

Northampton Borough Council

Northampton Central Area Action Plan
Pre Submission Consultation

Appropriate Assessment

October 2010

1 Introduction

1.1 Background

Under the EU Habitats Directive (92/43/EEC) an 'Appropriate Assessment (AA)' is required for any proposed plan or project which may have a significant effect on one or more European sites and which is not necessary for the management of those sites. The AA will determine whether there are likely to be any adverse effects on European sites and offer ways in which these effects could be avoided.

This report builds on the wider screening exercise undertaken by independent consultants at an Emergent Strategy stage of the production of the West Northamptonshire Joint Core Strategy (WNJCS). Where appropriate this report will explore potential impacts upon habitats which fall within or close to the boundary of the Northampton Central Area Action Plan (CAAP) in further detail.

1.2 Central Area Action Plan

The Plan will set both the broad framework for developing the centre to 2026 and beyond and more detailed policy requirements for particular parts of the Central Area. It provides a clearer picture of the future of the Central Area for residents, investors and businesses. It will also help focus the spending plans of a range of public sector organisations from the Borough and County Councils, West Northamptonshire Development Corporation, Homes and Communities Agency, health care agencies, the emergency services and the Environment Agency.

The Pre-Submission Draft follows on from the earlier Issues and Options document that was consulted on in October 2007 and the Emerging Strategy published for consultation in August 2009. Moving forward the CAAP is now published in compliance with government Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. In accordance with this legislation the Council is seeking the views of relevant bodies, stakeholders and other interested parties as to the contents of the CAAP for a six-week period.

1.3 European Sites

European sites are Special Area of Conservation (SACs) and Special Protection Areas (SPAs). Planning Policy Statement 9 (PPS9) on Biodiversity and Geological Conservation stipulates that sites awaiting formal approval – potential Special Protection Areas (pSPAs) and candidate Special Areas of Conservation (cSACs) should be treated as those already approved when it comes to evaluating development proposals.

Recommendations within PPS9 state that Ramsar sites, which often overlap with Sites of Special Scientific Interest (SSSIs), should be afforded the same

levels of consideration as SPCs and SPAs in emerging planning policy, law and forthcoming development proposals.

1.4 Appropriate Assessment

In order to comply with European law and national planning policy Northampton Borough Council are completing a Screening and Appropriate Assessment of European sites and other important habitats that may be effected by proposals in forthcoming CAAP. In order to complete the Appropriate Assessment in a coherent manner it will be broken down into three separate elements, as per *Appropriate Assessment: Government Guidance*¹:

1. *Screening* – Assessing if the plan in combination with others is likely to have an adverse effect on a European Site. This element of the work determines whether or not a full Appropriate Assessment is required.
2. *Appropriate Assessment* – Analyse the potential of the proposals within the Plan to have an adverse effect on the European Site, identified through the Screening Process, in the context of its conservation objectives.
3. *Assessment of Alternative Solutions* - If the plan stands to have a negative effect on the integrity of a European site this section should analyse alternative solutions.

¹ Department for Communities and Local Government (DCLG) Planning for the protection of European sites: Appropriate Assessment – Guidance for Regional Spatial Strategies and Local Development Documents (2006)

Screening

2.1 Appropriate Assessment Screening Report

The purpose of this screening is to identify whether any European site whether within the CAAP boundary or in close proximity to it is to be exposed to Likely Significant Effects (LSE) as a result of proposals in the CAAP. By analysing the *AA Screening Report*² and the *WNJCS Appropriate Assessment*³ which has been produced as part of the production of the WNJCS it is clear that the only site of importance that could potentially be exposed to some effects as a result of CAAP is Upper Nene Valley Gravel Pits - currently designated as a SSSI and a pSPA/pRamsar site. The LSE identified within the *WNJCS Appropriate Assessment* on the Upper Nene Valley Gravel Pits is the potential for disturbance as a result of increased recreational activity on the site, particularly dog walking. This would adversely affect birds and conflict with the need to maintain in favourable condition the populations of species for which this site is designated of European importance.

In taking into account the analysis within the WNJCS Appropriate Assessment and understanding the mitigation measures that could be incorporated into proposals within the CAAP, it is not considered that the CAAP is likely to have LSE on the Upper Nene Valley Gravel Pits. Further detail is provided in Section 3: Appropriate Assessment.

The Upper Nene Valley Gravel Pits stretches from the south east of Northampton to Thrapston. The overall integrity of the site is dependent on the reed bed, wet base and open channels, a high water table in the winter and maintenance of the varied topography and water levels as a multitude of different types of vegetation and wildlife occupy the site. Any activity that may affect land management, water quality, hydrology and the intensity of site use for recreation could have significant impacts on the integrity of the site.

Upper Nene Valley Gravel Pits pSPA – Table 1

Reason for designation	Wintering populations of Annex I bird species: <ul style="list-style-type: none">• Bittern <i>Botaurus stellaris</i>: 2% of GB population• Golden Plover <i>Pluvialis apricaria</i>: 2.3% of GB population Important populations of migratory species:
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² Appropriate Assessment Screening for the West Northamptonshire Joint Core Strategy, Treweek Environmental Consultants (2007)

³ West Northamptonshire Joint Core Strategy Appropriate Assessment, ENVIRON and Treweek Environmental Consultants (2009)

	<ul style="list-style-type: none"> Gadwall <i>Anas strepera</i>: 2% of NW European breeding population <p>Assemblage of international importance (non breeding):</p> <ul style="list-style-type: none"> The site is regularly used by 23,821 waterfowl, including Wigeon <i>Anas penelope</i>, Gadwall <i>Anas strepera</i>, Mallard <i>Anas platyrhynchos</i>, Shoveler <i>Anas clypeata</i>, Pochard <i>Aythya ferina</i>, Tufted Duck <i>Aythya fuligula</i>, Great Crested Grebe <i>Podiceps cristatus</i>, Cormorant <i>Phalacrocorax carbo</i>, Bittern <i>Botaurus stellaris</i>, Golden Plover <i>Pluvialis apricaria</i>, Lapwing <i>Vanellus vanellus</i> and Coot <i>Fulica atra</i>.
Conservation Objective	To maintain in favourable condition the populations of species for which this site is designated of European importance.

Data Source: West Northamptonshire Joint Core Strategy Draft Appropriate Assessment (2009)

3.0 Appropriate Assessment

3.1 Potential Ecological Impacts

The *WNJCS Appropriate Assessment* and *AA Screening Report* identify a number of potential ecological impacts on Upper Nene Valley Gravel Pits as a result of implementing policy in the WNJCS. The Upper Nene Valley Gravel Pits are located over 900 metres away from the far eastern boundary of the Central Area (Nene Meadows) and over 2,000 metres from more intensive urban development. Despite this the Council consider, in the context of the Conservation Objective in Table 1, the following potential ecological impacts on the Gravel Pits in the *WNJCS Appropriate Assessment* to be applicable to policy brought forward through the CAAP;

- Reduced water quality (though increase in sewage, surface run off and pollution);
- Reduced water supply or levels at sites;
- More disturbance by light, activity and noise of urbanisation, affecting wildlife;
- Increase in visitor pressure leading to erosion and disturbance; and
- Increase in air pollution which could affect species that are sensitive to air quality.

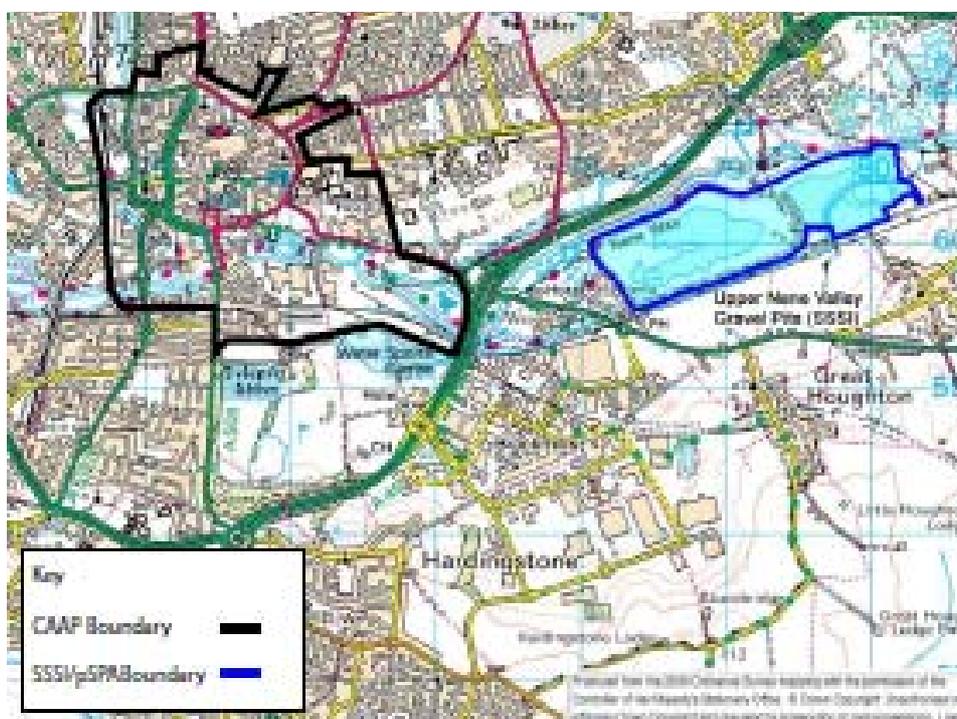


Figure 1 – CAAP Boundary & Upper Nene Valley Gravel Pits Boundary

3.2 Potential CAAP Policy Impact - Summary

Potential adverse effects on integrity of the Upper Nene Valley Gravel Pits pSPA and pRamsar site resulting from Central Area Action Plan – Publication draft.

	Water supply and water level management	Urbanisation affecting wildlife	Visitor pressure	Air pollution
P5: Green Infrastructure			X	
P10: Pedestrian and Cycle Movement			X	
P15: Meeting retail capacity	X			X
P16: Office and Business Use	X			X
P17: Central Area Living	X			
P18: Grosvenor Centre	X			
P19: Fish Market	X			
P20: Castle Station	X			
P21: St John's	X			
P22: Angel Street	X			
P23: Bridge Street	X			
P24: Upper Mounts	X			
P25: Spring Boroughs	X			
P26: Waterside	X	X		
P27: Waterside Brampton Branch	X	X		
P28: Waterside Southbridge West	X	X		
P29: Waterside - Avon/Ransome Rd	X	X		
P30: Waterside Becket's Park	X		X	
P31: Waterside Nene Meadows			X	
P33: Drapery	X			
P34: Freeschool Street	X			
P35: Former Royal Mail SO	X			

Table 2 – CAAP Policy Impact

3.3 Consideration of combination effects

Other plans within the Plan area which need to be taken into account due to their potential in-combination effects on the Upper Nene Valley include:

- West Northamptonshire Joint Core Strategy – Emergent Strategy (2009); and
- Northamptonshire Local Transport Plan 2006/7

The result of the reviews of these plans can be found in the *WNJCS Appropriate Assessment*. The conclusions and recommendations within the *WNJCS Appropriate Assessment* have been taken into account when formulating the Assessment of Alternative Solutions within this document.

4.0 Assessment of Alternative Solutions

4.1 Water Quality, Supply & Drainage

As Table 2 shows the LSEs of CAAP policy on the Upper Nene Valley Gravel Pits pSPA predominantly revolves around water supply and water level management. As new development and infrastructure comes forward throughout the Central Area the pressure on the existing drainage and sewerage networks will increase.

The West Northamptonshire Water Cycle Strategy Phase 1⁴ (WCS) indicates that currently the majority of the Central Area is served by combined sewers. These combine both surface water run-off and sewage. In intense periods of rainfall there is a tendency for the combined sewers to overflow at outfall points into the River Nene. This has the potential to increase pollution within the River Nene, reducing the quality of water. The WCS indicates that due to capacity constraints, additional development without improvements to the management of surface water and sewage within the Central Area has the potential to increase the frequency and volume of discharge of sewage into the River Nene, thus increasing potential for reducing water quality in the River Nene. In addition without appropriate mitigation measures put in place the level of surface water run off throughout the Central Area could increase following new development. This would be likely to increase run off into the River Nene which is located up stream from the Upper Nene Valley Gravel Pits.

An inadequate drainage network and increased surface run off into the River Nene has the potential to impact upon the integrity of Upper Nene Valley Gravel Pits by impacting upon; water levels, the Water Table and water quality at the site. Northampton Borough Council is seeking to address this issue through the Northampton Central Area Drainage Strategy and is in the process of commissioning consultants in partnership with the Environment Agency and Anglian Water to complete this piece of work. This will provide long term solutions that will ensure that development can take place without causing additional risk of unacceptable levels of sewage entering the river system, or increasing surface water run-off levels to unacceptable levels.

In order to mitigate the impact of the provision of new infrastructure and development on the Upper Nene Valley Gravel Pits the Council will do the following;

- Ensure development proposals adhere to **Policy 6: Flood Risk and Drainage** In the CAAP. This policy ensures that the development of major development sites will not increase the flow of water or foul sewage into the combined sewage network;

⁴ The West Northamptonshire Water Cycle Strategy Phase, Halcrow (2009)

- Ensure proposals for new development and infrastructure adhere to the results of the Northampton Central Area Action Plan Drainage Strategy (expected March 2011). The need to provide further evidence in relation to drainage and potential impacts on the existing network increases as a result of development is borne out of the results of the *West Northamptonshire Joint Core Strategy Appropriate Assessment*, and
- Continue communication with Natural England, Environment Agency and Anglian Water to ensure that the measures put in place as a result of the Drainage Assessment are sufficient.

4.2 Increase in Visitor Pressures & Urbanisation effects

The successful implementation of CAAP policy and resulting development proposals will increase the number of visitors to leisure destinations across Northampton and potentially increase the intensity of use of previously under used land. A key leisure destination that will look to be improved in the lifetime of the Central Area Action Plan is Nene Meadows (**Policy 31**) - an area characterised by open space and nature conservation. Improvements will concentrate more on improving accessibility around the Meadows and contain a limited amount of built development. The Meadows is in close proximity to the Upper Nene Valley Gravel Pits. However, there is a significant barrier between the Meadows area and the Upper Nene Valley Gravel Pits in the form of the heavily trafficked A509, which does not have particularly good crossing points. Whilst there is the potential for the number of visitors to the Upper Nene Valley Gravel Pits to increase as a result of CAAP policy, the likelihood is that any increase in the number of visitors will be limited. Increased visitor pressure on the Upper Nene Valley Gravel Pits may have an impact in terms of damage to habitats, erosion, noise and air pollution and disturbance of wildlife. The Council are keen to ensure that any impacts of increase visitor numbers and urbanisation further afield will be mitigated appropriately by;

- Ensuring any proposals that come forward for Nene Meadows take account of the proximity to the Upper Nene Valley Gravel Pits and any potential to increase activity in the area that might have an adverse impact on it.
- Ensuring proposals for Nene Meadows are brought forward in consultation with Natural England and the Environment Agency to ensure the appropriate management of the Meadows (Local Nature Reserve) and the Upper Nene Valley Gravel Pits.

Any package of mitigation measures could be linked to Developer Contributions. **Policy 37** in conjunction with the Strategic Developer Contributions policy in the WNJCS will ensure issues surrounding the mitigation of visitor pressure on the Upper Nene Valley Gravel Pits are

addressed when development proposals are brought forward. Any contributions would need to be agreed by Natural England and be brought forward as part of the delivery of development at Nene Meadows by individual applicants.

4.3 Air Pollution

By promoting the delivery of a number of major development sites within CAAP there is likely to be additional vehicular traffic drawn to the Central Area. Transportation issues need to be adequately taken into account in order to reduce congestion on roads, along with the associated positive impacts on the environment. CAAP promotes the concept of modal shift and possesses policies which promote the use of public transport and reduce the reliance on the private car (**Policies 7-11**) - thus assisting in the potential to reduce air and noise pollution in the longer term. Notwithstanding these policies there stands to be no major development proposed in the CAAP within 2000 metres of Upper Nene Valley Gravel Pits, therefore any mitigation measures for air pollution should be brought forward as part of policy within the WNJCS.

4.4 Other Impacts

Any further impact and consequent mitigation measures effecting Upper Nene Valley Gravel Pits pSPA/pRamsar will be investigated as part of the WNJCS by the West Northamptonshire Joint Planning Unit.

4.5 Conclusion

In analysing the above issues, it is considered that the mitigation measures that are likely to exist as a result of policies within the WNJCS and CAAP, will ensure that development opportunities being promoted in the CAAP when undertaken in association with other proposals cumulatively will not create any LSEs on the Upper Nene Valley Gravel Pits pSPA/pRamsar.

5.0 References

Department for Communities and Local Government (DCLG) *Planning for the protection of European sites: Appropriate Assessment – Guidance for Regional Spatial Strategies and Local Development Documents* (2006)

ENVIRON and Treweek Environmental Consultants, *West Northamptonshire Joint Core Strategy Appropriate Assessment* 2009

Halcrow, *The West Northamptonshire Water Cycle Strategy Phase 1* (2009)

Treweek Environmental Consultants, *Appropriate Assessment Screening for the West Northamptonshire Joint Core Strategy* 2007.