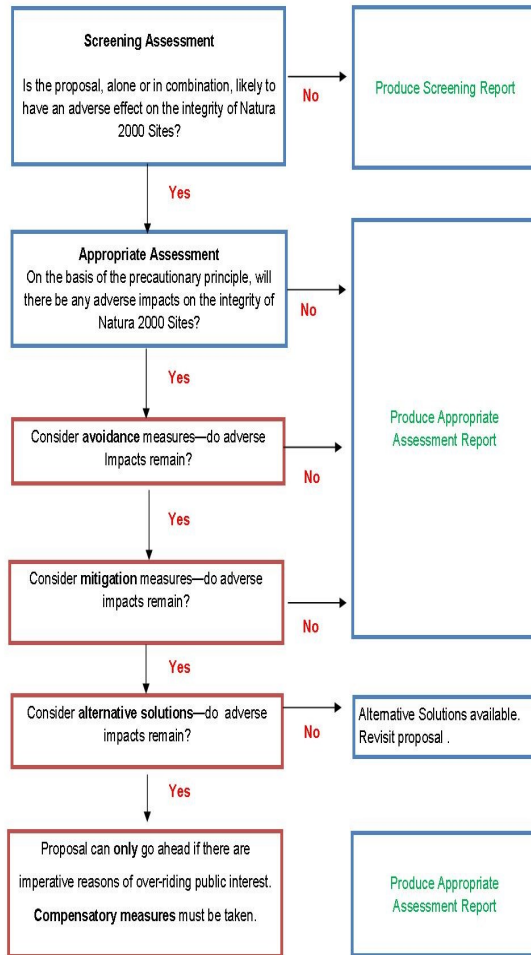


HRA Process



Barrow Borough Council
Town Hall
Duke Street
Barrow-in-Furness
Cumbria
LA14 2LD

www.barrowbc.gov.uk
developmentplans@barrowbc.gov.uk



This guide has been produced by Barrow Borough Council to assist the public when preparing planning applications. It briefly summarises the main legal requirements in considering proposals affecting Natura 2000 Sites. The Council does not accept any liability for the use of this leaflet.

Habitats Regulations Assessment Guide

Proposals affecting Special Areas of Conservation (SAC), Special Protection Areas (SPA) and RAMSAR Sites in Barrow Borough



Barrow Borough Council—March 2018



What is a Habitats Regulations Assessment?

The European Union (EU) Habitats Directive protects certain species of plants and animals which are particularly vulnerable. The Directive specifically relates to Natura 2000 Sites. These are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and RAMSAR Sites. The UK Habitats Regulations are used to implement the EU Directive and require a Habitats Regulations Assessment where proposals may affect Natura 2000 Sites.

The initial stage of the HRA process is the screening stage. If the screening stage identifies that significant adverse effects on Natura 2000 Sites are likely then the next stage, the Appropriate Assessment stage, must be carried out.

How do I know where the Natura 2000 Sites are?

- Check whether the development site is within or close to a SAC, SPA or RAMSAR site using the Council's webmapping page.
- Check Natural England's website "Nature on the Map".
- Speak to the Council's planning department—proposals may affect Natura 2000 Sites even when the site is not in close proximity e.g. a wind turbine may disrupt a protected species flight path.

My proposal may affect a Natura 2000 Site, what do I do?

1. Carry out a Screening Assessment to filter out any proposals that do not need any further assessment.
2. Remember to consider the cumulative impact of proposals within a reasonable distance as well as the potential impact on Natura 2000 sites outside the Borough.
3. All potential impacts should be considered such as recreational disturbance, air quality, water quality/resources, landtake, noise from construction etc.
4. Keep an audit trail. If no effects are likely then say so in the Assessment.

The Screening Assessment shows potential adverse impacts. What should I do?

1. An Appropriate Assessment will be required. The Planning Authority formally carries out the AA however the applicant must supply the Screening Report and other details and must agree the scope and method with the authority and Natural England.
2. The AA will conclude whether there will be adverse effects and will assess the significance of those. It will consider whether avoidance measures can be taken to remove harm. Where the effects are unavoidable, mitigation measures must be identified.

What happens if the adverse impact is unavoidable and residual effects would remain after mitigation?

In such cases, the proposal can **only** proceed if:

- There are no alternative solutions, AND
- There are imperative reasons of over-riding public interest for doing so (see Regulation 49).
- Necessary compensatory measures must be taken to secure the integrity of the Natura 2000 site network.