

## Habitat Regulation Assessment (HRA) Screening Matrix

Application name and reference number:

13/04305/EIA  
 Poultry Broiler Units  
 Great Ness  
 Montford Bridge  
 Shrewsbury  
 Shropshire  
 Erection of three poultry rearing buildings, eight feed bins and associated works

Date of completion for the HRA screening matrix:

14<sup>th</sup> April 2014

HRA screening matrix completed by:

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**Table 1: Details of project or plan**

<p>Name of plan or project</p>	<p>13/04305/EIA           Poultry Broiler Units          Great Ness          Montford Bridge          Shrewsbury          Shropshire           Erection of three poultry rearing buildings, eight feed bins and associated works</p>
<p>Name and description of Natura 2000 site</p>	<p>Most of Hencott Pool Midland Meres and Mosses Ramsar Phase 2 (11.5ha) is swamp carr on very wet peat dominated by alder <i>Alnus glutinosa</i> and common sallow <i>Salix cinerea</i> with frequent crack willow <i>Salix fragilis</i>. Although there are considerable areas of bare peat beneath the trees, there is a rich flora of fen plants. It is included in the Ramsar Phase for its Carr habitat and the species <i>Carex elongata</i> and <i>Cicuta virosa</i></p> <p>Fenemere Midland Meres and Mosses Ramsar Phase 1 (16.34ha) is a particularly rich and interesting mere with eutrophic water. Fenemere is also important for its rich aquatic invertebrate fauna. It is included within the Ramsar Phase for its open water, swamp, fen, wet pasture and Carr habitats with the species <i>Cicuta virosa</i> and <i>Thelypteris palustris</i></p>

Description of the plan or project	Erection of three poultry rearing buildings, eight feed bins and associated works. The application has the potential to impact the European designated sites at Hencott Pool Midland Meres and Mosses Ramsar Phase 2 and Fenemere Midland Meres and Mosses Ramsar Phase 1 through aerial emissions particularly ammonia.
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No
Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	N/A  Where no significant likely effect of the proposals are noted on a European Designated Site consideration of in combination effects is not considered necessary by Environment Agency or Natural England.

### Statement

The modelling technique approved by the Environment Agency was used by ADAS (30<sup>th</sup> January 2013) to model aerial emissions in relation to the proposals in planning application 13/04305/EIA.

The relevant thresholds agreed by Environment Agency and Natural England are:

- emissions of ammonia under 4% of the critical level for a European Designated site (sites within 10km considered)
- emissions of ammonia under 20% of the critical level for a Site of Special Scientific Interest (sites within 5km considered)
- emissions of ammonia under 50% of the critical level for a County Wildlife site or Ancient Woodland (sites within 2km considered)

Any emission over the thresholds for European Designated Sites would require a full Appropriate Assessment to be carried out.

Any emission under these thresholds is not considered 'significant' by Environment Agency and Natural England and is considered to have no in-combination effects.

Hencott Pool SSSI and Midland Meres and Mosses Ramsar Phase 2 critical level for ammonia is  $1\mu\text{g}/\text{m}^3$

Fenemere SSSI and Midland Meres and Mosses Ramsar Phase 1 critical level for ammonia is  $1\mu\text{g}/\text{m}^3$

The ADAS ammonia modelling submitted with application reference 13/04305/EIA concludes that the ammonia emissions from the proposed development would be considered insignificant for permitting purpose.

The Environment Agency has concluded that;  
'The EP application was supported by an ammonia modelling report. It was concluded that the proposed development was not likely to damage any flora, fauna or geological or physiological features which are of a special interest; and detailed further ammonia modelling was not considered necessary'.

#### **The Significance test**

The proposed works under application No13/04305/EIA - Poultry Broiler Units, Great Ness, Montford Bridge, Shrewsbury Shropshire for the Erection of three poultry rearing buildings, eight feed bins and associated works will not have a likely significant effect on Hencott Pool & Fenemere Ramsar. An Appropriate Assessment is not required.

#### **The Integrity test**

There is no likely effect on the integrity of the European Designated Site at Hencott Pool & Fenemere Ramsar from planning application 13/04305/EIA at Poultry Broiler Units, Great Ness, Montford Bridge, Shrewsbury Shropshire for the Erection of three poultry rearing buildings, eight feed bins and associated works.

#### **Conclusions**

There is no likely significant effect of planning application 13/04305/EIA at Poultry Broiler Units, Great Ness, Montford Bridge, Shrewsbury Shropshire for the Erection of three poultry rearing buildings, eight feed bins and associated works.

Planning permission can legally be granted.

### **Guidance on completing the HRA Screening Matrix**

#### **The Habitat Regulation Assessment process**

Essentially, there are two 'tests' incorporated into the procedures of Regulation 61 of the Habitats Regulations, one known as the 'significance test' and the other known as the 'integrity test' which must both be satisfied before a competent authority (such as a Local Planning Authority) may legally grant a permission.

The first test (the significance test) is addressed by Regulation 61, part 1:

61. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which –

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

The second test (the integrity test) is addressed by Regulation 61, part 5:

61. (5) In light of the conclusions of the assessment, and subject to regulation 62 (consideration of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

In this context 'likely' means "probably", or "it well might happen", not merely that it is a fanciful possibility. 'Significant' means not trivial or inconsequential but an effect that is noteworthy – Natural England guidance on The Habitat Regulation Assessment of Local Development Documents (Revised Draft 2009).

#### **Habitat Regulation Assessment Outcomes**

**A Local Planning Authority can only legally grant planning permission if it is established that the proposed plan or project will not adversely affect the integrity of the European Site.**

**If it is not possible to establish this beyond reasonable scientific doubt then planning permission cannot legally be granted.**

#### **Duty of the Local Planning Authority**

It is the duty of the planning case officer, the committee considering the application and the Local Planning Authority as a whole to fully engage with the Habitats Regulation Assessment process, to have regard to the response of Natural England and to determine, beyond reasonable scientific doubt, the outcome of the 'significance' test and the 'integrity' test before making a planning decision.