

Introduction

This document is the Habitat Regulation Assessment (HRA) Screening Statement for the Beeches, Barr and Booths (3Bs) Neighbourhood Plan.

This HRA Screening Statement concludes that there is no likely significant effect on any European Site as a result of the policies contained within the 3Bs Neighbourhood Plan and as such the plan is 'screened out' of the HRA process and no further HRA assessments (including Appropriate Assessments) are deemed necessary.

Neighbourhood Planning

Neighbourhood planning is a new community right introduced by the Localism Act 2011 and guidance on its implementation is provided in the National Planning Policy Framework (NPPF).

Neighbourhood Plans form part of the Statutory Land Use Plan and as such must be subject to HRA under The Conservation of Habitats and Species Regulations 2017 (as amended) [the Habitats Regulations].

Habitat Regulation Assessment

The Conservation of Habitats and Species Regulations 2017 (as amended) requires an assessment of land use planning proposals associated with neighbourhood plans. The assessment process examines the likely significant effects of the different spatial options on the integrity of the European wildlife sites of nature conservation importance within, close to or connected to the plan area. European wildlife sites are areas of international nature conservation importance that are protected for the benefit of the habitats and species they support. This assessment is known as a Habitat Regulation Assessment (HRA). For the purposes of the HRA, international designated wildlife sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar wetland sites. Further guidance has been provided by government and Natural England on the process.

Birmingham City Council has undertaken several stages of HRA during the preparation of the Birmingham Development Plan and has carried out a Habitat Regulation Assessment Screening Report (Submission Version). A copy of this can be viewed here:

www.birmingham.gov.uk/downloads/file/1523/sub6_presubmission_habitat_regulations_assessment_2013pdf

This HRA Screening Statement follows the process used in the latest HRA report and relies on the evidence gathered during that process.

Birmingham City Council is the 'Competent Authority' in terms of HRA for the 'making' of the 3Bs Neighbourhood Plan and has therefore produced this HRA Screening Statement to accompany the draft Neighbourhood Plan. Natural England will be given an opportunity to formally comment on this HRA Screening Statement and Birmingham City Council will have regard to the representations of Natural England prior to 'making' the Neighbourhood Plan as required under Regulation 63 (3).

The HRA process assesses the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance. There are no European Sites within the Neighbourhood Area or, indeed, within the City of Birmingham.

The European Sites situated in close proximity to the Birmingham City Council boundary are set out in the HRA Report of the Birmingham Development Plan (BDP) (Pre -Submission Version). The report concluded that “of those that have been identified from a 20km area of search and others that have been included through hydrological pathways that lie beyond this search zone, none are expected to experience adverse effects from proposals in the BDP”. The BDP was not likely to lead to adverse effects on any European sites alone or in combination with other plans therefore there was no requirement to prepare an appropriate assessment. Neighbourhood Plan regulations require neighbourhood plans to be in conformity with adopted strategic planning policies and in this case the 3Bs Neighbourhood Plan must be in conformity with policies in the adopted BDP.

HRAs published to date have typically considered European sites with a 10-15km radius around the plan area. Using the approach of a 15km radius, it is concluded that the 3Bs Neighbourhood Plan will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans and therefore does not require a Habitat Regulation Assessment to be undertaken.

There are no internationally designated wildlife sites within the Neighbourhood Plan area. However, the results show that the closest European site to the neighbourhood plan area is Fens Pools, a 20.2ha SAC site located near to Pensnett in the Dudley Borough. It is approximately 13.2km from the 3Bs Neighbourhood Plan area.

4. HRA Screening

Each policy within the Neighbourhood Plan has been screened to determine whether it has potential to cause a Likely Significant Effect on any European Site.

Any policy with no Likely Significant Effect will be screened out of the HRA process. Any policy where potential for a Likely Significant Effect is identified will be subject to further, more detailed, assessment (sometimes called an ‘Appropriate Assessment’) in line with the Habitats Regulations and relevant guidance documents.

The table below considers the potential impacts arising from each of the policies within the 3Bs Neighbourhood Plan submission version.

Further Information

A copy of this determination will be sent to Natural England and made available on the City Council’s website at:

www.birmingham.gov.uk/info/20054/local_plan_documents/1032/beeches_booths_and_barr_3bs_neighbourhood_plan

If you require further information please contact Alice Jones at alice.x.jones@birmingham.gov.uk

Summary of Neighbourhood Plan Policy	Assessment of potential impacts	Potential for likely significant effect
<p>NPP 1 Pre-Application Community Engagement</p> <p>Applicants submitting proposals for either major development, or any development where the proposals have the potential for significant flood risk, are encouraged to actively engage with the Forum (or the successor body overseeing the implementation of this Plan) and the community as part of the design process at the pre-application stage.</p>	<p>This policy seeks to encourage early engagement with the Neighbourhood Forum.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 2 Sustainable Development</p> <p>To be supported, proposals in the 3Bs Plan area must contribute towards the achievement of sustainable development. Proposals are required to demonstrate they will: improve biodiversity, protect public access and connections to local parks, improve the management of surface water runoff, protect and enhance heritage assets, reinforce the residential character, improve local shopping areas, protect community facilities and apply the mitigation hierarchy to designated areas of nature conservation in the plan area,</p>	<p>This policy aims to improve the sustainability in the area with particular reference to reducing the risk of flooding. It also seeks to mitigate any negative impact future development may have on the natural environment as well as promote sustainable living.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 3 Improving the Parks</p> <p>Development must protect public access to Perry Hall Park, Perry Park, Kingsdown Park and Turnberry Park. Where applicable, proposals should also improve play facilities, routes for cyclists and walkers, enhance heritage assets, protect allotments, address the issue of flooding and implement a landscaping scheme to increase biodiversity.</p>	<p>This policy aims to improve the local parks in the Neighbourhood Plan area. This includes improving access points, biodiversity, landscaping and cycle routes, as well as protecting existing sport and play facilities and allotments.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 4 Greening the Streets</p> <p>Development proposals will be supported where they contribute to the vision of making the 3Bs a garden suburb. This includes: retaining existing trees and hedges, using soft landscaping belts along the front boundaries and delivering a net gain of tree canopy cover.</p>	<p>This policy aims to improve the level of green infrastructure in the plan area by increasing tree planting and landscaping and protecting existing green infrastructure.</p>	<p>No</p>

Summary of Neighbourhood Plan Policy	Assessment of potential impacts	Potential for likely significant effect
	The policy is not likely to have a significant effect on the integrity of any protected European site.	
<p>NPP 5 Improving blue and green connections</p> <p>Development proposals will be supported that provide a high-quality network of routes that make active connections for walking or cycling between the parks and waterways.</p>	<p>This policy aims to improve and enhance existing connections to and between blue and green infrastructure in the plan area such as the canal, river and local parks. It also seeks to create new connections. It includes improving pedestrian connectivity and entrance points, providing safe routes, and improving pedestrian crossings to encourage active living.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	No
<p>NPP 6 Reducing the Risk of Flooding</p> <p>Except where permitted development rights apply, all permanent alterations to a building and associated curtilage (including the conversion of front gardens for parking) will demonstrate how the proposal meets the requirements set out in the 3Bs SuDS Design Guidelines in the AECOM SuDS Guidance Report. Where the assessment finds that surface water flooding will increase, SuDS must be incorporated into the design to mitigate impacts. In cases where surface water runoff is expected to rise and SuDS are not proposed, alternative mitigation proposals will need to be justified.</p>	<p>This policy seeks to reduce the risk of flooding by requiring future development to demonstrate how it meets the SuDS guidelines produced for the Neighbourhood Plan. It also requires proposed development to mitigate where it is likely to increase surface water runoff.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	No
<p>NPP 7 Improving Biodiversity</p> <p>Future development should achieve a net biodiversity gain. This includes strengthening hedgerows, creating habitat corridors in identified parks, encouraging the creation of SuDS, planting trees and vegetation that are characteristic of the area, and installing habitat features.</p>	<p>This policy aims to improve biodiversity in the plan area by increasing planting to create corridors between the parks, installing habitat features and encouraging the use of SuDS.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	No

Summary of Neighbourhood Plan Policy	Assessment of potential impacts	Potential for likely significant effect
<p>Compensation is a last resort and should only be used to address residual impacts that cannot be avoided or adequately mitigated.</p>		
<p>NPP 8 Designation of Local Green Spaces</p> <p>The sites identified as site A Barr Bank, site B New Perry Wood, site C Rocky Lane and site D St Pauls Green in Section 13 are designated as Local Green Spaces and are protected for their beauty, recreational value, tranquillity or richness of wildlife. Development that would have an adverse impact on the openness and special character of these Local Green Spaces will not be supported except in very special circumstances (in accordance with national policy) or if the development clearly enhances the Local Green Space, for the purpose for which it was designated.</p>	<p>This policy identifies four areas of land in the plan area to be designated as local green spaces. It also seeks to improve public access to and recreational use of these sites.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 9 Regeneration of Tower Hill Shopping Area</p> <p>The redevelopment of Tower Hill (including environmental improvements) will assist in meeting the wider social, economic and environmental regeneration objectives of the 3Bs Neighbourhood Plan. This includes tree planting, the redevelopment of a library site to provide a mixed-use scheme, and design in keeping with local character.</p>	<p>This policy aims to regenerate the Tower Hill shopping area by increasing green infrastructure and delivering a mixed-use scheme that incorporates the existing library and community facilities with design that reinforces local character.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 10 Regeneration of Turnberry Shopping Area</p> <p>Development that includes environmental improvements to the public realm in the vicinity of Turnberry Shopping Area will assist in meeting the wider social, economic and environmental regeneration objectives of the 3Bs Neighbourhood Plan. This includes tree planting, SuDS schemes, better connections (including pedestrian crossings) between the shops and park and design in keeping with local character.</p>	<p>This policy aims to regenerate the Turnberry shopping area by increasing green infrastructure and SuDS schemes, enhancing the entrance to the park, improving pedestrian crossings and ensuring design of shopfronts reinforces local character.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	<p>No</p>
<p>NPP 11 Regeneration of Thornbridge Avenue Shopping Area</p>	<p>This policy aims to regenerate the Thornbridge Avenue shopping area by</p>	<p>No</p>

Summary of Neighbourhood Plan Policy	Assessment of potential impacts	Potential for likely significant effect
<p>Development that includes environmental improvements to the public realm in the vicinity of Thornbridge Avenue Shopping area will assist in meeting the wider social, economic and environmental regeneration objectives of the 3Bs Neighbourhood Plan. This includes tree planting, SuDS scheme and design in keeping with local character.</p>	<p>increasing green infrastructure and SuDS schemes, enhancing public realm and ensuring design of shopfronts reinforces local character.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	
<p>NPP 12 Protecting and Enhancing Heritage Assets</p> <p>Development proposals should respond positively to enhance the setting of a listed building. The buildings and structures identified in Appendix B are nominated as historic buildings of local significance. Proposals that enhance the setting of Badshah Palace and Perry Bridge to better reflect their historic significance will be supported.</p>	<p>This policy aims to protect and enhance heritage assets by ensuring future development responds positively to listed buildings and also seeks to locally list several buildings and structures in the plan area.</p> <p>The policy is not likely to have a significant effect on the integrity of any protected European site.</p>	No
<p>NPP 13 Development on Employment Sites</p> <p>If a planning application comes forward for housing (C2 or C3) for part of Baltimore Estate that adjoins Perry Hall Park, it will be supported where it is evidenced that it is in accordance with TP20 in the BDP. Any proposed development will be required to: retain Windmill Cottages and provide access from the site to them, include a landscape scheme that improves biodiversity, manage surface water flooding and provide public access to Perry Hall Park.</p>	<p>This policy aims to provide guidance for if the site was redeveloped for non-employment uses. Future development would be required to submit a planning application and would be determined in accordance with the adopted development plan which has been through a HRA assessment.</p> <p>It is therefore considered the policy is not likely to have a significant effect on the integrity of any protected European site.</p>	No
<p>NPP 14 Protecting and Enhancing the provision of community facilities</p> <p>Proposals to improve community facilities within the 3Bs Area will be supported where the design and location of the scheme is in accordance with the other policies in this Plan and where it can be demonstrated that the proposal would not cause harm to residential amenity particularly (but not solely) by way of noise or traffic movements.</p>	<p>This policy aims to protect and enhance community facilities in the plan area encouraging the provision of community facilities in future developments. It also protects existing facilities listed in table 3 by stating they should remain unless it is demonstrated they are surplus or no longer financially viable or necessary.</p>	No

Summary of Neighbourhood Plan Policy	Assessment of potential impacts	Potential for likely significant effect
	The policy is not likely to have a significant effect on the integrity of any protected European site.	

Conclusion of the HRA Screening of the 3Bs Neighbourhood Plan

The policies within the draft 3Bs Neighbourhood Plan have been screened under the Habitat Regulation Assessment process.

The conclusion of the HRA Screening Process is that none of the proposed policies within the draft 3Bs Neighbourhood Plan have potential to lead to a Likely Significant Effect on a European Site.

The draft 3Bs Neighbourhood Plan can be 'screened out' of the Habitat Regulation Assessment process and an 'Appropriate Assessment' is not required.