**Bedford Borough Local Plan 2040 (BBLP2040) – Habitats Regulations Assessment (HRA)**

**Natural England (NE) comments and BBC response**

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|  | **Summary of Natural England issues to be addressed (letter 16/6/22)** | **AECOM / Bedford Borough Council comment (21/6/22)** | **Natural England response (29/07/22)** |
| 1. | Assessment of effect on loss of functionally-linked land for Barbastelle bat.  We note that in paragraph 4.15, the HRA concludes that “housing and employment growth in the Bedford Local Plan is sufficiently distant (the closest being site HOU19, located 14km from Eversden & Wimpole Woods SAC) to lie well outside any relevant zone” for functionally-linked land. However, the SAC is designated for its Barbastelle bat (Barbastella barbastellus) interest, which can have a foraging range of up to 20km. Therefore, the potential for the Local Plan to affect designated sites should be assessed, due to the potential for the species to move within the landscape associated within Bedford Borough. | Table 1 of the HRA report identifies that ‘*South Cambridgeshire District Council have published a Biodiversity SPD for consultation[[1]](#footnote-1) which identifies a maximum 10km impact risk zone around the SAC and radiotracking surveys undertaken by National Highways for their A428 Development Consent Order in 2021 at the SAC identified that all tagged barbastelle bats were travelling between 7km and 8km from the SAC and the majority of the bats were travelling in a north east direction’*. Examination of the MAGIC website shows that the Natural England Impact Risk Zone for the underlying SSSI is set at 10km and Bat Conservation Trust guidance on core sustenance zones for barbastelle bats identifies a typical core sustenance zone of 6km[[2]](#footnote-2).  While barbastelle bats can travel up to 20km from their roosts, there is therefore no evidence that the barbastelle bats associated with the SAC are reliant on habitat more than 10km from the SAC and the nearest allocation to the SAC is 14km distant with most considerably further away.  However, in recognition of Natural England’s comment we propose updating the HRA to ‘screen in’ likely significant effects on Eversden & Wimpole Woods SAC. We will then cite the above mentioned data and set out a requirement that all greenfield development sites within 20km of the SAC must undertake a suite of bat surveys to identify any hedgerows, treelines, watercourses or other features that could be used by bats (including but not limited to barbastelle bats). If any such features are present and are found to be used by barbastelle bats these must be retained within the development design and protected from disturbance and lighting impacts. This will be a policy recommendation in the HRA.  We do not consider this will place an additional burden on developers since bats are protected species in any event and thus a material consideration in the planning process irrespective of their status as species for which European sites can be designated.  The allocation policies for the sites that lie within the greater 20km distance (EMP7 Land at College Farm, Black Cat roundabout; EMP8 Land at Roxton, south west of the Black Cat roundabout and HOU19 Land at Little Barford New Settlement) contain a criterion requiring assessment of biodiversity and habitat to support the planning application and inform the masterplan.  A preliminary Ecology Appraisal has already been prepared for the [Little Barford New Settlement](https://bedford.oc2.uk/form/907) (the closest site to the SAC but still a distance of approx. 14km) and the report recognises the potential to support roosting, foraging and commuting bats. It recommends:   * Bat activity surveys for a site of moderate value; * Bat ground level roost assessment /climbing survey of trees and inspection surveys of buildings, and where required subsequent emergence surveys; | NE supports the proposed approach with regard to effects on Eversden and Wimpole Woods SAC functionally linked habitat. |
| 2. | Further information on the ability of the Bedford treatment works to accommodate further growth.  We therefore require further information as to the ability of the Bedford treatment works to accommodate further growth in the area. On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects, as uncertainties remain relating to effects that may become significant when considered in combination with other plans or projects. | Information is given both in the now published [Duty to Co-operate statement](https://edrms.bedford.gov.uk/OpenDocument.aspx?id=DGE0aFzC0cS7wSj1bR3YJw%3d%3d&name=DtC%20All%20position%20statements%20Redacted.pdf) and the [Infrastructure Delivery Plan.](https://edrms.bedford.gov.uk/OpenDocument.aspx?id=S4XWHEJ805WqAaGdvUEmjw%3d%3d&name=220519%20Bedford%20IDP%20Final%20Report%20+%20Schedule.pdf)  In summary, the majority of homes planned in the BBLP2040 are within the Bedford wastewater treatment catchment including allocations at Wixams, Little Barford and Kempston Hardwick (the largest allocations). These sites would be served by the Bedford WRC and Anglian Water is working with the EA to bring forward a solution in AMP7 (2020-2025) that will provide capacity to support growth up to the end of AMP10 (2035-40). | NE notes that “*these sites would be served by the Bedford WRC and Anglian Water is working with the EA to bring forward a solution in AMP7 (2020-2025) that will provide capacity to support growth up to the end of AMP10 (2035-40)”.* Natural England is satisfied with this subject to proposed solutions demonstrating no adverse effect on the integrity of Portholme SAC and the Ouse Washes SPA, SAC, Ramsar site. |
| 3. | Air quality modelling should be undertaken to determine whether nitrogen deposition exceeds the critical load for Portholme SAC.  We note that the average deposition rate for Portholme SAC is currently at the minimum part of the critical load. Despite the nearest site allocation being approximately 14km from Portholme SAC, new development could increase the deposition rate of nitrogen over the critical load when considered in combination with other plans or projects. Air quality modelling should be undertaken to determine whether the allocations proposed cause the nitrogen deposition rate to exceed the critical load. On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects, as uncertainties remain relating to effects that may become significant when considered in combination with other plans or projects. | The BBLP2040 would only contribute to nitrogen deposits at the SAC if development resulted in more than a nominal amount of additional traffic on roads within 200m of the SAC. The only roads within 200m of the SAC are minor roads, notably the A1307, which are unlikely to be routes used for journeys to work by people living in new developments in Bedford Borough.  The most likely destination for such workers travelling east is Cambridge and with investment in East West Rail links and the upgrade to the A428, it is very unlikely that these commuters would use roads close to the SAC.  Anyone from the new developments working in, visiting or passing Huntingdon (likely to be much lower numbers) would use A141 or A14 rather than minor roads close to the SAC to the south of Huntingdon and near Godmanchester**.** Even residents travelling to Godmanchester would come from the south and thus not pass within 200m of the SAC.  We will update the HRA to include this explanation. | NE generally agrees with the assumption that it is unlikely that plan growth will generate significant levels of additional vehicle movements on roads within 200m of Portholme SAC and that associated NOx emissions / deposition is unlikely to affect site integrity. However, any available traffic modelling data to support this should be provided and referenced in the HRA. |

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1. <https://www.greatercambridgeplanning.org/biodiversityspd> [↑](#footnote-ref-1)
2. [Core\_Sustenance\_Zones\_Explained\_04.02.16.pdf (bats.org.uk)](https://cdn.bats.org.uk/uploads/pdf/Resources/Core_Sustenance_Zones_Explained_04.02.16.pdf?v=1550597495) [↑](#footnote-ref-2)