

Statement of common ground between Calderdale Council and Natural England relating to Air Quality Habitat Regulations Assessment

Introduction

When the Draft Local Plan was submitted to the Secretary of State in January 2019 the Submission Documents included the *Habitat Regulations Assessment Report Update 2019* and appendices (Examination Library references SD 12.4; SD 12.5; and SD 12.6).

An addendum to the HRA was provided in July 2019 (EL references CC 05 and CC05a).

Since July 2019 the Council and Natural England have worked together to resolve the outstanding issue identified by Natural England. Namely, the Air Quality Implications of traffic growth from the Calderdale Plan on the South Pennine Moors SPA and SAC. In particular in-combination effects along the M62 and A-Class roads within 200m of the protected areas.

The additional documents produced on behalf of the Council are as follows:

- *Habitat Regulations Assessment of the Draft Local Plan June 2021* (EL reference CC149).
- *Calderdale Local Plan - Air Quality Habitat Regulations Assessment* – response to Natural England dated 10 September 2021
- *Calderdale Local Plan - Air Quality HRA - Further Information for Natural England* – dated 11 November 2021

Natural England provided written responses dated 06 August 2021 (NE ref 358580); and 22 September 2021 (NE ref 36859).

Agreed position between the Council and Natural England

Based on the information provided, Natural England is now satisfied that there is sufficient evidence to update the Appropriate Assessment. Based on the technical notes it is agreed that the Local Plan will not lead to any new or further exceedance of the critical loads or levels for NOx (either alone or in-combination with other plans or projects) and furthermore that the area effected is around 0.008% of the total South Pennine Moors Special Area of Conservation (SAC). It is agreed that there will be no adverse effects on the integrity of the South Pennine Moors SAC as a result of traffic emissions from the plan (either alone or in-combination).

Subject to the Council providing an updated Appropriate Assessment with the additional evidence and clarifications provided previously, the concerns set out in Natural England's letters dated 06 August 2021 (NE ref 358580) and 22 September 2021 (NE ref 36859) are satisfied.

Signatures

Calderdale Council: 

Date: 6 December 2021

Natural England 

Date: 09 December 2021