

Date: 08 November 2017  
Our ref: 229659 / 229739  
Your ref: N/2017/1369 / S/2017/2577/EIA



Nicky Toon / Daniel Callis

**BY EMAIL ONLY**

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Dear Nicky and Daniel

**Planning consultation:** Outline application for a residential development of up to 525 dwellings, open space, children's play area and associated infrastructure

**Location:** Land North Of Newport Pagnell Road Hackleton

Thank you for your consultation on the above dated 23 October 2017.

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.

**Internationally and nationally designated sites – Further information required**

The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is approximately 2km from the Upper Nene Valley Gravel Pits Special Protection Area which is a European site. The site is also listed as a Ramsar Site and also notified at a national level as a Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The [Conservation objectives](#) for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, ie the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. We recommend you obtain the following information to help undertake a Habitats Regulations Assessment.

Increased visitor access to the Upper Nene Valley Gravel Pits SPA is recognised by Natural England as a threat to the favourable condition of the site. This is underpinned by a number of

studies documenting disturbance to birds from activities such as dog walking within the SPA. A recent report titled Visitor Access Study of the Upper Nene Valley Gravel Pits SPA has documented the expected increases in visitor numbers as a result of new development (based on interviewing over 1000 groups who visited the site). The report identifies that visitor rates to the SPA are high from residential areas within 3km of the SPA with most visitors arriving via a short car journey. Given the size and location of the proposed development an impact to the SPA due to increased visitor numbers cannot be ruled out without mitigation being identified to reduce this impact and we would recommend that an approach to mitigation is put forward by the applicants.

The Environmental Statement identifies these issues and proposes an approach to mitigation. This would involve improvements to the adjoining Brackmills Country Park in order to provide alternatives to new residents visiting the SPA for informal recreation. However the improvements to the country park are yet to be agreed and Natural England would need to comment on this to advise on whether the package is adequate to allow a conclusion of no likely significant effect on the SPA. You should also be aware that Natural England and Northampton Borough Council will soon be commencing work on a package of works to improve visitor management within the SPA (covering for example improved signage, barriers and/or wardening) and it may also be possible for the development to provide mitigation by contributing to this project.

### **Protected Species**

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

### **Other advice**

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local

landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or priority species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice<sup>1</sup> on priority and protected species and their consideration in the planning system.

[Natural England Standing Advice for Protected Species](#) is available on our website to help local planning authorities better understand the impact of development on protected or priority species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Ross Holdgate on 0208 026 5934. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

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Essex, Herts, Beds, Cambs and Northants Area Team

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<sup>1</sup> Paragraph 98 and 99 of ODPM Circular 06/2005