

# **A46 Coventry Junctions (Walsgrave) Scheme number: TR010066**

## **6.3 Environmental Statement Appendices**

### **Appendix 8.12 - Habitats Regulations Assessment Report**

APFP Regulations 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009

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Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed  
Forms and Procedure)  
Regulations 2009**

**A46 Coventry Junctions (Walsgrave)  
Development Consent Order 202[x]**

**ENVIRONMENTAL STATEMENT APPENDICES**  
**Appendix 8.12 Habitats Regulations Assessment Report**

<b>Regulation Number</b>	Regulation 5(2)(a)
<b>Planning Inspectorate Scheme Reference</b>	TR010066
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<b>Author</b>	A46 Coventry Junctions (Walsgrave) Project Team, National Highways

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# 1. Introduction

## 1.1. Overview of the Scheme

- 1.1.1. The A46 Coventry Junctions (Walsgrave) ('the Scheme') comprises of an upgrade to the junction of the A46 Coventry Eastern bypass and the B4082, east of Walsgrave (Figure 1). The Scheme is being progressed by National Highways to ease congestion and reduce queuing along the A46 corridor, east of Coventry.
- 1.1.2. The Scheme forms part of a wider scheme of improvements to the A46 which are being delivered by National Highways to connect the M6 and the M69 to the M40. The A46 is a non-continuous route which begins east of Bath and ends in Cleethorpes. The A46 connects a number of major employment sites to the wider motorway network and forms a key element of the north to south travel movements in the area.
- 1.1.3. A previous Habitat Regulations Assessment (HRA) Screening was undertaken at the Options Selection Stage assessing the impacts of the Scheme. In order for the Scheme to proceed an update of this HRA was undertaken for the preliminary design stage.

## 1.2. Scheme description

- 1.2.1. The Scheme consists of the following principal elements:
  - Realignment of the existing A46 dual carriageway through the existing at grade roundabout (which will be removed), for approximately 880m to improve the road geometry and allow for a 50mph speed limit.
  - Earthworks on the eastern side of the A46 mainline to facilitate the realignment through the existing at grade roundabout.
  - A new grade separated junction over the A46 mainline, approximately 800m north of the existing Walsgrave junction to connect the B4082 with the A46.
  - A new overbridge structure across the existing A46, between the dumbbell roundabouts forming the grade separated junction.
  - New merge and diverge slip roads at the grade separated junction for both northbound and southbound movements.
  - Realignment of the B4082 to form a single carriageway link road, for approximately 900m, to connect the local road network to the new A46 grade separated junction with a proposed 40mph speed limit.
  - Road assets and street furniture such as traffic signs and lines, variable message sign (VMS), street lighting columns, vehicle restraint systems, fences, retaining walls and kerbs.
  - Drainage systems including a dry detention basin and two ponds that will be designed to be permanently wet.



- Proposed new maintenance accesses to the drainage features and VMS.
- Retention of the Hungerley Hall Farm accommodation overbridge (the existing bridge that provides farm vehicle access over the A46 mainline).
- Farm access track to the north of Hungerley Hall Farm to provide gated access to the B4082 link road.
- Improvements to facilities for walkers, cyclists and horse-riders (WCH) through provision of a signalised pedestrian crossing on the B4082; and providing enabling works, including the retention of Hungerley Hall Farm accommodation overbridge, for a potential future WCH route to be provided by others.
- Replacement and installation of new highway boundary fencing.
- Replacement vegetation planting to compensate for the vegetation that needs to be removed to facilitate the Scheme.

1.2.2. The area within the draft Order Limits covers an area of approximately 36.6ha. The draft Order Limits covers the land required during construction and operation of the Scheme. Of this approximately 34.6ha will be permanently required for the operation of the Scheme, including the proposed environmental mitigation area which covers approximately 3.7ha. Approximately 2.0ha will be required temporarily during the construction phase.

### 1.3. Legislative context

1.3.1. This assessment considers potential effects on National Site Network (NSN) Sites, as required under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations), implementing Article 6(3) of the Habitats Directive (92/43/EEC).

1.3.2. As required under Regulation 63, the assessment is undertaken by the Secretary of State in relation to an order granting development consent, based upon information provided within this report and supporting figures (provided in Appendix A), representations made by Natural England and, where the Secretary of State considers it appropriate, taking the opinion of the general public. For this assessment, NSN Sites are taken to include sites designated under the Habitats Directive (92/43/EEC) and are sites that have been adopted by the European Commission and formally designated by the government of each country in whose territory the site lies. The NSN sites are:

- Special Areas of Conservation (SAC): high-quality conservation sites that have been given strict protection under the European Habitats Directive (92/43/EEC). These important sites are selected to conserve rare and vulnerable animals, plants and habitats (excluding birds) that are listed in Annexes I and II of the Directive (as amended).

- Special Protection Areas (SPA): strictly protected sites that have been implemented to protect rare and vulnerable bird species and their habitats. They are classified in accordance with the European Birds Directive (79/409/EEC) and aim to safeguard bird species and populations that are listed in Annexes I and II of the Directive.

1.3.3. The requirement in England for a Habitats Regulations Assessment also applies to the following sites:

- Possible Special Area of Conservation (pSAC): sites undergoing public consultation prior to a decision on whether to formally submit it to the European Commission.
- Candidate Special Area of Conservation (cSAC): a site which has been formally submitted to the European Commission following consultation, but not yet formally adopted by them.
- Sites of Community Importance (SCI): sites that have been adopted by the European Commission but not yet formally designated by the government of each country.
- Potential Special Protection Area (pSPA): sites that are treated as if formally classified. The Government has initiated a public consultation on the scientific case for classification as a SPA.
- Ramsar Sites: Wetlands of International Importance designated under the Ramsar Convention (1971). Sites are selected for their international significance relating to all ecology, botany, zoology, limnology or hydrology wetland components. The designation recognises the importance of wetlands as economic, social and environmental entities and the need to conserve them.
- Proposed Ramsar Sites: proposed sites selected for consideration for Ramsar designation for their international significance relating to all ecology, botany, zoology, limnology or hydrology wetland components.

## 1.4. Previous Reports

- 1.4.1. The Options Selection Stage HRA undertook a screening assessment in line with DMRB LA115 and therefore assessed potential impacts to internationally designated sites up to 30km from the Scheme identifying Ensor's Pool SAC and The River Mease SAC which are located 10.1km and 29.5km from the Scheme respectively, for further assessment and ultimately screening them out.
- 1.4.2. The previous screening report has been reviewed and this updated version has been produced assessing the new potential impacts of the Scheme following the updates to the Scheme (as described in ES Chapter 2 (The Scheme) (TR010066/APP/6.1). The updated screening assessment includes the Affected Roads Network (ARN) data (as presented on Figure 3 in Appendix A) as this has

a wider increased area of effects which was previously not assessed during the Options Selection Stage due to the data not being available.

## **1.5. Scope of the report**

1.5.1. The purpose of the assessment is to identify potential impacts and pathways that may result in likely significant effects (LSEs) and require further investigation through an 'appropriate assessment'. This follows the below process:

- describe the proposed works
- provide information on the ecological interests and features of the potentially affected NSN Sites
- describe the likely nature and scale of the impacts on the NSN Sites from the Scheme and any likely, in combination effects with other plans and/or projects
- Consider the results to allow a decision on the information in this statement to be made by the Competent Authority thereby fulfilling duty set out in the regulations

## **1.6. Report structure**

1.6.1. This HRA report comprises the following sections:

- Chapter 1: Introduction – including background to the project, legislative context and report purpose/scope
- Chapter 2: Methodology – description of the HRA process and methods used for site selection
- Chapter 3: Stage One: Screening – NSN Site selection, including description of sites, conservation objectives and vulnerabilities
- Chapter 4: Screening Conclusion – establishes whether an Appropriate Assessment is considered necessary, with rationale

## 2. Methodology

### 2.1. Habitats Regulations Assessment: assessment process

- 2.1.1. National Highways (previously Highways England) has produced standards on HRA in section LA115 (DMRB 2020a) of the Design Manual for Roads and Bridges (DMRB) to ensure that projects follow the requirements of the Habitats Regulations. HRAs are required under Reg .63(1) of the Habitats Regulations where a plan or a project is likely to have a significant effect on a European site / NSN and that plan or project is not directly connected with or necessary to the management of that site.
- 2.1.2. This is a four-stage approach in carrying out an HRA as follows:
- Screening (Stage 1) – This is the process of identifying the potential likely significant effects of a project upon a NSN Site, either alone or in-combination with other plans and projects, within the context of the site's conservation objectives. Mitigation is not considered at this stage. If it can be demonstrated that significant effects are unlikely, no further assessment is required. If the screening process does identify effects to be significant, potentially significant or uncertain, then the subsequent stage known as Appropriate Assessment (Stage 2) is required.
  - Appropriate Assessment (Stage 2) – This considers the effects on the integrity of NSN Sites, either alone or in-combination with other plans and projects, with regard to the site's structure, function, and conservation objectives. Where there are LSEs on the integrity of the site, an assessment of the efficacy of mitigation measures is carried out. If those mitigation measures cannot avoid adverse effects, then development consent can only be given if Stages 3 and 4 are then followed.
  - Assessment of Alternative Solutions (Stage 3) – This examines the alternative solutions to achieving the objectives of the project or plan that would avoid or have a lesser adverse effect on the NSN Site.
  - Imperative Reasons of Overriding Public Interest (IROPI) (Stage 4) – This is the assessment where no alternative solution exists and where adverse effects remain. The process is to assess whether the development is necessary for IROPI and, if so, the potential compensatory measures needed to maintain the overall coherence of the site or integrity of the NSN Site. This is not considered to be a standard part of the process and would only be carried out in exceptional circumstances.
- 2.1.3. All four stages of the process are referred to as the HRA, to clearly distinguish the whole process from the stages within it. This report addresses Stage 1.

## 2.2. Screening process and criteria

- 2.2.1. The screening assessment process which has been used for this assessment is set out in DMRB LA115 Rev 1 (DMRB 2020a).

### Determination of connection with site management

- 2.2.2. The HRA screening assessment report will assess whether the works are connected with or necessary to the management of an NSN Site.
- 2.2.3. Such works should include those that are:
- for conservation purposes
  - management which is 'directly connected with or necessary' to the site
  - solely conceived for the conservation management of a site and not direct or indirect consequences of other activities
- 2.2.4. The Scheme does not fit any of the above criteria.

### Identification of potential effects on NSN Sites

- 2.2.5. The HRA screening assessment does include all NSN Sites that meet any of the following screening criteria as recommended by DMRB LA115:
- is within 2km of an NSN Site or functionally linked land<sup>1</sup>
  - is within 30km of a SAC, cSAC or pSAC where bats are noted as one of the qualifying interests
  - crosses or lies adjacent to, upstream of, or downstream of, a watercourse which is designated in part or wholly as a NSN Site
  - has a potential hydrological or hydrogeological linkage to a NSN Site containing a groundwater dependent terrestrial ecosystem (GWDTE) which triggers the assessment of NSN Sites in accordance with LA113 (DMRB 2020b)
  - has an affected road network which triggers the criteria for the assessment of NSN sites DMRB LA105 (DMRB 2020c)
- 2.2.6. For the purposes of HRA, where the established risk to GWDTE is assessed to be above negligible, further assessment in accordance with LA113 (DMRB 2020b) may be required.

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<sup>1</sup> Effect pathways on qualifying interests that are mobile species can extend to land occupied outside of the designated site boundary this is defined as functionally linked land

- 2.2.7. Additional NSN Sites should be subject to screening where the existence of ecological connectivity between the project and NSN Sites is identified beyond the screening criteria above.

### 3. Stage 1: Screening

3.1.1. The screening detailed below follows Figure 3.1 in DMRB LA115.

#### 3.2. Step 1: determination of connection with site management

3.2.1. The Scheme is not connected with the management of NSN Sites.

#### 3.3. Step 2: examination of the nature of proposed works

3.3.1. The Scheme can be described as the execution of construction works or of other installations or schemes. The Scheme is not within 2km of any SAC, cSAC, pSAC, SPA, pSPA or Ramsar sites.

#### 3.4. Step 3: identification of potential effects on NSN Sites

3.4.1. There are no NSN Sites or functionally linked land within 2km or within 30km of a NSN designated for bats

3.4.2. The Scheme does not cross any watercourses which are designated in part or wholly as a SAC, cSAC, pSAC, SPA, pSPA or Ramsar site

3.4.3. The Options Selection Stage screening report identified two SACs and these have been assessed (locations of these NSN Sites are shown on Figure 2 in Appendix A):

- Ensor's Pool SAC (located approximately 10.1km to the north-west of the Scheme). The site is designated for white-clawed crayfish *Austropotamobius pallipes*.
- The River Mease SAC (located approximately 29.5km to the north of the Scheme) is primarily designated for its spined loach *Cobitis taenia* and bullhead *Cottus gobio*. Additionally, the Annex I habitat 'Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation (3260)' and the Annex II species 'White-clawed (or Atlantic stream) crayfish (1092)' and 'otter *Lutra lutra* (1355)' are present as qualifying features.

3.4.4. There are no hydrological or hydrogeological linkages to either of these sites.

3.4.5. The two sites are not located within the vicinity of the affected road network. At the closest point the affected road network is 8km away from Ensor's Pool SAC. The affected road network is based on the DMRB LA 105 screening criteria. Please see Chapter 5 of the Environmental Statement for further information.

3.4.6. Bats are not one of the qualifying interest features of any of these SACs.

## 4. Screening conclusion

- 4.1.1. The impacts of the Scheme have been subject to a screening to determine the likelihood of significant effects of a NSN Site. This HRA report has identified that there are no NSN Sites located within 2km of the Scheme. There are two SACs present within 30km of the Scheme however bats are not listed as a primary reason for selection of either site and therefore no LSEs have been identified on these Sites.
- 4.1.2. It has been determined that the Scheme is unlikely to have any likely significant effects as detailed in Tables 4.1 and 4.2 on any NSN Site and therefore an Appropriate Assessment is not required.
- 4.1.3. In accordance with DMRB LA115, for each site screened out, Tables 4-1 and 4-2 below include the completed finding of no significant effects report matrix.



Table 4-1 Ensor's Pool (UK0012646) Finding of No Significant Effects Report Matrix

<b>Project name:</b>	A46 Coventry Junctions (Walsgrave)		
<b>European Site under consideration</b>	Ensor's Pool (UK0012646)		
<b>Date</b>	<b>Author</b>	<b>Verified (Name/Organisation):</b>	
18/07/2024	AN Sweco	Martin Brammah/ Sweco UK	
<p>Name and location of European Site: Ensor's Pool (UK0012646) is located 10.1km to the north-west of the Scheme. The site is designated for the Annex II species white-clawed crayfish <i>Austropotamobius pallipes</i>.</p>			
<p>Description of the project: The A46 Coventry Junctions (Walsgrave) comprises of an upgrade to the junction of the A46 Coventry Eastern bypass and the B4082, east of Walsgrave. The Scheme is being progressed by National Highways to ease congestion and reduce queuing along the A46 corridor, east of Coventry</p>			
<p>Is the project directly connected with or necessary to the management of the site (provide details)? No</p>			
<p>Are there other projects or plans that together with the project being assessed could affect the site (provide details)? No</p>			
<b>The assessment of significance of effects</b>			
<p>Describe how the project (alone or in combination) is likely to affect the European Site. The project will not have an impact on the European Site. The European Site is located over 10km away from the Scheme and is not linked hydrologically or hydrogeologically. The European site is not designated for bats. Given the distance between the designated site and the project there will be no effect on the designated site and therefore no in combination effects to consider.</p>			
<p>Explain why these effects are not considered significant. N/A</p>			
<p>List of agencies consulted: provide contact name and telephone or e-mail address. No consultation has taken place over this assessment.</p>			
<p>Response to consultation: N/A</p>			
<b>Data collected to carry out the assessment</b>			
Who carried out the assessment?	Sources of data	Level of assessment completed	Where can the full results of the assessment be accessed and viewed?
<p>Andrew Noble carried out the Stage 1 assessment using Defra's MAGIC map application and Sweco baseline survey data collected as part of the Scheme. The full results of this assessment can be seen in this report.</p>			

Table 4-2 The River Mease SAC (UK0030258) Finding of No Significant Effects Report Matrix

<b>Project name:</b>	A46 Coventry Junctions (Walsgrave)		
<b>European Site under consideration</b>	The River Mease SAC (UK0030258)		
<b>Date</b>	<b>Author</b>	<b>Verified (Name/Organisation):</b>	
18/07/2024	AN Sweco	Martin Brammah Sweco UK	
<p>Name and location of European Site:</p> <p>River Mease (UK0030258) is located 29.5km to the north of the Scheme. The site is designated for the Annex II species spined loach and bullhead. Additionally, the Annex I habitat 'Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation (3260)' and the Annex II species 'White-clawed (or Atlantic stream) crayfish (1092)' and 'otter Lutra lutra (1355)' are present as qualifying features.</p>			
<p>Description of the project:</p> <p>The A46 Coventry Junctions (Walsgrave) comprises of an upgrade to the junction of the A46 Coventry Eastern bypass and the B4082, east of Walsgrave. The Scheme is being progressed by National Highways to ease congestion and reduce queuing along the A46 corridor, east of Coventry</p>			
<p>Is the project directly connected with or necessary to the management of the site (provide details)?</p> <p>No</p>			
<p>Are there other projects or plans that together with the project being assessed could affect the site (provide details)? No</p>			
<b>The assessment of significance of effects</b>			
<p>Describe how the project (alone or in combination) is likely to affect the European Site.</p> <p>The project will not have an impact on the European Site. The European Site is located over 10km away from the Scheme and is not linked hydrologically or hydrogeologically. The European site is not designated for bats. Given the distance between the designated site and the project there will be no effect on the designated site and therefore no in combination effects to consider.</p>			
<p>Explain why these effects are not considered significant.</p> <p>N/A</p>			
<p>List of agencies consulted: provide contact name and telephone or e-mail address.</p> <p>No consultation has taken place over this assessment.</p>			
<p>Response to consultation:</p> <p>N/A</p>			
<b>Data collected to carry out the assessment</b>			
Who carried out the assessment?	Sources of data	Level of assessment completed	Where can the full results of the assessment be accessed and viewed?
<p>Andrew Noble carried out the Stage 1 assessment using Defra's MAGIC map application and Sweco baseline survey data collected as part of the Scheme. The full results of this assessment can be seen in this report</p>			

## References

Highways England (2020a). DMRB LA 115 - Habitats Regulations assessment Revision 1 [online] available at:

<https://www.standardsforhighways.co.uk/search/e2fdab58-d293-4af7-b737-b55e08e045ae>. Accessed March 2024

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<https://www.standardsforhighways.co.uk/search/d6388f5f-2694-4986-ac46-b17b62c21727>. Accessed March 2024

Highways England (2020c). DMRB LA 105 - Air quality [online] available at:

<https://www.standardsforhighways.co.uk/search/af7f4cda-08f7-4f16-a89f-e30da703f3f4>. Accessed March 2024

## Appendix A Figures

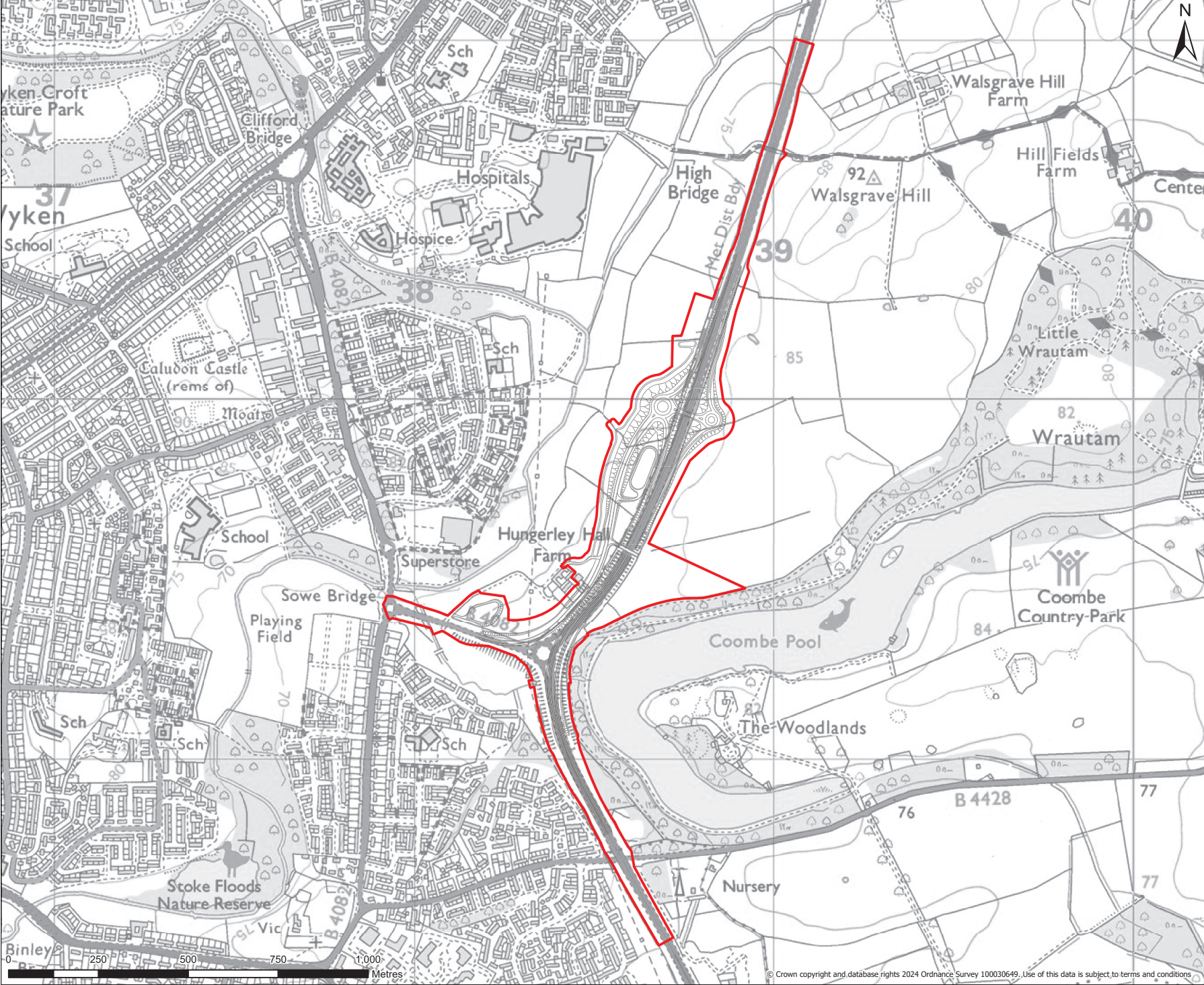
Figure 1 - Scheme location

Figure 2 - Locations of internationally designated sites within 30km

Figure 3 – Affected road network (ARN) including roads where LA105 screening criteria is exceeded.



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**Legend**  
 Order Limits

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P02	28.10.2024	UPDATED DATA	AC	AN	LM
REV	DATE	REVISION NOTE	ORG	CHKD	APP
Client					

**national highways**

Project Title  
**A46 COVENTRY JUNCTIONS (WALSGRAVE)**

Project Stage  
**DCO APPLICATION**

Drawing Title  
**FIGURE 1: HABITATS REGULATION ASSESSMENT - SITE LOCATION**

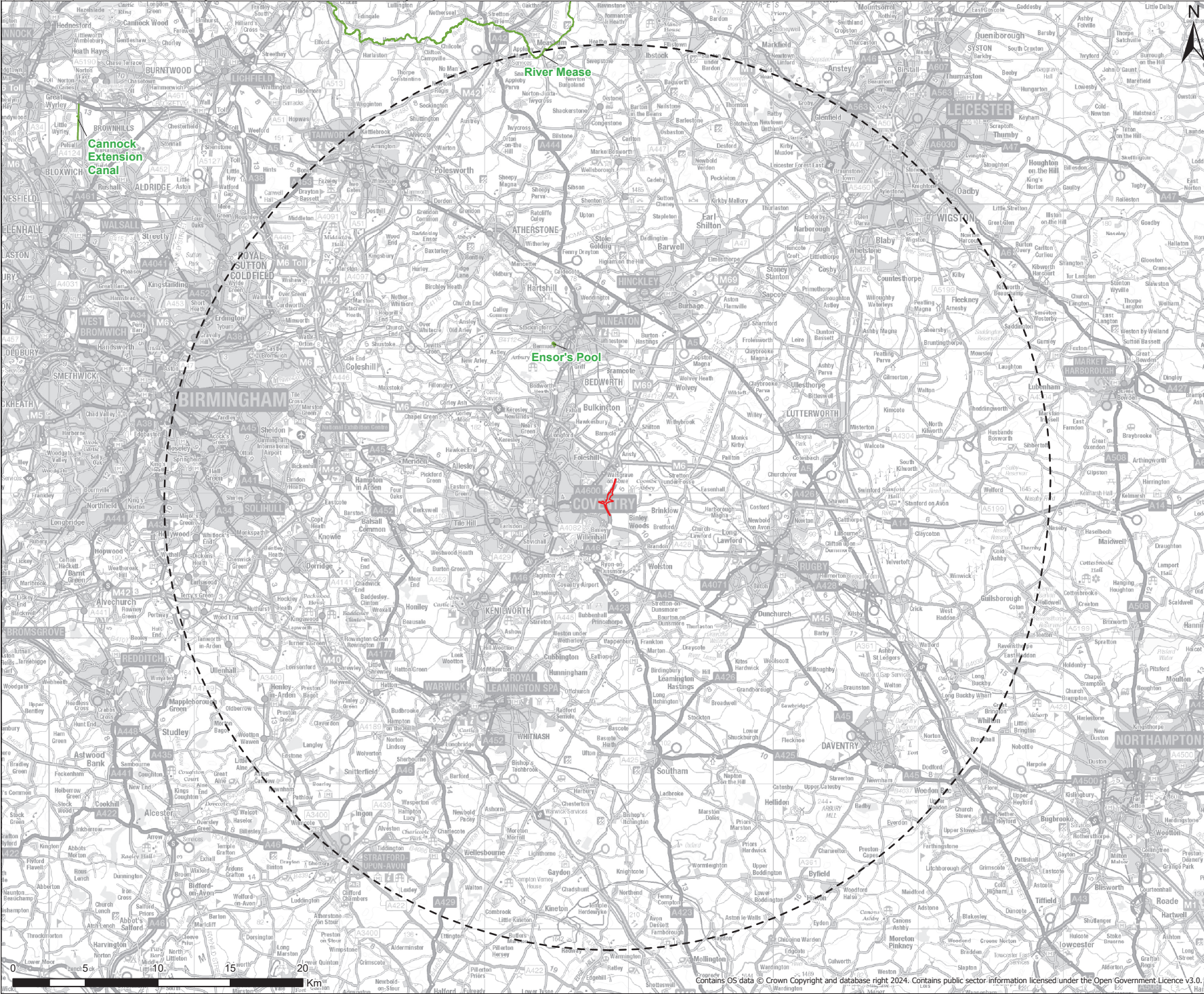
Subsidiary  
**FOR INFORMATION**

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**Legend**

- Order Limits
- Order Limits - 30 km buffer
- Special Area of Conservation

PO2	28.10.2024	UPDATED DATA	AC	AN	LM
REV	DATE	REVISION NOTE	ORG	CHKD	APP
Client					

Project Title

**A46 COVENTRY JUNCTIONS (WALSGRACE)**

Project Stage

**DCO APPLICATION**

Drawing Title

**FIGURE 2: HABITATS REGULATION ASSESSMENT - LOCATIONS OF INTERNATIONALLY DESIGNATED SITES**

Subtitle

**FOR INFORMATION**

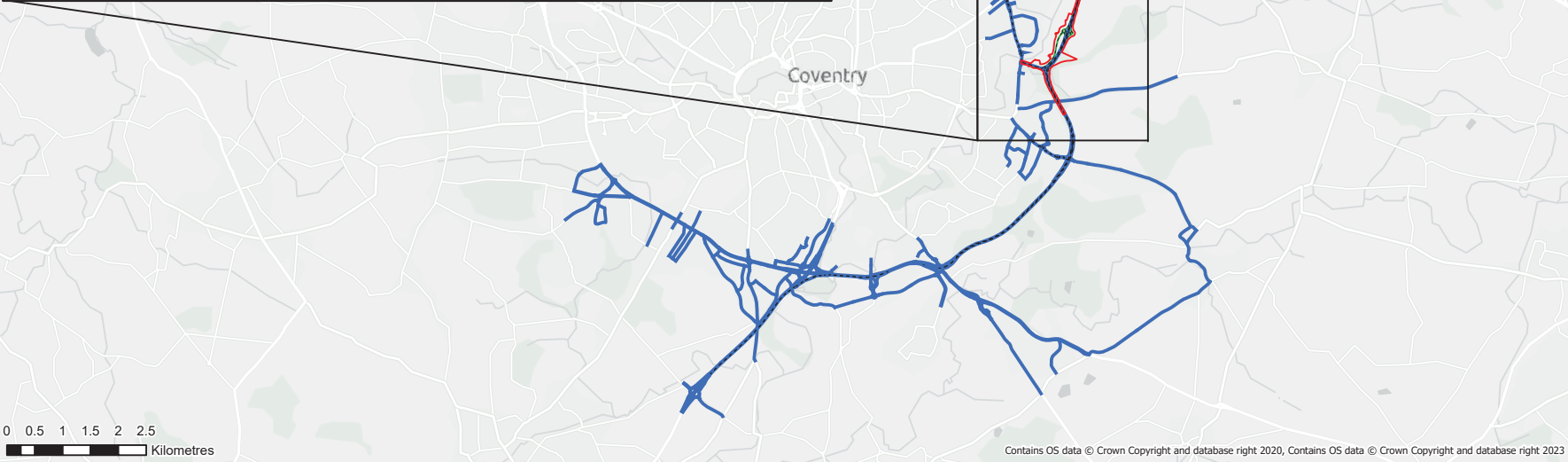
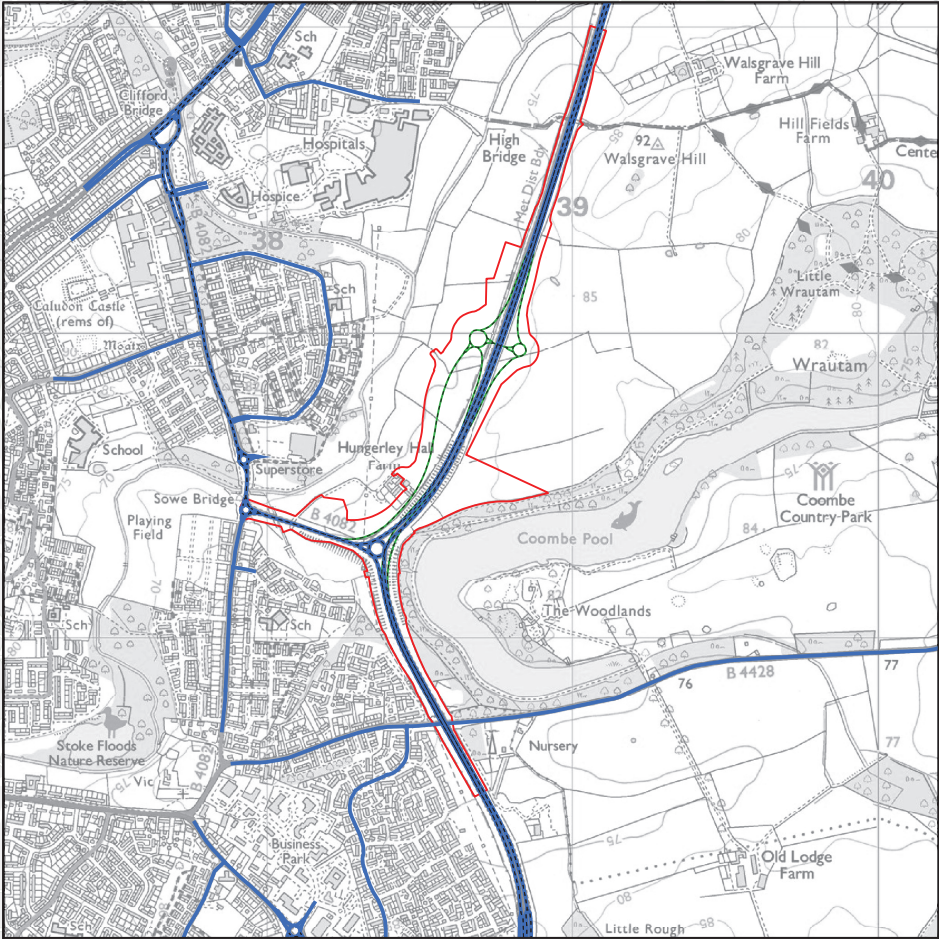
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- Legend**
- Order limits
  - LA 105 Screening Criteria (Triggered Link Network (TLN))
  - Proposed Scheme
  - Affected Road Network (ARN)



P01	28.10.2024	FIRST ISSUE	RM	RM	CF
REV	DATE	REVISION NOTE	ORG	CHKD	APP

Client



Project Title  
**A46 COVENTRY JUNCTIONS (WALSGRACE)**

Project Stage  
**DCO APPLICATION**

Drawing Title  
**FIGURE 3 – AFFECTED ROAD NETWORK (ARN) INCLUDING ROADS WHERE LA105 SCREENING CRITERIA IS EXCEEDED**

Subsidiary  
**FOR INFORMATION**

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Kilometres

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