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Our ref: 390202



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BY EMAIL ONLY

Dear Ms Cowie,

Bedford Borough Local Plan 2040 – Habitats Regulations Assessment

Thank you for your consultation on the above dated and received by Natural England on 27 April 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

There are elements of the HRA which Natural England supports, however, a number of issues need to be addressed, which includes the following:

- Assessment of effect on loss of functionally-linked land for Barbastelle bat
- Further information on the ability of the Bedford treatment works to accommodate further growth
- Air quality modelling should be undertaken to determine whether nitrogen deposition exceeds the critical load for Portholme SAC

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Natural England notes the methodology outlined to explain the process the Habitats Regulations Assessment (HRA) has gone through. We welcome the detailed consideration of the impact pathways which are relevant to the assessment of Bedford Borough, and we note the explanation to the "pathways" which link development within Bedford Borough to each individual European site outlined in Table 1. Physical scope of the HRA - European sites of interest.

We welcome the use of the Visitor Access Study conducted in 2014 to determine recreational pressure impacts on the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and Ramsar site, which is currently being updated by Footprint Ecology. We note that the nearest allocation to the SPA and Ramsar site is 19.2km away, which is a greater distance than the 3km zone established within the North Northamptonshire Joint Core Strategy for a net increase in the number of residential dwellings. The HRA concludes that the Local Plan will not result in a likely significant effect on the Upper Nene Valley Gravel Pits SPA and Ramsar site through recreational pressure, either alone or in combination. On the basis of the information provided, Natural England concurs with this view. We also agree that the distances from proposed allocations to other European sites are sufficient that significant effects are unlikely to occur.

With regards to the loss of functionally-linked land, we welcome the recognition of the fact that golden plover and lapwing are known to feed on parcels of agricultural land outside of the boundary of the Upper Nene Valley Gravel Pits SPA and Ramsar site. Natural England is currently building up an evidence base on functionally-linked land surrounding the Upper Nene Valley Gravel Pits SPA and Ramsar site as part of work to review and refresh the Mitigation Strategy.

Again, we note that the nearest allocation to the SPA and Ramsar site is 19.2km away. This distance is greater than 10km agreed in consultation with Natural England within which functionally-linked land associated with the SPA could be found, as well as further than the known foraging distance of golden plover, which is up to 15km from a roost site. The HRA concludes that the Local Plan will not result in a likely significant effect on the Upper Nene Valley Gravel Pits SPA and Ramsar site through loss of functionally-linked land, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

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.

Natural England notes that there is a hydrological linkage between Bedford Borough and Portholme SAC, and the Ouse Washes SAC, SPA, and Ramsar. As stated previously in our response to the Strategy options and draft policies consultation dated 24 September 2021, the Water Cycle Study for the Huntingdonshire Local Plan confirmed that the treatment works at St. Neots is almost at capacity and there is already significant growth proposed around St. Neots through the Huntingdonshire Local Plan.

We note paragraph 4.19 says “The HRA of the adopted Huntingdonshire Local Plan concludes that *provided* the WRC that serves Huntingdon can meet the increased population of the settlement within the phosphorus concentration limits of its existing discharge consent, and/or can accommodate necessary tertiary treatment such as enhanced phosphate stripping if required, there would be no significant effect on Portholme SAC and this would also sufficiently protect the Ouse Washes downstream. The same conclusion would be even more applicable to Bedford given the considerable distance separating the WRC from Portholme SAC and the associated substantial dilution of discharged effluent.”

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.

As stated in our previous letter, Bedford Borough is a water stressed area, so sufficient water should be identified that is available for the growth. We therefore welcome that the Water Resource Management Plan has identified a solution for the additional demand as a result of the increased growth in Bedford Borough. On the basis of the information provided, Natural England concurs with the view that the Local Plan will not result in adverse effects on the integrity of any of the sites in question from increased water demand, either alone or in combination.

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.

Natural England advises that when more information becomes available on the route of East West Rail and other growth arc developments, such as the Oxford-Cambridge Arc, that they are considered within the HRA process of the Bedford Borough Local Plan 2040. Once enough information is available, we expect the environmental impacts of the growth arc projects to be assessed alone or in-combination with the Bedford Borough growth proposals. Natural England will be happy to provide further comments at the statutory consultation stage in the local plan process.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07425 617458, or by email [REDACTED]

Yours sincerely,

[REDACTED]
Lead Adviser – Sustainable Development
West Anglia Area Team