

Dartmoor National Park Authority Local Plan Review 2018-2033 Habitats Regulations Assessment (HRA) Regulation 18 Consultation HRA Screening & Appropriate Assessment (AA) Summary Report

1. The DNPA is required to undertake a Habitats Regulations Assessment (HRA) of the Dartmoor Local Plan (DLP), in line with the HRA Regulations that transpose the EU Directive¹ into UK law, and in accordance with the NPPF². The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance.
2. The Habitats Regulations aim to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive].
3. The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance. The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a land-use plan, when considered individually or in combination with the effects of other plans and projects against the conservation objectives of a European Site (and Ramsar site), would adversely affect the integrity of that site. If a risk of Likely Significant Effects (LSEs) is identified through the initial screening stage, then the process should progress to the Appropriate Assessment (AA) stage.
4. The HRA was undertaken in accordance with good practice guidance and in consideration of recent European Court Judgments. The HRA considered the characteristics of designated sites within the Dartmoor National Park and those nearby. The screening identified that there were no likely significant effects from the emerging DLP for the designated sites outside the DNPA boundary. However, there was the potential for adverse effects on air quality changes, recreational disturbance and habitat loss/fragmentation variously for the 3 designated sites within the boundary – the Dartmoor SAC, South Dartmoor Woods SAC, and the South Hams SAC – and this was progressed to the appropriate assessment stage.
5. The appropriate assessment determined that the mitigation provided through the relevant DLP Policies such as Policy 2.2 Biodiversity; the small size, location and site-specific requirements of certain site allocations; and the requirements in the emerging South Hams SPD, are sufficient to ensure that significant adverse impacts on air quality and habitat loss or fragmentation can be avoided, alone or in-combination with other plans. The assessment

¹ European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (1992) Article 6.3

² NPPF (2018) paragraphs 176-177

also concluded that these mitigation measures were sufficient to ensure that significant adverse impacts arising from recreational disturbance can be avoided for the Dartmoor Local Plan alone.

6. Recent studies on the predicted recreational use of the National Park suggest that there could be significant adverse in-combination effects arising from disturbance on the three SACs within the Dartmoor boundary. This is due to the extensive new development planned around the outskirts of the National Park through the Plymouth & SW JLP and the emerging GESP. Whilst there is policy mitigation in the extant plans that should protect the European sites, this appropriate assessment suggested that the new evidence indicates that there is some uncertainty regarding in-combination effects on the integrity of the Dartmoor, South Dartmoor Woods and the South Hams SACs from recreational disturbance.
7. The HRA recommended continuing liaison between the DNPA and neighbouring local planning authorities to develop further strategic mitigation measures. Any comments received on the HRA Report during the Regulation 18 consultation, including the statutory body Natural England, will be taken into account in the preparation of the final HRA Report that will accompany the Pre-Submission Local Plan on Regulation 19 consultation.