

Habitats Regulations Assessment - Hartlepool Residential Design Supplementary Planning Document

In line with Council practice, all planning policies are subject to a Habitats Regulations Assessment. The Conservation of Habitats and Species Regulations 2017, also known as the Habitats Regulations, is the means by which the Habitats Directive is translated into UK legislation. Regulation 63(1) of the Habitats Regulations requires that:

“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.”

A Habitats Regulations Assessment is a step-by-step process. The first stage in this process is screening for a likely significant effect. Screening evaluates the potential for a plan, in this case the Hartlepool Residential Design Supplementary Planning Document (SPD), to have a significant effect on the interest features for which a European site is designated. A significant effect can be defined as: “any effect that may reasonably be predicted as a consequence of a plan or project that may affect the conservation action objectives of the features for which the site was designated, but excluding trivial or inconsequential effects.”

The Residential Design SPD does not contain policies, instead it provides supplementary guidance to assist developers in preparing residential schemes and sets out what the Council will have regard to when implementing the relevant policies within the adopted Hartlepool Local Plan 2018. It is considered that the SPD will encourage more sustainable forms of development across the Borough.

It would therefore be any future projects subject to the consideration of the Local Planning Authority through the planning application process, in view of the guidance set out in the Residential Design SPD, which would themselves be subject to a Habitats Regulations Assessment, where appropriate. Consequently, it is considered that this document is not likely to have an adverse effect on any European site.