximity to the borough of Shropshire Council are set out in the HRA Screening Report (Submission Version) along with their conservation objectives and an assessment of potential effect pathways.

There are no European Sites within the Neighbourhood Area. However, the Stiperstones and The Hollies SAC sits in proximity to the southwest of the neighbourhood boundary.

HRA Screening

Each policy within the PNDP has been screened to determine whether it has potential to cause a 'Likely Significant Effect' on any European Site.

Any policy with no 'Likely Significant Effect' will be screened out of the HRA process. Any policy where potential for a 'Likely Significant Effect' is identified will be subject to further more detailed, assessment (sometimes called an 'Appropriate Assessment') in line with the Habitats Regulations and relevant guidance documents.

Table 1 below considers the potential impacts arising from each of the policies within the draft Pontesbury Neighbourhood Development Plan.

Policy	Assessment of Potential Impacts	Potential for Likely Significant Effect
COM1: Community Amenities	This policy seeks to enhance and protect existing community amenities, whilst providing new community facilities in acceptable locations. Changes of use or redevelopment of community will also be supported where it provides benefits to the community or (if replacement facility) are built on sites which are accessible by public transport, walking and cycling, and have adequate parking. It is not thought that new developments would result in a Likely Significant Effect.	No
LAN1: Landscape Character	This policy seeks to maintain and where possible enhance the landscape character of the parish. Development will be supported outside the village of Pontesbury if it meets the requirements of Policy SP10 of the Local Plan Review. Development would need to demonstrate how the rural character of the area has been taken into account if the proposal is likely to result in significant impact. It is not thought that development would result in a Likely Significant Effect on a European Site.	No
LAN2: Conservation of the Parish's Historic Heritage	This policy does not drive land use or the location of development but sets out a criteria which conserves and enhances the significance and setting of designated and non-designated heritage assets.	No

LAN3: Conservation Areas	The policy requires development to conserve and enhance the character and setting of both the Plealey and Habberley Conservation areas. Proposals must provide clear evidence as to how their proposals have taken into account the character of each conservation area.	No
LAN4: Safeguard Amenity Views	Development will be supported which respects highly valued amenity views by demonstrating how key features of the view has been safeguarded.	No
LAN5: Maintain Gaps between Settlements	This policy seeks to maintain the landscape character and separate identity of the settlements Cruckmeole and Hanwood, Pontesbury and Minsterley, considering that development will not be supported if this leads to coalescence of settlements.	No
LAN6: Conserve Character of the Land Adjacent to the A488	The policy builds on the requirements of SP10 of the Local Plan Review stating that proposed development should maintain or enhance the landscape character of the land bordering the road.	No
HOU1: Housing Design	This policy does not drive land use or the location of developments by provides a criteria to maintain and enhance the character/appearance, beauty and historic interest of the village.	No
HOU2: To Enable the Provision of Small Sized and Affordable Homes	This policy does not drive land use or the location of developments but relates to the criteria for small infill development that suits the needs of younger and older generations.	No
MOV1: Highway Links and Connections	The policy seeks to enhance and improve existing public rights of way, including pedestrian and cycle links. All new proposals will be supported where the upgrading of pathways allow access to the countryside for everyone and developments in proximity to existing PROW or areas of public access must include access points for all forms of active traveller to the right of way. No potential development has been identified however by which a small scale development could result in a Likely Significant Effect on a European Site.	No
MOV2: Parking	The policy seeks to maintain existing off-street parking as well as maximising off street parking in all new development. It also seeks to provide adequate parking for retail, commercial, as well as providing opportunities for electric vehicle charging points.	No
EMP1: Small Scale Employment and Farm Diversification	This policy looks encourage the development of new small scale businesses as well as the diversification of farms and rural businesses. The policy may also result in the re use of redundant or disused buildings in accessible location as well as the redevelopment, alteration or extension of historic farmsteads and buildings.	No
GRE1: Local Green Spaces	The policy supports the designation of and protection of local green spaces where new development is ruled out except in very special circumstances.	No

GRE2: Protection and Enhancement of Biodiversity	This policy seeks to protect and enhance local wildlife species and habitats including those that are undesignated. Expecting developments to demonstrate how they will achieve at least a 10% net gain for biodiversity.	No
GRE3: Pollution	The policy supports the transition to zero-carbon economy, requiring proposals to include effective measures to minimise pollution.	No
GRE4: Carbon Reduction	This policy also supports the transition to a zero-carbon economy with the policy designed to meet a high level of sustainability and energy efficiency in new developments, targeting zero carbon emissions.	No

Conclusion of the HRA Screening Process for the Pontesbury Neighbourhood Development Plan

The policies within the Pontesbury Neighbourhood Development Plan have been screened under the Habitat Regulation Assessment process.

The conclusion of the HRA Screening Process is that none of the proposed policies within the draft Pontesbury Neighbourhood Development Plan has the potential to lead to a 'Likely Significant Effect' on a European Site.

The draft Pontesbury Neighbourhood Development Plan can be 'screened out' of the Habitat Regulation Assessment process and an 'Appropriate Assessment' is not required.

Next Steps

Natural England has been given an opportunity to comment on this Habitat Regulation Assessment Screening Statement and has agreed with the above conclusion that no further assessment work is required. Shropshire Council will have regard to the comments of Natural England as the appropriate nature conservation body under the Habitats Regulations prior to the 'making' of the Pontesbury Neighbourhood Development Plan.

If, following the public consultation on the draft Pontesbury Neighbourhood Development Plan, changes are proposed to the policies contained within the Plan then an update to this HRA Screening Statement will be produced reflecting the changes made and, if significant changes are proposed, a further consultation with Natural England will be undertaken.