



North Yorkshire Minerals and Waste Development Framework

A Simple Guide to Habitats Regulations Assessment

What is a Habitats Regulations Assessment?

The Habitats Regulations Assessment (HRA) is a tool to identify whether there are likely to be any harmful effects from minerals and waste policies and development proposals on internationally important nature sites. The assessment considers how significant the negative impacts are likely to be, whether they can be reduced (mitigated) to protect these sites or whether it is not possible to offset any likely adverse effects.

These internationally important nature sites include Special Areas of Conservation (SAC) which have important habitat features, Special Protection Areas (SPAs) which relate to bird populations and Ramsar sites which are internationally important wetlands. Collectively, these are often referred to as Natura 2000 sites.

In some cases HRA 'screening' shows that no significant effects on the Natura 2000 sites are likely. If there are significant adverse effects on the integrity of the Natura 2000 sites, the mitigation measures should be put in place before the plan can be taken forward. If there are no appropriate mitigation measures strict tests need to be met before the plan is implemented.

Why is a Habitats Regulations Assessment necessary?

Carrying out a Habitats Regulations Assessment is critical to the development of planning policy. It is a legal requirement in the production and preparation of local authority planning policy documents (e.g. plans within the Minerals and Waste Development Framework).

Habitats Regulations Assessment is carried out in line with European and English law and guidance.

The aim of the Habitats Regulations Assessment is to assess proposed plans which may have a significant impact on one or more Natura 2000 sites either individually or in-combination with other plans and projects.

Opportunities to Become Involved in the Habitats Regulations Assessment Process

Screening

In partnership with Natural England, internationally important nature sites have been identified to be included within the assessment. These include sites within the County as well as some beyond the administrative boundary. It is recognised that distance in itself is not a definitive guide to the likelihood or severity of an impact so it is possible that further important sites may be included.

Opportunity for Involvement

National law requires North Yorkshire County Council to consult Natural England during all stages of the Habitats Regulations Assessment. In addition the Council must have regard to any representations made by Natural England.

The Council will also seek the public's views on the Habitats Regulations Assessment Reports which will accompany the corresponding planning policy documents.

In some cases there will be more than one report but in other cases an Habitats Regulations Assessment screening report may be all that is needed.

Links with Sustainability Appraisal

It is important to remember that the Habitats Regulations Assessment process is concerned only with identifying significant effects on the Conservation Objectives of Natura 2000 sites. The effects of plans and proposals on wider aspects of the European Sites will be taken into consideration as part of the Sustainability Appraisal / Strategic Environmental Assessment process.