

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

Cambridgeshire Flood and Water Supplementary Planning Document

Habitats Regulations Assessment

1. The Need for an Assessment

- 1.1 The Cambridgeshire Flood and Water Supplementary Planning Document (SPD) has been produced 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 have produced 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.
- 1.2 The SPD was subject to public consultation during September and October 2015.
- 1.3 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.
- 1.4 Advice from Natural England, following comments on an initial draft of this document, has been used to inform this assessment.

2. Baseline Data Gathering

- 2.1 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).
- 2.2 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 LPAs were included, where available. A list of the plans and programmes considered can be found in Appendix B.

3. Predicting and assessing effects on a European Site

3.1 When carrying out the assessment the following issues were considered:

- Scope of the guidance included in the SPD;
- Character of Sustainable urban Drainage Systems (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.

4. Scope of the guidance included in the SPD

4.1 The SPD aims to provide advice to support policies in Cambridgeshire LPAs' Local Plans (adopted or draft). It provides guidance only and reflects current 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.

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

Chapter 1 –provides background information and how the SPD should be used.

Chapter 2 –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 – provides details on 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 –provides 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 –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.

5. Sensitivities associated with the European Sites

5.1 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 (e.g. slope profile);
- Interference with hydrological processes (e.g. increased runoff, erosion, silting);
- Disturbance to and displacement of mobile species such as bats and birds (e.g. 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, and displacement of birds due to the construction and operation of developments causing disturbance to feeding, and breeding and over wintering grounds.

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

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

6. Whether or not there are sufficient safeguards for European sites

6.1 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.

6.2 However, the SPD recognises the biodiversity benefits that incorporating SuDS into a development can have. Paragraph 6.2.6 of Chapter 6, states that:

“Many of Cambridgeshire’s nationally and locally designated nature conservation areas are designated because of their water environment. The integration of SuDS into the landscape needs to be sensitive to the local biodiversity and equally, biodiversity needs to be designed into SuDS. At present one of the main risks to biodiversity in Cambridgeshire is the extent of fragmentation of habitats and loss of species due to historical farming practices and more recently increased pressures from development. Inclusion of SuDS networks could help to re-connect existing habitats and re-create new areas. Cambridgeshire’s Habitat Action Plans and Species Action Plans provide specific information on desirable habitat design in the county. Biodiversity should be integrated into SuDS at the early design stage to avoid unnecessary conflict over maintenance and the disturbance of protected species. Additionally 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.”

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

7.1 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.

8. Findings of assessment and conclusions

8.1 The assessment has indicated that the SPD could result in likely effects on the integrity of European sites. Although the SPD is not site specific, its 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.

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

8.3 As identified above, the Cambridgeshire Flood and Water SPD is a guidance document that aims to improve the quality and sustainability of new development within 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 the Cambridgeshire LPAs. Those adopted or emerging Local Plans have been subject to both Sustainability Appraisal and Habitats Regulations Assessment.

8.4 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 Cambridgeshire Flood and Water SPD.

Appendix A:

1. 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

2. 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.

3. 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.

4. 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 SAC 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*

5. 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.

6. 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.

7. 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.

8. 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 | | |
| 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. |
| 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 SPD, 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. |
| 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 Local Plan 2014: Proposed Submission', submitted 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. |
| Cambridge City Local Plan, adopted July 2006 (policies as set out in | Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from | The SPD supports this plan and as such it should not cause any significant likely effects in |

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| Secretary of State's Direction issued 2nd July 2009). | 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 submitted Local Plan once it is adopted. | combination with the SPD. |
| Draft Planning Obligations Strategy SPD (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. |

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| 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 Core Strategy (adopted September 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. |
| 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 (submitted 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. |

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| 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). This will be replaced by the submitted Local Plan once its adopted. | 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. |