

South Tees Area Supplementary Planning Document

Habitats Regulations Assessment

On behalf of **Redcar and Cleveland Borough Council** and **The South Tees Development Corporation**



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Revision	Date	Description	Prepared	Reviewed	Approved
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1 Introduction

1.1 Background

- 1.1.1 Peter Brett Associates LLP (PBA) was appointed by Redcar and Cleveland Council (RCBC), acting in partnership with the South Tees Development Corporation (STDC), to undertake a Habitats Regulations Assessment (HRA) of the emerging South Tees Area Supplementary Planning Document ('the SPD').

1.2 Planning and Assessment Context

- 1.2.1 Due to the intended non-statutory status of the SPD it will not be necessary to undertake an Examination in Public or undertake a Sustainability Appraisal (SA) of the document. Other statutory assessment processes are however still required. These are Strategic Environmental Assessment (SEA) and Habitats Regulations Appraisal (HRA), as required by the Environmental Assessment of Plans and Programmes Regulations 2004 as amended ('the SEA Regulations') and the Conservation of Habitats and Species Regulations, 2017 ('the Habitats Regulations').
- 1.2.2 Building upon the higher level Redcar and Cleveland Local Plan ('the Local Plan') (scheduled for adoption April 2018), the SPD sets out a vision, linked objectives and a suite of development principles to guide planning and development decisions on land at the former Sahaviriya Steel Industries (SSI) steelworks and adjacent landholdings (together known as 'the STDC area' – see boundary in **Appendix A**). The SPD has been prepared to contribute to the provision of a clear economic vision and strategy for the STDC area, which positively and proactively encourages sustainable economic growth. The SPD is to be referred to within the Local Plan, through proposed modifications introduced via the Local Plan Examination in Public (with particular reference to policy LS4 and ED6). In addition, the SPD acknowledges and is informed by the supporting documents and processes of the emerging Redcar and Cleveland Local Plan, including the Local Plan's Strategic Environmental Assessment (SEA) and Habitats Regulations Assessments (HRA). A separate SEA Environmental Report has also been prepared by PBA in respect of the SPD and should be read in conjunction with this HRA Report.

1.3 HRA context

- 1.3.1 Given the planning context described above, this report builds upon HRAs that have been published in relation to previous versions of the Local Plan. The last versions of the HRA were of the Publication Local Plan (PBA, March 2017), and of the subsequent post examination modifications to the Redcar and Cleveland Local Plan – Schedule of Main Modifications (November 2017), following Examination (PBA, November, 2017).

1.4 Purpose of this HRA Report

- 1.4.1 The purpose of this report is to identify whether the proposed substantive components within the SPD (Consultation Draft, March 2018), either alone or in combination with other plans and projects, could lead to adverse effects on the integrity of any European Site(s).
- 1.4.2 It considers the SPD also taking into account:
- The relevant Local Plan Policies and supporting HRA work, as described above;
 - The latest version of the Redcar and Cleveland, Teesmouth and Cleveland Coast SPA Recreation Management Plan (RMP) (November, 2017).

1.5 HRA Structure

1.5.1 As described above, this HRA takes account of the HRAs for the Redcar and Cleveland Local Plan, given this SPD will be adopted by that planning authority, to determine whether the SPD could lead to adverse effects on European sites. This HRA therefore sets out the following:

- Confirmation of the statutory requirements for HRA.
- Screening and Assessment Methodology for HRA.
- Consultation undertaken for the SPD and this HRA.
- Confirmation of relevant European Sites considered within the HRA and identification of plans and projects considered in-combination. Primarily this section determines whether there have been any changes to the European Sites or other plans and projects which need consideration within this HRA, in addition to those identified within the Local Plan HRAs.
- Review of the SPD to determine whether any changes to the LSE identified within previous HRA and/or to confirm new or different LSE. In addition, this HRA also identifies where any amended or new mitigation has been incorporated, or referenced in the SPD to enable or strengthen the protection of European Sites.
- A concluding statement regarding the HRA of the SPD, taking into account all the considerations above.

2 HRA Methodology

2.1 Statutory Requirements

- 2.1.1 In October 2005 (Case C-6/04), the European Court of Justice ruled that Articles 6(3) and 6(4) of Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the 'Habitats Directive') applied to land use plans in England. This ruling was made with specific reference to the definition of the term 'plans or projects' as referenced within Article 6(3) of the Directive).
- 2.1.2 Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans or projects affecting European sites. Article 6(3) establishes the requirement for Appropriate Assessment:
- 2.1.3 "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 or 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."
- 2.1.4 Article 6(4) goes on to discuss alternative solutions, the test of "imperative reasons of overriding public interest" (IROPI) and compensatory measures:
- 2.1.5 "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted."
- 2.1.6 In its ruling the European Court of Justice concluded that land use plans must also be subject to an 'Appropriate Assessment', as required under Article 6(3) of the Habitats Directive. The purpose of the 'Appropriate Assessment' is the same for all plans or projects, i.e. to demonstrate that their implementation would not lead to adverse effects on the integrity of a European site.
- 2.1.7 In England, the Habitats Directive is transposed into law through the Conservation of Habitats and Species Regulations (2017) (hereafter referred to as the "Habitats Regulations"). Part 6 of the Habitats Regulations covers the assessment of plans and projects and it sets out the requirement that the authority preparing a land-use plan must assess the potential effects of the plan upon European sites prior to the plan being published.
- 2.1.8 The term 'Habitats Regulations Assessment' is used to cover the whole process of assessing the effects of a land use plan on European sites and Ramsar sites. An Appropriate Assessment is only one stage within the whole process of HRA (see methodology section for further details).
- 2.1.9 The European site network comprises sites of nature conservation value that benefit from statutory protection at the European level. These sites include: Special Areas of Conservation (SACs) and candidate Special Areas of Conservation (cSACs) [designated under the EC Habitats Directive]; Special Protection Areas (SPAs) and potential Special Protection Areas (pSPAs) [classified under the EC Birds Directive 1979, 79/409/EEC]. The Government also expects candidate SACs (cSACs), potential SPAs (pSPAs), and Ramsar sites [designated

under the Ramsar Convention 1976] to be included within the HRA process. For the purposes of this report European sites are considered to include SACs, cSACs, SPAs, pSPAs and Ramsar sites.

2.2 Screening and Assessment Methodology

2.2.1 The European Commission has developed guidance in relation to Articles 6(3) and 6(4) of the Habitats Directive¹, and this recommends a four stage approach to addressing the requirements of these Articles. The four stages can be summarised as follows:

- Stage 1 – Screening: This stage identifies the likely effects of a plan or project on a European site, either alone or in combination with other plans or projects. Specifically, this stage considers whether any such effects could be significant, and hence lead to LSE.
- Stage 2 – Appropriate Assessment: If it is considered that a plan or project could lead to LSE on a European Site, the requirements of Stage 2 are triggered. This stage considers whether the plan or project could adversely affect the integrity of one or more European site(s), either alone or in combination with other plans or projects. The assessment should consider the implications for the site in view of the site's conservation objectives and its conservation status. If the potential for adverse effects on site integrity are identified, this assessment should also consider measures to control the identified impacts, to avoid adverse effects on site integrity.
- Stage 3 – Assessment of alternative solutions: If adverse impacts are predicted and it is not possible to fully mitigate those impacts, this stage examines alternative ways of achieving the objectives of the plan or project that avoid adverse impacts on the integrity of a European site.
- Stage 4 – Assessment where no alternative solutions exist and where adverse impacts remain: This stage assesses compensatory measures where it is deemed that the project or plan should proceed for Imperative Reasons of Overriding Public Interest (IROPI).

2.2.2 Figure 2.1, below illustrates the four stage approach to HRA:

Figure 2.1: Stages in HRA



2.2.3 Within these various stages, the Habitats Directive promotes the adoption of a hierarchy of avoidance, mitigation and compensatory measures. Consequently, the first step is to try and ensure that the plan and the policies presented within it avoid negative impacts on European sites. If potential negative impacts are identified and avoidance is not feasible, then mitigation measures need to be applied such that no adverse effects on European sites remain.

2.2.4 If impacts cannot be fully mitigated then the policy should be rejected, or taken forward to the final stage, i.e. assessment of compensatory measures where it is deemed that the project or

¹ European Commission (2001). Assessment of plans and projects significantly effecting Natura 2000 site. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Published November 2001.

plan should proceed for Imperative Reasons of Overriding Public Interest (IROPI). Best practice guidance² indicates that stages 3 and 4 should be avoided as there will almost always be an alternative and IROPI is extremely difficult to justify in the majority of cases.

- 2.2.5 The methodologies used in this report have been informed by a range of guidance. In particular, the methodological approaches recommended in the Habitats Regulations Assessment Handbook³ have been used to inform the approaches taken in this assessment. The Handbook is recognised as providing authoritative guidance on the application of the Habitats Regulations within the UK (including its territorial waters), providing advice on all aspects of completing HRA for plans and projects.

2.3 Consultation and Review

- 2.3.1 Natural England, the Environment Agency, RSPB, INCA, Tees Valley Nature Partnership, Tees Valley Wildlife Trust and Teesmouth Bird Club were consulted by RCBC and the STDC regarding a draft version of the SPD. In addition, Natural England were also consulted regarding the suggested approach to the HRA presented within this report through the HRA section of the South Tees Master Plan SEA Screening and Scoping Report (PBA, November 2017). PBA also provided comments on earlier versions of the SPD with respect to providing clear evidence of the linkages between the SPD implementation and the protection and mitigation provided to European Sites within the Local Plan.

² Tyldesley, D., Chapman, C., and Machin, G. *The Habitats Regulations Assessment Handbook*. DTA Publications Ltd. Accessed from www.dtapublications.co.uk.

3 Habitats Regulations Assessment: Screening

3.1 Confirmation of relevant European Sites

3.1.1 The following sites were screened into consideration within previous versions of the HRA for the RCBC Local Plan, as they were considered to lie within the potential 'Zone of Influence' of the policies contained within the Local Plan (i.e. they could be directly or indirectly affected):

- Teesmouth and Cleveland Coast SPA and Ramsar Site;
- North York Moors SAC; and,
- North York Moors SPA.

3.1.2 These are therefore the sites that have been taken forward in consideration of the HRA for the SPD. As part of this process, a review of the current site condition and vulnerabilities of the above European Sites was undertaken. This is considered important to provide a basis for identifying the potential effects of the SPD Key Design Principles. The following resources were used to collate relevant baseline information:

- Joint Nature Conservation Committee (JNCC) website (www.jncc.gov.uk): citations for SPAs, SACs and Ramsar sites; detailed information about interest features;
- Natural England Website (www.naturalengland.org.uk): condition assessments for component SSSIs; potentially damaging operations for component SSSIs; and
- MAGIC Website (www.magic.gov.uk): boundary maps for SPAs, SACs and Ramsar sites.
- INCA website (<http://www.inca.uk.com/>) regarding updates on the proposed extension to the Teesmouth and Cleveland Coast SPA.
- Review of the Memorandum of Understanding for the Teesmouth and Cleveland Coast SPA and proposed extension which provides a proactive mechanism to inform spatial development and regulated development proposals³.

3.1.3 The review of the current European Site condition and vulnerabilities, confirmed those identified by the HRAs of the Local Plan. With regards to Teesmouth and Cleveland Coast SPA and Ramsar site, the proposed extension to the SPA is still under consideration. This HRA considers both the current SPA boundary, in addition to the proposed SPA extension in area and expansion of its qualifying interests (as consulted in 2015), and as agreed previously with consultees for the HRAs of the Local Plan.

3.1.4 This review has also confirmed the potential impact pathways on European designated sites that could lead to adverse effects on the integrity of one or more European Sites, as identified in the HRAs of the Local Plan.

3.2 Confirmation of relevant Plans and Projects

3.2.1 This HRA, with reference to the requirement for in-combination assessment, considered the other plans and projects identified during the HRAs of the Local Plan through the following information sources:

³ <http://www.inca.uk.com/2017/11/tees-mou-signed/>

- Review of other HRA reports from the local area;
- Review of the Redcar and Cleveland Planning Portal, in order to gather information on other local planning policy and planning applications in progress. The identification of projects for in-combination assessment focussed on major projects within the RCBC and surrounding area that are located in close proximity to the European Sites or are otherwise of such a scale that any adverse effects to European Sites could clearly interact with those arising from the policies contained in the Local Plan;
- A review of adjoining Local Authorities planning portal websites (Hartlepool Borough Council, Middlesbrough Council, Stockton-On-Tees Borough Council; Scarborough Borough Council and Hambleton District Council); and
- A review of the National Infrastructure Planning Website for Nationally Significant Infrastructure Projects located within 15 km of the RCBC administrative boundary.

3.2.2 The in-combination assessment undertaken for this HRA took into consideration the current version of the SPA RMP (November 2017). In addition, it also takes into consideration the other detailed studies and strategies which the SPD states will be commissioned by South Tees Development Corporation during 2018 to provide a suite of technical supporting documents for the SPD.

3.3 Confirmation of Likely Significant Effects and Mitigation Within Local Plan

3.3.1 The draft Local Plan HRA Screening Report⁴ identified policies that could lead to Likely Significant Effects (LSE) on one or more European Sites. The European Sites considered at risk were: the North York Moors SAC and SPA and the Teesmouth and Cleveland Coast SPA and Ramsar site. The HRA of the Local Plan identified the following potential impact pathways on European Sites that could lead to adverse effects on their integrity:

- *Direct land take from within and adjacent to the Teesmouth and Cleveland Coast SPA and Ramsar Site;*
- *Disturbance and / or displacement of SPA and Ramsar site bird species resulting from nearby development allocations;*
- *Increased recreational disturbance of habitats and species;*
- *Air quality impacts arising from industrial development and increased numbers of motor vehicle journeys and associated emissions;*
- *Increased demand for water supplies and increased pressure on waste water treatment systems arising from new development and increased numbers of residents within the borough; and*
- Heightened predation of SPA bird species as a result of an increased population of domestic cats associated with new residents in new housing allocations.

3.3.2 The potential impact pathways highlighted in italics above, are those considered to be most likely to lead to adverse effects on one or more of the European Sites as a result of development within the South Tees Area, given the focus of the SPD is to promote employment and economic growth within the South Tees Area (rather than residential development). The Appropriate Assessment of the Publication Local Plan also identified that

⁴ Peter Brett Associates (2015). Habitats Regulations Assessment Screening Report, Redcar and Cleveland Draft Local Plan.

these adverse effects could potentially result from the allocation of the South Tees Area for development with the Local Plan (plan policy LS 4).

- 3.3.3 The Appropriate Assessment of the Local Plan confirmed that strict policy wording would only permit development in accordance with the requirements of the Habitats Regulations. Without reiterating everything within that preceding document, the strategies identified to avoid and mitigate for potential significant effects on European Sites included measures such as a buffer of undeveloped land and suitable boundary treatments, such that direct effects on land within and immediately adjacent to European Sites would be avoided. The Appropriate Assessment of the Publication Local Plan concluded that direct land take, disturbance and displacement, and air quality impacts were adequately considered and mitigated for in the Local Plan policies and therefore **would not lead to adverse effects** on the integrity of any European Sites. With regards to water quantity/quality, it was considered that mitigation within Local Plan policies, in combination with the existing regulatory regime regarding water resource management and wastewater management **would not lead to adverse effects** on the integrity of the European Sites.
- 3.3.4 The Appropriate Assessment of the Local Plan identified that the Teesmouth and Cleveland Coast SPA and Ramsar site could be subject to increased recreational disturbance as a result of the Local Plan policies and it was considered that **an adverse effect** on the integrity of the European Site could occur. Additional mitigation measures were proposed that, subject to suitable development and implementation, would avoid, control or otherwise mitigate these potential residual adverse effects. Further consultation has been undertaken with Natural England and other relevant stakeholders, to support the development of these measures within a mitigation plan now entitled: Teesmouth and Cleveland Coast SPA Recreation Management Plan (RMP). To that end, the HRA Addendum for the Local Plan (PBA, November, 2017) confirmed that the RMP provided a new framework for mitigation which has been referenced in the post-examination modifications, which would address the residual effects of recreational impacts on the SPA.
- 3.3.5 It is appropriate however to re-visit these potential impact pathways, with reference to the Principles of the SPD, to ensure that appropriate wording has been included within the SPD to tie in with the relevant policy protection provided by the Local Plan.

4 Screening and Appropriate Assessment of the SPD

4.1 Screening

- 4.1.1 Supporting text within the SPD is not considered in detail within this HRA as it simply provides context and rationale for the substantive components of the SPD, in particular a suite of 17 strategic and site specific Development Principles. These will be used to guide redevelopment proposals within the STDC area and have the potential to generate a range of environmental effects.
- 4.1.2 The most relevant component of the SPD to this HRA is Development Principle STDC7: Environmental Protection and Enhancement ('STDC7'). Within the SPD this provides overarching guidance to ensure all development proposals and related works such as remediation protect and where possible enhance the environment. Therefore, all other Development Principles will be delivered with reference to this Principle, and the higher level Local Plan framework within which it sits.
- 4.1.3 The fundamental consideration for this HRA is therefore on the wording of STDC7, although commentary is also provided regarding the consistency of wording within other principles of the SPD, and in the light of the Schedule of Proposed Main Modifications from the Examination in Public of the Local Plan.
- 4.1.4 The consideration of STDC7 is given with regards to the potential for the Policy to affect the integrity of the conservation status of European Sites, in the light of proposed mitigation, reflecting the approach provided within the Local Plan HRAs which acknowledge mitigation measures which have been introduced into the Local Plan to protect European Site integrity.

4.2 Existing Protective Measures

- 4.2.1 The protective policies for the European Sites within the Local Plan (as described in the preceding section) are clearly considered and referenced within the South Tees SPD. This demonstrates the SPD has clearly considered the importance of the European Sites within the Zone of Influence of the South Tees area. It has already been demonstrated within the Local Plan HRAs that the Local Plan policies provide the safeguards required, in accordance with the Habitats Regulations, for the consideration of development within the SPD area, with respect to the protection of the integrity of nearby European Sites, most notably the Teesmouth and Cleveland Coast SPA and Ramsar site, part of which lies within the CCZ (Coastal Community Zone) identified within the SPD (see **Appendix A** extracted from the SPD).

4.3 Additional Protective Measures within the SPD

- 4.3.1 As the SPD will constitute non-statutory Supplementary Guidance to assist with the implementation of the Local Plan, Development Principle STDC7: Environmental Protection and Enhancement can only be applied in accordance with protective measures already provided in the Local Plan, most notable Policy N4 – Biodiversity and Geodiversity Conservation. On this basis the SPD **would not lead to adverse effects on the integrity of any European Sites**, taking into account the mitigation measures described within the Local Plan and confirmed within the HRAs of the Local Plan.
- 4.3.2 However, there are opportunities to improve the wording within Development Principle STDC7 which would provide clarity and consistency with the wording within relevant policies within the Local Plan; recommendations are provided with this in mind.

4.4 Recommendations

- 4.4.1 Recommendations to enhance the wording of STDC7 (as presented to PBA to undertake this assessment in March 2018) are provided below. General comments are also provided regarding other HRA-relevant wording elsewhere within the SPD, for the purposes of clarity and consistency only.

Table 4.1 Development Principle STDC7: Comments

Development Principle STDC7: Environmental Protection and Enhancement (as worded prior to HRA)	Comment Reference (see text below)
<p><i>The Council will, in partnership with the STDC and investment partners and other key stakeholders, seek to protect and, where appropriate, enhance designated and non-designated sites of biodiversity and geodiversity value and interest within the South Tees Area. The need to remediate known contamination, including to reduce environmental harm, and to redevelop the STDC area for productive uses is fully recognised and supported by the Council. In doing so it will be important for all development proposals to respond to their environmental setting, in particular to protect and, where possible enhance, biodiversity and geodiversity interests.</i></p>	<p>A</p>
<p><i>All proposals should comply with Local Plan Policy N4 Biodiversity and Geological Conservation and the mitigation hierarchy within the National Planning Policy Framework. Where significant effects or harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, development will not be supported. Both direct and indirect impacts on sensitive ecological receptors should be addressed.</i></p> <p><i>Development proposals affecting the Teesmouth and Cleveland Coast SPA and Ramsar site must clearly demonstrate, through an Appropriate Assessment, that it can be determined at the design stage that, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects.</i></p>	<p>B</p>
<p><i>The Council will support the delivery of a strategy for the regeneration area which promotes the provision of green infrastructure, in accordance with Local Plan Policy N2, including a series of connected open, private and public spaces, using open space as connectors not barriers to development.</i></p> <p><i>All proposals should have regard to the forthcoming Environment and Biodiversity and Open Space Strategies, including in the mitigation of likely cumulative impacts on the natural environment. Net environmental gains should be provided where appropriate and viable, in accordance with Policies N2 and N4.</i></p>	<p>C</p>

Comment A

- 4.4.2 Suggest this paragraph within STDC7 should be improved to make it clear that the Council “will” protect, rather than “seek to” protect designated areas. This paragraph clearly references the need for all development proposals to respond to their environmental setting. However, it

would provide clarity if this paragraph included a statement that STDC7 provides a cross-cutting Principle relevant to all other Principles within the SPD, including the Site Specific Development Principles. This would also help to avoid the need to re-state considerations pertaining to European Sites (or SSSIs, or other non-statutory designated areas) within the other Principles (see also comment B below). This approach would also acknowledge the approach recommended within the Schedule of Proposed Main Modifications for the Local Plan from the recent Examination in Public (see also comment B below).

Comment B

- 4.4.3 These two paragraphs should be combined for the avoidance of doubt; both paragraphs, essentially, refer to the protection and mitigation measures provided for biodiversity within Local Plan Policy N4. Therefore, the text within this section could be greatly simplified for clarity by just referring to Local Plan Policy N4.
- 4.4.4 This is consistent with the Schedule of Proposed Main Modifications for the Local Plan from the Examination in Public of the Local Plan. The proposed main modifications suggest to simply make cross reference to policy N4 of the Local Plan, where this was relevant within other policies, rather than re-stating requirements relating to the protection of European Sites. Policy N4 sets out the full approach to consideration of proposed development with respect to European Sites, as would need to be considered for each new development application within the South Tees Area. This approach avoids the need to repeat this policy, or similar type of wording, elsewhere.
- 4.4.5 In terms of wording, again the wording should be improved to confirm that all proposals “will” comply with Local Plan Policy N4, rather than “should” comply.

Comment C

- 4.4.6 Suggest need to improve the “*should have regard*” wording to “*will*” for clarity.
- 4.4.7 To enable consistency with Local Plan policy N4, and delivery of mitigation relevant to avoid impacts on the European Sites, suggest STDC7 needs to reference the South Tees SPA Recreation Management Plan (November 2017), in addition to the forthcoming Environment and Biodiversity Strategy and Open Space Strategy with regards to the provision of connected, open, private and public spaces. These strategies are those which are identified within the SPD as being commissioned by STDC in 2018. They are identified as technical supporting documents to the adopted SPD which will provide finer grain detail to the guidance set out in the SPD to facilitate the effective delivery of the South Tees Development Area as a whole. An indication of the likely content of these Strategies (single line description) may be helpful within the SPD.

General Comments

- 4.4.8 Also consistent with the Schedule of Proposed Main Modifications from the EIP of the Local Plan, rather than re-stating requirements relating to development proposals in proximity of the SPA throughout the document, where such requirements are particularly important in the implementation of that Principle, this can be achieved through cross-reference to Development Principle STDC7 and/or Local Plan Policy N4 (e.g. Development Principles STDC12, STDC15).

4.5 RCBC Response

- 4.5.1 At the point of finalising this HRA Report it is understood that RCBC are content to accept the above recommendations and therefore to incorporate the suggested changes into the SPD.

5 Conclusion

- 5.1.1 This HRA of the emerging South Tees Area Supplementary Planning Document takes account of the previous HRAs of the Redcar and Cleveland Local Plan. In this context, this HRA confirms there have been no changes to the European Sites requiring consideration, neither are there any changes to the plans or projects considered in-combination with the Local Plan, with the exception of the new Redcar & Cleveland Teesmouth and Cleveland Coast Special Protection Area Recreation Management Plan (RMP) and the other Strategies which are to be commissioned by STDC in 2018 to provide further detail regarding the guidance set out in the SPD, in order to facilitate the effective delivery of the STDC area.
- 5.1.2 The key Development Principle within the SPD of relevance to this HRA is Development Principle STDC7, which seeks to ensure that redevelopment proposals protect and where possible enhance the environment. This Principle, given delivery of development described within the SPD, can only be applied in accordance with protective mitigation measures already provided in the Local Plan (most notable Policy N 4) and the RMP to which it refers. The SPD therefore would **not lead to adverse effects on the integrity** of any European Sites, taking into account the mitigation measures described within Local Plan Policy N4, the RMP, and confirmed within the HRAs of the Local Plan.
- 5.1.3 This HRA Report has identified opportunities to improve the wording within Development Principle STDC7 and elsewhere within the SPD, which would provide greater clarity and consistency with the wording within relevant policies within the Local Plan. Recommendations in this regard have been provided and it is understood that RCBC are content to incorporate the suggested changes into the SPD. For the avoidance of doubt, these HRA recommendations do not affect the fundamental conclusion that the SPD would **not lead to adverse effects on the integrity** of the European Sites within the Zone of Influence of the SPD area, either alone or in combination with other plans or projects.

6 References

Peter Brett Associates LLP (March 2017) Redcar and Cleveland Publication Local Plan. Appropriate Assessment. Report on behalf of Redcar and Cleveland Borough Council.

Peter Brett Associates LLP (November 2017) Redcar and Cleveland Local Plan. Habitats Regulations Assessment Addendum in respect of Proposed Post Examination Modifications. Report on behalf of Redcar and Cleveland Borough Council.

Redcar and Cleveland Borough Council (November 2017) Redcar & Cleveland, Teesmouth and Cleveland Coast Special Protection Area Recreation Management Plan. Redcar and Cleveland Borough Council

Redcar and Cleveland Borough Council (March 2018) Redcar & Cleveland, South Tees Area Supplementary Planning Document (SPD) (Consultation Draft, March 2018). Unpublished (to be made available via the RCBC website)

Appendix A Extract from SPD: Designated Areas

Extract from the South Tees SPD showing the location of designated areas in relation to the STDC area's boundary.

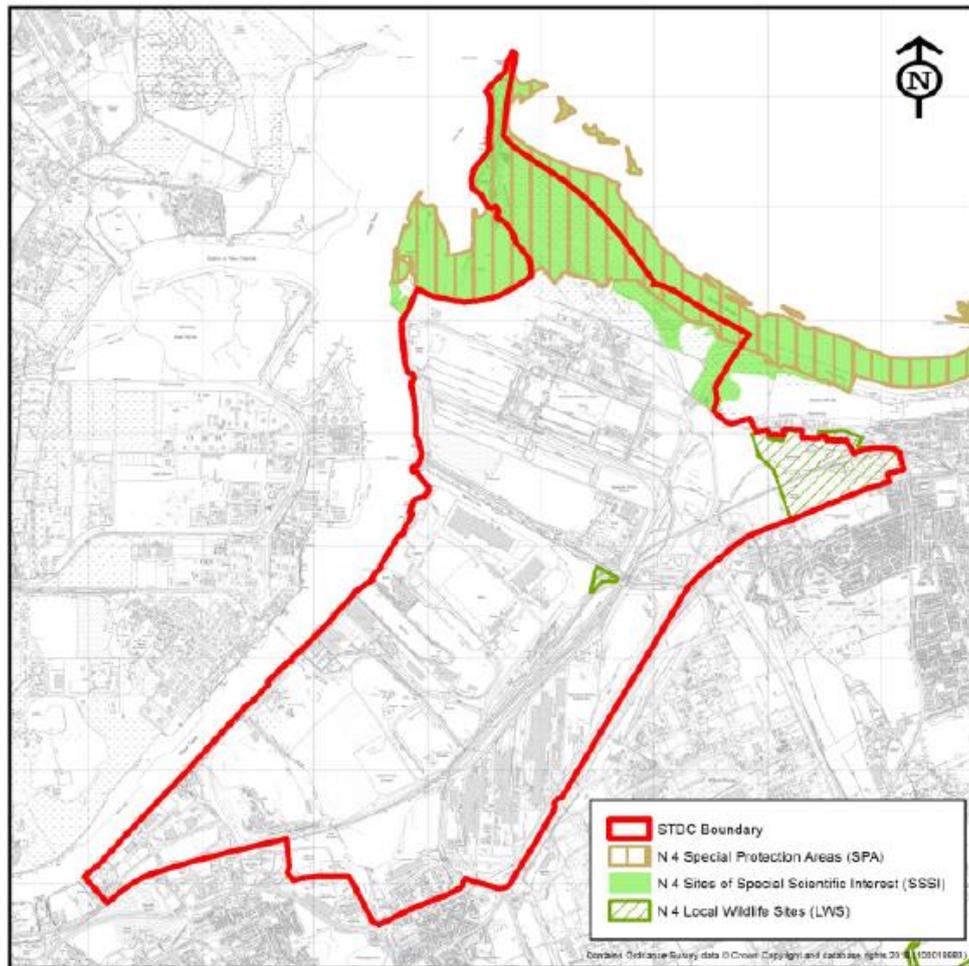


Figure 5: Wildlife Designations

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All of our work, from the engineering of landmark buildings and critical infrastructure to the spatial planning and economic evidence in support of development, is evidence based and informed by a deep understanding of what it takes to deliver construction.



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