

Test Valley Borough Revised Local Plan DPD 2011 – 2029

**Review of Habitat Regulations Assessment for
Modifications to Revised Local Plan DPD**

March 2015

Commenting on this Document

This report in relation to the Habitat Regulations Assessment has been published alongside the Revised Local Plan DPD Modifications Schedule, with both subject to public consultation from 24th April to 4.30pm on 5th June 2015. Only representations made within this period will be taken into account.

This document is available for inspection at the Former Magistrates Court in Romsey and the Council's office in Andover during normal office hours. It is also available on the Council's website at

<http://www.testvalley.gov.uk/resident/planningandbuildingcontrol/planningpolicy/local-development-framework/revised-local-plan-examination/>.

If you would like to comment on this document please send your views to the address below or the email address.

Your correspondence will be available for public inspection and for copying in accordance with the provisions of the Access to Information Act.

Should you have any questions please contact the Planning Policy team.

Planning Policy
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
SP10 3AJ
T: 01264 368000
W: www.testvalley.gov.uk/ldf/
E: LDF@testvalley.gov.uk

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1. Introduction and Background

Introduction

- 1.1 This report in relation to the Habitat Regulations Assessment (HRA) has been prepared by Test Valley Borough Council to assist in the production of the Revised Local Plan Development Plan Document (DPD), which will form part of the Test Valley Local Development Framework.
- 1.2 The Conservation of Habitats and Species Regulation 2010 (as amended), commonly referred to as the ‘Habitat Regulations’ need to be complied with as part of the production of the Revised Local Plan. As part of this legislation, there is an obligation to consider whether there is the potential for a likely significant effect on certain designations of international importance (referred to as Internationally-designated sites¹ within this report) as a result of the plan either alone or in-combination with other plans and projects².
- 1.3 This report forms part of the process of fulfilling these requirements and should be read in conjunction with the Habitat Regulations Assessment dated November 2013 and the associated addendum dated June 2014. Both of these reports are available via the Council’s website at:
<http://www.testvalley.gov.uk/resident/planningandbuildingcontrol/planningpolicy/local-development-framework/habitat-regulations-assessment/>

Report Context

- 1.4 The Test Valley Revised Local Plan (Regulation 22 version) was submitted for Examination in Public in July 2014. Hearing sessions were undertaken as part of this process in December 2014 and January 2015. As a result of the Examination process to date, the Council is proposing modifications to the Revised Local Plan for consideration by the Planning Inspector who has been appointed conduct the Examination.
- 1.5 Modifications to a DPD are categorised as being either ‘minor’ or ‘main’, depending on the nature of the amendment and how fundamental it is to changing the content of the plan. While the focus of this report is the main modifications (i.e. those that are more substantial in nature), minor modifications have also been taken into account.
- 1.6 This report should also be read alongside the Revised Local Plan and the proposed modifications, which are available in document reference TVBC14. This is published on the Council’s website at:

¹ See paragraphs 1.8 to 1.10 of the Habitat Regulations Assessment Report dated November 2013 for a full definition, but this includes Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites.

² More details on the requirements of the legislation are provided in the Habitat Regulations Assessment report dated November 2013.

<http://www.testvalley.gov.uk/resident/planningandbuildingcontrol/planningpolicy/local-development-framework/revised-local-plan-examination/>

2. Main Modifications

- 2.1 A review has been undertaken of the proposed main modifications to consider whether they would affect the findings of the Habitat Regulations Assessment reports (dated November 2013 and June 2014). The outcomes of this review have been grouped based on the chapters within the Revised Local Plan and are considered in turn below.

Main Modifications for Chapter 5: Local Communities

- 2.2 This chapter includes policies relating to the delivery of new housing for the Borough. While the delivery of new housing has been assessed within the HRA for a range of potential impacts to Internationally-designated sites, none of the proposed modifications affect the location or quantum of development. As such the findings of the HRA would remain unaffected by these modifications.

Main Modifications for Chapter 6: Local Economy

- 2.3 This chapter includes policies relating to the delivery employment sites for the Borough. None of these were assessed within the HRA as potentially affecting any Internationally-designated sites. None of the proposed modifications affect the location or quantum of development. As such the findings of the HRA would remain unaffected by these modifications.

Main Modifications for Chapter 7: Environment

- 2.4 Proposed modifications relate to the design of buildings, technical / financial viability, flood risk and heritage. None of these factors would result in any changes to assessed impacts on Internationally-designated sites. As such, these modifications would not affect the findings of the HRA.

Main Modifications for Chapter 8: Leisure, Health and Wellbeing

- 2.5 The modification seeks to include biodiversity in Policy LHW2. This would not cause any impacts that would be considered to have any adverse impacts on any Internationally-designated sites, and is to be welcomed.

Main Modifications for Chapter 9: Transport

- 2.6 The modifications seek to reinforce the Borough's commitment to more sustainable transport and as such would not result in any likely additional concerns over potential adverse effects on Internationally-designated sites. The further commitment to sustainable transport may have more positive outcomes for the International sites due to likely further reductions in airborne pollutants.

Main Modifications for Chapter 11: Education and Learning

- 2.7 This modification relates to education contributions and is thus unrelated to any potential impacts to Internationally-designated sites.

Main Modifications for Chapter 12: Delivery, Implementation and Monitoring

- 2.8 These modifications would not affect the quantum or location of any delivery and as such would not alter the findings of the HRA.

Main Modifications for the Maps

- 2.9 Modified Map 29 (Michelmersh and Timsbury) seeks to amend the settlement boundary. This area is within the key foraging / dispersal range of barbastelle bats associated with Mottisfont Bats Special Area of Conservation (SAC). As such, any loss of key habitat may be considered to have a likely significant effect on the SAC. However, in this instance, the change to the boundary only includes areas of existing hardstanding and brickyard and as such is not considered key barbastelle foraging habitat. Thus this modification will not have a likely significant effect on the Mottisfont Bats SAC.

3. Minor Modifications

- 3.1 A review has also been undertaken of the proposed minor modifications to consider whether they would affect the findings of the Habitat Regulations Assessment reports (dated November 2013 and June 2014). The modifications have been considered collectively.
- 3.2 The minor modifications are largely for amendments to typographical errors and minor clarifications of wording. As such the findings of the HRA would remain unaffected by these modifications.

4. Conclusion

- 4.1 A review of the modifications (main and minor) has been undertaken in relation to the outcomes of the HRA. This has found that the conclusions of the HRA would be unaffected by the modifications, or there would be a potential positive effect on the Internationally-designated sites. As such, no further detailed assessment has been undertaken.