

Moving Rutland Forward

Habitats Regulation Assessment of Rutland County Council's:

- Fourth local transport plan – Moving Rutland Forward, and
- Rights of Way Improvement Plan.



Rutland
County Council

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1 INTRODUCTION

1.1 PURPOSE OF THIS REPORT

This Habitats Regulation Assessment (HRA) screening report has been produced to identify if the implementation of our local transport plan 4 (LTP4) and Rights of Way Improvement Plan (ROWIP) will result in any likely significant effects (LSE) on a European site¹ (also known as Natura 2000 sites) either on its own or 'in combination' with other plans or projects.

The outcome of the screening report will identify if further assessment is required in accordance with Article 6(3) of the EU Habitats Directive and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

1.2 WHAT IS MOVING RUTLAND FORWARD?

The Local Transport Act 2008² sets out a duty for all local transport authorities to produce and keep under review a local transport plan (LTP)³ and associated policies.

Moving Rutland Forward (MRF) is the name of our fourth local transport plan (LTP4), which supersedes LTP3 which was launched in 2011 and covered the period up to 2026. Despite the short space of time since LTP3 was published, we have realised a number of the aspirations within it. A new Corporate Plan, with new aims and objectives, has also been developed. It is therefore necessary to develop a new LTP for Rutland setting out our vision for transport in Rutland to 2036 (to coincide with the emerging Local Plan Review⁴).

Our ROWIP sits underneath MRF as a supporting plan.

1.2.1 OUR VISION

MRF document sets out our vision - to deliver a transport network and services that:

- facilitate delivery of sustainable population and economic growth;
- meet the needs of our most vulnerable residents; and

¹ European sites are Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and listed Ramsar sites. Proposed SPAs and candidate SACs are also regarded as European sites.

²Local Transport Act 2008, available at:

<https://www.legislation.gov.uk/ukpga/2008/26/contents>, (Accessed: December 2017)

³ A strategic document outlining the local transport challenges faced by a local authority, along with potential solutions.

⁴ The Local Plan is a statutory planning document prepared by the Rutland County Council. It sets out planning policies that will help to determine the future location, scale, type and design of new development in Rutland.

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- support a high level of health and wellbeing (including combating rural isolation).

1.2.2 THEMES

The plan itself has been built around the following five themes – an approach we hope will highlight the importance of integrating travel modes and the need to consider journeys as a whole – from door to door.

- **Population growth:** planning for the future and meeting the needs of a growing Rutland;
- **Working in Rutland:** meeting the needs of new and existing Rutland businesses, their customers and their workforce;
- **Learning in Rutland:** helping our residents reach their full potential;
- **Living in Rutland:** helping Rutland residents to access essential services and supporting health and wellbeing; and
- **Visiting and enjoying Rutland:** helping tourists, visitors and residents to access and enjoy Rutland’s towns, villages and countryside.

1.2.3 STRUCTURE OF MRF

To ensure that MRF is longstanding and flexible, it has been structured in five parts:

- the main plan – setting out our transport aspirations for Rutland;
- the first implementation plan - covering the initial 5 years of MRF and outlining the programme of work we propose to carry out;
- supporting plans, policies and strategies (including the ROWIP) – identifying delivery mechanisms;
- supporting documents - a strategic environmental assessment, habitats regulation assessment, health impact assessment and equality impact assessment of the MRF document; and
- an evidence base linking to the key sources of information used to inform MRF.

1.3 LEGISLATIVE BACKGROUND

We are required⁵ to carry out a HRA on all plans or projects. The aim of the assessment is to identify if any significant effect on a European Site is likely as a result of implementing MRF and our ROWIP.

As such, to ensure compliance with legal requirements, a HRA screening assessment was undertaken on our draft MRF document and draft ROWIP. This

⁵ By article 6 (3) and (4) of the EU Habitats Directive and by regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended)

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document provides an updated version of the HRA screening assessment – taking in to account the results of the public consultation on both MRF and the ROWIP.

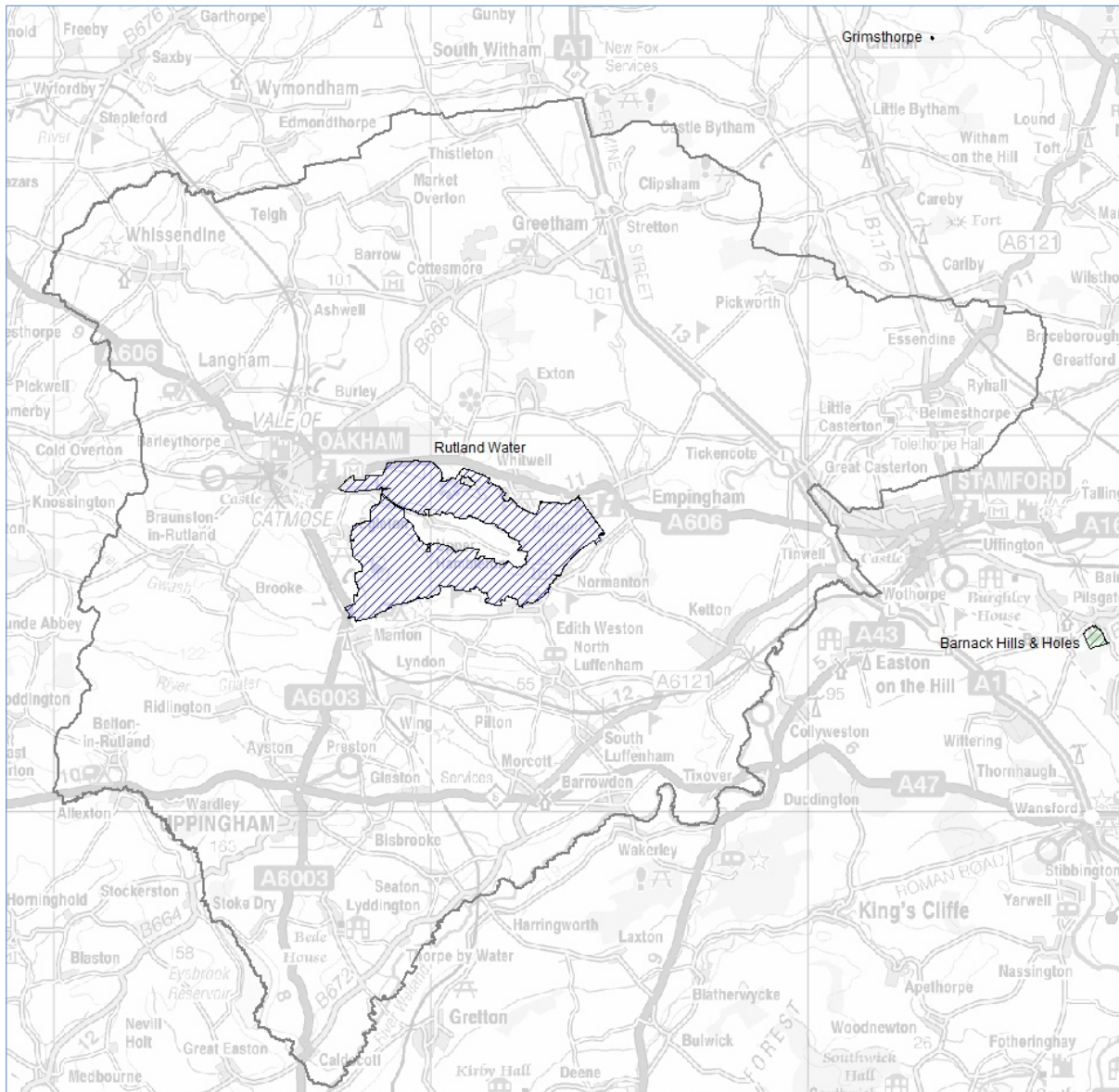
2 RELEVANT NATURA 2000 SITES

As a general ‘rule of thumb’ sites with pathways of 10-15km of the plan/project boundary should be included within the HRA. The following European sites are located either within the county or within 15km the county boundary:

- Rutland Water Special Protection Area (SPA) / Ramsar (within County),
- Barnack Hills & Holes Special Area of Conservation (SAC) (~5.4km from county boundary), and
- Grimsthorpe SAC (~5.9KM from county boundary).

The locations of the sites in relation to Rutland are shown in figure 1 below, whilst a summary of the sites’ features can be found in appendix A.

Figure 1 – European sites located within the county or within 15km of the county boundary



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3 THE HRA PROCESS

3.1 THE FOUR STAGES OF THE HRA

The HRA consists of 4 stages (table 1). This report forms stage 1, the initial screening stage, and determines if there are likely to be any significant effects on any European site as a result of implementing MRF and our ROWIP, either on its own, or in combination with other associated plans or projects. If a 'significant effect' is likely, the need for an appropriate assessment would be triggered.

Table 1 – the stages of a HRA⁶

Stage 1	Screening	The process to identify the likely impacts of a project upon a European site, either alone or in combination with other plans and projects, and consider whether the impacts are likely to be significant.
Stage 2	Appropriate assessment	The consideration of the impacts on the integrity of the European site, either alone or in combination with other plans and projects, with regard to the site's structure and function and its conservation objectives. Where there are adverse impacts, an assessment of mitigation options is carried out to determine adverse effect on the integrity of the site. If these mitigation options cannot avoid adverse effects then development consent can only be given if stages 3 and 4 are followed.
Stage 3	Assessment of alternative solutions	Examining alternative ways of achieving the objectives of the project to establish whether there are solutions that would avoid or have a lesser effect on European sites.
Stage 4	Imperative reasons of overriding public interest (IROPI)	This is the assessment where no alternative solution exists and where adverse impacts remain. The process to assess whether the development is necessary for IROPI and, if so, the potential compensatory measures needed to maintain the overall coherence of the site or integrity of the European site network.

⁶ Modified from: IPC (2011), *Habitat regulations assessment – advice note ten*, available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2011/04/Advice-note-10-HRA-web.pdf>, (Accessed November 2017)

4 SCREENING

4.1 THE STEPS INVOLVED IN SCREENING

There are four steps involved in HRA screening⁷, these are:

- 1) Determining whether the project or plan is directly connected with or necessary to the management of the site;
- 2) Describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the Natura 2000 site;
- 3) Identifying the potential effects on the Natura 2000 site;
- 4) Assessing the significance of any effects on the Natura 2000 site.

4.2 MANAGEMENT OF NATURA 2000 SITES (STEP 1)

MRF sets out our overarching vision for transport in the county, up to 2036. Whilst MRF identifies a number of goals (and solutions), only one of these is site specific. As such the majority of the goals set out in MRF are not directly connected with or necessary to the management of any Natura 2000 sites. The same is true for our ROWIP – as it is not site specific.

4.3 WHAT IS BEING SCREENED? (STEP 2)

4.3.1 MRF AND ROWIP

As identified above, the MRF only considers one site specific schemes/ initiatives. As such, the screening process has been undertaken on the goals (including the delivery solutions) set out within MRF rather than on specific areas. The screening has also included the overarching goals of the Rights of Way Improvement Plan (ROWIP) – which sits underneath MRF. These goals are identified within the screening tables set out in Appendix B.

4.3.2 IN-COMBINATION EFFECTS

We are also required to screen the MRF document and ROWIP ‘in combination’ with any other plans or projects which, when combined, may result in significant effects on a protected site.

As such, our screening has included consideration of the ‘in-combination’ effects of the following:

⁷ European Commission Environment DG (2001), *Assessment of plans and projects significantly affecting Natura 2000 sites*, available at: http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf, (Accessed: December 2017)

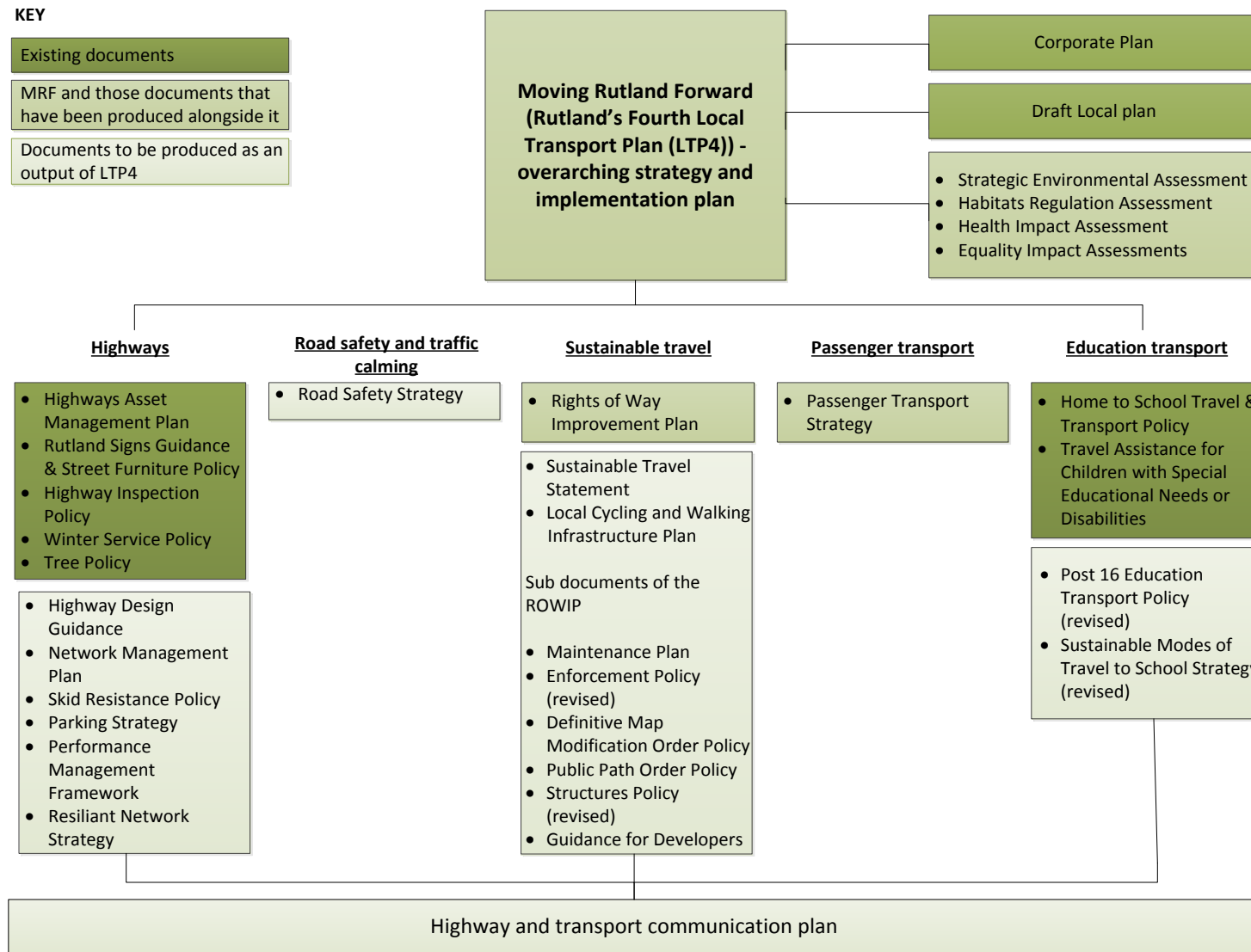
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- our consultation draft local plan⁸,
- the various plans, policies and strategies which form a suite of documents that sit underneath or alongside MRF (figure 2),
- our MRF evidence base outlining the other plans, policies and strategies which have been considered and (where possible) integrated with MRF,
- the local transport plans of surrounding local authorities (Leicestershire County Council, Lincolnshire County Council, Peterborough City Council and Northamptonshire County Council).

⁸ The Local Plan is a statutory planning document prepared by the Rutland County Council. It sets out planning policies that will help to determine the future location, scale, type and design of new development in Rutland.

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Figure 2 – Associated plans, policies and strategies



4.4 WHAT ARE WE SCREENING FOR? (STEP 3)

Table 1 identifies the potential negative effects that could impact on the protected sites, identified within section 2 (and supported by the Natura 2000 site specific issues identified within appendix A), as a result of implementing MRF or our ROWIP. It is these potential effects against which the goals and statement of actions (of MRF and the ROWIP) have been screened.

Furthermore, the screening will consider any likely impacts on Natura 2000 sites as a whole in terms of:

- interference with the key relationships that define the structure of the site;
- interference with key relationships that define the function of the site.

Table 2 – potential effects on Natura 2000 sites

Potential effect	Source of effect
Reduction of habitat area	<p>Direct land loss due to the construction of new highway infrastructure.</p> <p>Indirect loss due to increased trampling as a result of promoting walking and cycling.</p>
Disturbance to key species	<p>Noise, light, visual and vibration disturbance due to:</p> <ul style="list-style-type: none"> • Construction/ engineering works associated with the maintenance or development of new highway infrastructure or the implementation of traffic calming or road safety engineering measures. Disturbance caused by both the works, and also additional associated vehicular movements. • Increasing or changing traffic levels (including HGVs) as a result of new infrastructure or road closures and diversions. • Increased footfall within the countryside – due to the promotion of walking, cycling or horse riding infrastructure, or creation of new routes.
Habitat or species fragmentation	<p>The creation of any new road infrastructure could lead to habitat or species fragmentation due to creating a physical separation.</p>
Reduction in species density	<p>Increased bird/ wildlife strikes due to increased traffic volumes and cyclist levels.</p>

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<p>Changes in key indicators of conservation value from the site (water and soil quality etc.)</p>	<p>Negative impacts on soil and water may occur through:</p> <ul style="list-style-type: none"> • Increased road use resulting in increased surface oil and fuel which can soak into soil and water systems. • Highway maintenance such as salting and gritting – causing leakage into soil and water systems. • New infrastructure impacting on natural drainage capacity • New drainage systems (as a result of any new highway infrastructure scheme) potentially resulting in the pollution or enrichment of water and soil. • Increased sedimentation in water run off associated with the creation or maintenance of transport infrastructure.
<p>Climate change and air pollution</p>	<p>Impacts on climate change and air pollution may occur through:</p> <ul style="list-style-type: none"> • Vehicular emissions from congestion or traffic caused by increased or changing traffic levels (including HGV), road closures, diversions or inappropriately designed highway infrastructure. • Vehicular emissions from construction vehicles used during the development of new infrastructure. • Construction vehicles and machinery creating dust during the construction or maintenance of highway infrastructure.

5 IDENTIFICATION OF LIKELY SIGNIFICANT EFFECTS

5.1 SCREENING SUMMARY TABLE (STEP 4)

Appendix B provides summary tables outlining the screening results of MRF and the ROWIP.

The summary table identifies:

- The goals being assessed.
- Whether the implementation of the goals (and delivery solutions) are likely to result in: a reduction of habitat area; disturbance to key species; habitat or species fragmentation; a reduction in species density; changes in key indicators of conservation value from the site (water quality etc.); or climate change.
- Whether implementation of the plan in combination with other associated plans, policies or strategies would result in a likely significant effect.
- An assessment (and reasoning) of each of the goals' impacts.
- Recommended modifications.
- Whether a further project level HRA is advised.
- Whether there will be a likely significant effect after modification/ mitigation measures.

It should be noted that the precautionary principle was applied during the screening. This means that, in the event that any uncertain effects were identified, the goal being considered would be required to undergo further assessment, and as such would need to go forward to stage 2 of the HRA – the appropriate assessment.

5.2 THE RESULTS OF SCREENING (STEP 4)

Having reviewed the results of the screening, shown in appendix B, it is not anticipated (subject to project specific HRAs and mitigation measures) that the implementation of MRF or our ROWIP, either alone, or in combination with any other associated plans, policies or strategies will result in a likely significant effect (that hasn't already been identified separately through the specific HRAs of the respective documents) on a protected site.

However, the summary does identify the need for a further HRA, in the event of site specific projects (in close proximity to one of the protected sites) coming forward in the future. In such cases, where potential significant effects are identified, mitigation measures will be identified or alternative options considered.

6 CONSULTATION

6.1 STRATEGIC ENVIRONMENTAL ASSESSMENT CONSULTATION

During the production of our MRF document, the following statutory bodies were consulted on our strategic environmental assessment scoping report:

- Environment Agency
- Historic England
- Natural England

Feedback received has been incorporated into the SEA and also MRF itself.

6.2 HRA SCREENING REPORT CONSULTATION

This report was sent to the following bodies for consultation:

- Environment Agency
- Forestry Commission
- Historic England
- Natural England

The above bodies were also re consulted during the public consultation.

6.2.1 THE ENVIRONMENT AGENCY

The following feedback was received on the HRA (prior to public consultation).

'We agree with the conclusions within the report that there are no likely significant effects of implementing the Plan on matters within our remit or interest; and in that context an appropriate assessment is not required. We agree with the proposal to consider project specific HRAs as schemes come forward in the future.'

6.2.2 NATURAL ENGLAND

The following feedback was received on the HRA (prior to public consultation).

'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.'

We welcome the completion of a Habitats Regulations Assessment (HRA) to assess the impacts of the Local Transport Plan on Rutland Water Special Protection Area (SPA) & Ramsar Site, Barnack Hills & Holes Special Area of Conservation (SAC); and Grimsthorpe Special Area of Conservation (SAC). Natural England concurs with the conclusion that there are no likely significant effects (subject to project specific HRA and mitigation measures) as a result of implementing LTP4, alone, or in

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combination within other plans, policies or strategies, and as such an appropriate assessment of LTP4 is not required.

We also welcome the commitment to carry out project specific HRAs should site specific schemes come forward in the future considering mitigation measures where appropriate.'

The following feedback was received during the public consultation:

'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.

Features of Rutland Water SPA/RAMSAR; Barnack Hills & Holes SAC; and Grimsthorpe SAC

We welcome the completion of a Habitats Regulations Assessment (HRA) to assess the impacts of the Local Transport Plan on Rutland Water Special Protection Area (SPA) & Ramsar Site, Barnack Hills & Holes Special Area of Conservation (SAC); and Grimsthorpe Special Area of Conservation (SAC). Natural England concurs with the conclusion that there are no likely significant effects -subject to project specific HRA and mitigation measures- as a result of implementing LTP4, alone, or in combination within other plans, policies or strategies, and as such an appropriate assessment of LTP4 is not required.

We also welcome the commitment to carry out project specific HRAs should site specific schemes come forward in the future considering mitigation measures where appropriate.'

6.2.3 HISTORIC ENGLAND

The following feedback was received during the public consultation:

'Thank you for consulting Historic England on the above, together with the Moving Rutland Forward, Draft Passenger Transport Strategy and Draft Rights of Way Improvement Plan.

The inclusion of PGS11 in relation to heritage is welcomed, together with the reference to the policies set out within the draft Local Plan.

Reference to major schemes such as St George's Barracks is welcomed. Reference should also be made to other large schemes (such as the recent consultation regarding Woolfox Garden Community) should they come forward. Historic England's comments in relation to all schemes should be incorporated into the

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highways implications of these schemes.

Historic England have not received further information regarding the Joint Infrastructure Delivery Plan for Rutland and South Kesteven. Historic England would be very happy to comment and would welcome early informal consultation.

Notwithstanding the advice given in this letter, we reserve the right at a later stage to comment or object to any proposals that come forward. We recommend that local authority conservation and archaeological expertise should be used in relation to all heritage assets.'

7 CONCLUSION

There are three protected sites within Rutland and the buffer area. Of these, only one, Rutland Water, is situated within our county.

None of the goals or statement of actions listed within MRF and the ROWIP are site specific, and only one of MRF's delivery solutions are (WRS6 - Produce market town plans).

Furthermore, running throughout MRF is a desire to encourage greener, more sustainable means of travel – reducing the need to drive and as such helping to reduce congestion and associated air pollution and vehicle emissions.

These factors, in combination with the results of the screening exercise, have led us to the conclusion that there are no likely strategic significant effects (subject to project specific HRA and mitigation measures) predicted as a result of implementing MRF and our ROWIP, alone, or in combination within other plans, policies or strategies, and as such an appropriate assessment of MRF and the ROWIP is not required.

It is advised however, that should site specific schemes come forward in the future, that project specific HRAs are carried out – enabling us to consider appropriate mitigation measures if required.

Feedback has been received from the Environment Agency and Natural England – with both concurring with our conclusion. As such, a 'finding of no significant effects report' has been produced and attached as appendix C.

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8 APPENDIX A

Table 1: Features of Rutland Water SPA/RAMSAR; Barnack Hills & Holes SAC; and Grimsthorpe SAC

Site	Interest/Qualifying Features	Sensitivities/vulnerabilities/Threats
Rutland Water SPA	<p>Site Code: UK9008051</p> <p>Qualifying features:</p> <p>A005 Podiceps cristatus; Great crested grebe (Non-breeding)</p> <p>A036 Cygnus olor; Mute swan (Non-breeding) A050 Anas penelope; Eurasian wigeon (Non-breeding)</p> <p>A051 Anas strepera; Gadwall (Non-breeding) A052 Anas crecca; Eurasian teal (Non-breeding) A056 Anas clypeata; Northern shoveler (Non-breeding)</p> <p>A061 Aythya fuligula; Tufted duck (Non-breeding)</p> <p>A067 Bucephala clangula; Common goldeneye (Non-breeding)</p>	<p>The most notable species are the populations of gadwall and shoveler.</p> <p>Data on the use of the site by these species indicate that gadwall and shoveler numbers peak in the autumn, generally around September/October, before declining over the winter period. This suggests that Rutland is mainly used as a refuge whilst species are moulting in early autumn, before dispersing from the site to other wintering areas as winter progresses.</p> <p>During the winter, gadwall and shoveler occupy more extensive open waters of lakes, reservoirs and gravel pits.</p> <p>Water Abstraction</p> <p>Increased water abstraction could alter water levels in the reservoir which may result in a proportion of waterbirds utilising areas provided as compensation but which are currently outside the SPA</p> <p>Inappropriate Water Levels</p> <p>Water levels of the reserve are managed primarily for public water supply and water storage and not specifically for non-breeding water birds. This can influence the number of specific species of non-breeding waterbirds using the site at certain times of year. At the moment, this is not causing</p>

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Site	Interest/Qualifying Features	Sensitivities/vulnerabilities/Threats
	<p>A070 Mergus merganser; Goosander (Non-breeding)</p> <p>A125 Fulica atra; Common coot (Non-breeding) Waterbird assemblage</p>	<p>any long term deterioration of the site.</p> <p>Direct Impact from 3rd Party</p> <p>Cumulative impacts from unregulated third party activities like private firework displays in properties adjacent to the SPA, hot air balloon flights, and private aircraft flights (including microlites and military aircraft flights) could impact on the waterbirds using Rutland Water</p> <p>Invasive species</p> <p>Rutland Water has been colonised by several non-native species, including zebra mussel, bloody red mysid, Canadian pondweed, Nutall’s pond weed and more recently signal crayfish. Whilst some non-natives like pond weed can have a positive impact on the SPA interest features, this is not necessarily the case for all species. This is because non-native species can, either by themselves or in combination with other non-native species, significantly alter food webs which can lead to dramatic decreases in some taxa and to subtle changes in species composition.</p>
<p>Rutland Water Ramsar</p>	<p>Ramsar criterion 5 – Assemblages of international importance</p> <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> • 19274 waterfowl (5 year peak mean 1998/99-2002/2003) • Ramsar criterion 6 – Species/populations occurring at levels of international importance. 	<p>Water Pollution</p> <p>The inflows into Rutland Water currently receive regulated discharges of treated sewage as well as unregulated discharges from septic tanks. Further nutrient inputs from diffuse sources (such as agriculture) which maintain the reservoir in a highly eutrophic state and has led in the past to regular algal blooms.</p>

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Site	Interest/Qualifying Features	Sensitivities/vulnerabilities/Threats
	<p>Qualifying species:</p> <ul style="list-style-type: none"> • Gadwall <i>Anas strepera</i>, • Northern shoveler <i>Anas clypeata</i> 	<p>Public Access/Disturbance</p> <p>The reservoir and surrounding area is a very important destination for undertaking recreational activities. These include a range of watersports, fishing, cycling, birdwatching and walking. Several large events are also held on the banks of the reservoir each year. Future recreational proposals will need to avoid likely significant effects on the SPA.</p> <p>Fisheries</p> <p>Rutland Water is currently managed as a put and take out fishery. Trout essentially have controlling impact on coarse fish populations. However, future changes in coarse fish populations could create a shift in the ecological balance of the water body. In addition, fish diseases or parasite outbreaks (e.g Red Vent Syndrome (RVS)) could potentially cause harm to the current fishery and ecological status of the water body.</p>
<p>Barnack Hills and Holes SAC</p>	<p>Site Code: UK0030031</p> <p>Qualifying features: H6210# Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>)</p>	<p>Changes in Species Distribution</p> <p>There is a long term decline in population of Man Orchid <i>Aceras anthropophorum</i>, part of the SAC feature for the site. Numbers peaked in the 1980s and have shown a declining trend since. The reasons for this are poorly understood.</p> <p>Public Access/Disturbance</p> <p>High level of public use relative to size of site is causing compaction and degradation of habitat, spread of negative indicator species, and nitrogen due to high number of dogs on the site.</p>

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Site	Interest/Qualifying Features	Sensitivities/vulnerabilities/Threats
		<p>Air Pollution: impact of atmospheric nitrogen deposition</p> <p>Nitrogen deposition exceeds the site-relevant critical load for ecosystem protection, but the sensitive features are currently considered to be in favorable condition on the site.</p>
<p>Grimsthorpe SAC</p>	<p>Site Code: UK0030043</p> <p>Qualifying Features: H6210# Semi-natural dry grasslands and scrublands facies: on calcareous substrates (<i>Festuco-Brometalia</i>) S1654 <i>Gentianella anglica</i>: Early gentian</p>	<p>Air Pollution: risk of atmospheric nitrogen deposition</p> <p>Atmospheric nitrogen deposition exceeds the site-relevant critical load for ecosystem protection, but the sensitive features are currently considered to be in favourable condition on the site.</p>

9 APPENDIX B

Table 1 – Moving Rutland Forward: Habitats regulation assessment screening (KEY: X=none, ?= potential, Y=Yes, N = No)

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
PGG1 Passenger transport provisions and a highway network that are resilient and adaptable to changing demand.	X	?	?	X	?	X	X	X	X	The overall aim of this goal is to enable travel by sustainable means. However, it also covers highway maintenance, consideration of new infrastructure and assessing the impact of development on our transport networks - which can cause disturbance (during construction/ remedial works) and could potentially result in a negative impact on key indicators of conservation or habitat fragmentation.	Consider appropriate mitigation measures if a specific new infrastructure proposal or major development proposal is put forward that has potential to impact on a protected site. Maintenance and utility enhancements within or nearby protected sites should give consideration to suitable mitigation measures.	Y	X
PGG2 Sufficient parking capacity for our current and future population.	X	X	X	X	X	X	X	X	X	This goal aims to ensure sufficient parking provisions to cater for our growing population. It is not thought that this would have a negative impact.	None	N	X
PGG3 A co-ordinated and integrated approach to highway maintenance and utility enhancements	X	?	X	X	?	X	X	X	X	The overall aim of this goal is to manage our network to avoid disruption and reduce congestion (and associated air pollution.) However, actual maintenance work could result in disturbance and could impact on key indicators of conservation.	Maintenance and utility enhancements within or nearby protected sites should give consideration to suitable mitigation measures.	Y	X

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MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
PGG4 Sustainable development that enhances and supports our county's rural character and heritage.	X	X	X	X	X	X	X	X	X	This goal aims to mitigate potential negative impacts of development on our county's rural character and heritage. As such, this solution should produce a positive impact.	None	N	X
WRG1 Transport options that support economic growth by enabling residents to access employment opportunities and in doing so help fulfil workforce shortages and reduce environmental impact.	X	X	X	X	X	X	X	X	X	This goal looks to encourage greener travel options, including car sharing. As such this solution may help reduce single occupancy car travel and reduce congestion and air pollution and as such provide a positive impact.	None	N	X
WRG2 Unique, attractive and vibrant market towns that provide enhanced provisions for residents, whilst attracting visitors and supporting economic vitality.	X	X	X	X	X	X	X	X	X	This goal aims to ensure the vibrancy of our market towns (and includes MRF solution WRS6 – Produce market town plans), including sufficient parking provision to support our local businesses. It is not thought that this goal would have a negative impact, however if necessary a project specific HRA should be carried out on the market town plans which will be produced as an action of MRF.	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
WRG3 Local businesses supported by transport links that enable the efficient movement of goods.		X	X	X	X	X	X	X	X	This goal aims to ensure that future business development is suitably located - minimising potential negative effects.	None	N	X
WRG4 Traffic management provisions that limit the impact of HGV and other vehicular traffic	X	X	X	X	X	X	X	X	X	This goal aims to ensure HGV movement takes place on those parts of the network most suitable.	None	N	X
WRG5 Limit the impact that changes to freight and passenger rail may bring.	X	X	X	X	X	X	X	X	X	This goal aims to mitigate against any potentially detrimental changes to freight or passenger rail and as such this goal would not have a negative impact.	None	N	X
LERG1 School transport provisions that serve the needs of our young residents, whilst being cost effective.	X	X	X	X	X	X	X	X	X	No potential negative impacts foreseen.	None	N	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
LERG2 High levels of walking and cycling to school and college – leading to improved health in our young, reduced congestion on our roads and improved local air quality.	X	?	X	X	X	X	X	X	X	<p>This goal aims to encourage walking and cycling to school - resulting in reduced congestion and air pollution.</p> <p>There is a possibility that by encouraging walking and cycling there may be increased passage through protected areas - however, there are no education facilities near to the protected areas, so the chance of potential negative impact is low. Furthermore, promoting use of designated provisions should limit potential negative impacts.</p> <p>Should new cycling and walking infrastructure be created to provide access to education establishments, disturbance may also be experienced during construction.</p>	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X
LIRG1 Reduce car dependency within the county – in a way that doesn't hinder access to services or economic development.	X	?	X	X	X	X	X	X	X	<p>This goal aims to reduce car dependency within the county and also supports the development and consideration of green vehicle technologies - as such this will hopefully bring positive impacts.</p> <p>By encouraging walking and cycling as a means of travel we are opening up further opportunities for increased passage through protected areas - however, as there are limited services located around the protected area in Rutland, it is unlikely that residents would walk or cycle (as a means of travel) through it.</p>	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
										Should new utilitarian cycling and walking infrastructure be created disturbance may also be experienced during construction.			
LIRG2 Reduce the number of deaths and injuries on our county's roads.	X	?	X	X	X	X	X	X	X	Should engineering measures be implemented to reduce the risk of death or injury on our roads, there may be the possibility of disturbance - both during construction and also as a result of the measure implemented. For example - anti skid surfacing or speed tables could lead to noise pollution, which may result in disturbance.	Consider appropriate mitigation measures if a specific new road safety engineering proposal is put forward that has potential to impact on a protected site.	Y	X
LIRG3 Remove the barriers inhibiting our residents from walking and cycling, particularly those that would enable shorter utility journeys to be undertaken by bike and foot - helping to	X	?	X	X	X	X	X	X	X	This goal aims to promote walking and cycling as a means of travel. In doing so there is potential that any new infrastructure within or nearby a protected site may cause disturbance during construction. Furthermore, future use of any new infrastructure may increase passage through protected sites - causing disturbance. However, promoting use of designated provisions should limit potential negative impacts.	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
improve our residents' health, access to services and our environment.													
LIRG4 A passenger transport network that caters for our most vulnerable residents.	X	X	X	X	X	X	X	X	X	This goal aims to both further promote and provide passenger transport for our most vulnerable residents. It is aims to encourage options other than the car.	None	N	X
VERG1 An integrated network of walking, cycling and public rights of way routes that connect our villages and towns with each other and enable circular walks and rides.	X	?	X	X	X	X	X	X	X	Any new infrastructure within or nearby a protected site may cause disturbance during construction. Furthermore, future use of any new infrastructure may increase passage through protected sites - causing disturbance. However, promoting use of designated provisions should limit potential negative impacts.	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

MRF Goal	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
VERG2 Clear publicity of our public rights of way, cycling and walking infrastructure and events. Promotional materials that are easy to understand and tailored to the needs of different users groups.	X	?	X	X	X	X	X	X	X	This goal aims to promote access to the countryside. There is potential that by doing so, we will increase passage through the protected sites - causing disturbance to key species. However, promoting use of designated provisions should limit potential negative impacts.	Consider appropriate mitigation measures if a specific promotion scheme is put forward that has potential to impact on a protected site.	Y	X
VERG3 Accessible leisure, recreation and tourism opportunities, complimented by a sustainable transport network and parking provision that supports tourism.	X	?	?	?	?	X	X	X	X	This goal aims to promote access to leisure opportunities - primarily through consideration of sustainable passenger transport. However, it also touches on availability of parking and as such, if any new parking provisions were to be constructed within or nearby a protected site, this may have potential to impact on key indicators of conservation.	Consider appropriate mitigation measures in the event of a specific car park proposal coming forward on a protected area.	Y	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

Table 2: ROWIP habitats regulation assessment screening (KEY: X=none, ?= potential, Y=Yes, N = No)

ROWIP Statement of action	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
A rights of way network infrastructure maintained to a high standard through the efficient use of available resources.	X	?	X	X	?	X	X	X	X	Actual maintenance work could result in disturbance and could impact on key indicators of conservation.	Maintenance within or nearby protected sites should give consideration to suitable mitigation measures.	Y	X
An accurate and up to date definitive map and statement.	X	X	X	X	X	X	X	X	X	This relates to the updating of our definitive map. There are no likely effects predicted.	None	X	X
A safer, more connected and accessible network for all.	X	?	X	X	X	X	X	X	X	Any new infrastructure within or nearby a protected site may cause disturbance during construction. Furthermore, future use of any new infrastructure may increase passage through protected sites - causing disturbance. However, promoting use of designated provisions should limit potential negative impacts.	Consider appropriate mitigation measures if a specific new infrastructure proposal is put forward that has potential to impact on a protected site.	Y	X
Protecting the network and influencing development.	X	X	X	X	X	X	X	X	X	This statement of action aims to mitigate potential negative impacts of development on our county's rural character and heritage. As such, this solution should produce a positive impact.	None	N	X

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

ROWIP Statement of action	Reduction of habitat area	Disturbance to key species	Habitat or species fragmentation	Reduction in species density	Changes in key indicators of conservation value from the site (water quality etc.)	Climate change	Likely impacts on Natura 2000 sites as a whole in terms of interference with the key relationships that define the structure of the site.	Likely impacts on Natura 2000 sites as a whole in terms of interference with key relationships that define the function of the site.	In combination effects likely (that haven't already been picked up within the specific plan, policy, project or strategy HRA)	Assessment/ reasoning	Recommended modifications	Further project level HRA advised?	Likely significant effect after modification/ mitigation measures?
Promote greater use of the network & increase availability of information.	X	?	X	X	X	X	X	X	X	This statement of action aims to promote access to the countryside. There is potential that by doing so, we will increase passage through the protected sites - causing disturbance to key species. However, promoting use of designated provisions should limit potential negative impacts.	Consider appropriate mitigation measures if a specific promotion scheme is put forward that has potential to impact on a protected site.	Y	X

10 APPENDIX C: FINDING OF NO SIGNIFICANT EFFECTS REPORT

Overview	
Name of project or plan	<ul style="list-style-type: none"> • Moving Rutland Forward (MRF)– Rutland’s fourth local transport plan • Rights of Way Improvement Plan (ROWIP)
Name and location of Natura 2000 site	<ul style="list-style-type: none"> • Rutland Water Special Protection Area (SPA) / Ramsar (within County), • Barnack Hills & Holes Special Area of Conservation (SAC) (~5.4km from county boundary), and • Grimsthorpe SAC (~5.9KM from county boundary). <p>Locations can be viewed in figure one of the main report.</p>
Description of the project or plan	<p>This Habitats Regulation Assessment (HRA) screening report has been produced to identify if the implementation of Moving Rutland Forward (MRF) - our local transport plan 4 (LTP4) and our Rights of Way Improvement Plan (ROWIP) will result in any likely significant effects (LSE) on a European site⁹ (also known as Natura 2000 sites) either on its own or ‘in combination’ with other plans or projects.</p> <p>A local transport plan is a statutory document produced by a local transport authority - setting out their long term strategic vision for transport. A rights of way improvement plan is a plan explaining how a local authority will make improvements to the public rights of way network in their area to provide a better experience for users.</p> <p>MRF only considers one site specific schemes/ initiatives. As such, the screening process has been undertaken on the goals (including the delivery solutions) set out within MRF rather than on specific areas. The screening has also included the overarching goals of the Rights of Way Improvement Plan (ROWIP) – which sits underneath MRF. These goals are identified within the screening tables set out in Appendix B.</p>
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	<p>MRF sets out our overarching vision for transport in the county, up to 2036. Whilst MRF identifies a number of goals (and solutions), only one of these is site specific. As such the majority of the goals set out in MRF are not directly connected with or necessary to the management of any Natura 2000 sites. The same is true for our ROWIP – as it is not site specific.</p>
Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	<p>Our screening included consideration of the ‘in-combination’ effects of the following:</p> <ul style="list-style-type: none"> • our consultation draft local plan¹⁰, • the various plans, policies and strategies which form a suite of documents that sit underneath or alongside MRF (figure 2), • our MRF evidence base outlining the other plans, policies and strategies which have been considered and (where possible) integrated with MRF, • the local transport plans of surrounding local authorities (Leicestershire County Council, Lincolnshire County Council, Peterborough City Council and Northamptonshire County Council).
The assessment of significance of effects	
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.	<p>Having reviewed the results of the screening, shown in appendix B, it is not anticipated (subject to project specific HRAs and mitigation measures) that the implementation of MRF or our ROWIP, either alone, or in combination with any other associated plans, policies or strategies will result in a likely significant effect (that hasn’t already been identified separately through the specific HRAs of the respective documents) on a protected site.</p> <p>However, the summary does identify the need for a further HRA, in the event of site specific projects (in close proximity to one of the protected sites) coming forward in the future. In such cases, where potential significant effects are identified, mitigation measures will be identified or alternative options considered.</p>
Explain why these effects are not considered significant.	<p>There are three protected sites within Rutland and the buffer area. Of these, only one, Rutland Water, is situated within our county.</p> <p>None of the goals or statement of actions listed within MRF and the ROWIP are site specific, and only one of MRF’s delivery solutions are (WRS6 - Produce market town plans).</p> <p>Furthermore, running throughout MRF is a desire to encourage greener, more sustainable means of travel – reducing the need to drive and as such helping to reduce congestion and associated air pollution and vehicle emissions.</p> <p>These factors, in combination with the results of the screening exercise, have lead us to the conclusion that there are no likely strategic significant effects (subject to project specific HRA and mitigation measures) predicted as a result of implementing MRF and our ROWIP, alone, or in</p>

⁹ European sites are Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and listed Ramsar sites. Proposed SPAs and candidate SACs are also regarded as European sites.

¹⁰ The Local Plan is a statutory planning document prepared by the Rutland County Council. It sets out planning policies that will help to determine the future location, scale, type and design of new development in Rutland.

APPENDIX L – HABITATS REGULATION ASSESSMENT OF MRF AND ROWIP

	combination within other plans, policies or strategies, and as such an appropriate assessment of MRF and the ROWIP is not required.		
List of agencies consulted: provide contact name and telephone or e-mail address.	<p>This report was sent to the following bodies for consultation prior to public consultation:</p> <ul style="list-style-type: none"> • Environment Agency: planningkettering@environment-agency.gov.uk • Forestry Commission: fe.england@forestry.gsi.gov.uk • Historic England: e-emids@HistoricEngland.org.uk • Natural England: eastmidlands@naturalengland.org.uk ; consultations@naturalengland.org.uk <p>The above bodies were re consulted during the public consultation.</p>		
Response to consultation.	<p>The Environment Agency: The following feedback was received on the HRA (prior to public consultation).</p> <p><i>'We agree with the conclusions within the report that there are no likely significant effects of implementing the Plan on matters within our remit or interest; and in that context an appropriate assessment is not required. We agree with the proposal to consider project specific HRAs as schemes come forward in the future.'</i></p> <p>Natural England: The following feedback was received on the HRA (prior to public consultation) and also during the public consultation.</p> <p><i>'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.'</i></p> <p><i>We welcome the completion of a Habitats Regulations Assessment (HRA) to assess the impacts of the Local Transport Plan on Rutland Water Special Protection Area (SPA) & Ramsar Site, Barnack Hills & Holes Special Area of Conservation (SAC); and Grimsthorpe Special Area of Conservation (SAC). Natural England concurs with the conclusion that there are no likely significant effects (subject to project specific HRA and mitigation measures) as a result of implementing LTP4, alone, or in combination within other plans, policies or strategies, and as such an appropriate assessment of LTP4 is not required.'</i></p> <p><i>We also welcome the commitment to carry out project specific HRAs should site specific schemes come forward in the future considering mitigation measures where appropriate.'</i></p> <p>Historic England: The following feedback was received during the public consultation:</p> <p><i>'Thank you for consulting Historic England on the above, together with the Moving Rutland Forward, Draft Passenger Transport Strategy and Draft Rights of Way Improvement Plan.'</i></p> <p><i>The inclusion of PGS11 in relation to heritage is welcomed, together with the reference to the policies set out within the draft Local Plan.'</i></p> <p><i>Reference to major schemes such as St George's Barracks is welcomed. Reference should also be made to other large schemes (such as the recent consultation regarding Woolfox Garden Community) should they come forward. Historic England's comments in relation to all schemes should be incorporated into the highways implications of these schemes.'</i></p> <p><i>Historic England have not received further information regarding the Joint Infrastructure Delivery Plan for Rutland and South Kesteven. Historic England would be very happy to comment and would welcome early informal consultation.'</i></p> <p><i>Notwithstanding the advice given in this letter, we reserve the right at a later stage to comment or object to any proposals that come forward. We recommend that local authority conservation and archaeological expertise should be used in relation to all heritage assets.'</i></p>		
Data collected to carry out the assessment			
Who carried out the assessment	Sources of data	Level of assessment completed	Where can the full results of the assessment be accessed and viewed?
RCC Transport Strategy Manager	<p>Strategic environmental assessment of Rutland County Council's fourth local transport plan – Moving Rutland Forward, and Rights of Way Improvement Plan.</p> <p>Rutland Local Plan Sustainability Appraisal/Strategic Environmental Assessment - Baseline and Scoping Report</p>	Initial screening.	Main report.

