

# **Calderdale Local Plan**

## **Habitats Regulations Assessment Audit Trail**

### **November 2022**

#### **Background**

Natural England submitted comments dated 12<sup>th</sup> October 2022, regarding the published Main Modifications to the Calderdale Local Plan. Natural England state that while they broadly consider that the key soundness and legal compliance issues raised to the 2018 Publication Draft Plan, and subsequently, have been adequately addressed through the Habitats Regulations Assessment process, the lack of a clear audit trail has made their assessment very challenging. This note provides an audit trail of the various iterations of the Habitats Regulations Assessment.

The documents accompanying each iteration of the Local Plan together with further published documents are to be found in the examination library and are referenced accordingly. Much early work was undertaken in relation to the Core Strategy being prepared as part of the Local Development Framework, prior to the decision in 2014 to move to a single local plan.

The table below broadly depicts the main stages of the local plan process alongside the corresponding Habitats Regulations Assessment documents. The Habitats Regulations Assessment documents are presented in date order with the table rows coloured to make it clearer which documents go together (e.g., SD12.1, SD12.2, SD 12.3).

## Audit Trail of Habitats Regulations Assessment Process for Calderdale Local Plan

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	
2014 Transition from LDF to LP	N/A	N/A	c.2010 onwards	Literature Search Evidence Gathering/Mapping	Extensive background work on the Habitats Regulations Assessment for the Local Development Framework Core Strategy
	N/A	Calderdale Local Plan: Potential Sites and Other Aspects of the Local Plan Habitats Regulations Assessment (HRA) – Appropriate Assessment Report	June 2016	Policies and Allocations In-combination effects with other Plans	Not in Examination Library/not published – continuation of work on LDF Core Strategy.  Local Plan document “ <b>Potential Sites and Other Aspects of the Local Plan</b> ” was published in 2015.
	SD 10	Habitats Regulations Assessment Screening Methodology February 2017	February 2017	Methodological Document	
2017 Initial Draft LP Published	PC 01.4	Calderdale Local Plan Regulation 18 Consultation Draft 2017 Habitats Regulations Assessment (HRA) Initial Report including Appendices DRAFT	June 2017	Policies and Allocations In-combination effects with other Plans	Consultation Document incorporating relevant consultation questions.  Conclusions noted that air pollution from major roads, together with the recreational impacts from residential developments, on the SPA/SAC, remain outstanding matters which need to be fully addressed once the relevant evidence is available.
	SD 11	Calderdale Local Plan Regulation 18 Consultation Draft 2017 Habitats Regulations Assessment (HRA) Initial Report including Appendices DRAFT	June 2017	Policies and Allocations In-combination effects with other Plans	Consultation Document incorporating relevant consultation questions.  Conclusions noted that air pollution from major roads, together with the recreational impacts from residential developments, on the SPA/SAC, remain outstanding matters which need to be fully addressed once the relevant evidence is available.  Same document as Examination Library document PC01.4

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	
Summer 2018 Publication Draft LP Consultation	SD 12.1	Regulation 19 Publication Version 2018 Habitats Regulations Assessment (HRA) – Appropriate Assessment Report	June 2018	Policies and Allocations  In-combination effects with other Plans	Published alongside Local Plan Publication version.
	SD 12.2	Regulation 19 Publication Version 2018 Habitats Regulations Assessment (HRA) – Appropriate Assessment Report Appendices 1 to 4	June 2018		Published alongside Local Plan Publication version.
	SD 12.3	Calderdale Local Plan Publication Draft 2018 Habitats Regulations Assessment (HRA) Appendix 5 Screening Matrix	July 2018	Policies and Allocations	Published alongside Local Plan Publication version.

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	Notes
<p>January 2019 Submission of LP to SoS.</p> <p>Examination Commences</p>					<p>Section 9 para 9.6 amended regarding need to assess employment allocations.</p> <p>9.8/9.9 amended following consultation on publication version of Local Plan</p> <p>10.2 – reference to screening matrix added</p> <p>Table 9 (Sites not considered functionally connected) - Sites added: LP0635, LP0053, LP0651, LP0658, LP 0922, LP1501, LP1622, LP0234, LP0805, LP1487, LP1488, LP1489, LP1547</p> <p>Table 10 (Sites potentially functionally connected/non-physical disturbance and require mitigation) - sites removed form table: LP0635, LP0053, LP0651, LP0658, LP1637 (this site now removed from the LP)</p> <p>Para 10.13 deleted as sites referenced LP1458 and LP1461 removed from Plan.</p>
	SD 12.5	Regulation 19 Publication Version 2018 Habitats Regulations Assessment (HRA) Appropriate Assessment Report Update Appendices 1 to 4	January 2019		As per previous iteration
	SD 12.6	Appendix 5: Calderdale Local Plan Publication Version – HRA Screening Matrix	January 2019		As per previous iteration

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	Notes
January 2020 HRUPS* Published	CC05	Addendum to Calderdale Local Plan HRA Draft	20 <sup>th</sup> June 2019	Assessment of recreational pressure in combination with effects from other plans across a wider area.  Consideration of implications of 'People Over Wind' Judgement.	Air Quality referenced but not addressed in this document
	CC05a	Calderdale Local Plan HRA – Air Quality Results Table (WSP)	June 2019	Initial findings of work on vehicle emissions and air quality modelling on SPA/SAC.	As signposted in the document a further technical report followed (see CC149 to Cc149d).
	CC13	HRA Draft Addendum Final	25 <sup>th</sup> June 2019	Assessment of recreational pressure in combination with effects from other plans across a wider area.  Consideration of implications of 'People Over Wind' Judgement.	Final version of Addendum (CC05) including Appendix 2 - letter from Natural England 19/09/18.
	CC14	Natural England Response to HRA June 2019	24 <sup>th</sup> June 2019		Letter from Natural England commenting on Addendum (Recreational Impacts, 'People over Wind' Judgement and Air Quality)
	CC36	Calderdale Local Plan Habitats Regulations Assessment Recreational Use and Urban Edge Impacts	November 2019	Recreational impacts reflecting additional housing supply.  Increase in Housing Requirement and associated additional sites	Updates addendum of 25 <sup>th</sup> June 2019 (CC13) to reflect additional sites.  HRA screening of additional housing sites following increase in housing requirement figure.
	CC118	Matter 12k – Allocations in Proximity to the South Pennines Special Protection Area	March 2021	Additional site specific considerations to be included in Appendix 1 to the Local Plan (Site Allocations - Supporting Information) regarding the Natura 2000 sites.	Response to Inspector's MIQs (Matter 12k). Determining constraints, reports required and site specific considerations for all sites within 2.5km of the SPA/SAC and ensuring consistency across Appendix 1 to the Local Plan (Site Allocations – Supporting Information).

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	Notes
			June 2021	<p>Potential air quality impacts on SPA/SAC associated with change in traffic flows from implementation of the Local Plan (oxides of nitrogen NOx, ammonia NH3, nutrient nitrogen deposition N-deposition).</p> <p>Calderdale Local Plan alone and with Emerging Bradford Local Plan.</p>	
	CC149a	Council (WSP) Response to Natural England's response to CC149	10 <sup>th</sup> September 2021		Council (WSP) response to Natural England's response to CC149.
	CC149b	Calderdale Local Plan - Air Quality HRA – Further Information for Natural England (Technical Note 2/Isopleth Mapping)	11 <sup>th</sup> November 2021	<p>Isopleth Mapping.</p> <p>In-combination Assessment.</p>	Council (WSP) response to Natural England's further comments of 22 <sup>nd</sup> September 2021, in relation to CC149.
	CC149c	Statement of Common Ground between Calderdale Council and Natural England relating to Air Quality Habitats Regulations Assessment	9 <sup>th</sup> December 2021		SOCG between the Council and Natural England signed 6 <sup>th</sup> December 2021 and 9 <sup>th</sup> December 2021 by representatives of each organisation respectively.

Local Plan Timeline Key Dates	Document Ref	Document Title	Date	Matters Assessed	Notes
August 2022 Main Modifications Published	CC149d	Habitats Regulations Assessment of the Draft Calderdale Local Plan Air Quality Assessment	January 2022	CC149d supersedes CC149 (June 2021). CC149d takes account of information exchanged between the Council and Natural England in CC149a and CC149b, and reflects CC149c, the Statement of Common Ground between the Council and Natural England (December 2021).	<p><b>Conclusion:</b> Examining the Local Plan alone, the area of the South Pennine Moors SAC/South Pennine Moors (Part 2) SPA sites that are subject to increased exceedance of the relevant critical levels and lower critical loads by greater than 1% is considered to be <i>de minimis</i> and in this case the Local Plan would not have an adverse effect on the integrity of the sites. When examining the Local Plan in-combination with the other Bradford Emerging Plan, this conclusion remains unchanged.</p> <p>Therefore, it can be concluded on the basis of objective evidence that the Local Plan would not have an adverse effect on the integrity of the South Pennine Moors SAC/South Pennine Moors (Part 2) SPA.</p>
	N/A	Local Plan Main Modifications Habitats Regulations Assessment Statement	August 2022	Whether further HRA was required in relation to the main modifications.	Council Statement summarising HRA process for LP and reasons no further HRA work is required in relation to the Main Modifications

\*HRUPS – Housing Requirement Update and Potential Supply, January 2020