

Cambridgeshire 'Flood & Water Supplementary Planning Document (SPD)

Habitats Regulations Assessment

**Cambridgeshire County Council, Cambridge City Council, East
Cambridgeshire District Council, Fenland District Council, Huntingdonshire
District Council, and South Cambridgeshire District Council**

August 2015

The need for an assessment

The Cambridgeshire 'Flood and Water' Supplementary Planning Document (SPD) is being developed to provide guidance on flood risk and water management planning matters across Cambridgeshire. The local planning authorities (LPAs) for Cambridge City Council, East Cambridgeshire District Council, Fenland District Council, Huntingdonshire District Council and South Cambridgeshire District Council are producing this guidance jointly with Cambridgeshire County Council to provide a 'countywide' approach to development, specifically on flooding and water management (e.g. SuDS). All LPAs are committed to adopting the SPD following public consultation of the document.

The SPD is subject to public consultation, which will be carried out during September and October 2015. It has been identified that an assessment is required in accordance with the Habitats Directive 92/43/EEC and Habitats Regulations 1994.

These require a Habitats Regulations Assessment to be carried out for the SPD in order to determine any likely significant effects that it might have on the integrity of European nature conservation sites. These are designated as either Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Collectively the sites form part of a European network of protected areas known as Natura 2000, and Ramsar sites. The government requires that Ramsar sites are afforded the same level of protection as European sites. The sites in Cambridgeshire are set out in Appendix A.

Advice from Natural England, following comments on an initial draft of this document, has been used to inform this assessment.

It is currently programmed for Cambridgeshire LPAs to adopt the SPD from December 2015 onwards.

Baseline data gathering

Information on the sites and features of the SACs and SPAs was taken from the Screening Report of the Habitats Regulation Assessment of the East of England Plan Regional Spatial Strategy (May 2008) and the JNCC (Joint Nature Conservation Committee).

A variety of plans and programmes have been reviewed for the 'in combination' part of the assessment. These relate to regional, sub regional and local plans and guidance. Plans and programmes that relate to Cambridgeshire and its local planning authorities were included, where available. A list of the plans and programmes considered can be found in Appendix B.

Predicting and assessing effects on a European Site

When carrying out the assessment the following issues were considered:

- Scope of the draft guidance
- Character of Sustainable urban Drainage (SuDS) development
- Sensitivities associated with the European Sites
- Whether or not there are sufficient safeguards for European sites
- The likely effects of SuDS development on the integrity of European sites
- The likelihood that further HRA (and associated Appropriate Assessment) would be necessary at the planning application stage.

Scope of the draft guidance

The draft SPD aims to provide advice to support policies in Cambridgeshire LPAs Local Plans (adopted or draft). It provides guidance only and reflects current and emerging national and local planning policy. It does not include any policies or site allocations. It provides guidance and advice on the full range of environmental, social and economic planning issues related to flood risk and water management matters and aims to assist in determining planning applications and to help interpret national policy and guidance and provides support to relevant local planning policies. It predominantly focuses on giving clearer guidance to applicants on addressing flood risk issues and clear detailed advice on the use of SuDS, as well as other water management issues.

The guidance is divided into seven chapters, which are as follows:

Chapter 1 – Introduction, providing background information and how the SPD should be used.

Chapter 2 – This chapter provides an overview of the European and national context on flood risk and water management, as well as providing further details on the local plans and policies associated with Cambridgeshire.

Chapter 3 – Within chapter 3 details are given as to the key water management authorities that may need to be consulted by the applicant during the planning application, including pre-application and planning application stages.

Chapter 4 – The aim of this chapter is to provide specific advice on how to address flood risk issues within the planning process, including the application of the 'sequential approach' to flood risk and producing site specific flood risk assessments.

Chapter 5 – An integral part of managing risk associated with flooding is good site design. This chapter covers ways in which those risks can be appropriately addressed.

Chapter 6 – This chapter specifically looks at a number of different design methods and how they can be incorporated into SuDS that form part of a proposed development. In addition, further guidance is given on the adoption and maintenance of SuDS.

Chapter 7 – Under the Water Framework Directive water environment must also be protected and improved with regards to water quality, water habitats, geomorphology and biodiversity.

Sensitivities associated with the European Sites

It is generally accepted that managing development associated with flood risk and SuDS design could potentially affect European sites and features in a range of ways.

- Direct habitat loss or damage (on and off site)
- Interference with geological processes (eg slope profile)
- Interference with hydrological processes (eg increased runoff, erosion, silting)
- Disturbance to, displacement of mobile species such as bats and birds (eg for migration, feeding, nesting and over wintering) Sensitivities associated with birds can relate to both loss of habitat as a result of development, including SuDS design, displacement of birds due to the construction and operation causing disturbance to feeding, and breeding and over wintering grounds.

Such risks need to be considered when incorporating SuDS as part of the wider development. The draft SPD highlights some of these issues and requires developers to consider such issues when developing SuDS schemes in Cambridgeshire.

When reviewing the characteristics associated with the European sites in Cambridgeshire it is considered that these issues above are relevant, particularly with regard to habitat loss and effects on birds.

Whether or not there are sufficient safeguards for European sites

It is understood that effects to biodiversity could take place during the construction of SuDS and of the associated development and could arise from any element of the development. Cumulative effects may also impact on biodiversity across a wide area arising from other development/activities.

However, the SPD recognises the biodiversity benefits that incorporating SuDS into a development can have. Paragraph 6.3.19 of Chapter 6, states that:

“While SuDS are implemented primarily for water treatment and management, they also provide opportunities to improve and protect by incorporating planting and surface water. In that spirit, every effort should be made to create new habitats that enhance nature conservation and amenity space. There are several Biodiversity Action Plan species and habitats that can be supported by well-designed SuDS. In appropriate locations, design of retention ponds and wetlands should consider the integration of well-designed sanctuary areas wherever possible, to give spaces for the more sensitive wildlife species. If protected species are likely to be attracted to

SuDS features, the protection of these habitats during maintenance and operation should be considered in the design.”

The likelihood that further HRA would be necessary at the planning application stage.

As concluded above, in order to ascertain that development schemes addressing flood risk or water management matters alone, will not have an adverse effect on the integrity of a European site or feature a Habitats Regulations Assessment may need to be carried out on certain sites as such proposals come forward.

Findings of assessment and conclusions

The assessment has indicated that the draft SPD, in its current form, could result in likely effects on the integrity of European sites. Although the draft SPD is not site specific, it's wide ranging scope could potentially result in developments associated with flood risk or water management matters being proposed close to European sites or features which could create an adverse effect.

In order to remove the likely effect consideration has been given to potential avoidance measures. As previously mentioned, text that forms part of the draft SPD attempts to ensure that biodiversity should be incorporated into the development where considered necessary.

As identified above, the draft Flood & Water SPD is a guidance document that aims to improve the quality and sustainability of new development within the County of Cambridgeshire in respect of appropriately addressing flood risk and water management matters. It does not present any policies or proposals, and serves only to provide greater clarity about the expectations in relation to existing policies within adopted or emerging Local Plans within Cambridgeshire local authorities. Those adopted or emerging Local Plans have been subject to both Sustainability Appraisal and Habitats Regulations Assessment.

On this basis, it is considered that there will be no likely significant adverse effect on the integrity of the Natura 2000 sites as a result of the draft Flood & water SPD.

Appendix A

Natura 2000 sites being considered for HRA screening exercise within the Cambridgeshire County Council administrative area:

- The Ouse Washes SAC, SPA and Ramsar;
- The Nene Washes SAC, SPA and Ramsar;
- Fenland SAC (comprising Chippenham Fen Ramsar, Wicken Fen Ramsar & Woodwalton Fen Ramsar);
- Barnack Hills and Holes SAC;
- Orton Pit SAC;
- Devils Dyke SAC;
- Portholme SAC;
- Eversden and Wimpole Woods SAC;

The Ouse Washes SAC, SPA and Ramsar

Unitary Authority	Cambridgeshire; Norfolk
Centroid	TL498895
SAC EU code	UK0013011
Status	Designated Special Area of Conservation (SAC), Spa and Ramsar
Area (ha)	311.35

Annex I habitats that are a primary reason for selection of this site

Not applicable

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

1149 Spined loach *Cobitis taenia*

The Ouse Washes represent spined loach *Cobitis taenia* populations within the River Ouse catchment. The Counter Drain, with its clear water and abundant macrophytes, is particularly important, and a healthy population of spined loach is known to occur.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

The Nene Washes SAC, SPA and Ramsar

Unitary Authority	Cambridgeshire; City of Peterborough
Centroid	TL302990
SAC EU code	UK0030222
Status	Designated Special Area of Conservation (SAC)
Area (ha)	88.19

Annex I habitats that are a primary reason for selection of this site

Not applicable

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

1149 Spined loach *Cobitis taenia*

Moreton's Leam, a large drainage channel running along the eastern flank of the Nene Washes, contains the highest recorded density of spined loach *Cobitis taenia* in the UK. There may also be thriving populations in the smaller ditches of the Washes. The site represents spined loach populations in the Nene catchment.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

Fenland SAC (comprising Chippenham Fen Ramsar, Wicken Fen Ramsar & Woodwalton Fen Ramsar)

Unitary Authority	Cambridgeshire
Centroid	TL554701
SAC EU code	UK0014782
Status	Designated Special Area of Conservation (SAC)
Area (ha)	618.64

Annex I habitats that are a primary reason for selection of this site

6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)

Fenland contains, particularly at Chippenham Fen, one of the most extensive examples of the tall herb-rich East Anglian type of M24 Molinia caerulea – Cirsium dissectum fen-meadow. It is important for the conservation of the geographical and ecological range of the habitat type, as this type of fen-meadow is rare and ecologically distinctive in East Anglia.

7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae * Priority feature

The individual sites within Fenland cSAC each hold large areas of calcareous fens, with a long and well-documented history of regular management. There is a full range from species-poor Cladium-dominated fen to species-rich fen with a lower proportion of Cladium and containing such species as black bog-rush Schoenus nigricans, tormentil Potentilla erecta and meadow thistle Cirsium dissectum. There are good transitions to purple moor-grass Molinia caerulea and rush pastures, all set within a mosaic of reedbeds and wet pastures.

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

Not applicable.

Annex II species present as a qualifying feature, but not a primary reason for site selection

1149 Spined loach Cobitis taenia

1166 Great crested newt Triturus cristatus

Barnack Hills and Holes SAC

Centroid	TF075046
Latitude	52 37 40 N
Longitude	00 24 41 W
SAC EU code	UK0030031

Annex I habitats that are a primary reason for selection of this site:

6211 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (important orchid sites) * Priority feature

This habitat at Barnack Hills and Holes consists largely of CG5 Bromus erectus – Brachypodium pinnatum grassland. It supports what is considered to be the largest UK population of the nationally scarce man orchid Aceras anthropophorum. It also supports a rich assemblage of other orchid species, such as fragrant orchid Gymnadenia conopsea, pyramidal orchid Anacamptis pyramidalis and bee orchid Ophrys apifera. The site represents orchid-rich grassland in the northern part of its range, on limestone rather than on chalk.

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

Not applicable.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

Devils Dyke SAC

Unitary Authority	Cambridgeshire; Suffolk
Centroid	TL611622
SAC EU code	UK0030037
Status	Designated Special Area of Conservation (SAC)
Area (ha)	8.02

Annex I habitats that are a primary reason for selection of this site

6211 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (important orchid sites) * Priority feature

Devil's Dyke consists of a mosaic of CG3 Bromus erectus and CG5 Bromus erectus – Brachypodium pinnatum calcareous grasslands. It is the only known UK semi-natural dry grassland site for lizard orchid Himantoglossum hircinum.

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

Not applicable.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

Portholme SAC

Unitary Authority	Cambridgeshire
Centroid	TL237708
SAC EU code	UK0030054
Status	Designated Special Area of Conservation (SAC)
Area (ha)	91.93

Annex I habitats that are a primary reason for selection of this site

6510 Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)

This large site represents lowland hay meadows in eastern England. It is the largest surviving traditionally-managed meadow in the UK, with an area of 104 ha 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 population of fritillary *Fritillaria meleagris*.

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

Not applicable.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

Eversden and Wimpole Woods SAC

Unitary Authority	Cambridgeshire
Centroid	TL340526

SAC EU code UK0030331
Status Designated Special Area of Conservation (SAC)
Area (ha) 66.48

Designation:

Annex I habitats that are a primary reason for selection of this site

Not applicable

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

Not applicable.

Annex II species that are a primary reason for selection of this site

1308 Barbastelle *Barbastella barbastellus*

The site comprises a mixture of ancient coppice woodland (Eversden Wood) and high forest woods likely to be of more recent origin (Wimpole Woods). A colony of barbastelle *Barbastella barbastellus* is associated with the trees in Wimpole Woods. These trees are used as a summer maternity roost where the female bats gather to give birth and rear their young. Most of the roost sites are within tree crevices. The bats also use the site as a foraging area. Some of the woodland is also used as a flight path when bats forage outside the site.

Annex II species present as a qualifying feature, but not a primary reason for site selection

Not applicable.

Appendix B

List of adopted Plans, emerging or draft Local Plans and other relevant planning policy documents.

Relevant Plan identified	Brief overview and outline of policy	Comments
Cambridgeshire County Council		
The Cambridgeshire and Peterborough Minerals and Waste Core Strategy and Proposals Map C: Mineral Safeguarding Areas, adopted 19 July 2011.	The Waste Local Plan aims to provide a sustainable strategy and policy framework for waste management by seeking to reduce landfill, and place greater emphasis on recycling and recovery from waste. It includes site specific proposals for waste management facilities. Relevant saved policies include WLP8 Greenbelts and WLP11 Protected Species.	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
The Location and Design of Waste Management Facilities Supplementary Planning Document (SPD), adopted 19 July 2011.	This SPD was prepared to assist in the delivery of high quality sustainable waste management facilities. The document sets out a series of key development principles based on recognised good planning and design practice.	It should not cause any significant likely effects in combination with the SPD.
RECAP Waste Management Design Guide Supplementary Planning Document, adopted 22 February 2012.	This SPD was produced to support the process of supporting the design policy requirements set out within the Core Strategy.	It should not cause any significant likely effects in combination with the SPD.
The Block Fen/Langwood Fen Master Plan SPD, adopted 19 July 2011.	This SPD focuses on the delivery of the strategic allocation within the Core Strategy at Block Fen / Langwood Fen. It has been designed to guide development in this area with close attention to the adjacent Ouse Washes. The complementary habitat being brought forward as part of this SPD and the flood storage benefits being delivered should have a positive impact on the Natura 2000 sites.	It should not cause any significant likely effects in combination with the SPD.
Cambridge City Council		
Cambridge City draft 'Cambridge Local Plan 2014: Proposed Submission'	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters). This will be replaced by the draft Local Plan in time.	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.

Cambridge City Local Plan, adopted July 2006 (policies as set out in Secretary of State's Direction issued 2nd July 2009).	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Draft Planning Obligations Strategy Supplementary Planning Document (June 2014).	This SPD was produced to support the process of setting out how infrastructure requirements will be sought through planning obligations (currently Section 106s).	It should not cause any significant likely effects in combination with the SPD.
Open Space & Recreation Strategy (adopted October 2011).	The SPD supports policies relating open space and recreation, as well as ecology, biodiversity and water management within the current adopted Local Plan.	It should not cause any significant likely effects in combination with the SPD.
East Cambridgeshire District Council		
East Cambridgeshire Local Plan (adopted February 2015).	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Design Guide SPD (adopted March 2012).	The SPD supports design led policies, but will updated to reflect the currently adopted Local Plan.	It should not cause any significant likely effects in combination with the SPD.
Developer Contributions SPD (adopted March 2013).	This SPD was produced to support the process of setting out how infrastructure requirements will be sought through planning obligations (currently CIL and Section 106s).	It should not cause any significant likely effects in combination with the SPD.
Fenland District Council		
Fenland Local Plan, adopted 8 May 2014.	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Delivering and Protecting High Quality Environments in Fenland SPD (adopted July 2014).	This SPD supports policies contained within the adopted Local Plan, related mainly to design and masterplanning.	It should not cause any significant likely effects in combination with the SPD.

Resource and Renewable Energy SPD (adopted July 2014).	The SPD supports policies contained within the adopted Local Plan on resource and renewable energy.	It should not cause any significant likely effects in combination with the SPD.
Huntingdonshire District Council		
Huntingdonshire's 'Draft Local Plan 2036'.	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Developer Contributions SPD (adopted December 2011).	This SPD was produced to support the process of setting out how infrastructure requirements will be sought through planning obligations (currently CIL and Section 106s).	It should not cause any significant likely effects in combination with the SPD.
Huntingdonshire Design Guide SPD (adopted June 2007).	This SPD provides policy guidance on design related planning policies contained within the adopted Core Strategy. The SPD will be updated following adoption of the draft Local Plan.	It should not cause any significant likely effects in combination with the SPD.
Huntingdonshire Landscape and Townscape Assessment SPD (Adopted June 2007).	This SPD provides poly guidance on undertaking landscape and townscape assessments.	It should not cause any significant likely effects in combination with the SPD.
South Cambridgeshire District Council		
South Cambridgeshire Local Plan (draft submission, March 2014).	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and archaeology) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Open Space in New Developments SPD (adopted January 2009).	This SPD provides guidance on open space standards and supports the relevant policies contained within the current adopted Local Development Framework.	It should not cause any significant likely effects in combination with the SPD.
District Design Guide: High Quality and Sustainable Development in South Cambridgeshire SPD (adopted March 2010).	This SPD provides policy guidance on design related planning policies contained within the adopted Local Development Framework. The SPD will be updated following adoption of the Local Plan.	It should not cause any significant likely effects in combination with the SPD.
Landscape in New Developments SPD (adopted March 2010).	This SPD provides policy guidance on undertaking landscape and townscape assessments.	It should not cause any significant likely effects in combination with the SPD.

South Cambridgeshire District Council Biodiversity SPD (adopted July 2009)	This SPD supersedes the South Cambridgeshire District Council Biodiversity Strategy.	
Development Control Policies DPD (adopted July 2007)	This DPD includes policies that seek to conserve natural resources and the quality of the built environment from inappropriate development. Designated wildlife sites and landscapes are given protection from development. It also aims to promote environmental protection and enhancement (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan and as such it should not cause any significant likely effects in combination with the SPD.
Other plans and policies		
Cambridgeshire and Peterborough Local Biodiversity Action Plans	This is made up of a number of Biodiversity Action Plans relating to Habitats and Species. They contain objectives for improving the sustainability of priority habitats and species in farmland, grassland, wetlands, woodlands, and cities, towns and villages and contain broad targets for creating or expanding new habitat.	Positive beneficial Effect.
Cambridgeshire Green Infrastructure Strategy, Cambridgeshire Horizons	The provision of Green Infrastructure is identified as a key priority for the successful implementation of sustainable growth.	Positive beneficial effect.