



# Habitats Regulations Assessment Screening for New Local Plan Review: Draft Policies

February 2022



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA



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# 1. Introduction

1.1 The Council is undertaking a New Local Plan Review (NLPR). This is a full review and is being undertaken within a short period of adoption our current Local Plan. This is to reflect the change in direction of the Council, its values and ambitions following the Grenfell Tower tragedy.

1.2 The [National Planning Practice Guidance \(NPPG\) on Strategic environmental assessment and sustainability appraisal](#) states at paragraph 3 that “*A plan or project may also require an appropriate assessment, as set out in the Conservation of Habitats and Species Regulations 2017 (as amended), if it is considered likely to have significant effects on a habitats site. A sustainability appraisal should take account of the findings of an appropriate assessment, if one is undertaken.*”

1.3 [Regulation 105 \(1\) of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) sets out the requirement for undertaking an appropriate assessment of implications for European sites and European offshore marine sites. It states that -

*“105.—(1) Where a land use plan—*

*(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*

*(b) is not directly connected with or necessary to the management of the site,*

*the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.”*

1.4 Regulation 105 above reflects the [European Council Directive 92/43/EEC on the Conservation of natural habitats and of wild flora and fauna](#) (the ‘Habitats Directive’). Article 6 of the Habitats Directive defines how Natura 2000 sites (European Sites, Special Area of Conservation (SAC) and Special Protection Area (SPA)) are managed and protected.

## 2. Previous Habitats Regulations Assessments

### Local Plan Partial Review

- 2.1 The Council undertook a Habitats Regulations Screening Assessment (HRA) of the policies to be reviewed in the Local Plan Partial Review (LPPR) as part of the LPPR Issues and Options Consultation in 2015. The assessment concluded that the policies being reviewed were not likely to affect the relevant Natura 2000 sites and as such, the Council did not need to undertake Stage 2, 3 and 4 of the HRA process. This was confirmed by Natural England in their response to the consultation ([HRA Screening - Natural England Response](#)). The relevant Natura 2000 sites considered relevant were Richmond Park SAC and Wimbledon Common SAC.

### London Plan

- 2.2 The Draft London Plan and the first iteration of the HRA ([Draft London Plan Habitats Regulations Assessment](#), Nov 2017) were consulted upon during December 2017 and March 2018.
- 2.3 A small number of comments were received on the HRA from Natural England. In addition, the Mayor prepared a series of Minor Suggested Changes to the London Plan and the HRA was updated based on these changes ([London Plan HRA Update Report](#), July 2018). The Draft London Plan HRA had identified that several amendments to policy or matters of directions to boroughs were required. These were addressed and the London Plan HRA Update Report concluded that the London Plan can be delivered without adverse effects on the integrity of European sites.
- 2.4 During the Examination, the Mayor proposed Further Suggested Changes and a Consolidated Plan was published in July 2019. Following receipt of the Inspectors' Recommendations a further set of changes were made to the Plan. As a result, the HRA was updated in December 2019 ([HRA Report 2019](#)) to identify whether any of the Modifications as a result of the Further Suggested Changes or the changes in response to the Inspectors' recommendations altered the conclusions of the HRA. That report determined that the conclusions of the HRA remained valid.

2.5 In March 2020 the Secretary of State for Housing, Communities and Local Government made several directions regarding London Plan policy so that it more closely reflects national planning policy. As such, the proposed changes were assessed in the Addendum to the HRA of the London Plan issued in December 2019 ([HRA Report December 2020](#)), focusing specifically on whether the Secretary of State’s directions will result in likely significant effects on any European sites. The Addendum concluded that the modification to the London Plan in response to the Secretary of State’s direction will not lead to any likely significant effects on European sites and do not undermine the conclusions of the HRA of the London Plan.

### 3. Relevant Natura 2000 Sites

- 3.1 Since the London Plan is part of the Council’s development plan, the associated HRA of the London Plan is considered relevant to the NLPR. The London plan distributes housing need across London boroughs and sets our housing target. Furthermore, our NLPR is required to be in conformity with the London Plan.
- 3.2 The London Plan HRA considered all European sites fully or partially within the GLA boundary. The sites considered are shown in Figure 1.
- 3.3 There are no European sites in Kensington and Chelsea. As evident from Figure 1, the two sites closest to the Royal Borough are (1) Richmond Park and (2) Wimbledon Common (Figure 2). The LPPR HRA Screening considered these two sites. It is considered that the remaining sites considered in the London Plan are too distant from the Borough for the planning policy to have any influence on. Therefore, as before for the LPPR, the two sites below (Table 1) are considered the most relevant for the HRA Screening of the NLPR.

**Table 1: Relevant Natura 2000 Sites**

Site Name	Reason for Designation	Current Pressures
Richmond Park Special Area of Conservation (SAC)	The site is designated as an SAC for the following Annex II species: <ul style="list-style-type: none"> <li>Stag beetle <i>Lucanus cervus</i></li> </ul>	None specifically identified in the Natural England Site Improvement Plan, although loss of habitat (dead wood) would affect the stag beetle population.

Site Name	Reason for Designation	Current Pressures
Wimbledon Common (SAC)	<p>The site is designated as an SAC for the following Annex I habitats:</p> <ul style="list-style-type: none"> <li>• Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>• European dry heaths</li> </ul> <p>The site is designated as an SAC for the following Annex II species:</p> <ul style="list-style-type: none"> <li>• Stag beetle <i>Lucanus cervus</i></li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate behaviour by some visitors (e.g. collection and removal of dead wood)</li> <li>• Habitat fragmentation</li> <li>• Invasive species (specifically oak processionary moth <i>Thaumetopoea processionea</i>)</li> <li>• Atmospheric pollution (nitrogen deposition)</li> </ul>

Source: London Plan HRA, 2019

# Figure 1: Location of European Designated Sites

Source: GLA, Habitats Regulations Assessment Screening, Regulations Assessment Modifications Update, December 2019

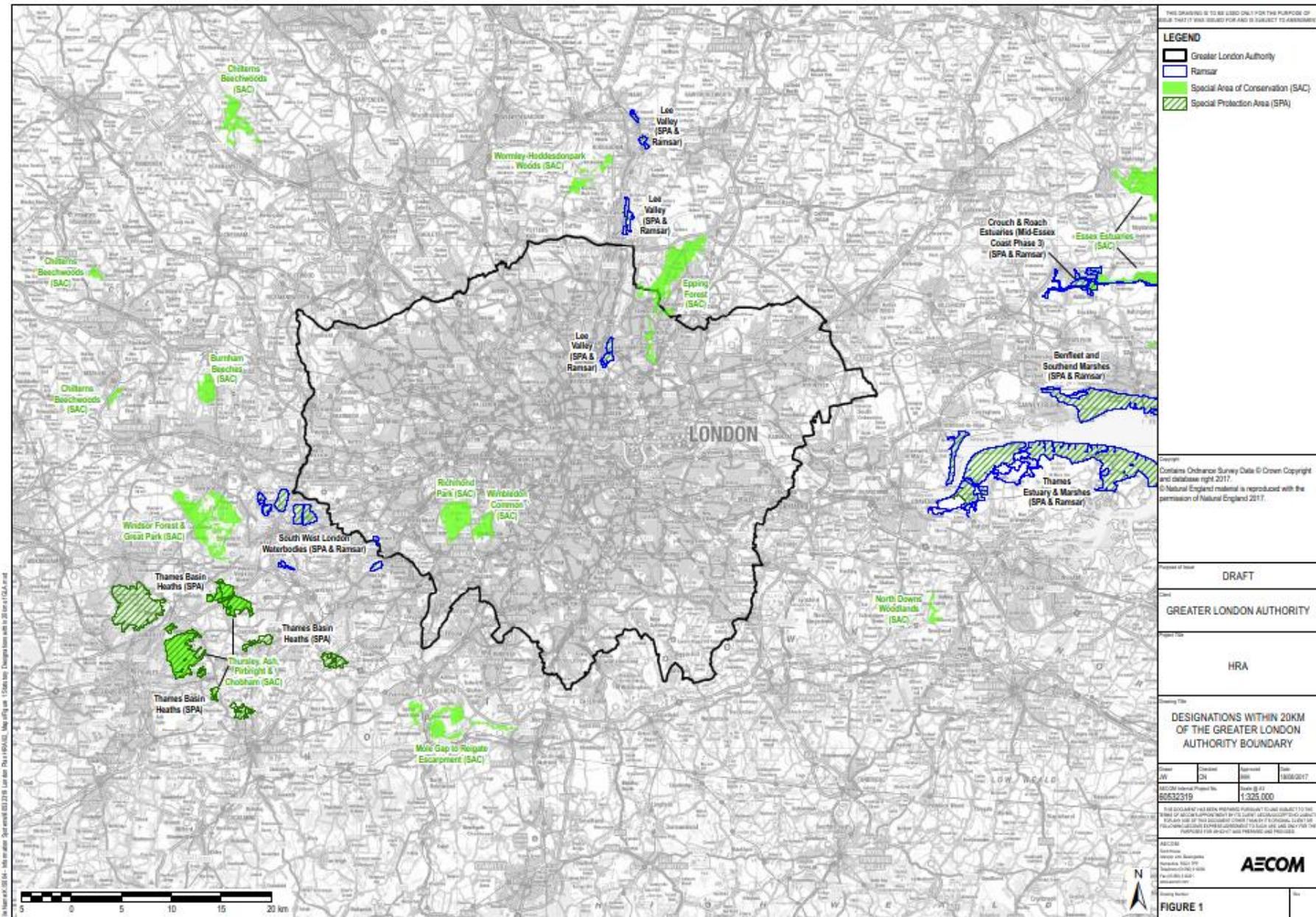
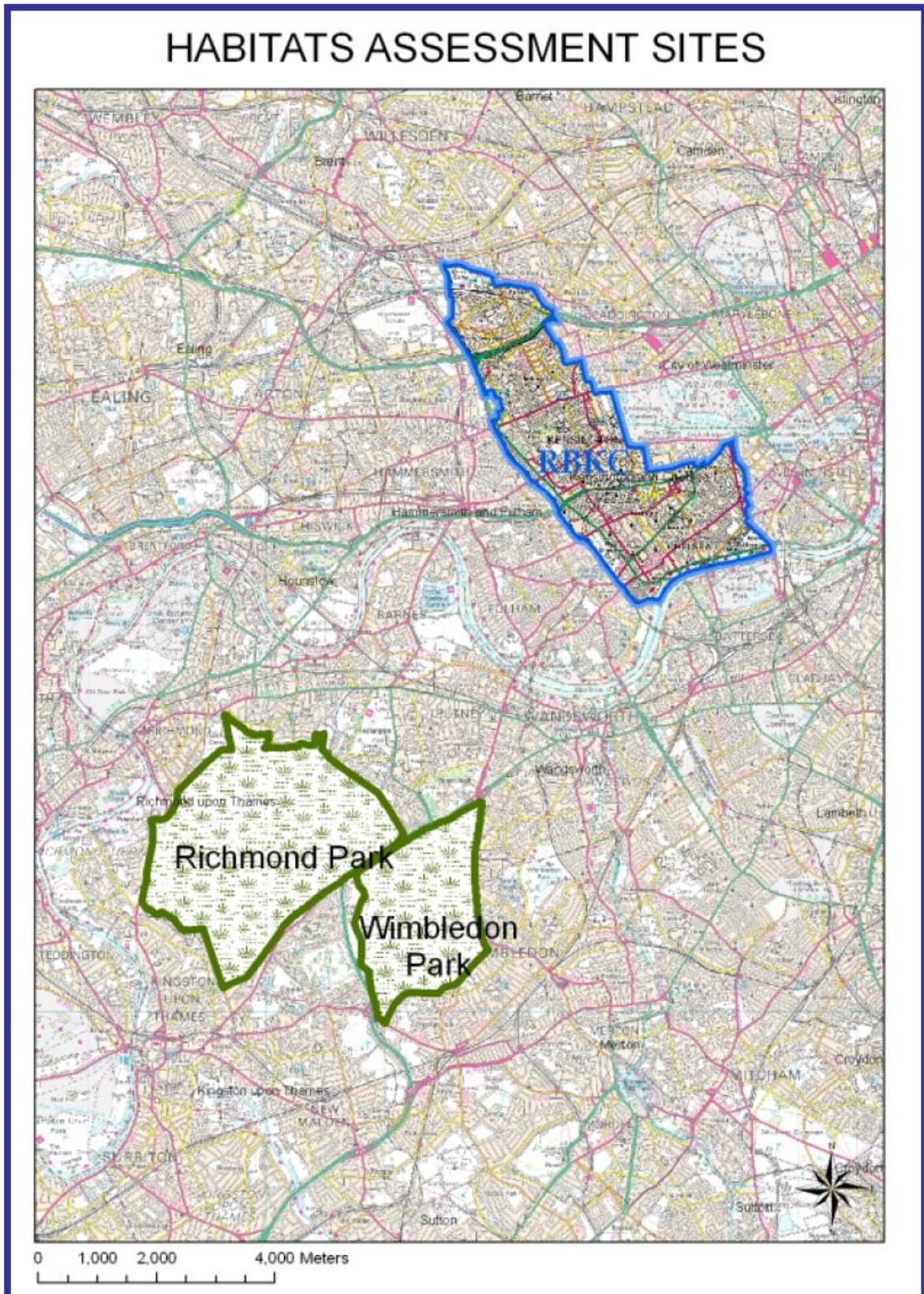


Figure 2: Relevant Natura 2000 sites in relation to the Royal Borough



## 4. Screening of the New Local Plan Review

- 4.1 There is no regulatory requirement for a HRA to be undertaken for a draft plan or similar developmental stages. However, as with SEA it is widely accepted as best practice that HRA should be run as an iterative process along with development of policies.
- 4.2 The European Commission has produced guidance on Assessment of plans and projects significantly affecting Natura 2000 sites, November 2001<sup>1</sup>.
- 4.3 The guidance identifies a four staged approach as shown in Table 2.

**Table 2: Stages of undertaking a Habitats Regulations Assessment**

*Stage One: Screening* — the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant;

*Stage Two: Appropriate assessment* — the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

*Stage Three: Assessment of alternative solutions* — the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

*Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain* — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of imperative reasons of overriding public interest).

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[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)

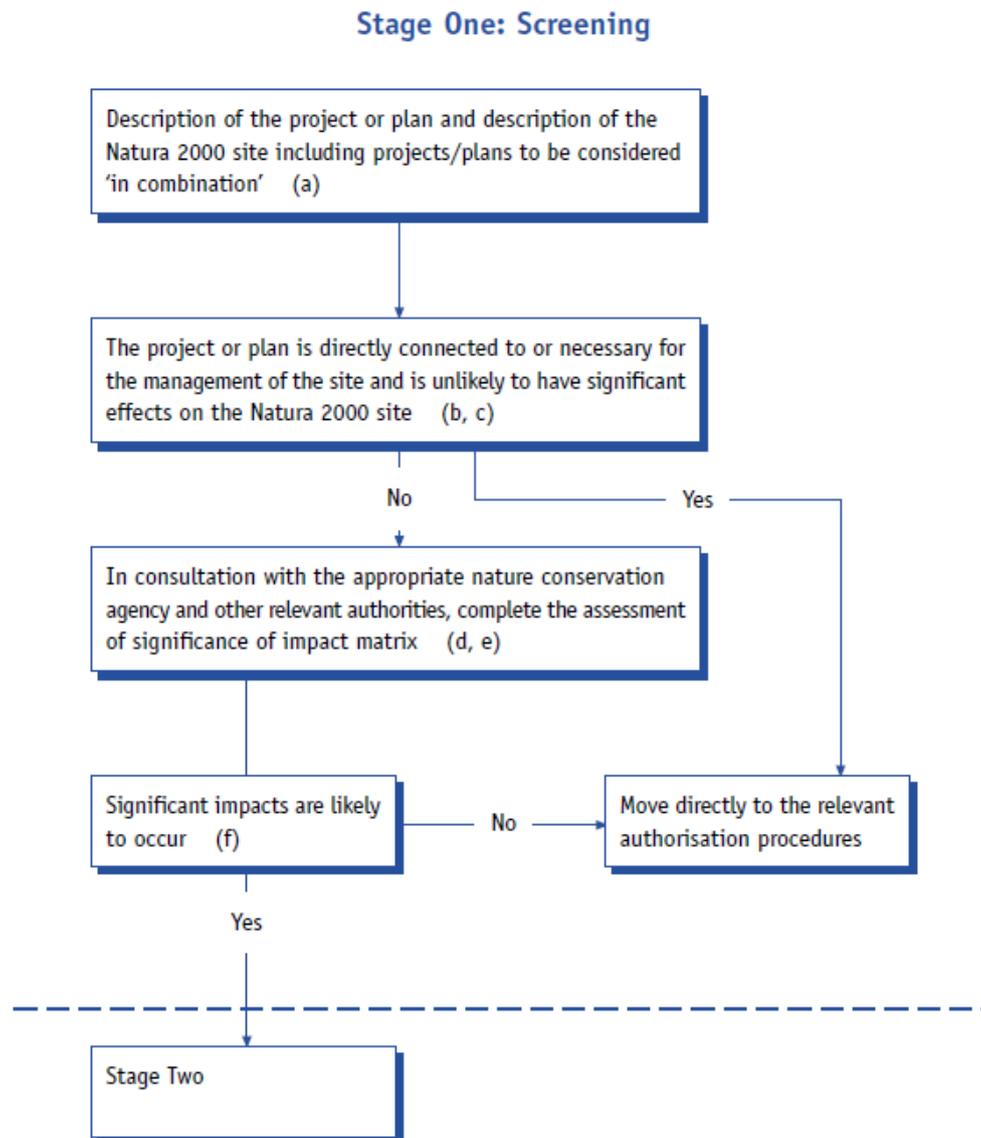
- 4.4 The Council is at the screening stage as it is just starting the full review of its policies (set out in Table 4).
- 4.5 The [LPPR HRA Screening Report](#) included Table 3 below which sets out Policy ‘types’ that can usually be screened out.

**Table 3: Broad policy types that can be screened out, taken from [LPPR HRA Screening Report](#)**

<b>Broad Policy Type</b>	<b>Notes</b>
<b>General statements of policy</b>	The European Commission recognises that plans or plan components that are general statements of policy or political aspirations cannot have significant effects.
<b>General design/guidance criteria</b>	A general ‘criteria based’ policy expresses the tests or expectations of the plan-making body when it comes to consider particular proposals, or relate to design or other qualitative criteria which do not themselves lead to development (e.g. controls on building design).
<b>External plans/projects</b>	Plans or projects that are proposed by other plans and are referred to in the plan being assessed for completeness.
<b>Environmental protection policies</b>	Policies designed to protect the natural or built environment will not usually have significant adverse effects.

- 4.6 The European Commission (EC) guidance [Assessment of plans and projects significantly affecting Natura 2000 sites](#), November 2001 includes a flowchart (Figure 3) elaborating the screening stage.
- 4.7 The EC guidance further includes an example of an assessment matrix. However, given the distance of the Royal Borough from the Natura 2000 sites and the nature of the policies being reviewed, the Council considers that any likely effects can be assessed using a simple assessment matrix.
- 4.8 The assessment matrix (Table 4) provides a brief description of all the policies being reviewed, as well as those not being reviewed. It considers whether the policies are of a type that that can be screened out (as per table 3 above) before providing a brief explanation as to the likely impact on a Natura 2000 sites.

**Figure 3: Screening Stage, Assessment of plans and projects significantly affecting Natura 2000 sites, EC, November 2001**



**Notes**

- (a) In order to carry out an assessment of the project or plan, it is first necessary fully to characterise the project or plan and the receiving environment (see Section 3.1.4 below).
- (b) The assessment must address effects from other plans/projects (existing or planned) which may act in combination with the plan/project currently under consideration and generate cumulative effects (see Section 2.5 above).
- (c) Where a plan or project is directly connected to or necessary for the management of the site, and is unlikely to have significant effects on the Natura 2000 site, appropriate assessment is not required (see MN2000, paragraph 4.3.3).
- (d) Institutions vary from Member State to Member State. The institution to be consulted may be the one responsible for the implementation of the habitats directive.
- (e) Assessment of significance (see Section 3.1.5 below).
- (f) This evaluation is made using the precautionary principle.

**Table 4: Local Plan policies being reviewed in the NLPR and assessment matrix**

Section of NPPF to be reviewed	Policy being reviewed?	Ambition of policy/ direction	Broad policy type in relation to Table 3 above	Are these policies of a type that can be screened out (see table 3)? • Yes • No	Likely to have an impact on a Natura 2000 site?
<b>Vision</b>	Introduction of concepts already contained within existing LP, in a different form.	Reflects the key concepts	General Statement of Policy	✓	No. These is a general statement of policy which will not have an impact on Natura 2000 sites.  If implemented successfully will encourage a high quality place which will support residents thriving within the borough. This will discourage development elsewhere which could have any impact on Natura 2000 sites.
<b>Key concepts</b>					
An inclusive borough		Respect and celebrate differences if to allow all to thrive			
Connected borough		Increase accessibility			
Green borough		Combine climate change and reduce carbon footprint			
Beautiful borough		Protect rich architectural heritage.			
<b>Places</b>	The Council intends to take the current eleven places forward. There are two types: <ul style="list-style-type: none"> <li>• Areas that accommodate growth</li> <li>• Areas with a particular national or international reputation</li> </ul>	To accommodate development of the scale to meet our housing need/ targets in such a way which creates attractive places to live.	General Statement of Policy	✓	No. These is part a general statement of policy which will not have an impact on Natura 2000 sites. It is also part a method to ensure that we successfully implement national policy.  If implemented successfully will encourage a high quality place which will support residents thriving within the borough.

					They will help ensure our housing needs are met within the borough. This will discourage development elsewhere which could have any impact on Natura 2000 sites.
	The places chapters include a number of site allocations		Other	✗	No. None of the allocations are of a scale which can have an impact on any Natura 2000 site.
<b>Green-Blue Future</b>	<b>Policies being retained</b>				
	CR6 Trees and Landscape	Need to protect trees	Environmental protection policies	✓	No. These are environmental protection policies, and as such can be screened out. There are also the local manifestations of the requirements of both the London Plan and the NPPF.  These policies offer measures to mitigate development. They are not of a scale or nature that can have an effect on Natura 2000 sites.
	CE2: Flooding	Reducing the risk of flooding and protecting new development from flooding.			
	CE3: Waste	To inform how the Borough's London Plan waste apportionment land requirement will be met and how waste servicing will be dealt with on individual development sites (general design / guidance criteria).			
	<b>Policies/ topics being reviewed</b>				
	Issue 1: Climate change and building design	To set out the borough's approach to climate change in order to meet the Government's targets to reduce national carbon dioxide emissions.	Environmental protection policies	✓	No. These are environmental protection policies, and as such can be screened out. There are also the local manifestations of the requirements of both the London Plan and the NPPF.  These policies offer measures to mitigate development. They are not
	Issue 2: Air Quality	Set out the approach			

		to controlling the impact of development on air quality. Also considers pollution from vehicles, construction and the heating and cooling of buildings.			of a scale or nature that can have an effect on Natura 2000 sites.
	Issue 3: Noise and vibration	Set out that new development considers the impact of noise and vibration.			
	Issue 4: Flood risk	Policy is about reducing the risk of flooding and protecting new development from flooding.			
	Issue 5: Biodiversity	Policy protect the biodiversity in and adjacent to the borough's Sites of Nature Conservation Importance. It will seek opportunities to enhance biodiversity			
	Issue 6: Green infrastructure	Support for appropriate green walls, grassed areas, parks, areas for nature and the like.			
	Issue 7 Waste management	Policy will inform how waste servicing will be dealt with on individual development sites (general design /			

		guidance criteria).			
Housing	Policies/ part policies being retained				
	CH1(a)	Meet and exceed housing target	This policy could potentially determine the amount of new development encouraged in the borough. As such it could, in theory, have an impact on surrounding sites.	✗	No. The scale of development supported is not of a scale that will affect any Natura 2000 sites.  These policies/ approaches are required in order to ensure that the Council meets the requirements of the NPPF and of the London Plan.  Meeting these targets will steer any development away from Natura 2000 sites, and will not have a negative effect on any such site.
	CH2(c) (e)	Required on-site community/affordable housing	General design/ guidance criteria	✓	No. A policy which is concerned with affordable housing, housing mix and standards will not have an impact on Natura 2000 sites.
	CH3	Housing to meet minimum standards and of appropriate mix and type			
	CH5	Estate renewal	Other. Borough specific	✗	No. A borough specific policy which is concerned with the nature of development intended to apply to non-council owned estates. It is not of a nature than can have an effect on Natura 2000 sites.
	Policies/ topics being reviewed				
	Issue 1: Delivery homes we need	To set out how we can best deliver the new homes needed	This policy could potentially determine the amount of new	✗	No. The scale of development supported is not of a scale that will affect any Natura 2000 sites.

			development encouraged in the borough. As such it could, in theory, have an impact on surrounding sites.		These policies/ approaches are required in order to ensure that the Council meets the requirements of the NPPF and of the London Plan.  Meeting these targets will steer any development away from Natura 2000 sites, and will not have a negative effect on any such site.
	Issue 2: Protecting existing homes	Need to protect existing homes if too meet need for new homes	General design/ guidance criteria	✓	No. These policies/ approaches are required in order to ensure that the Council meets the requirements of the NPPF and of the London Plan. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.  Meeting these targets will steer any development away from Natura 2000 sites, and will not have a negative effect on any such site
	Issue 3: RBKC Community Housing	Set out requirements for provision of new affordable homes			
	Issue 4: Housing for older people	How to best meet housing need of older people			
	Issue 5: Other types of housing, including HMOs, build to rent, student accommodation and gypsy and traveller accommodation	How to best meet other housing needs			
	Issue 6: Estate renewal	How to ensure appropriate development on estate owned by non-council owned sites.	Borough specific policy	✗	No. This policy is intended to meet the housing needs of residents. Successful implementation will steer any development away from Natura 2000 sites, and will not have a negative effect on any such site.
<b>Town Centres</b>	<b>Policies/ part policies being retained</b>				
	Policy CF1: Town Centre first	Direct new town centre uses to existing	General design/ guidance criteria	✓	No. These policies/ approaches are required in order to ensure that the

		town centres.			<p>Council meets the requirements of the NPPF and of the London Plan. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.</p> <p>Successful implementation will attract development to our town centres, steer any development away from Natura 2000 sites, and will not have a negative effect on any such site.</p>
	Policy CF2: Vitality of town centres	Support for development which supports the vitality and viability of our town centres			
	Policy CF4: Markets	Support our street markets			
	Policy CF7: Arts and cultural uses.	Support the protection of/ provision of new arts and cultural uses.			
	<b>Policies/ topics being reviewed</b>				
	Town Centre first	Can general town centre first approach we shaped to suit borough circumstances?	General design/ guidance criteria	✓	<p>No. These policies/ approaches are required in order to ensure that the Council meets the requirements of the NPPF and of the London Plan. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.</p> <p>Successful implementation will attract development to our town centres, steer any development away from Natura 2000 sites.</p>
	Mix of uses in town centres	How should (of it should) the Council influence the mix of uses in its centres?	General design/ guidance criteria	✓	<p>No. This is a criteria based policy which sets out the suitable mix of uses. It is not a policy which will affect development which can have an impact on Natura 200 sites.</p>
	Residential uses in town centres	Resist the introduction of new homes at the expense of commercial	General design/ guidance criteria	✓	<p>No. These policies/ approaches are required in order to ensure that the Council meets the requirements of</p>

		uses, throughout the borough/ in town centres.			the NPPF and of the London Plan. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.
	The future nature of town centres	How should our larger town centres evolve?	General Statement of Policy	✓	No. This is a general statement of policy, to provide a future vision for successful town centres. If successful it should retain development within the borough.
<b>Business and Culture</b>	<b>Policies/ part policies being retained</b>				
	Policy CF9: Short term lets	Resist the loss of permanent homes by resisting loss to short term lets	General design/ guidance criteria	✓	No. This policy is intended to meet the housing needs of residents. Successful implementation will steer any development away from Natura 2000 sites, and will not have a negative effect on any such site. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.
	Policy CF10: Diplomatic uses	Direct new embassies to defined parts of the borough	Borough specific policy	✗	No. This is a local policy which is not of nature that can affect any Natura 2000 sites. It merely seeks to direct new embassies to certain parts of the borough
	Policy CF11: South Kensington Cultural Area	Supports the south Kensington Cultural Area	General Statement of Policy	✓	No. This is a general statement of policy intended to enhance the vitality and the cultural draw of the South Kensington cultural area.
	<b>Policies/ topics being reviewed</b>				
	The provision of offices	Whether it is appropriate to protect offices in different	General design/ guidance criteria	✓	No. This will be a policy intended to maintain a mix of uses in the borough. Whilst it will not support

		parts of the borough, or uses new housing development to bring forward new offices in some areas.			development which would be a scale that could affect a Natura 200 site, the ambition for the borough to meet its own needs will direct any such development away for Natural 2000 sites.  These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.
	Light industrial uses and affordable workspaces	Need to provide a range of employment opportunities	General design/ guidance criteria	✓	No. This will be a policy intended to maintain a range of employment opportunities in the borough. It will not affect Natura 200 sites. These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed.
	Hotels	Need to meet the demand for bedspaces over the lifetime of the plan	General design/ guidance criteria	✓	No. The desire to accommodate growth within the borough will not have a negative impact on Natura 2000 sites.
<b>Social and community uses</b>	<b>Policies/ part policies being retained</b>				
	None				
	<b>Policies/ topics being reviewed</b>				
	Types of social and community use	What uses should be include within the definition of a social and community use.	General design/ guidance criteria	✓	This is a detailed criteria policy. It cannot have an impact on Natura 2000 sites.
	The protection of social and community uses.	Sets out the criteria against which the council should assess the loss of a range of			

		social and community uses.			
	The need for new social; and community uses	What new social and community uses are needed.	N/A. Not a policy	NA	This is not a policy, rather a request for information.
<b>Transport</b>	<b>Policies being retained</b>				
	None				
	<b>Policies/ topics being reviewed</b>				
	Increase Active Travel	How best to support walking and cycling by new development	Environmental protection policies/ General design/ guidance criteria	✓	These policies will not result directly in development. Rather they offer the criteria by which any proposal is assessed. In addition they are best described as Environmental protection policies, and as such can be screened out.
	Traffic congestion	How to best ensure new development reduces traffic congestion.			
	Pollution	How to best ensure new development reduces pollution			
	Improving access to public transport	Support improved access to public transport, be this through buses or supporting new stations on the network.	External plans/projects – to be in accordance with national policy	✓	Improving public transport in the borough will not have an impact on any Natura 2000 sites. This policy in part supports the uses of the wider network, part of a wider external plan/ policy.
<b>Streets, Parks and Outdoor Spaces</b>	<b>Policies being retained</b>				
	None				
	<b>Policies/ topics being reviewed</b>				
	Parks and play spaces	How to best ensure that existing play spaces are protected, but that appropriate development provides	General design/ guidance criteria	✓	Improving the provision of play space will not have an impact on Natura 2000 sites.

		additional space			
<b>Conservation and Design</b>	<b>Policies being retained</b>				
	Policy CL5 Living Conditions	Support good living conditions in new development	General design/ guidance criteria	✓	These are policies which set out the detailed criteria when assessing applications. They are not of a nature that can have any impact upon a Natura 2000 site.
	Policy CL6 Small-scale Alterations and Additions	Set out the approach to alterations and additions. Require them to not harm the existing character and appearance of the building and its context.			
	Policy CL7 Basements	Set out the Council's approach to basement development			
	Policy CL8 Existing Buildings – Roof Alterations/ Additional Storeys	Set out the approach to roof alterations and additional storeys in existing buildings			
	Policy CL9 Existing Buildings – Extensions and Modifications	Set out the approach to roof alterations and additional storeys in existing buildings			
	Policy CL10 Shopfronts	Set out the approach to shopfronts			
	Policy CL11 Views	Set out the approach to strategic views	General design/ guidance criteria	✓	The policy is intended to ensure that strategic views are protected. Whilst one of these views does affect Richmond Park (St Pauls to Henry's Mount) it will not affect the habitat itself.
	<b>Policies/ topics being reviewed</b>				
	Building heights	How should we define what a tall building is,	General design/ guidance criteria	✓	These policies are intended to set out how we assess applications and

		and are there any sites which may be appropriate for a tall building.			ensure good quality design. It will not affect Natural 2000 sites.
	Design quality, character and growth	How do we ensure the highest quality design? Can this be done through Design Codes?			
	Fire safety	What is the best means to ensure fire safety.	General design/guidance criteria	✓	No. This is concerned with the nature of assessment to be carried out, rather than the nature of the development itself.

## 5. Conclusion

- 5.1 As evident from Table 4 none of the existing policies that are being taken forward, or those policies or issues which are being reviewed, will have an effect on the relevant Natura 2000 sites. This is both a reflection of the nature of the policies and the distance that this borough lies from any Natural 2000 site.
- 5.2 Therefore, the Council does not need to undertake Stage 2 of the HRA process as set out in Table 1. As stated in Figure 1, if the answer to 'Significant impacts are likely to occur' is no, then the authority can 'Move directly to relevant authorisation process'.
- 5.3 As required by Regulation 105(2) of the [Regulation 105 of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) regulation, we have shared this Screening Report with the "appropriate nature conservation agency", which for English Councils is Natural England.
- 5.4 The report was also made available alongside our initial Issues and Options consultation on the policies that are subject to the Full Review. This will enable any interested party/stakeholder to comment on the Screening Report. This approach is in-line with Regulation 105(3) of the [Regulation 105 of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) which states that the Plan-making authority "must also, if they consider it appropriate, take the opinion of the general public".
- 5.5 The following response was received from English Nature, the "appropriate nature conservation agency":

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

*Natural England have no comments to make on this consultation.*

## 6. Draft policies (addendum)

- 6.1 The Council has had regard to the representations received and is now carrying out a consultation on the NPPF Draft Policies. The Council has reviewed the Habitats Regulations Screening and remains of the opinion that as evident from Table 4 none of the existing policies that are being taken forward, or those policies which are being reviewed, will have an effect on the relevant Natura 2000 sites. This is both a reflection of the nature of the policies and the distance that this borough lies from any Natural 2000 site.
- 6.2 Therefore, the Council remains of the opinion that it does not need to undertake Stage 2 of the HRA process as set out in Table 1. As stated in Figure 1, if the answer to 'Significant impacts are likely to occur' is no, then the authority can 'Move directly to relevant authorisation process'.
- 6.3 As required by Regulation 105(2) of the [Regulation 105 of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) regulation, we have re-shared this Screening Report with the "appropriate nature conservation agency", which for English Councils is Natural England.