



South Cambridgeshire District Council

Local Development Framework

Habitat Regulations Assessment

ORCHARD PARK DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT

The draft Supplementary Planning Document (SPD) will supplement and expand upon policies in the adopted Local Development Framework (LDF) contained in the Site Specific Policies Development Plan Document (DPD) and Development Control Policies DPD.

The requirement for Habitat Regulations Assessment

The Habitats Directive (Council Directive 92/43/EEC) sets out the requirement for Assessment of plans or projects affecting Natura 2000 sites¹. Article 6(3) establishes the requirement for Habitats Regulations Assessment (HRA) and states:

“(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

This has been transposed into UK law as the Conservation (Natural Habitats &c.) Regulations (1994; ‘Habitats Regulations’).

Approach to carrying an HRA

The first stage in carrying out an HRA is the scoping report which identifies the likely impacts upon a Natura 2000 or Ramsar site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. If it is found that there is not likely to be a significant impact then a full Appropriate Assessment would not need to be carried out on the policy plan document.

The Council has undertaken a number of HRA scoping reports whilst preparing the Development Plan Documents (DPDs) and Area Action Plans (AAPs) that form part of the LDF for South Cambridgeshire. The Council has now adopted these DPDs and AAPs. In all cases it was found by the Council that there was not likely to be any significant impact from the policies and proposals contained within these documents.

¹ Natura 2000 is a Europe-wide network of sites of international importance for nature conservation established under the European Council Directive ‘on the conservation of natural habitats and of wild fauna and flora’ – (92/43/EEC ‘Habitats Directive’).

Each of the DPDs containing the parent policies for the SPD has been found to have no likely significant impact. As SPDs are not able to create new policy and the parent policies, upon which the SPD expands, have already been found to have no significant impact and therefore a full Appropriate Assessment is not required, the Council considers that there is no need to undertake further assessment of the SPD. The scoping reports for HRAs for the parent policies can be viewed on the Council's website: www.scambs.gov.uk/ldf.