

Update Note

East Northamptonshire Council
Rural North, Oundle and Thrapston Plan:
Updated Submission Document

Appropriate Assessment Screening

February 2009

East Northamptonshire Council

Rural North, Oundle and Thrapston Plan: Updated Submission Document

Appropriate Assessment Screening

Update Note

February 2009

Notice

This report was produced by Atkins Limited for East Northamptonshire Council in response to their particular instructions.

This report may not be used by any person other than East Northamptonshire Council without East Northamptonshire Council’s express permission. In any event, Atkins accepts no liability for any costs, liabilities or losses arising as a result of the use of or reliance upon the contents of this report by any person other than East Northamptonshire Council. No information provided in this report can be considered to be legal advice.

Document History

Job Number: 5058016			Document Ref: 5058016 ENC RNOTP AA Update Note (Final) V2.1.doc			
2	Final	C Warner	J Box	J Box	M Hewlett	10/02/09
1	Draft for comments	C Warner	J Box	J Box	M Hewlett	02/02/09
Revision	Purpose Description	Originated	Checked	Reviewed	Authorised	Date

Contents

Section	Page
1. Introduction and Background	1
1.1 Background to this Update	1
1.2 Background to Appropriate Assessment	1
1.3 Outline of this Review Report	2
2. Methodology	3
2.1 Review of Updated Rural North, Oundle and Thrapston Plan	3
3. Findings of the Review	4
4. Conclusions	9

List of Tables

Table 3.1: Results of Review of Updated Plan and Impacts on the Conclusions of the AA Screening Undertaken in April 2008	5
---	---

1. Introduction and Background

1.1 Background to this Update

An Appropriate Assessment (AA) Screening was carried out by Atkins Limited (Atkins) on behalf of East Northamptonshire Council for the *Rural North, Oundle and Thrapston Plan: Submission Plan Document* (referred to hereafter as the Plan) in April 2008¹. The Plan is a site specific proposal document, based on the framework set by the North Northamptonshire Core Spatial Strategy. It forms part of the statutory Development Plan for the area, which is made up of the RSS and the North Northamptonshire Local Development Framework (LDF). The Plan includes identification of sites for housing, employment, recreation, transport and contains policies relating to specific areas where individual development, conservation or design considerations apply.

The AA Screening studied the potential for significant effects to occur on the following internationally important sites as a result of the policies contained within the Plan:

- Rutland Water Special Protection Area (SPA) and Ramsar site; and
- Upper Nene Valley Gravel Pits potential SPA (pSPA) and potential Ramsar site (pRamsar site).

The AA Screening carried out by Atkins in April 2008 found that the Submission Document Plan would not lead to significant impacts on the integrity of the Rutland Water SPA/Ramsar site or the Upper Nene Valley Gravel Pits pSPA/pRamsar site (due to provisions within the Plan that protect these internationally important sites).

Following Examination Hearings with the Planning Inspectorate, East Northamptonshire Council produced a revised version of the *Rural North, Oundle and Thrapston Plan: Submission Plan Document with Proposed Updates* (produced in November 2008). Atkins was commissioned in January 2009 by East Northamptonshire Council to complete a review of the updated version of the Plan. This is to ensure that the changes made to the Plan do not alter the findings of the original AA Screening carried out in April 2008

1.2 Background to Appropriate Assessment

An AA is required by Regulation 48 of the Conservation (Natural Habitats & c.) Regulations 1994 (as amended) (the Regulations) for all plans and projects which may have adverse effects on European sites. European sites include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). AA is also required, as a matter of UK Government policy for potential SPAs (pSPA), candidate SACs (cSAC) and listed Wetlands of International Importance (Ramsar sites) for the purposes of considering plans and projects, which may affect them². Hereafter all of the above designated nature conservation sites are referred to as 'international sites'.

Local development plans which include general policies often do not relate to specific development proposals but provide an overall strategy for development which is desirable within the boundary of the Plan (such as the Borough boundary). If the policies do not relate to specific development proposals then it can be difficult to assess the effects on an international site from the policies. For instance a policy may state that wind farms within the Plan boundary will be considered in order to meet national and regional renewable energy targets but may not include

¹ Rural North, Oundle and Thrapston Plan: Submission Plan Document - Appropriate Assessment Screening (April 2008)

² Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM (August 2005)

specific development proposals. It is not possible to conclude whether a wind farm will have a likely significant effect on an international site without knowledge of design and location of the wind farm. Unless the policy itself includes some details of location, size and design of the wind farm(s) it cannot be concluded that the policy will or will not have a likely significant effect on an international site.

However, the local development plan can be written in such a way that international sites are considered. For instance, the Plan can state that any proposed developments under the Plan must have regard to and consider any adverse effects upon international sites. When a local authority considers a development proposal they must have regard to the whole plan including the introductory text and supporting text to the policies. Therefore the Plan may include text which states that consideration of international sites must be given in the development control process. This should ensure that developments are not permitted which could have significant adverse impacts on international sites.

1.3 Outline of this Review Report

Following this introduction:

- Section 2 of this report sets out the methodology used for this AA Screening Update;
- Section 3 details the results of the review of the Plan and updates the AA Screening results (including whether the amended/new policies have likely significant effects on the internationally important sites and a justification for the conclusion reached); and
- Section 4 provides the conclusions of the AA Screening Update.

2. Methodology

2.1 Review of Updated Rural North, Oundle and Thrapston Plan

The updated version of the Plan was reviewed with a view to identify if:

- the main and supporting text of the Plan had been altered or amended in any way;
- new policies had been added;
- previous policies had been removed; and
- changes had been made to the remaining policies (i.e. if policy had been re-numbered, re-worded and/or re-structured).

The *Schedule of Proposed Changes to the Rural North, Oundle and Thrapston Plan*³ was reviewed as part of this process.

Any changes in the updated version of the Plan were assessed to see if they were likely to have a significant effect on the integrity of the Rutland Water SPA/Ramsar site or the Upper Nene Valley Gravel Pits pSPA/pRamsar site. The screening assessment methodology used was the same as for the *Rural North, Oundle and Thrapston Plan: Submission Plan Document - Appropriate Assessment Screening* produced by Atkins in April 2008.

This review allowed an assessment of whether the conclusions drawn in the previous AA Screening report were the same or had altered due to the changes made to the Plan. As such this report acts as a record of changes made to the Plan and provides an update to the AA Screening report produced in April 2008.

Section 3 details the results of the review and the AA Screening Update.

³ Planning Policy Committee (5th February 2009): Schedule of Proposed Changes to the Rural North, Oundle and Thrapston Plan:

- Part 1 – Changes arising through independent examination process; Council's Examination Statements (August 2008) or Hearing Sessions (October 2008);
- Part 2 – Changes to RNOTP following additional tasks undertaken in response to "Inspector's Note on further work required in order to establish that the DPD is sound" (31 October 2008); and
- Part 3 – Changes to the Proposals Map following additional tasks undertaken in response to "Inspector's Note on further work required in order to establish that the DPD is sound" (31 October 2008).

3. Findings of the Review

A total of 18 policies have been changed in some manner in the updated Plan. This includes the deletion of four policies, alteration/re-wording of 13 policies and the addition of one new policy.

A number of changes were also made to the main and supporting text of the Plan (as outlined in the *Schedule of Proposed Changes to the Rural North, Oundle and Thrapston Plan*). None of these changes lead to likely significant effects on the Rutland Water SPA/Ramsar site or the Upper Nene Valley Gravel Pits pSPA/pRamsar site.

A summary of the changes to policies in the updated Plan are outlined in Table 3.1 (see below). In addition, this table also includes the results of the AA Screening Update assessment to see if there are likely significant effects on either the Rutland Water SPA/Ramsar site or the Upper Nene Valley Gravel Pits pSPA/pRamsar site.

Table 3.1: Results of Review of Updated Plan and Impacts on the Conclusions of the AA Screening Undertaken in April 2008

Policy Number	Policy Title	Change	Impact on Conclusions of Previous AA Screening
1	Settlement Roles	Deletion of reference to “ <i>Category A and B</i> ” villages in the latter part of the policy.	None: The change does not alter the purpose of the policy (i.e. there is no material change to the policy). As such this change will not result in likely significant effect on the integrity of the two European sites.
2	Windfall development in Settlements	Revision to introductory paragraph to clarify policy scope.	None: The change does not alter purpose of the policy (i.e. there is no material change to the policy). As such this change will not result in likely significant effect on the integrity of the two European sites.
3	Phasing in Oundle	Policy deleted and merged with Policy OUN1.	None: Both Policy 3 and OUN1 were assessed as having no likely significant effect on the integrity of European sites in the AA screening undertaken in 2008. Merging the policies together does not alter this finding.
4	Phasing in Thrapston	Policy deleted and merged with Policy THR5.	None: Both Policy 4 and THR5 were assessed as having no likely significant effect on the integrity of European sites in the AA screening undertaken in 2008. Merging the policies together does not alter this finding.
6	Green Infrastructure	New text added to the policy and its supporting text (as outlined in the AA Screening report). The policy now states “ <i>To prevent adverse impacts on the Upper Nene Valley Gravel Pits pSPA/pRamsar site, specific Green Infrastructure projects will be designed in consultation with Natural England</i> ”.	None: This change strengthens the policy as it seeks to protect the integrity of the Upper Nene Valley Gravel Pits pSPA/pRamsar site.
9	Flood Risk	Policy amended to state that “ <i>wherever possible</i> ” SUDs will be incorporated into a scheme.	None: This policy was assessed as a ‘green’ policy in the AA screening undertaken in 2008. This change to the policy does not alter this finding.
10	Housing Density	First sentence of the policy amended in June 2008. It now cross references to other	None: This policy was assessed as a ‘green’ policy in the AA screening undertaken in 2008. This change to the policy does

Policy Number	Policy Title	Change	Impact on Conclusions of Previous AA Screening
		pertinent policies. Section of supporting text also deleted.	not alter this finding.
12	Important Open Land Within Towns and Villages	Policy deleted. Reference is to be made to Policy EN20 of the adopted Local Plan.	None: This policy intended to conserve the existing form and character of a town or village (including areas of nature conservation significance). The deletion of this policy will not lead to likely significant effect on the integrity of the two European sites as there are a number of provisions in place within the plan to protect these internationally important sites (e.g. in Section 1) and there is reference to Policy EN20 which seeks to protect important areas of open land.
19	Affordable Housing Targets	Policy deleted.	None: This policy intended to outline the affordable housing targets for East Northamptonshire and did not lead directly to development. With the provisions in place within the plan to protect the two European sites (e.g. in Section 1) this policy was assessed as having no likely significant effect on the integrity of these two internationally important sites. Therefore, the deletion of this policy will not lead to likely significant effect on the integrity of the two European sites.
20	Affordable Housing Requirements	Policy re-worded (including revisions to affordable housing thresholds) for clarity.	None: This policy was assessed as a 'green' policy in the AA screening undertaken in 2008. This change to the policy does not alter this finding.
22	Open Space, Sport and Recreational Facilities	The policy and its supporting text have been re-worded so there is a slightly different policy emphasis.	None: The alterations to the policy do not alter the recognition of the need to protect and enhance open space and sport and recreational facilities within the District (which in turn may lead to a decrease in visitors from East Northamptonshire visiting the European sites). As such this change will not result in likely significant effect on the integrity of the two European sites.
OUN1	Infrastructure	Addition of former Policy 3 content and revised wording and consideration of New Allocation Policy OUN4.	None: This policy was assessed as having no likely significant effect on the integrity of European sites in the AA screening undertaken in 2008. This change to the policy does not alter this finding.

Policy Number	Policy Title	Change	Impact on Conclusions of Previous AA Screening
OUN3	Housing Allocations in Oundle	<p>Minor changes and updates made to the policy wording.</p> <p>Additional allocation site is to be added through this policy. The allocation site would include up to 25 dwellings at Dairy Farm, Stoke Hill. This will raise the 5 year supply (from allocations) to 290 dwellings.</p>	<p>None</p> <p>Upper Nene Valley Gravel Pits pSPA/pRamsar site: This policy was assessed as an ‘amber’ policy in the AA screening for this site undertaken in 2008. This is because the policy was to allow the provision of up to 270 new houses (145 at Ashton Road/Herne Road and 125 at Creed Road) within Oundle over the lifetime of the Plan. The pSPA/pRamsar site is located approximately 5 km south of these housing allocations. However, due to the distance of these allocation sites from the European site and the existing green space that surrounds Oundle it was considered unlikely that there would be an increase in recreational pressure on the pSPA/pRamsar site or that there would be any other indirect effects (such as changes in water quality) on the European site. Furthermore there are adequate provisions in the Plan to protect this internationally important site.</p> <p>The pSPA/pRamsar site is also located approximately 5 km south of the new allocation site proposed at Dairy Farm. Given the small number of dwellings to be constructed, their distance from the pSPA/pRamsar site and the provisions in the Plan to protect European sites (which have not changed) it is considered that the addition of this allocation site would have no likely significant effect on the integrity of pSPA/pRamsar site.</p> <p>Rutland Water SPA/Ramsar site: This policy was assessed as a ‘green’ policy in the AA screening undertaken in 2008 for this European site. This is due to the distance of the SPA/Ramsar site from this allocation site (located approximately 20 km). Due to this distance and the existing green space that surrounds Oundle, it is considered unlikely that there would be an increase in recreational pressure on the SPA/Ramsar site or that there would be any other indirect effects (such as changes in water quality) on the European site. The addition of a new allocation site in this policy does not alter this finding.</p>

Policy Number	Policy Title	Change	Impact on Conclusions of Previous AA Screening
OUN4 – Submission DPD Policy	Prince William School	Policy re-worded (including revisions to second paragraph).	None: This policy was assessed as a ‘green’ policy in the AA screening undertaken in 2008. This change to the policy does not alter this finding.
OUN4 – New Allocation Policy	Housing Allocations in Oundle (Phase 2)	This policy states that after 2013 there will be the release of an additional site allocation on the under-used playing fields, off Glapthorn Road. A maximum of 80 dwellings are to be constructed at this site. The policy also outlines what the Masterplan for this site will need to address (including the retention of natural on-site features of importance such as hedgerows).	None Upper Nene Valley Gravel Pits pSPA/pRamsar site: The pSPA/pRamsar site is located approximately 6 km south of the new allocation site proposed off Glapthorn Road. Given the distance from the pSPA/pRamsar site and the provisions in the Plan to protect European sites (e.g. in Section 1) it is considered that the addition of this allocation site would have no likely significant effect on the integrity of pSPA/pRamsar site. Rutland Water SPA/Ramsar site: This SPA/Ramsar site is located approximately 20 km from the proposed allocation site. Due to this distance and the existing green space that surrounds Oundle it is considered unlikely that there would be an increase in recreational pressure on the SPA/Ramsar site or that there would be any other indirect effects (such as changes in water quality) on the European site.
THR1	Infrastructure	Policy re-worded more positively. Reference to development of a secondary school at Springfield Farm deleted and included in supporting text (to show it is an aspiration only).	None: This policy was assessed as a ‘green’ policy in the AA screening undertaken in 2008. This change to the policy does not alter this finding.
THR5	Thrapston South	Addition of former Policy 4 content and revised wording. Policy also re-worded and revised (including deletion of reference to school places).	None: This policy was assessed as having no likely significant effect on the integrity of European sites in the AA screening undertaken in 2008. Merging the policies together does not alter this finding.
BC1	Brigstock Camp	Addition of reference to “ <i>brownfield</i> ” land in policy for clarity.	None: This policy was assessed as having no likely significant effect on the integrity of European sites in the AA screening undertaken in 2008. Merging the policies together does not alter this finding.

4. Conclusions

Atkins has completed a review of the East Northamptonshire Council *Rural North, Oundle and Thrapston Plan: Submission Plan Document (with Proposed Updates)* in relation to the findings of the AA Screening carried out in April 2008.

The purpose of this AA Screening Update was to ensure that the amendments made in the updated version of the Plan do not alter the findings of the AA Screening undertaken in April 2009 (i.e. that there would be no likely significant effect on the internationally important sites as a result of the Plan).

Following the review of the updated Plan, it is considered that none of the changes made to policies and/or main or supporting text will lead to likely significant effects on the integrity of the Rutland Water SPA/Ramsar site or the Upper Nene Valley Gravel Pits pSPA/pRamsar site.

In conclusion, it is considered that the updated version of the Core Strategy agrees with the findings of the AA Screening undertaken in April 2008 and continues to have no likely significant effects on the two European sites.

Atkins

The Axis
10 Holiday Street
Birmingham
West Midlands
B1 1TF

Tel: 0121 483 5801

Fax: 0121 483 5858

info@atkinsglobal.com

www.atkinsglobal.com

© ATKINS Ltd except where stated otherwise. The ATKINS logo, the "open A" device and the strapline "Plan Design Enable" are trademarks of ATKINS Ltd.

ATKINS

