



**North West Leicestershire District
Council**

**Habitats Regulations
Assessment of the North West
Leicestershire Core Strategy -
~~Pre~~-Submission Version**

Final Report

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1 Introduction

- 1.1 Habitats Regulations Assessment (HRA) is required under the European Directive (92/43/EEC) on the ‘conservation of natural habitats and wild fauna and flora’. The Directive, ratified in the UK in 1992 seeks to protect the most valuable habitats and species in Europe. Alongside the European Birds Directive (79/408/EEC), this legislation sets the framework for the creation and protection of a network of protected sites across Europe, known as Natura 2000 or European sites.
- 1.2 Natura 2000 sites covered through the legislation are Special Areas of Conservation (SACs), designated for their species and habitats and Special Areas of Protection (SPAs), designated for the protection of birds. For the purposes of completeness the protection of sites is also extended to the cover candidate SAC sites and potential SPA sites, although there are none in the district of North West Leicestershire.
- 1.3 The Habitats Directive Articles 6(3) and 6(4) sets the requirement for assessment as:
“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site’s conservation objectives...”
- 1.4 To comply with this legislation a process of Habitats Regulations Assessment is undertaken. This can consist of several stages and include:
 - Screening: that involves an initial evaluation of the Plan’s potential effects on European sites in order to determine whether alone or in-combination with other plans it could have an adverse impact on the site/s integrity. From this screening a decision is made on if further ‘appropriate assessment’ is required.
 - Appropriate assessment: at this stage the potential impacts identified at screening are critically examined to identify mitigation or avoidance measures, and ascertain whether there will be an adverse impact.
- 1.5 This is the Habitat Regulation Assessment is of the North West Leicestershire Core Strategy (April 2012). A brief description of the HRA process and how this relates to North West Leicestershire’s sites is outlined within section 2.
- 1.6 This HRA report contains both screening and ‘appropriate assessment’. The two processes were run concurrently in this for this HRA. Initial screening of the proposed policies was initially undertaken followed by ‘appropriate assessment’ where proposed mitigation measures were assessed to examine whether there would be any residual adverse impacts on the European sites.

2 The Habitats Regulation Assessment process

- 2.1 The Habitats Regulations Assessment (HRA) is used to describe the process that is required under The Conservation of Habitats and Species Regulations 2010.
- 2.2 The HRA process is set up as a number of key stages, shown in table 2.1.
- 2.3 A first screening stage was completed of the Core Strategy proposals for growth and change (Nov 2008) and repeated for this Pre-Submission Core Strategy (May 2012). The intended outcome of this process is to ascertain the likely impact of the Core Strategy on the protected sites.
- 2.4 It was found in the re-screening of the policies and proposals of the Core Strategy in the May 2012 version that there was the possibility of significant adverse impacts from development. Therefore, stages of ‘appropriate assessment’ assessment were used to see if proposed mitigation measures could avoid these adverse impacts occurring.
- 2.5 The HRA is uses an approach that is frontloaded, where the majority of information necessary for the ‘appropriate assessment’ is collected at the ‘screening’ stage. This includes:
- Details of the characteristics and vulnerabilities of the River Mease SAC
 - Water Cycle Study (2012)
 - River Mease SAC Water Quality (Phosphate) Management Plan (2011)
 - Details of headroom capacity at waste water treatment works
 - And later in the process draft information from a Developer Contributions Scheme for relevant development in North West Leicestershire.
- 2.6 The stages of this HRA report are:
- identification of all the sites in and round the plan area that may be affected by the Core Strategy and the Conservation Objectives of these sites (section 3 and Appendix 1, 2 and 3)
 - Screening: establish the main mechanisms by which the Core Strategy could influence the Natura 2000 sites (Appendix 3) and drawing out what the specific impacts may be for each site and relevance to the Core Strategy (section 4 and Appendix 4)
 - looking for the possible impacts of the Core Strategy in combination with other plans (section 5 and Appendix 5)
 - Appropriate assessment: scoping of background evidence to support the detailed appropriate assessment of the potential impacts (section 6, Appendix 6 and 7)
 - Appropriate assessment: identifying the mitigation measures of the Core Strategy and other strategies (section 7)
 - Appropriate assessment: identifying the outcome of the appropriate assessment of the Core Strategy, looking at the impact of the plan along and in-combination (section 8 and Appendix 4)

- Concluding section of the full HRA, summarising findings, mitigation and recommendations (section 9).

2.7 Table 2.1 shows the stages of the HRA. A screening of policies of the pre-Submission version Core Strategy allows for consideration of whether the Core Strategy is likely to have a significant adverse impact (i.e. screening) and (if necessary) ensuring no significant adverse effect (i.e. appropriate assessment).

Table 2.1: Stages of Habitats Regulations Assessment (shaded stage not completed due to findings of screening and assessment)

Screening	<ul style="list-style-type: none"> • Identify Natura 2000 (N2K) sites within and adjoining the local plan area and acquire, examine and understand the conservation objectives for each feature of the site. • Consider the changes that policies and proposals in the plan may cause. • Assess whether any elements of the plan are likely to have a significant effect on any interest feature of each N2K site, either indirectly, directly, alone or in combination with other projects and plans. • If no significant effects are likely to occur as a result of implementation, the plan (or certain policies and proposals within it) can be published with no further reference to the Habitat Regulations, i.e. 'screened out' from stage 2. If there are likely significant effects arising from elements of the plan on certain N2K sites, or it is uncertain whether such effects will be significant, progress to next stage.
Appropriate Assessment	<ul style="list-style-type: none"> • Undertake an assessment of the implications of the plan (those policies and proposals within it identified in stage 1 as requiring AA) for each N2K site likely to be affected, in light of their conservation objectives. • Consider how the plan in combination with other plans or projects will interact and affect the site when implemented. • Consider how the effect of the plan on the integrity of the site could be mitigated and consider alternatives or develop mitigation measures. • If it can be demonstrated that the plan will not have an adverse effect on the N2K, the plan can be adopted. If the plan is still likely to have an adverse impact on the site(s) progress to next stage.
Assessment where no alternatives exist	<ul style="list-style-type: none"> • The competent authority must demonstrate that there are no alternative solutions to the plan which are less damaging. • The competent authority must establish if there are '<i>imperative reasons of overriding public interest</i>' to proceed with the plan or policy. • Identify and agree compensation measures and how these will be monitored.

Screening

- 2.8 To screen the plan for impacts it is necessary to identify strategic or spatial issues in the Core Strategy that may result in impacts on Natura 2000. This allows an opportunity for these impacts to be avoided early on in the plan preparation process, by seeking alternative approaches or locations for growth.
- 2.9 During the initial screening of the November 2008 version of the Core Strategy the potential for adverse impacts on the SAC site could not be ruled out. Furthermore, it was identified that there was the potential for significant harm. To agree a way forward consultation was

undertaken with between the local planning authority and Natural England and the Environment Agency.

- 2.10 Completing a further stage of screening of this Pre-Submission version was necessary to assess if the detailed policies of the plan would have the potential for adverse impacts and how these might also help in mitigation. This was repeated for the submission version Core Strategy to take into account policy revisions and new policies created following consultation.

Appropriate assessment

- 2.11 The potential for negative impacts could not be ruled out at this 2012 screening stage, so an ‘appropriate assessment’ was completed to see if mitigation was suitable to avoid adverse impacts. It should be noted that unlike a site specific HRA, the stages, screening and ‘appropriate assessment’ of an HRA of a development plan have greater overlap due to the iterative nature of plan making.
- 2.12 Consultation with Natural England, the Environment Agency and water utilities company was also carried out as part of the HRA to determine the methods for the further assessment, as well as more detail on the Natura 2000 site and its sensitivities and how mitigation could be achieved.
- 2.13 This includes measures to prevent disturbance, use further appropriate assessment, setting planning obligations or conditions. If such an approach is shown to be necessary it will be essential to explicitly state this in the Core Strategy. For strategic issues, where the impacts cannot be identified on a site specific basis, it may be necessary to include specific policy in the Core Strategy to mitigate or avoid the potential for impact. This may particularly be where the implementation will require a more detailed level of assessment.
- 2.14 It is good practice for the outcomes of the HRA to be discussed and agreed with Natural England and the Environment Agency, and ideally consensus reached on the conclusions of the HRA, this report presents a formal opportunity for further comment.
- 2.15 It should be highlighted here HRA at this level does not preclude the need for subsequent appropriate assessment at a site specific level if identified as necessary when producing the Site Allocations DPD and/or seeking planning permission.

Determining ‘likely significance’

- 2.16 An important part of the HRA is determining whether the plan is likely to have a significant impact on the Natura 2000 sites. A draft assessment guidance on HRA from the Welsh Assembly Government although prepared for Wales is relevant to sites in England. It suggests that likely in this context impacts should be “*readily foreseeable not merely a fanciful possibility*” and significant means “*not trivial or inconsequential but an effect that is potentially relevant to the site’s conservation objectives...The European Court of Justice has held that any effect likely to undermine the conservation objectives of a European sites should be regarded as a likely significant effect...*” (paragraph 2.2.4)¹.

¹ Welsh Assembly Government (October 2006) Draft Guidance – The Assessment of Development Plans in Wales under the provisions of the Habitats Regulations

‘In combination’ effects

- 2.17 The regulatory requirements of HRA set out a requirement that in addition to determining if the plan would have a significant effect on Natura 2000 sites on its own, it is also necessary to assess if there would be any significant effects in combination with other plans and projects.
- 2.18 This ‘in combination’ assessment will need to look for other plans and projects that also require HRA, such as the LDFs of neighbouring local authorities, as well as projects proposed or underway in the area. In order to achieve this it may be suitable to adopt some type of cross boundary working on HRA issues, and the need for a system to be in place to flag up other strategies and plans in the area that may have relevance to the HRA of the Core Strategy. Other plans and strategies that may contribute ‘in combination’ with the Core Strategy on the SAC site is identified in section 6 of this report.
- 2.19 The next section identifies the Natura 2000 site in the plan area (the River Mease SAC) that may be affected by the Core Strategy, and sets out the relevant conservation objectives of the European site.

3 Identifying Natura 2000 sites and relevant site information

- 3.1 This is the initial step of the screening process and involves identifying the sites, in and around North West Leicestershire that the Core Strategy could have an impact on.
- 3.2 All sites within the district, or within 20km of the district boundaries, have been identified, these are:

Inside the district:

- River Mease – Special Area of Conservation (SAC).

Outside the district boundaries:

- Ensor Pool Special Area of Conservation (SAC) is approximately 17 km from the district boundary;
- Cannock Chase SAC, Cannock Extension Canal SAC, Pasturefields Salt Marshes SAC and West Midlands Mosses SAC are all over 20 km from the border of North West Leicestershire.

- 3.3 An assessment was carried out to identify Natura 2000 sites within 20km from the local authority boundary. This 20 km threshold is indicative and does preclude the effects development may have on international designations further afield. However, this is a general and common threshold used by the majority of local authorities and other organisations.
- 3.4 Within North West Leicestershire there is one SAC, the River Mease, and the River Mease SAC flows beyond the border. There is one site, Ensor Pool SAC, within 20km of the North West Leicestershire border.
- 3.5 The information collated on the River Mease SAC and Ensor Pool SAC, particularly in relation to vulnerability has been collated from various sources: Natural England's website, magic.gov.uk, Joint Nature Conservation Committee (JNCC), 'Standard Data Form' and the Appropriate Assessment of the Housing Land Release Supplementary Planning Document (SPD).

Ensor Pool SAC

- 3.6 Ensor Pool SAC is an inland water body, with grassland, situated within a flooded brick-pit that has been abandoned for fifty years. The 3.5 ha area is located adjacent the built up area to the south of Nuneaton, approximately 17 km from the North West Leicestershire border. The crayfish population would be vulnerable to pollution and introduction of non-native crayfish. The strategic sites proposed within the North West Leicestershire Core Strategy Consultation report would not have a significant impact on this site, because development in the plan area is not within the catchment area of the SAC. Potential impacts on the site would most likely result from development proposals within and adjacent to Nuneaton and be localised.

River Mease SAC

- 3.7 Basic site plan showing buffer zones around the River Mease sites are shown in Appendix 1 along with the catchment of the River. The buffer zones show distances of 2.5kms and 5kms from the SAC, which are only indicative measurements, but provides an indication of which settlements are in close proximity of the River Mease. The buffers illustrate that Measham and south of Ashby-de-la-Zouch is within 2.5 km of the River Mease. The north of Ashby-de-la-Zouch, west of Ibstock and extreme west of Coalville is within 5km of the designation.
- 3.8 The catchment map shows that two principal settlements. Ashby-de-la-Zouch and Measham are within the River Mease catchment. As well as the Sustainable Villages of Appleby Magna, Blackfordby, Donisthorpe, Moira, Packington and Oakthorpe and several Rural Villages.
- 3.9 Significant also is map A in Appendix 1 that shows the River Mease catchment and the sewage treatment works that serve the main settlements. The main risk pathway is not the distance to the River Mease but the route of waste water and capacity at relevant treatment works. Most important for this area is the waste water from Ashby-de-la-Zouch that flows to Packington treatment works where there is limited capacity and waste water from Measham that flows to the Measham Waste Water Treatment Works.
- 3.10 The paragraphs 3.11 to 3.13-16 and Appendix 2 sets out ~~the relevant conservation objectives~~ details and characteristics of ~~for~~ the European designated River Mease Special Area of Conservation.

3.11 River Mease – Special Area of Conservation

Site code: UK0030258

Total area: 21.86ha

Primary reasons for designation

The River Mease SAC is an inland water source within a lowland clay area of North West Leicestershire. The river flows westwards over Sherwood Sandstone and Mercia Mudstone, into the River Trent at Croxall. The overall form of the river contains a range of physical in-channel features, which provides channel diversity compared to other similar rivers, and bankside tree cover.

The River Mease is important for its population of **Spined loach *Cobitis taenia*** and **Bullhead *Cottus gobio***, which is the primary reason for selection of this site in Annex II of the Habitats Directive.

The site contains habitats listed under Annex I of the Habitats Directive and these are a qualifying feature. They are **water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation**. The site also contains a variety of species listed under Annex II of the Habitats Directive which are also primary reasons for selection. These species include **White-clawed (or Atlantic stream) crayfish *Austropotamobius pallipes*** and **Otter *Lutra lutra***.

The site also supports valuable habitat used by these protected species, such as floating sweet-grass *Glyceria gobio* found in the lower reaches of the Gilwiskaw Brook, and other

vegetations such as common club-rush *Schoenoplectus lacustris*, *Glyceria fluitans*, reed canary-grass *Phalaris arundinacea*, branched bur-reed *Sparganium erectum*, greater pond sedge *Carex riparia* and bulrush *Typha latifolia*, for example.

The current condition of the SAC is **unfavourable (no change)**.

- 3.12 Natural England has assessed the River Mease in terms of its status as a Site of Special Scientific Interest (SSSI). This assessment is relevant to the species and habitat identified as protected by the SAC designation. The required SSSI environmental objectives for the water course, including specific principles for individual habitats and species, are defined by Natural England and set out in Appendix 2.
- 3.13 Environment Agency's River Basin Management Plan² Annex D identifies the protected water objectives and Natura 2000 actions relating to the River Mease, as set out in Appendix 3. These reflect the vulnerabilities listed below relating to water issues.
- 3.14 The Environment Agency's Tame, Anker and Mease Catchment Abstraction Management Strategy³ identifies the Measham Ground Water Management Unit as over licensed. The Environment Agency has identified that the sewerage works at Packington are at maximum capacity and have an impact on phosphorus conservation targets. Stage 4 management options are currently being developed by the Environment Agency relating to water quality.
- 3.15 The ecological status of the water course is a major determinant of Favourable Condition Status (FCS) for all features. The overall objective for the SAC is to protect and improve the water or water-dependent environment to the extent necessary to achieve favourable conservation status for all the water dependent features for which the protected area is designated.
- 3.16 The integrity of the site needs to be maintained and its main vulnerabilities have been identified as:
- **Abstraction levels** of water can affect water levels and the species population.
 - **Water quality** is a particular vulnerability for the River Mease, due to the capacity of all relevant sewerage works, which means conservation targets for Phosphate cannot be currently met.
 - **Dumping, storage, spreading or discharging of any material or substances** can be problem comes from agriculture, but can also come from roads and development.
 - **Development pressure** can cause temporary physical, acoustic, chemical and sediment barrier effects that need to be addressed in the assessment of specific plans and projects. Noise/vibration e.g. due to impact piling, drilling, will have an impact on the river. Contamination of the river can arise when contaminated land adjacent the river is disturbed e.g. as a result of development. Contamination can also arise from pollution events (which could be industry related).
 - **Modification of the structure of watercourses** – including their banks.
 - **Extraction of minerals** – including peat, shingle, sand and gravel, or soil.

² Environment Agency (2009) *River Basin Management Plan Annex D*

³ Environment Agency (2008) *Tame, Anker and Mease Catchment Abstraction Management Strategy*

- **Removal of habitats** – the destruction, removal or cutting of plant or plant remains within or adjacent the River Mease.
- **Recreational activities** – recreation can damage or disturb features of special interest.
- **Invasive species** – invasive freshwater species.

3.17 As outlined above the River Mease SAC has many vulnerabilities which can be effected by development, therefore it is important to assess the growth options and strategic policies outlined in the submission version of the Core Strategy (April 2012). Section 4 considers the different policies and the potential impacts on the Natura 2000 site.

Conservation objectives

3.18 Part of determining significance of impacts is identifying if it would adversely impact on achieving the conservation objectives for the site. ~~The SAC has had a Water Quality (Phosphate) Management Plan (2011), prepared jointly by Natural England and the Environment Agency. This sets out the conservation objectives and performance indicators~~The conservation objectives for the site as set out by Natural England are to:

~~3.18 “Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.”-~~

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4 Screening: Pre-submission Core Strategy

- 4.1 The Core Strategy sets the framework for guiding major new development in the district. This includes setting the level of growth the Core Strategy must provide for over the plan period, and the spatial distribution of this growth around the district. This part of the HRA considers how development delivered through the Core Strategy has the potential to impact on the River Mease SAC.
- 4.2 The initial screening was of the November 2008 version of the Core Strategy. From this earlier version of the Core Strategy it was possible to identify some strategic matters related to delivering development that may have the potential to have an adverse impact on the Natura 2000 site. These strategic issues are also part of the current submission stage Core Strategy, with some changes, for instance the amount of proposed housing development directed to individual settlements is in some cases different from the original options. The identified strategic matters are:
- an expected housing growth of 9,700 new homes in the district in the plan period up to 2031
 - provision for a growing economy, with the pre-submission giving a total need of around 134 hectares increased to 164 hectares, although only 60 hectares of this will be new allocation allocation of 120 hectares of new and existing employment land
 - identifying the towns that are to be the focus for the majority of new development, these include Coalville, Ibstock, Ashby-de-la-Zouch, Measham and Castle Donington and Kegworth
 - 'sustainable villages' have been identified where some development will be permitted in these villages and 'rural village' where very limited development could occur.
- 4.3 The pre-submission Core Strategy ~~is-was~~ more comprehensive and detailed than the previous stage of preparation. The new content of the plan ~~now-needs-to-be-was~~ screened for potential impacts on the Natura 2000 site in May 2012. The additional material that ~~needs-needed~~ to be screened ~~at this stage~~ include:
- finalised housing numbers and development directed to individual settlements. It is essential that there is no harm to the integrity of sites and the reasons for designation either through direct land take or indirect impacts
 - detailed policies, screened to assess whether they are likely to have a significant adverse impact and if so an appropriate assessment to consider impact upon the integrity of the SAC and the potential mitigation which may be used to off-set any impact.
- ◆4.4 In addition, following consultation the submission version (March 2013) has introduced some changes to policies of the pre-submission including two new policies to be screened.

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Potential impacts of policies and proposals

4.4.4.5 To enable the screening assessment it is necessary to identify the potential impacts of proposals and policies on the SAC, which are based on the identified vulnerability of sites, as well as issues that could directly impact on these sites.

4.5.4.6 The possible routes for the Core Strategy to have an impact are:

- water quality – the impact of development can have an effect on water quality particularly where growth outstrips treatment capacity, landfill sites, industry and quarrying may also impact on water quality. Water pollution can cause direct impacts on sites and also nutrient enrichment can cause vegetation composition on sites to adversely affect the conservation objectives.
- direct disturbance from development – this includes development directly causing the loss of whole or part of a site, although this is controlled through national protection policies.
- human disturbance from recreation – where new housing or development for recreational use is located near to protected sites it may lead to increased recreational pressures that may cause disturbance of sites and designation features.
- water quantity – new development gives rise to increased water supply demands, this can result in lowering of water tables that can adversely impact on sites that depend on high water tables to support them, the Groundwater abstraction areas underlying Measham and south of Ashby-de-la-Zouch is already over licensed.
- changes in surrounding supporting habitats – loss of nearby open spaces and habitat links, such as hedgerows, can cause negative impacts on species on site through the loss of supporting breeding populations, linking habitats or shelter features particular where the SAC is divided into a number of distinct areas.

4.6.4.7 At this time only impacts related to water quality are assessed in the HRA. The reason is that the Core Strategy does not allocate any sites for development and no locations of significant growth are located adjacent to the River Mease. Therefore, it is not possible to screen with any certainty those impacts that relate to direct disturbance, including visitor pressure. However, these potential impact pathways will need to be considered in the HRA of other parts of the Local Plan, including the allocation of sites. Furthermore, there continues to be the need to screen individual planning applications for their potential to effect the River Mease, and carry out 'appropriate assessment' if necessary. Screening of the emerging Allocations and Development Management Development Plan Document (DPD) is also required. The DPD will include the allocation of sites and screening will be required to determine if the location, scale or type of development proposed would potentially have an adverse impact on meeting the conservation objectives for the River Mease SAC.

4.7.4.8 The main vulnerabilities relating to the development plan are from elevated phosphorous levels of phosphate within the River Mease.

4.8.4.9 The second column of Appendix A shown the impact pathway analysis and how the proposals could potential impact on the River Mease SAC.

Initial screening for impacts on the River Mease SAC – Core Strategy Further Consultation 2008

~~4.94.10~~ Initial screening for the SAC sites was completed for the 2008 Core Strategy proposals. Each policy of the 2008 version of the Core Strategy was screened to assess where impacts may arise, and what this might mean for the integrity of each site and its conservation objectives.

~~4.104.11~~ For the River Mease SAC site the 2008 screening report covered:

- The relationship with the Core Strategy and where there are potential vulnerabilities to impacts created by the plan
- The potential impacts of strategic and detailed policies
- Recommendations for avoiding impacts where identified
- Concluding remarks including the likely significance of any residual impacts.

~~4.114.12~~ The table in Appendix 4 of the screening report 2008 (available on the Council's website) shows that there is potential for the Core Strategy to have an adverse impact on the River Mease SAC. Risk of adverse harm specifically relate to development that would result in increasing levels of phosphorous in the River Mease. Therefore, further screening at the pre-submission stage is necessary to assess likelihood of impacts and proceed to 'appropriate assessment' if required. This has resulted in the preparation of this 2012 report.

Screening of the ~~Pre-Submission Version~~ Core Strategy policies 2012

~~4.124.13~~ The policy screening ~~of the submission Core Strategy~~ is shown in Appendix 4 of this report. The table takes each of the policies of the ~~pre~~-submission Core Strategy in turn and identifies its potential for adverse impacts on each of the SAC sites. The third column indicates how the policy may impact on the River Mease SAC, and the fourth column shows the type of impact based on a scale created by Natural England. This screening stage is based on impact *prior to any mitigation being applied* i.e. the potential for impacts based on the wording of the policy based on a theoretical situation where it is applied in isolation.

~~4.134.14~~ Impact pathways relate primarily to the effects of increased phosphorous in the River Mease as a result of development.

~~4.144.15~~ The screening of policies of the ~~pre~~-submission version Core Strategy is shown in Appendix 4 ~~of this report. The appendix identifies those policies where there is the potential for significant adverse impacts on the River Mease SAC before mitigation.~~

~~4.154.16~~ Policies that are identified as "...could be likely to have a **significant effect alone** on the SAC "before mitigation are: are:

- Policies CS1, CS2 and CS7 and provide for an overall housing and employment distribution to the whole district up to 2031, although it does not provide any detail of the quantity of development directed to each area.
- Policy CS15 provides the housing numbers for specific locations some of which would directly impact on the River Mease SAC without any mitigation measures.
- Policies CS37 and CS41 directs development to Ashby and Measham respectively which would increase the amount of waste water being directed to waste water treatment works in the local area.

~~4.164.17~~ Policies are also identified that could have “... **uncertain effects** on the SAC that should be addressed in a **lower tier assessments including proposal specific appropriate assessment**”, prior to mitigation are:

- Policy CS9 provides for a potential extension to Swadlincote, for South Derbyshire local authority, to be delivered within North West Leicestershire. This has not been adopted through the South Derbyshire Core Strategy or agreed with North West Leicestershire and no housing number has been calculated for this location. Any housing delivered for Swadlincote would be additional to North West Leicestershire housing need and Core Strategy housing requirement.
- Policy CS6 and CS12 relate to general promotion of development for retail and town centres and therefore depending on location could impact on the River Mease through increased phosphorus levels
- Policy CS10 on meeting the employment needs of business would seek economic growth and this could be within the catchment of the River Mease.
- Policy CS16 sets out the minimum standards for residential density. Impacts on the River Mease SAC could potentially increase with an increase of housing depending on the location of homes.
- Policy CS23 seeks to locate development to locations that have existing services and facilities in line with the development strategy. As outlined above, some of these locations, including Measham and Ashby, would have an impact on the SAC, but would depend on the exact location and amount of development proposed.
- Policy CS25a sets out the criteria for determining suitability of new renewable energy proposal and the impact will depend on the location and type of technology, although impacts on the SAC are unlikely decisions on suitability need to take into account potential for effects on the SAC
- Policy CS42 provides for the overall housing distribution for rural areas up to 2031, although it does not provide any detail of the quantity of development directed to each village.

~~4.174.18~~ There are also several policies with a positive impact on the River Mease. These primarily relate to protection of the natural environment, and specifically policy CS33 in on protection of the River Mease SAC. This policy is one of the principal mitigation measures for impacts to the River Mease and is discussed further in later sections of this report.

~~4.184.19~~ The screening concludes that potential significant adverse impacts were possible if the plan ~~was were to be~~ implemented without mitigation.

~~4.194.20~~ Therefore, to better understand the nature of impacts additional information needs to be gathered for the HRA to be able to assess the significance of the impacts, section 6, and how mitigation can be used to avoid adverse impacts, section 7. It is also necessary to consider if the implementation of other plans and programmes alongside the Core Strategy may have additional adverse impacts, section 5. These together make up the ‘appropriate assessment’ of the Core Strategy.

~~4.204.21~~ These elements provide additional scoping to aid the final ‘appropriate assessment’ of the Core strategy shown in section 6, 7 and 8 of this HRA report.

5 In-combination effects

- 5.1 It is important to consider other plans and projects that may also have an influence over the Natura 2000 site, and how the Core Strategy could affect these to change the significance of impact on the site. This is a requirement of Article 6(3) of the Habitats Directive.
- 5.2 The plans, programmes and strategies that are identified as having the potential to have an impact on the SAC site, and the potential in-combination impacts, are detailed in Appendix 5.
- 5.3 Most significantly in this instance it will be important to consider the South Derbyshire Core Strategy development proposals, particularly proposals relating to development within the River Mease catchment area. The South Derbyshire Core Strategy has not yet been finalised.
- 5.4 It is necessary to be selective about which other plans, programmes and strategies may have an in-combination impact. The process has therefore focused on those plans that may have similar water quality and availability impacts to those impacts already identified for the Core Strategy.
- 5.5 The plans where in-combination impacts have been considered are on a national, county and local level, as well as the potential for specific projects. Plans from a variety of authors are reviewed, including neighbouring authorities, County Council, Environment Agency and Natural England.

National Plans

- 5.6 National plans reviewed for in-combination impacts do not set direct policy for making development decisions. The aims and objectives of these higher level plans will be implemented through lower tier policies including the Core Strategy. Therefore, direct in-combination impacts of these plans cannot be identified.

County Plans

- 5.7 Waste and mineral site allocations in Leicestershire have been identified with potential in-combination impacts on the River Mease, where any site within the catchment area was to be expanded. However, implementation, together with the development management policies within the plans, would mitigate any impacts at this location due to the European environmental designation. Any planning application submitted would then require an Appropriate Assessment.
- 5.8 Development issues relating to water quality have been identified as a risk to the SAC site screened in this assessment. Transport schemes set out in the local transport plan may have an adverse impact on the SAC site where increased road usage would increase water surface run-off. However, the use of sustainable urban drainage and the strategy to reduce car use will reduce adverse impacts.

Local Plans

South Derbyshire Core Strategy

- 5.9 The South Derbyshire Core Strategy has not yet been adopted and the Council have recently completed consultation on options for growth, jointly with Derby City Council and Amber Valley District Council.
- 5.10 The Appropriate Assessment (screening and scoping) Consultation Report for the South Derbyshire Core Strategy (October 2008) identified the Core Strategy for South Derbyshire could give rise to likely significant effects on the River Mease SAC. It concluded that as the Core Strategy is developed it will need to be subjected to additional assessment work to ensure the plan has the least possible impact on the site either through avoidance or mitigation. The later stage of appropriate assessment will focus on the water quality issues (and water quantity if new development increases pressure on water resources from the River Mease WRMU).
- 5.11 In light of discussions with North West Leicestershire District Council, there is the potential for extensions to Swadlincote, which is both within the North West Leicestershire local authority boundary and the River Mease catchment area. This development proposal would have the potential for in-combination impacts.
- 5.12 Development at Swadlincote would increase the number of homes and potentially other types of development within the River Mease catchment area. Further development in this area would increase the amount of waste water required to be treated and increase the number of homes requiring waste water treatment. These homes currently have not been included within the headroom capacity of the waste water treatment works in this location. Further work would be required between South Derbyshire District Council and North West Leicestershire District Council, with the Environment Agency, Natural England, Severn Trent Water and the development industry. This will ensure there are no in-combination impacts from development around Swadlincote and surrounding area.

Other neighbouring local authorities

- 5.13 The district has five other local authority neighbours including Charnwood, Hinckley and Bosworth, Rushcliffe, North Warwickshire and Erewash. All local authorities are at different stage of producing their Core Strategies and proposing strategic levels of housing and employment, along with other types of development.
- 5.14 None of these local authorities will deliver development which could impact on the River Mease catchment area and therefore should not impact on the SAC. These plans will also be subject to HRA and will need to take into account the relationship with North West Leicestershire local plan.

The Tame, Anker and Mease Catchment Area Abstraction Management Strategy (March 2008)

- 5.15 In this CAMS the River Mease and the underlying Measham groundwater unit are being assessed under the Habitats Regulations due to the SAC status of the River Mease.

- 5.16 The CAMS provides details on water abstraction from the River Mease and restrictions on licences to minimise the impact of abstraction on water resources within the river. The plan also identifies the area of over licenced groundwater.

Site specific plans and proposals

- 5.17 Plans and proposals for development will come forward in and adjacent to the district throughout the lifetime of the plan. ~~Many~~The exact location of large development sites has yet to be identified in the Core Strategy. However, Broad Locations for and of the large development sites have not been identified, although the housing numbers for specific settlements have been identified. The assessment of the impacts of these ~~plans~~Broad Location and growth levels is part of this HRA report. is already part of the assessment. However, the site allocations component of the Local Plan may also require HRA screening and assessment if necessary, to consider both large extensions and other allocations.
- 5.18 Other development beyond the district boundary may also have an impact. Most significantly may be development potential around Swadlincote for housing to support housing numbers in South Derbyshire. This will increase the need for waste water treatment which would need to be accounted for within the headroom capacity of existing waste water treatment works.
- 5.19 Although strategic plans do not appear to have any in-combination impact on the SAC, any new applications which come forward for waste or mineral works close to the SAC could have implications for water abstraction or water quality. Any proposals of this type will need to be fully assessed for impacts on the SAC alone and in-combination/cumulatively with other development in the area. This may also be exacerbated by new traffic associated with new development in and around the River Mease catchment area.

6 Appropriate assessment: Background evidence and strategies

- 6.1 The initial screening of the proposed Core Strategy in 2008 and on-going development pressure in the River Mease SAC catchment identified the need to find ways of protecting the SAC, without a blanket moratorium on development in the area.
- 6.2 Discussions at that time with the Environment Agency confirmed that all development options at Ashby-de-la-Zouch and Measham would have an impact on the River Mease and associated tributaries. The Environment Agency also stated that all development within (and adjacent) villages in close proximity to the River Mease would also have an impact on the site.
- 6.3 The potential for significant impacts comes from declining water quality in the River Mease as a result of waste water outflow from waste water treatment works serving Ashby-de-la-Zouch and Measham. Therefore, based on evidence the Core Strategy needs to identify how it can in place mitigation and avoidance measures to ensure new development delivered over the plan period does not cause significant harm to the River Mease SAC.
- 6.4 To get a better understanding of the use of water in North West Leicestershire, including water infrastructure in relating to the River Mease, the Council commissioned a Water Cycle Study⁴. The purpose of this was to identify solutions that will help facilitate development whilst preventing further deterioration of water quality and water resources.
- 6.5 The Council also worked with Severn Trent Water, the water utilities company in the area, to understand the existing capacity of treatment works on the River Mease related to their ability to manage phosphorous levels in the River. Severn Trent Water has produced a headroom assessment⁵ for sewage treatment works in March 2012, which Severn Trent will update annually. The Council commissioned a Water Cycle Study.
- 6.6 Also, a Water Quality (Phosphate) Management Plan (WQMP) has also been produced jointly by the Environment Agency and Natural England. The purpose of the WQMP is to reduce the levels of phosphate within the River Mease SAC, to enable the Conservation Objectives to be met. The WQMP requires a Developer Contributions Scheme that sets out measures to mitigate the negative effects of development that can take place within the existing headroom at the various waste water treatment works in the catchment. These reports are referenced within policy CS33, to ensure that all new development is in accordance with them. These policy linked mitigation measures are outlined further within section 7.

Severn Trent Water – headroom assessment (March 2012)

- 6.7 Severn Trent Water has an obligation to provide capacity to treat additional flows and loads that arise from additional residential properties.
- 6.8 Severn Trent Water has assessed the sewerage treatment headroom capacity facilities to inform the Core Strategy and planning application decisions. The position, as at March 2012, is set out in Appendix 6 showing headroom capacity. This information will be updated on an

⁴ Amec (April 2012) *Water Cycle Study*

⁵ Severn Trent Water (2012) *Headroom Capacity Assessment 2012*

annual basis and next scheduled for March 2013. The headroom capacity relates to maximum loads of phosphorous in the River Mease.

- 6.9 In assessing capacity Severn Trent Water identify that there is sufficient headroom capacity for 1,218 new homes in the Packington Water Treatment works (taking waste water from Ashby) and for 1,163 new homes in Measham Water Treatment Works. This is based on an average/central estimate of headroom capacity (table 6.2), based on assumptions that can affect the quantification of headroom. With each assessment assumptions can be reviewed as part of annual process.
- 6.10 Table 6.1 outlines the central estimate headroom capacity compared to the proposed number of homes in each water treatment works area for Packington and Measham. It shows that there is existing sufficient capacity for both of these waste water treatment works to meet the needs of existing permissions and proposed residual housing numbers in the Core Strategy, according to the current permit.

Table 6.1: Headroom capacity compared to homes at treatment works

Waste water treatment works	Central estimate headroom capacity	Existing permissions	Core Strategy residual housing number (+ villages)	Total number of proposed homes
Packington (serving Ashby)	1218 homes	456 homes	560 homes+	1016 homes
Measham	1163 homes	66 homes	440 homes+	506 homes

- 6.11 For Measham waste water works there is sufficient headroom capacity remaining for over 500 additional homes to those allocated in the Core Strategy.
- 6.12 However, for the Packington waste water works there is only enough headroom capacity left for just over 200 new homes in the Ashby area, beyond those allocated through the Core Strategy. This is based on a central estimate as table 6.2. There are also potential 'worst case' and 'best case' scenarios, depending on the factors that can affect the quantification of headroom. In the 'worst case' scenario this can restrict the number of properties within the headroom capacity to 735 properties for the Packington water works. Therefore, there is the risk that headroom capacity could be exceeded over the plan period (medium to long-term), especially if there is significant employment growth in addition to housing growth.

Table 6.2: Scenarios for headroom capacity at the Packington treatment works

	Worst Case	Central estimate	Best Case
Assumption 1	Use lowest volumetric headroom figure of 233 m ³ per day	Use mid-range volumetric headroom figure of 336 m ³ per day	Use best case volumetric headroom figure of 647 m ³ per day
Assumption 2	No application of sustainable homes standard (use standard 135 l/h/d)	Use average of normal and sustainable homes water usage (@276 l/prop/d)	Full application of sustainable homes water consumption (100 l/h/d)
Headroom (properties)	735	1218	2753

- 6.13 The Severn Trent Water note shows that at the present time they do not have an agreed budget for reducing phosphorous levels in effluent and reducing phosphorus discharge levels from increasing demand within their treatment works. This is because this work has not be budgeted for and based on Ofwat rules, cannot be funded from developer contributions. Even where development occurs within headroom capacity it will still mean an increase in phosphorous levels in the River Mease, contrary to conservation objectives of a favourable conservation status. All development will therefore need to contribute to other ways of reducing phosphorous, this includes implementation of mitigation measures as part of the Developer Contributions Scheme. More information on this mitigation is shown in section 7.
- 6.14 Appendix 7 provides a note prepared by the Core Strategy plan making team, relating to the proposed housing numbers in the Core Strategy and existing headroom capacity. This supports the Severn Trent capacity report that restricts growth in Ashby and Measham to that which would not exceed the current agreed headroom at the two identified waste water treatment works (1,218 Ashby (i.e. Packington) and 1,163 Measham).
- 6.15 This note has been signed-off by both the Environment Agency and Natural England within Appendix 7. This gives their agreement that the Core Strategy is setting development at levels in Ashby and Measham within existing headroom capacity for maximum phosphorous limits and therefore can proceed. However, it does need to be noted that this still may be contrary to the conservation objectives for the site, that are to bring the River Mease back into good water quality relating to phosphorous pollution ([paragraph 3.18](#)) to achieve this may require infrastructure upgrades and solutions to elevated phosphate levels.
- 6.16 The Core Strategy is included in supporting text that although headroom is expressed in terms of residential capacity it applies to all types of development that require foul water treatment in the River's catchment. Severn Trent Water have confirmed in their note that the information will be updated on an annual basis. Therefore, it will be important to carefully **monitor** the headroom capacity and water quality of the River Mease, to ensure the long term strategy for the district can be delivered. A contingency plan may need to be in place if development is causing deterioration in water quality in the River Mease, including preventing further development in Ashby until additional treatment capacity is in place.

- 6.17 It is also essential to recognise that this is based on existing headroom capacity under existing permit arrangements. Should these permitted levels change in future then the this will have an influence on development potential in the catchment and the need for alternative or additional mitigation measures as addressed in the Water Cycle Study.
- 6.18 The Council will also have to assess proposals on a site-by-site basis, to ensure the treatment works have capacity and ensure the spatial strategy and Core Strategy strategic policies are still deliverable up to 2031.
- 6.19 The medium to long-term solutions for increasing capacity at Packington Waste Water Treatment Works are addressed in The Water Cycle Study.

Water Cycle Study

- 6.20 The Water Cycle Study (April 2012) identifies tensions between growth proposals and environmental requirements and possible ways of addressing them. The solutions it sets out can be part of the long-term mitigation of adverse impacts of development on the River Mease. However, these are not measures that the Core Strategy seeks to implement at this time, while headroom capacity remains. The water cycle study also identifies some general water management issues that will apply to development. These measures will not mitigate impacts fully, but will play a role in helping to reduce the overall magnitude of negative effects related to elevated levels of phosphorous in the River Mease by reduce quantities of water outflow. However, they will not be sufficient to off-set negative effects. These relate to:
- Development proposals should incorporate sustainable drainage systems (SuDS) to control surface water run-off.
 - Development proposals should reduce flood risk.
 - Development proposals should achieve the requirements of the Code for Sustainable Homes Level 3/4 for water consumption, and for non-household developments Good standard for water consumption.
- 6.21 The Water Cycle Study only presents mitigation that may be necessary as part of longer term solutions to protecting and enhancing the River Mease. More specific details of shorter term solutions are shown in the Developer Contributions Scheme and WQMP, to be implemented through the Core Strategy and individual planning application.

Reviewing infrastructure requirements

- 6.22 The Water Cycle study reviewed the potential impacts on water quality from a number of proposed solutions to wastewater treatment. Preferred solutions for both short term and longer development have been identified.
- 6.23 The preferred immediate solution, Option 2 'Maintain the Load', is to permit new development to connect to the existing sewerage network in the Ashby, Packington and Measham areas. This option was not considered viable over 12 months ago, but revisions in the headroom calculations, improved treatment which is planned for the works (expected operational by March 2012), and a reduction in housing targets for Ashby, as well as the evidence provided from the water quality modelling results; makes this a viable option **in the short term**. This option is stated, within the Water Cycle Study, feasible for the short

term (in the next 5 to 10 years). It could be a longer term solution so long as headroom is not exceeded. However, this is not a mitigation measure as it still results in an increase in phosphorous load. All new development, including that within headroom capacity must fulfil the requirements of the Developer Contributions Scheme to off-set these increased phosphorous levels.

- 6.24 The study considers that Option 2 should work alongside medium/longer term solutions of additional treatment at one or both of the treatment works when identified headroom capacity has been exceeded.
- 6.25 Discharge from Packington Waste Water Treatment works has been identified as the main contributor to the decline in water quality in the river. Therefore, improvements here have the potential for the largest improvements in water quality. The Water Cycle Study identifies a **medium term Option 4** which involves improvements at Packington Wastewater Treatment works.
- 6.26 As indicated in paragraph 6.12 these calculations are based on ~~housing dwelling only, but as set out in text related to policy CS33 the capacity applies to -and capacity required from all other~~ types of development, such as employment, retail, hotels and leisure etc, which would also discharge waste water. Therefore, it will be extremely important to assess the headroom capacity on an annual basis, as indicated by Severn Trent Water, to inform decisions on the planning the medium solution Option 4b. The Core Strategy includes wording to this effect.
- 6.27 The Council will also have to assess proposals on a site by site basis, to ensure the treatment works have capacity and ensure the spatial strategy and Core Strategy strategic policies are still deliverable up to 2031.

Reducing surface water and flood risk

- 6.28 The Water Cycle Study states that ‘any improvements to wastewater discharges need to be undertaken in parallel with improvements to diffuse sources’. Therefore, to help maintain water quality in the River Mease development in the catchment should introduce **sustainable drainage systems** (SuDS) to control surface water run-off. SuDS would provide mitigation measures to further reduce the impact on the SAC by reducing surface water flooding, controlling runoff at source, improving water quality by treating runoff and removing pollutants prior to discharge off site and, if systems such as rainwater harvesting or greywater recycling are used, reduction in water resources demands.
- 6.29 The study recommends that all sites greater than 1 hectare should have a **Flood Risk Assessment** prepared in line with PPS25. Since the production of the Water Cycle Study, PPS25 has been replaced by the National Planning Policy Framework and Technical Guidance relating to development and flood risk. Where possible a reduction to greenfield run-off rates should be aimed for.

Improving water efficiency

- 6.30 To reduce the overall amount of water going to treatment works and in so doing help maintain capacity the Water Cycle Study also recommends water efficiency measures.

- 6.31 The Water Cycle Study made an assessment of **water efficiency** in households and how builders can achieve the requirements of the Code for Sustainable Homes Level 3/4 for water consumption has been undertaken.
- 6.32 The study makes a suggestion to the Council to develop a policy for non-household development making it mandatory for commercial buildings to be assessed by a BREEAM assessor, with the expectation that buildings meet Good standard for water consumption targets for the building type.
- 6.33 Appendix D of the Water Cycle Study provides a checklist and guidance for housing developers and the Council to make sure new development complies with the mitigation measures set out in the Study.

Water Quality Management Plan

- 6.34 In 2011 Environment Agency and Natural England published the most recent version of a Water Quality Management Plan (WQMP) for the River Mease. Its primary purpose is to reduce the levels of phosphate within the River Mease SAC to enable the Conservation Objectives for the SAC to be met.
- 6.35 The WQMP identifies the three main pressures on the SAC. These are:
- Development and housing: the need to consider what level of growth within the catchment is acceptable within the requirement to meet and maintain the Conservation Objectives for the SAC
 - Waste water capacity / quality: The capacity and quality of effluent from the sewage treatment works throughout the catchment (often known as point sources), will need to be improve and consistently maintained in order to both allow growth within the catchment and achieve the Conservation Objectives and enable an appropriate level of growth
 - Diffuse sources: The quality of diffuse sources, for example urban (highway and sewer discharges) and agricultural/land run-off will need to be identified and improved alongside improvements to point sources in order to allow the SAC to achieve favourable condition.
- 6.36 The WQMP states that, *'advice recently received by NWLDC suggests that there should be no increase in the wastewater entering the public sewer as this would increase the level of phosphate entering the Mease SAC from the sewerage treatment works. Since the current level of phosphate in the Mease SAC is considerably higher than the Conservation Objective, there is no environmental capacity within the river to accept additional phosphate without other actions for phosphate management being in place.'*
- 6.37 The WQMP also identifies that to date phosphorous removal at waste water treatment works has been the most effective way of reducing phosphorous levels in the River Mease. However, as noted elsewhere this is not an option at the identified treatment works.
- 6.38 The WQMP identifies mitigation measures, actions and parties responsible. The measures include investigative actions to better understand the main sources of phosphorous and potential reduction measures. One of the measures is a Developer Contribution Scheme to

mitigate the negative effects of new development, as specified in policy CS33. The exact details of the Scheme will be made available alongside the Core Strategy.

7 Appropriate assessment: Mitigation measures

- 7.1 The screening of policies and identification possible in-combination effects (Appendix 4) has revealed that the policies of the pre-submission Core Strategy could have adverse impacts on the River Mease SAC. Therefore, mitigation measures need to be in place that will be effective in making sure implementing the Core Strategy does not result in adverse effects to Conservation Objectives of the designated sites.
- 7.2 For mitigation to be successful it is necessary for the Core Strategy to contain robust policies to offset and avoid impacts. This report identifies impact mitigation through:
- Policy CS33 specifically on the protection of the River Mease SAC, including a requirement to implement the Developer Contributions Scheme
 - Policies that reduce the overall magnitude of increase in phosphorous levels from new development by reducing the volume of water to waste water treatment works. However, this is only part mitigation as it does not stop the increase.
 - There are also those policies that set development limits in Ashby and Measham to within existing headroom capacity (as a starting point). Development to these upper limits is not a mitigation proposed by the plan, as this is achieved through application of Policy CS33. That policy requires that development does not exceed measured headroom capacity (whatever the type of development), which could be used up by all types of development not only new homes. However, again this is not mitigation as it will not prevent an increase, furthermore these policies do not necessarily mean development will be delivered in these quantities and will be subject to Policy CS33 and measured headroom at any given time.

Partial mitigation through reduction in flows

- 7.3 These policies will play a role in reducing the flow of water to waste water treatment works. This will have partial role to play in mitigating by minimising the magnitude of negative effects related to elevated levels of phosphorous in the River Mease. However, they do not provide the fundamental mitigation necessary to off-set negative effects. These policies with a role in mitigation are:
- CS25: Sustainability and New Development
 - CS26: Flood Risk
- 7.4 **Policy CS25** ‘Sustainability and New Development’ is shown below. The policy sets out development should reach the highest level of Code for Sustainable Homes or BREEAM if financially viable; otherwise demonstrate why it cannot be reached. This is identified for a threshold size of development which has not as yet been identified within the Core Strategy, which needs to be confirmed.
- 7.5 The policy requires all homes to gain at least least 3 credits for Level 3 in Category 2: Water Indoor Water Use within the sub-category requirement of of the Code for Sustainable Homes. This relates to water use internally and externally in new residential development. This is extremely important in reducing water use in new development and hence waste water flowsto enable developments to take place and improve the use of water, although this criteria only applies to housing developments. These criteria should be strictly applied

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within development control and all development in Ashby and Measham should have to comply and as a priority for viability calculations.

- 7.6 The policy helps meet the Water Cycles Study proposed mitigation measures related to **water efficiency**, which will help reduce overall waste water flows created by new development, although without offsetting them completely.

~~7.6.7~~ It should be noted that the requirements of this policy apply to all development in the district. Therefore, between pre-submission and the submission versions of the Core Strategy, the requirement for residential development to meet Level 3 for Code for Sustainable Homes Category 2: Water has been removed from specific policies in Ashby-de-la-Zouch and Measham. However, the requirement for efficient water use remains through this policy.

Policy CS25: Sustainability and New Development

In order to ensure that new dwellings address wider sustainability issues, residential developments will be expected to achieve the highest level technically and financially viable under the Code for Sustainable Homes. Developers of sites of ten dwellings or more will be expected to:

- A. provide a Design Stage ~~certificate~~ and a Post-Construction Stage certificates to demonstrate which rating under the Code for Sustainable Homes can be, and has been, achieved; and
- B. ~~Achieve~~ Achieve Level 3 in Category 2: Water at least 3 credits in Indoor Water Use (Wat 1) of the Code for Sustainable Homes, unless such measures will have a negative impact upon the River Mease SAC;

In order to ensure that non-residential developments address wider sustainability issues, developers of large sites will be expected to:

- A. ensure their scheme achieves the highest rating technically and financially viable under the Building Research Establishment's Environmental Assessment Method, and to demonstrate why a higher rating cannot be achieved; and
- B. provide a Design Stage ~~certificate~~ and a Post-Construction Stage certificates to demonstrate which rating under the Building Research Establishment's Environmental Assessment Method can be, and has been, achieved.

- ~~7.7.8~~ Policy CS26 'Flood Risk' is detailed below, and provides criteria against which development will be assessed in relation to flood risk, including the requirement for a site specific flood risk assessment for proposals of 1 hectare or more, as recommended in the Water Cycle Study. This will help to help reduce surface water flows to waste water treatment works helping reduce the magnitude of adverse effects.

Policy CS26: Flood Risk

A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1 and all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, and also where proposed development or a change of use to a

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more vulnerable class may be subject to other sources of flooding. Site-specific Flood Risk Assessments should consider the issues of flooding from sewers, canal infrastructure failure and groundwater rising from former coal mining areas.

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New development will be directed towards ~~areas-land~~ at the lowest risk of flooding within the District; with priority given to land within Flood Zone 1.

The use of Flood Zones 2 and 3a for recreation, amenity and environmental purposes will be acceptable; where an effective means of flood risk management ~~is evident~~has been ~~provided, and considerable green space provided.~~

Land within Flood Zone 3b will be safeguarded, to ensure that the functional floodplain is protected from development. The Council will also support proposals which reinstate the functional floodplain, where possible.

All new development will be expected to ensure that it does not increase the level of flooding experienced ~~elsewhere in other areas of the District~~and should be managed to ensure no net increase of water is discharged into the local sewer and watercourse system.

Surface water run-off in all developments should ~~be managed, to minimise the net~~not increase ~~in~~ the amount of surface water discharged into the local public sewer system. On previously developed sites, surface water runoff should be attenuated by 20% on the site.

The use of Sustainable Drainage Systems (SuDS) will be ~~given priority where its application is appropriate; expected; and~~ design and layout schemes which enhance natural forms of on-site drainage will be encouraged.

Policies to restrict quantity of development

~~7.97.9~~ These policies distribute housing to Ashby and Measham. The level of housing set at each of these two towns is within current headroom capacity. These policies are not necessarily mitigation policies. However, they do help avoid significant adverse impacts by directly only limited growth to these two towns. The quantity of housing and other development delivered will need to comply with policy CS33, demonstrating it is within headroom capacity at any given time (current capacity may change). These policies are:

- CS37: Ashby-de-la-Zouch
- CS41: Measham

~~7.97.10~~ Policy CS37 'Ashby-de-la-Zouch' is detailed below. This policy provides mitigation measures for development located at Ashby, including reducing flood risk in the Packington area and water requirements relating to new non-residential development meeting BREEAM standards for flood and water management and homes meeting Code for Sustainable Homes standards for flood (water use being covered by policy CS25) Code for Sustainable Homes and BREEAM. These measures will help to minimise the negative effects of the proposed Core Strategy development on the SAC.

~~7.107.11~~ As described above the amount of residual housing in the policy, along with housing already permitted, falls just below the headroom capacity of the treatment works. This policy will help in part to mitigate against significant impacts by minimising the magnitude of adverse effects. However, new development will still result in elevated phosphorous levels in the River Mease.

~~7.11~~7.12 The policy refers to ‘at least’ ~~560-605~~ homes, which requires a minimum number of homes, implying development could be higher, although this will be subject to meeting Policy CS33 and the need to developing within agreed headroom capacity limits. The policy also does not account for the amount of employment to be allocated within Ashby or other types of development such as hotels, leisure, education facilities etc., which would increase the amount of waste water to Packington works.

Policy CS37: Ashby-de-la-Zouch

To support Ashby-de-la-Zouch’s role as a Rural Centre, North West Leicestershire District Council will:

- A. Make provision for at least ~~560-605~~ more homes by 2031. The preferred location for this development is to the north of Ashby-de-la-Zouch. A Masterplan will be required to demonstrate how the area will be developed, including:
- i. phasing and the mix of different uses and their relative disposition to other uses;
 - ii. a range of infrastructure, including a new primary school and extensions to the existing secondary schools, contributing to the provision or expansion of a new General Practice surgery, open space, National Forest planting, public transport, provision for walking and cycling and other new transport infrastructure as necessary to create a sustainable community will be provided; and
 - iii. Measures to protect and enhance the historic core of Ashby de la Zouch and other heritage assets; and
 - ~~iii~~-iv. Address potentially unstable land resulting from past mining activities and consideration to the prior extraction of any remnant shallow coal.
- B. Support the provision of a new General Practice surgery that is capable of expansion to meet future healthcare needs arising from new development;
- C. Require new development in the Gilwiskaw catchment to incorporate measures to reduce flood risk in the Packington area;
- ~~CD~~. New dwellings on sites of ten dwellings or more in Ashby-de-la-Zouch will be expected to meet the following sub-category requirements of the Code for Sustainable Homes, unless it can be proved that to do so will have a negative impact on the River Mease Special Area of Conservation:

Category	Sub-categories
Water	Full credits to be achieved in External Water Use (“Wat 2”)
Surface water run-off	Full credits to be achieved in Management of Surface Water Run-off from Developments (“Sur 1”)
	At least 1 credit to be achieved in Flood Risk (“Sur 2”)

- ~~DE~~. New non-residential buildings on large sites in Ashby-de-la-Zouch will be expected to meet the following sub-categories of the Building Research Establishment’s Environmental Assessment Method, unless it can be proved that to do so will have a negative impact on the River Mease Special Area of Conservation:

Category	Sub-categories
Water	<p>Full credits to be achieved in Water Consumption ("Wat 01")</p> <p>Full compliance to be achieved in Water Monitoring ("Wat 02")</p> <p>Full credits to be achieved in Water Leak Detection and Prevention ("Wat 03")</p> <p>Full compliance to be achieved in Water Efficient Equipment ("Wat 04")</p>
Land use & ecology	<p>Full compliance to be achieved with Ecological Value of Site and Protection of Ecological Features ("LE 02")</p> <p>Full credits to be achieved in Mitigating Ecological Impact ("LE03")</p> <p>Full credits to be achieved in Enhancing Site Ecology ("LE 04")</p> <p>Full credits to be achieved in Long Term Impact on Biodiversity ("LE 05")</p>
Pollution	Full credits to be achieved in Surface Water Run-off ("Pol 03")
<u>EE. Support the Ashby Town Centre Partnership to help deliver a vibrant town Centre.</u>	
<u>G. Retain the existing market offer in Ashby de la Zouch.</u>	

~~7.127.13~~ **Policy CS41** 'Measham' is detailed below. This policy provides mitigation measures for development located at Measham, including new non-residential development meeting BREEAM standards for flooding and water management and homes meeting Code for Sustainable Homes standards for flood (water use is covered by policy CS25) water and reducing pollution requirements relating to Code for Sustainable Homes and BREEAM. This policy and policy CS25 will help in part to mitigate against significant impacts by minimising the magnitude of adverse effects. However, new development will still result in elevated phosphorous levels in the River Mease.

~~7.137.14~~ However, as with development in Ashby the policy sets out a minimum housing target (at least 440) and is not clear on the quantity of non-residential development that will be permitted, although this will be subject to meeting Policy CS33 and the need to developing within agreed headroom capacity limits.

Policy CS41: Measham

To support Measham's role as a Rural Centre, North West Leicestershire District Council will:

- A. Make provision for at least 440 more homes by 2031 to the north-west of Measham. A Masterplan will be required to demonstrate how the area will be developed, including:
 - i. phasing and the mix of different uses and their relative disposition to other uses;
 - ii. a range of infrastructure, including schools, open space, National Forest planting, health facilities, public transport, provision for walking and cycling and other new transport infrastructure as necessary to create a sustainable community will be provided; and

iii. measures to reinstate the Ashby Canal; and

iv. consideration of measures in connection with coalfield legacy, in terms of remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, and groundwater sources protection.

B. New dwellings on sites of ten dwellings or more in Measham will be expected to meet the following sub-category requirements of the Code for Sustainable Homes, unless it can be proved that to do so will have a negative impact on the River Mease Special Area of Conservation:

Category	Sub-categories
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Water	Full credits to be achieved in External Water Use ("Wat 2")
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Surface water run-off	Full credits to be achieved in Management of Surface Water Run-off from Developments ("Sur1")
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At least 1 credit to be achieved in Flood Risk ("Sur 2")

C. New non-residential buildings on large sites in Measham will be expected to meet the following sub-categories of the Building Research Establishment's Environmental Assessment Method, unless it can be proved that to do so will have a negative impact on the River Mease Special Area of Conservation::

Category	Sub-categories
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Water	Full credits to be achieved in Water Consumption ("Wat 01")
	Full compliance to be achieved in Water Monitoring ("Wat 02")
	Full credits to be achieved in Water Leak Detection and Prevention("Wat03")
	Full compliance to be achieved in Water Efficient Equipment ("Wat 04")

Land use & ecology	Full compliance to be achieved with Ecological Value of Site and Protection of Ecological Features ("LE 02")
	Full credits to be achieved in Mitigating Ecological Impact ("LE 03")
	Full credits to be achieved in Enhancing Site Ecology ("LE 04")
	Full credits to be achieved in Long Term Impact on Biodiversity ("LE 05")

Pollution	Full credits to be achieved in Surface Water Run-off ("Pol 03")
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D. Require that new development protects and enhances heritage assets within Measham including respects the character and appearance of the Measham Conservation Area and incorporates distinctive features that reflect the heritage of the village into the design of new developments.

7.147.15 These four policies will all help reduce the quantity of water flowing to the waste water treatment works and therefore reduce flows into the River Mease. However, they will not reduce overall flows and there will still be an increase in phosphorous. This means the

policies partly mitigate impacts on the river through reducing the magnitude of the impact. The only policy of the plan that seeks to mitigate overall phosphorus levels is CS33.

Phosphorous mitigation

~~7.15~~7.16 **Policy CS33** ‘River Mease Special Area of Conservation’ is set out is the main mitigation policy in the Core Strategy, specifically to meet Habitats Directive requirements. It sets out the mitigation measures required to ensure that **any new development in the River Mease catchment area will not impact on the water quality further on the River Mease**. This is done by requiring that new development will only be permitted if there is sufficient headroom capacity available at wastewater treatment works. It also states that all development will be in accordance with the WQMP 2011 and the Developer Contributions Scheme.

~~7.16~~7.17 The HRA recognises the importance of this policy to protect water quality in the River Mease from the impacts of new development. As stated above, if the headroom capacity (measured and permitted at any given time) reaches its maximum before the end of the plan period then no further development would be permitted under policy criteria CS33a. This criteria is essential in avoiding impacts by putting a stop on all types of development if capacity is exceeded.

~~7.17~~7.18 Therefore, the annual assessment of headroom capacity undertaken by Severn Trent Water and monitoring of River Mease water quality will be extremely important in monitoring the Core Strategy policies. Firstly, to enable further mitigation plans to be put in place relating to Option 4b of the Water Cycle Study, and secondly, to ensure that all development proposed within the Core Strategy (particularly housing and employment proposals in Ashby) can be delivered. The Core Strategy therefore needs to be flexible in its distribution strategy for development to allow for any potential changes if necessary.

~~7.18~~7.19 The HRA also recognises the need to mitigate impacts from all development in the catchment to improve the quality of the River Mease SAC. Policy CS33 also makes compliance with the Developer Contributions Scheme and WQMP a policy requirement. These two strategies are essential in mitigating against potential impacts of elevated phosphorous levels in the River Mease. The Developer Contribution Scheme will help make sure that river restoration plans can be implemented, therefore reducing the adverse impacts of new development.

Policy CS33: River Mease Special Area of Conservation

The Council will work with Natural England, the Environment Agency, Severn Trent Water and the development industry to improve the water quality of the River Mease Special Area of Conservation.

In order to achieve this, our strategy will be to only allow new development within the River Mease catchment where:

- A. There is sufficient headroom capacity available at the Wastewater Treatment Works to which it is proposed that flows from the development will go; and*
- B. The proposed development is in accordance with the provisions of the Water Quality Management Plan including, where appropriate, the provision of infrastructure or*

water quality improvements proposed in a Developer Contributions Scheme.

In the event that there is no headroom capacity available at wastewater treatment works, or where as part of the development it is proposed to use non-mains drainage solution for the disposal of foul water development will only be allowed where it can be demonstrated that the proposed development will not have an adverse impact upon the River Mease Special Area of Conservation.

Developer Contribution Scheme

~~7.19~~7.20 The Developer Contribution Scheme (DCS) is relevant to all development that would result in a net increase in phosphorous being discharged into the River Mease SAC. The primary objective of the DCS is 'to mitigate the negative effects of development'.

~~7.20~~7.21 Appendix 1, of the DCS, provides for the short and long term measures which funding will support, including silt traps in the short term, and floodplain restoration, wetland recreation, riparian planting and restoration, removal of modified bank structures and re-naturalising bank profile and weird removals in the longer term. It is also possible for the Developer Contributions Scheme to ensure that all new development where discharge would go to named treatment works to make financial contributions to long and short term mitigation measures in the River Mease Catchment. These measures are listed in the Developer Contributions Scheme (2012) and include silt traps and implementation of specific river restoration schemes.

~~7.21~~7.22 Both the WQMP and DCS are referenced within the mitigation Core Strategy policy CS33. This will provide the Council the opportunity to control development in the River Mease SAC area and the DCS will be relevant to all proposed development which results in a net increase in phosphates being discharged into the River Mease.

8 Appropriate assessment: Outcomes and Recommendations

- 8.1 This section of the HRA report considers the final ‘appropriate assessment’ of the Pre-Submission Core Strategy 2012, following a review of the proposed mitigation measures. The findings of the ‘appropriate assessment’ are shown in columns five and six of Appendix 4, where the policies are reviewed in light of proposed mitigation.
- 8.2 The review of policies indicate that mitigation through implementation of policies means that plan will not have adverse impacts on the River Mease SAC, nor any other European designated site. Core Strategy policies and distribution strategy are likely to be able to mitigate against significant adverse impacts on the short to medium term, if policy CS33 in particular is implemented thoroughly.
- 8.3 However, there remain two uncertainties and this is policies CS37 and CS41 that direct development to Ashby-de-la-Zouch and Measham. The assessment of the policies in Appendix 4 means that there remains an, “...**uncertain effects** on the SAC that should be addressed in a **lower tier assessments including proposal specific appropriate assessment**”, according to the assessment terminology. The uncertainty of the effects is due to the possible changes in available headroom capacity during the plan period as well as possible site specific impacts. These effects cannot be assessed in the current Core Strategy and will need to be taken account on a site by site basis, in the allocation of land and in granting planning consents.
- 8.4 ~~Individual~~The Allocations and Development Management DPD that will allocate development sites site allocations plans and individual development proposals may require additional HRA screening and then assessment to identify potential impacts on the River Mease SAC. Such ~~an~~ assessments may require investigation of current headroom capacity, flow rate reduction measures and possible impacts to the River Mease other than water quality. Depending on the location of allocations or proposed development sites they may also need to investigate the potential for other types of impact on the River Mease SAC, for instance direct disturbance.
- 8.5 The ‘appropriate assessment’ review also recommends some clarifications in wording of the plan to ensure adverse impacts do not occur the HRA suggests clarity that: ~~that:~~
- Headroom capacity refers to the headroom capacity at any given time, based on annual assessment by Severn Trent Water and existing permitted releases. This will mean that should headroom capacity be exceeded no new development can take place in the Ashby, or the River Mease catchment, unless it can be demonstrated it would not have an adverse impact on the River Mease SAC.
 - ~~That headroom capacity applies to all development, non-residential as well as residential~~
 - The possible requirement that the annual assessment of capacity levels will require a review of the distribution policy of the Core Strategy.

Impact of other plans

- 8.6 There are a number of other plans that could have an impact on the SAC in-combination with the impacts which could result from the Core Strategy. In particular, Core Strategy for South Derbyshire could give rise to likely significant effects on the River Mease SAC. The later stage of appropriate assessment will focus on the water quality issues (and water quantity if new development increases pressure on water resources from the River Mease Water Resource Management Unit). Therefore, it will be important for the Council to work closely with South Derbyshire and assess the effects of both Core Strategies in-combination when South Derbyshire moves forward with their Core Strategy. It will also be imperative to keep up-to-date with other key organisations who are producing plans which will in-combination increase the impact on these sites.
- 8.7 In addition to working with neighbouring local authorities it will be important for the Council to work in close partnership with other relevant organisations. This will include the Environment Agency, Natural England and Severn Trent Water, who should be able to advise on developing the Core Strategy and additional assessment work to ensure the plan has the least possible impact on the SAC and that all the development proposed within the Ashby area can be delivered within the time period of the plan up to 2031.

9 Habitats Regulations Assessment: Conclusion

Summary

- 9.1 The Habitats Regulations Assessment for North West Leicestershire Core Strategy document identifies one Natura 2000 site where in the North West Leicestershire Core Strategy could potentially cause significant adverse impacts. This is the River Mease Special Area of Conservation (SAC). The primary reasons for the Mease being designated a SAC are the presence of spined loach and bullhead fish species. Currently the River Mease is identified as being in an 'unfavourable' condition due to water quality and impacts on the identified fish species.
- 9.2 Water quality in the River Mease is deteriorating due to elevated levels of phosphates primarily as a result to waste water discharge from treatment works. In particular, the Packington Waste Water Treatment Works serving Ashby-de-la-Zouch is a major source of these pollutants.
- 9.3 Any new development that will increase flows to and from sewage treatment works on the River Mease risks increasing the levels of phosphorous. Reducing phosphorous levels are essential in improving the condition of the River Mease and meeting conservation objectives. Maintenance and improvement of water quality in the River Mease is one of the main impacts the Core Strategy could have, particularly relating to growth in the Ashby and Measham area.
- 9.4 Screening of the Core Strategy policies and proposed growth levels as part of the HRA has identified that **without mitigation and avoidance measures being in place there is the potential for adverse impacts on the SAC**. Therefore, more detailed 'appropriate assessment' had to be undertaken.
- 9.5 The 'appropriate assessment' concludes that there are measures in place within the Core Strategy and other programmes, which will ensure that the **Core Strategy will not have an adverse impact upon the River Mease SAC**. This conclusion is subject to implementation of the proposed policies in full. In particular, implementation of policy CS33 will help in reducing phosphorous levels in the river meeting Conservation Objectives.
- 9.6 However, nothing in this strategic HRA removes the need to screen individual site proposals for their potential to impact on Natura 2000 sites. ~~This could include~~, carrying out site specific appropriate assessment if required **as well as of the Allocations and Development Management DPD to be prepared by the District Council**.

Mitigation of water flows

- 9.7 To understand the how impacts can be mitigated work has been on-going to identify capacity and find ways of addressing the issues relating to water quality and development at Ashby and Measham. Severn Trent Water has produced an assessment of current headroom capacity at the moment for the sewage treatment works. The Council also commissioned a Water Cycle Study to help identify solutions that will help facilitate development, whilst preventing further deterioration of water quality and water resources.

- 9.8 The Water Cycle Study concludes that at the present time there is sufficient headroom capacity for 1218 new homes in Packington and 1163 new homes in Measham. These figures have been signed off by both the Environment Agency and Natural England in a note prepared by the Council. This gives their agreement that at this moment in time there is capacity for growth in the Ashby and Measham area. However, this development will still result in raised levels of phosphorous pollutants in the River Mease and therefore will also need to comply with the Developers Contribution Scheme that seeks to lower phosphorous in the river.
- 9.9 The headroom capacity calculations do not factor in any other development types, such as new employment or retail at Ashby for example. Any new development, residential and non-residential, that results in increase in demand at the sewage treatment works will use up capacity, so despite being described as household capacity actually applies to all types of development. Furthermore, changes in permitted releases to the River Mease from treatment works may change over the plan period and annual assessment of headroom capacity will take place. Therefore, all development must be within identified headroom capacity at any given time.
- 9.10 The Water Cycle Study highlights a number of measures that will play a role in reducing the overall magnitude of effects by reducing water flows to waste water treatment works. However, they do not provide the mitigation necessary to off-set the gradual increase in phosphorous in the River Mease from development, and therefore are only partial mitigation. The measures include:
- Development proposals should incorporate sustainable drainage systems (SuDS) to control surface water run-off.
 - Development proposals should reduce flood risk.
 - Development proposals should achieve the requirements of the Code for Sustainable Homes Level 3/4 for water consumption, and for non-household developments Good standard for water consumption.
- 9.11 The Core Strategy has policies in place that will help to implement the measures identified in the Water Cycle Study to protect and enhance the quality of the SAC. The policies of the Core Strategy that will help mitigate impacts are:
- **Policy CS25: Sustainability and New Development:** supporting more efficient use of water in new development to reduce flows to treatment works.
 - **Policy CS26: Flood risk:** This makes sure development is appropriately located in relation to flood zones and the integration of sustainable drainage systems to reduce diffuse pollution.
 - **Policy CS15 Distribution of Housing, CS37 Ashby and CS41 Measham:** These policies set out the overall minimum level of housing development that will be accommodated in the Ashby and Measham, as part of 'maintaining the load'. The minimum levels could be delivered within available headroom capacity, at the current time but will need to be reviewed to keep on-track with available headroom in the future. Policies CS37 and CS41 also specify the sustainability criteria that will have to be met in these settlements relating to sustainable drainage and water use.

- 9.12 The policies of the Core Strategy give no indication of the quantity of non-residential development permitted in Ashby or Measham. Therefore, the impact of employment, retail and other development is still unknown in these areas and depending on the type of development it will have potential to make significant reductions into the remaining capacity. Headroom capacity will also apply to non-residential development.

Mitigation of phosphorous levels

- 9.13 Lowering levels of phosphorous will need to be achieved by more active mitigation. A Water Quality Management Plan (WQMP) has been produced by the Environment Agency and Natural England to reduce the levels of phosphate within the River Mease SAC to enable the Conservation Objectives for the SAC to be met. It identifies mitigation measures, including investigative actions to better understand the main sources of phosphorous and potential reduction measures.
- 9.14 One of the measures is a Developer Contribution Scheme to mitigate the negative effects of new development. The DCS is relevant to all development that would result in a net increase in phosphorous being discharged into the River Mease SAC.
- 9.15 The requirements of the WQMP and the Developer Contributions Scheme will be implemented to the main mitigation policy of the Core Strategy, this is:
- **Policy CS33: River Mease SAC:** Sets the requirements to ensure new development takes place within the headroom capacity available at treatment works. Both the WQMP and DCS are referenced within CS33. The DCS will be applied to **all** proposed development which results in a net increase in phosphorous being discharged into the River Mease. This will provide the Council the opportunity to control development in the River Mease SAC area. The HRA would suggest that the Core Strategy needs to be clear that headroom capacity applies to all types of development. The figures shown for Packington and Measham treatment works are total capacity and not only housing.
- 9.16 Policy CS33 is a robust policy providing sufficient mitigation to offset any negative effects associated with increased levels of phosphorous, from development proposed in the Core Strategy.

Implementation measures

- 9.17 The HRA identifies that the Core Strategy will not have significant adverse impacts on the River Mease to achieve this it is necessary for the Local Planning Authority to ensure it is fully implemented. This will include the need for:
- ~~Headroom capacity and Development development~~ permitted within the River Mease catchment to remain within headroom capacity at any given time, this could include possible increased or decreased capacity over the plan period if revised permits are issued for any reason.
 - Developers will need to be made clear that although headroom capacity is expressed in terms of residential development it applies to all types of development.
 - If annual assessment of capacity by Severn Trent Water shows headroom capacity is exceeded no new development can take place in Ashby, Measham or elsewhere in

the River Mease catchment until such time as a solution is found. Similarly, if monitoring shows the River Mease is suffering significant adverse impacts as a result of phosphorus levels and there is no alternative solution in place this will prevent further development permissions.

- 9.18 As the South Derbyshire Core Strategy develops further, it will be important to consider this plan in combination with the North West Leicestershire Core Strategy, particularly in relation to any proposals relating to development within the River Mease catchment area.
- 9.19 Future versions of the Core Strategy may need to be reviewed to ensure mitigation remains in place and no further potential for adverse impacts is identified.
- 9.20 The Council will have to assess proposals on a site-by-site basis, to ensure the treatment works have capacity and ensure the spatial strategy and Core Strategy strategic policies are still deliverable up to 2031. The Allocations and Development Management DPD should also have HRA screening and assessment if necessary. This should include impacts not only on water quality, but also on direct disturbance from development; human disturbance from recreation; water quantity; and changes in surrounding supporting habitats.