

**HABITATS REGULATIONS ASSESSMENT
(APPROPRIATE ASSESSMENT)
REPORT**

**West Dean and West Tytherley
Neighbourhood Plan**

May 2021

HABITATS REGULATIONS ASSESSMENT (APPROPRIATE ASSESSMENT) REPORT

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EXECUTIVE SUMMARY

- 0.1 European Sites comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) [which are classified under the Council Directive 79/409 /EEC on the conservation of wild birds, the 'Birds Directive']. The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019^[1], hereafter referred to as the Habitats Regulations.

- 0.2 This report details the HRA Appropriate Assessment stage for the West Tytherley and West Dean Neighbourhood Plan. It sets out the methods and findings and the conclusions of the Screening Assessment.

^[1] On 1st January 2021 the Conservation of Habitats and Species Regulations 2017 (as amended) were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

1.0 INTRODUCTION

- 1.1 West Dean and West Tytherley parish councils are currently developing a Neighbourhood Plan and as the responsible authority, Test Valley Borough Council is undertaking a Habitats Regulation Assessment to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019^[1], hereafter referred to as the Habitats Regulations.
- 1.2 This report covers the area of the plan that relates to the Test Valley Borough Council area, and Wiltshire Council are preparing a HRA for the area of the plan that is within Wiltshire.
- 1.3 This HRA report includes the Stage 1 Screening (See Appendix D) and Appropriate Assessment stage of the HRA process, which considers how the likely significant effect[s] on designated European Site[s] identified within the first Screening stage
- 1.4 Habitats Regulations Assessment is also commonly referred to as Appropriate Assessment (AA) although the requirement for AA is first determined by an initial 'screening' stage undertaken as part of the full HRA. This report addresses the Appropriate Assessment stage of the HRA; it outlines the key tasks undertaken and the key findings/ recommendations emerging from the assessment.

Requirement for Habitats Regulations Assessment

- 1.5 European Sites comprise of Special Areas of Conservation (SACs) [which are classified under the European Habitats Directive] and Special Protection Areas (SPAs) [which are classified under the Council Directive 79/409 /EEC on the conservation of wild birds, the 'Birds Directive']. The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007; the currently applicable version is the Habitats Regulations 2017 as amended. These updates were consolidated into the Conservation of Habitats and Species Regulations 2017, and further updated by Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, hereafter referred to as the Habitats Regulations.
- 1.6 The HRA refers to the assessment of the potential effects of a development plan on one or more European Sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- SACs are designated under the Habitats Regulations as amended and target particular habitat types (specified in Annex 1 to the Habitats Directive) and species (specified in Annex II to the Habitats Directive). These annexes to the Habitats Directive list habitat types and species (excluding birds) considered to be most in need of conservation at a

^[1] On 1st January 2021 the Conservation of Habitats and Species Regulations 2017 (as amended) were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

European level. Designation of SACs also has regard to the threats of degradation or destruction to which the sites are exposed and, before EU exit day, to the coherence of the European sites. After EU exit day, regard is had to the importance of such sites for the coherence of the national site network.

- SPAs are areas classified for rare and vulnerable birds or regularly occurring migratory species.

- 1.7 Potential SPAs (pSPAs), candidate SACs (cSACs), Sites of Community Importance (SCIs) and Ramsar sites should also be included in the HRA.
- 1.8 Ramsar sites support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).
- 1.9 For ease of reference during HRA, these three designations (SACs, SPAs, and Ramsar sites) are collectively referred to as European sites, despite Ramsar designations being at the international level.
- 1.10 The overall purpose of the HRA is to conclude whether or not a proposal or policy, or the whole development plan, would adversely affect the integrity of the European site in question either alone or in combination with other plans and projects. This is judged in terms of the implications of the plan for the 'qualifying features' for which the European site was designated, i.e.:
 - SACs – Annex I habitat types and Annex II species.
 - SPAs – Annex I birds and regularly occurring migratory species not listed in Annex I.
 - Ramsar sites – the reasons for listing the site under the Convention.

Guidance for Habitats Regulations Assessment/ Appropriate Assessment

- 1.11 The HRA of development plans is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question. Table 1 summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA, based on a range of guidance documents^{1,2,3}.

¹ UK Government Planning Practice Guidance, available from <https://www.gov.uk/guidance/appropriate-assessment>

² European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

¹¹ The HRA Handbook. David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/European>

Table 1 - Habitats Regulations Assessment: Key Stages

Stage	Task	Outcome
Stage 1: HRA Screening	<p>Description of the development plan.</p> <p>Identification of potentially affected European sites and factors contributing to their integrity.</p> <p>Review of other plans and projects.</p> <p>Assessment of likely significant effects of the development plan alone or in combination with other plans and projects.</p>	<p>Where effects are unlikely, prepare a 'finding of no significant effect report'.</p> <p>Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.</p>
Stage 2: Appropriate Assessment (where Stage 1 does not rule out likely significant effects)	<p>Information gathering (development plan and European Sites).</p> <p>Impact prediction.</p> <p>Evaluation of development plan impacts in view of conservation objectives.</p> <p>Where impacts are considered to affect qualifying features, identify how these effects will be avoided or reduced.</p>	<p>Appropriate assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.</p> <p>If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.</p>
Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation	<p>Identify 'imperative reasons of overriding public interest' (IROPI).</p> <p>Demonstrate no alternatives exist.</p> <p>Identify potential compensatory measures.</p>	<p>This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.</p>

1.12 In assessing the effects of the Neighbourhood Plan in accordance with the Habitats Regulations, there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed, if necessary, by an Appropriate Assessment which will inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: consider whether the plan is directly connected with or necessary to the management of the sites. If not –
- Step 2: consider whether the plan is likely to have a significant effect on the site, either alone or in combination with other plans or projects (the 'Significance Test'). [These two steps are undertaken as part of Stage 1: Screening shown in Table 1.1 above.] If Yes –

- Step 3: make an Appropriate Assessment of the implications for the site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory to consult Natural England, and optional to take the opinion of the general public. [This step is undertaken during Stage 2: Appropriate Assessment shown in Table 1]
- Step 4: give effect to the land use plan only after having ascertained that the plan will not adversely affect the integrity of the European site.

1.13 Steps 1 has already been undertaken by the Council and can be found in Appendix D. This report focuses on Step 2.

1.14 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the avoidance of likely significant effects at Stage 1, and through Appropriate Assessment at Stage 2 by the inclusion of mitigation measures designed to avoid, reduce or abate effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government (and European Commission during the Brexit transition period).

1.15 The HRA should be undertaken by the 'competent authority' which in this case is the Borough Council. The Council will consider this work and may only progress the Neighbourhood Plan if it considers that the Plan will not adversely affect the integrity of any European site. The integrity of a site is the coherence of its ecological structure and function, across its whole area that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated.

1.16 The HRA also requires close working with Natural England as the statutory nature conservation body in order to obtain the necessary information, agree the process, outcomes and mitigation proposals. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process as it is required to undertake HRA for its existing licences (including for wastewater discharges) and future licensing of activities.

Relevant case law changes

1.17 This HRA will be prepared in accordance with relevant case law findings, including most notably the 'People over Wind' and 'Holohan' rulings from the Court of Justice for the European Union (CJEU).

1.18 The People over Wind, Peter Sweetman v Coillte Teoranta (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment, and should not be taken into account at the screening stage. The precise wording of the ruling is as follows:

Article 6(3)must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a

plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.

- 1.19** In light of the above, the HRA screening stage does not rely upon avoidance or mitigation measures to draw conclusions as to whether the NP could result in likely significant effects on European sites, with any such measures being considered at the Appropriate Assessment stage as relevant.
- 1.20** The HRA will also fully consider the *Holohan v An Bord Pleanala* (November 2018) judgement which stated that:

Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an ‘appropriate assessment’ must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site

Article 6(3) of Directive 92/43 must be interpreted as meaning that the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.

Article 6(3) of Directive 92/43 must be interpreted as meaning that, where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the ‘appropriate assessment’ must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

- 1.21** In carrying out this HRA, the Council has fully considered the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally-linked land or water, and or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features, have also been fully considered in the HRA.

Consultation

- 1.22** The Habitats Regulations require the plan making / competent authority to consult the appropriate nature conservation statutory body, Natural England. Consultation on the approach to this Appropriate Assessment stage of the HRA has been undertaken with NE as required.

Purpose & Structure of Report

- 1.23** This report documents the process and the findings from the Screening and the Appropriate Assessment stage of the HRA for the West Tytherley and West Dean Neighbourhood Plan. Following this introductory section the document is organised into a further three sections:

- **Section 2** – outlines the method used for the Appropriate Assessment and includes reference to the key information sources used and any consultation comments received to date
- **Section 3** – outlines the process and summary findings of the Appropriate Assessment.
- **Section 4** – outlines the conclusions and how the plan should now proceed with reference to the Habitats Regulations.

- 1.24** The information in the main body of the report is supported by the following appendices:

- **Appendix A** includes the correspondence from Natural England
- **Appendix B** sets out detailed information about the European sites that will be the focus of the Appropriate Assessment.
- **Appendix C** presents a review of other plans and projects that could have significant effects on European sites in combination with the NP.
- **Appendix D** includes the screening of the plan.

2.0 METHOD

Appropriate Assessment

- 2.1** The first Screening Stage report of the HRA for the West Tytherley and West Dean Neighbourhood Plan identified which European sites within and around the plan area should be considered in further detail as part of an Appropriate Assessment. The Screening combined a plan and a site focus.

- The **plan** focus first screened out those elements of the plan unlikely to affect European site integrity and then considered the impacts of the remaining elements on European sites, including the potential for ‘in-combination’

impacts.

- The **site** focus considered the environmental conditions of the site[s] and the factors required to maintain site integrity, and then looked at the potential impacts the plan may have [including in-combination impacts].

2.2 The results of the screening identified that the following European sites may be potentially affected by activities/ impacts arising from the plan. The specified distances for the SPA/SAC buffer zones cited below are in accordance with adopted mitigation strategies at the time of writing. These may be subject to change in future.

Sites	Potential Impacts
Mottisfont Bats SAC	Loss of a significant roost would cause impacts alone and in-combination. Loss of habitat with potential to support barbastelle roosts, foraging and commuting barbastelle bats (within 7.5km of the SAC) is likely to have an effect (alone or in combination) on this SAC.
New Forest SPA	TVBC Interim framework (October 2014) specifies a 13.6km buffer around the SPA. Dwellings within 13.6km of SPA will lead to effects in combination due to increased recreational pressure.
Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.
Solent and Southampton Water SPA	The likely impacts on the SPA are centered around the recreational pressure. Bird Aware Solent is the current adopted strategy. It is outlined that within Test Valley, any development within 5.6km is likely to have an impact alone or in combination on the SPA (in terms of increased recreational pressure).

Consultation responses to Screening Report noted the following issues

[insert summary of main commentary when recieved].

A full record of the consultation response received is provided at Appendix A.

2.3 The key tasks employed for the Appropriate Assessment stage of the HRA are set out in **Table 2**.

Table 2 - Appropriate Assessment Stage: Key Tasks

Appropriate Assessment Stage 1: Key Tasks	
Task 1 Scoping and Additional Information Gathering	<ul style="list-style-type: none"> • Gathering additional information on European sites • Gathering additional data on background environmental conditions • Further analysis of plans / projects that have the potential to generate 'in-combination' effects
Task 2 Assessing the Impacts (in- combination) Appropriate Assessment	<ul style="list-style-type: none"> • Examination of the policies and proposals identified during the screening phase and their likely significant effects on European sites • Consideration of whether effects are direct/ indirect/ cumulative • Consideration of whether other plans and programme are likely to generate effects that have the potential to act cumulatively with those arising from the plan
Task 3 Developing Mitigation Measures (including initial avoidance)	<ul style="list-style-type: none"> • If effects identified – either arising from the plan alone and / or 'in-combination' with other plans – consider initial opportunities to avoid (e.g. delete / remove or amend policy from plan) • Develop mitigation measures – must be deliverable by the plan and have clear delivery/ monitoring responsibilities
Task 4 Findings & Recommendations	<ul style="list-style-type: none"> • Conclude the assessment, explain key findings and analysis informing conclusions.
Task 5 Consultation	<ul style="list-style-type: none"> • Undertaken further consultation with Natural England (assumes that consultation has also been an iterative process throughout the HRA/ AA).

2.4 Based on previous comments from Natural England, the type of development (and related activities) that are permitted by Neighbourhood Plans have the potential to result in the following broad types of impacts that could affect European sites:

- **Physical loss of or damage to habitats** e.g. from development or activities within the European sites themselves or at functionally-linked sites.

- **Fragmentation or severance of habitats** e.g. from development between a European site and functionally-linked sites.
- **Non-physical disturbance** e.g. noise, vibration or light from construction or development in proximity to sensitive species.
- **Recreation pressure and urban edge effects** e.g. dog walking, cycling, trampling, littering, fire, or predation by pets.
- **Air pollution** from changes in traffic volumes on roads close to sensitive habitats.
- **Changes in water quality or quantity** e.g. changes in flow caused by abstraction/discharge, accidental pollution, or increase nutrient loading from sewage treatment within the European sites themselves or at functionally-linked sites.

2.5 Further consideration of the types of impact that could be relevant to the West Dean and West Tytherley Neighbourhood Plan is provided in Chapter 3.

Identifying European sites that may be affected

- 2.6** Detailed information about the location, qualifying features and vulnerabilities of the European sites included in the assessment has been collated. The attributes that contribute to and define the integrity of the European sites have been identified using the Conservation Objectives for each site, Standard Data Forms for SACs and SPAs and Information Sheets for Ramsar Wetlands, as well as Natural England's Site Improvement Plans (SIPs). This enabled the European site interest features to be identified, along with the features of each site that determine site integrity and the specific sensitivities and threats facing the site.
- 2.7** This approach is also useful for informing the inter-dependencies of non-qualifying species and habitats which the qualifying species depend, as highlighted as a requirement by the 'Holohan' ruling explained in Chapter 1.
- 2.8** The Habitats Regulations require an assessment of the 'likely significant effects' of a land use plan. A risk-based approach involving the application of the precautionary principle has been adopted in the assessment, such that a conclusion of 'no significant effect' is only reached where it is considered very unlikely, based on current knowledge and the information available, that a proposal in the NP would have a significant effect on the integrity of a European site.

In-combination effects

- 2.9** The Habitats Regulations require an Appropriate Assessment where "a land use plan is likely to have a significant effect on a European site (either alone or in-combination with other plans or projects) and

is not directly connected with or necessary to the management of the site". Therefore, it is necessary to consider whether there may be significant effects in combination with other plans or projects.

- 2.10** Where the NP is likely to have an effect on its own (due to impact pathways being present), whether significant or not, there may also be the same types of effects from other plans or projects that could combine with the NP to produce adverse effects on integrity, and therefore these need to be considered through the Appropriate Assessment.
- 2.11** The first stage in identifying 'in-combination' effects involves identifying which other plans and projects in addition to the West Dean and West Tytherley Neighbourhood Plan may affect the European sites that are the focus of this assessment. There are many potentially relevant plans and projects which could be considered. The review therefore focusses largely on planned spatial growth within the Test Valley and surrounding local authority areas, because these are the plans most likely to give rise to in-combination effects, for example in relation to water use or recreation pressure, although other plans and projects may also be relevant.
- 2.12** Part of the Neighbourhood Plan area lies within Test Valley Borough, therefore the potential for in-combination effects with the Test Valley Local Plan has been considered. The HRA has also considered potential for in-combination effects with Local Plans for authorities surrounding Test Valley. A summary of these is included in Appendix C.

Appropriate Assessment

- 2.13** Following the screening stage, if likely significant effects on European sites are unable to be ruled out, the plan-making authority is required to make an 'Appropriate Assessment' of the implications of the plan for European sites, in view of their conservation objectives. EC Guidance states that the Appropriate Assessment should consider the impacts of the plan (either alone or in combination with other projects or plans) on the integrity of European sites with respect to their conservation objectives and to their structure and function.
- 2.14** The Appropriate Assessment stage of HRA focuses on those impacts judged likely at the Screening stage to have a significant or uncertain effect, and seeks to conclude whether, in light of mitigation and avoidance measures, they would result in an adverse effect on the on the integrity of the qualifying features of a European site(s), or where insufficient certainty regarding this remains. It has already been established that there is potential for adverse impacts on

European sites at the Solent as a result of the NP, therefore the AA has examined this in more detail. In addition, any other potential effects identified through the revised screening have also been considered.

Assessing the effects on site integrity

- 2.15** The integrity of a site depends on the site being able to sustain its 'qualifying features' across the whole of the site and ensure their continued viability. A high degree of integrity is considered to exist where the potential to meet a site's conservation objectives is realised and where the site is capable of self-repair and renewal with a minimum of external management support.
- 2.16** A conclusion needs to be reached as to whether or not the plan would adversely affect the integrity of a European site. As stated in the EC Guidance, assessing the effects on the site(s) integrity involves considering whether the predicted impacts of the plan policies (either alone or in-combination) have the potential to:
- Cause delays to the achievement of conservation objectives for the site.
 - Interrupt progress towards the achievement of conservation objectives for the site.
 - Disrupt those factors that help to maintain the favourable conditions of the site.
 - Interfere with the balance, distribution and density of key species that are the indicators of the favourable condition of the site.
 - Cause changes to the vital defining aspects (e.g. nutrient balance) that determine how the site functions as a habitat or ecosystem.
 - Change the dynamics of relationships that define the structure or function of the site (e.g. relationships between soil and water, or animals and plants).
 - Interfere with anticipated natural changes to the site.
 - Reduce the extent of key habitats or the population of key species.
 - Reduce the diversity of the site.
 - Result in disturbance that could affect the population, density or balance between key species.
 - Result in fragmentation.
 - Result in the loss of key features.
- 2.17** The conservation objectives for each European site are generally to maintain the qualifying features in favourable condition. The Site Improvement Plans for each European site provide a high level overview of the issues (both current and predicted) affecting the condition of the European features on the site(s) and outline the priority measures required to improve the condition of the features. These have been drawn on to help to understand what is needed to maintain the integrity of the European sites.
- 2.18** For each European site where an uncertain or likely significant effect

has been identified in relation to the NP, the potential impacts have been set out and judgements made (based on the information available) regarding whether the impact will have an adverse effect on the integrity of the site. Consideration has been given to the potential for mitigation measures to be implemented that could reduce the likelihood or severity of the potential impacts such that there would not be an adverse effect on the integrity of the site.

3.0 APPROPRIATE ASSESSMENT

Task 1: Scoping and Additional Information Gathering

- 3.1** As noted in Section 2 of this report, the HRA Screening Report set out details of the European Sites and the types of impact to be considered in the more detailed Appropriate Assessment work.

Task 2: Assessing the Impacts (in-combination) Appropriate Assessment

- 3.2** The HRA Screening Report described the aims, objectives and the key policies of the plan. The Screening also considered and identified which policies had the potential (in implementation) to affect the integrity of the European sites within the plan's area of influence. This section considers in more detail where the impacts identified are likely to have a significant effect on site integrity either alone or in-combination with other plans and projects.
- 3.3** The consideration and assessment (AA) of potential effects was informed by the information provided by the Site attributes (Appendix 2) the Plans and Projects Review (Appendix 3) and the additional information provided through the Scoping work (Task 1 of the AA). The detailed analysis is captured in the Appropriate Assessment as shown in Table 3

Task 3: Developing Mitigation Measures (including initial avoidance)

- 3.4** The core aim of the Habitats Directive is to support the maintenance and promotion of biodiversity. Habitats Regulations Assessment provides the tool through which planners can ensure that they are meeting the commitments and legal requirements of the European and National legislation.
- 3.5** It has therefore been necessary to consider mitigation measures for these policies, which when applied are capable of reducing the effects to a level where they are negligible and will not adversely affect the integrity of the site. The mitigation measures considered and the likelihood of residual effect following their application are detailed below and also in **Table 3**.
- 3.6 Solent and Southampton Water SPA and Solent Maritime SAC (nitrate neutrality)**
Any proposed development for additional dwellings within the River Test Catchment, is likely to result in an increase in nitrates entering the catchment. This ultimately discharges into Southampton Water and Solent, which

incorporate a number of internationally designated sites. Evidence has shown that high levels of nitrogen and phosphorous within the Solent has resulted in eutrophication within internationally designated sites, namely the Solent and Southampton Water SPA and Solent Maritime SAC.

- 3.7** These internationally protected sites are subject to legal protection under Habitats Regulations which implement the requirements of the European Habitats Directive (SACs) and European Birds Directive (SPAs) into UK law. Commitment to the protection of these protected sites are also encompassed within the National Planning Policy Framework (NPPF) and the Revised Test Valley Local Plan DPD (Policy E5).
- 3.8** Due to the likely impact on these sites, an applicant would need to demonstrate that the development will not result in a net increase in nitrates entering the River Test catchment (achieve nitrate neutrality). The most up to date guidance on achieving nitrate neutrality can be obtained from the Natural England website.
- 3.9** For policies where developments which would result in an increase in residential/tourist accommodation would be broadly supported, it is advised that further wording is incorporated in order to highlight the need for further mitigation measures and appropriate assessment at the planning application stage.
- 3.10** Given this, it is necessary to include text in the plan to highlight the issue and what will be required to mitigate these effects at the planning application stage:

New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.

3.11 New Forest SPA

The plan area is located within the New Forest SPA recreation zone; an area currently extending 13.6km away from this internationally designated site, within which new residents are considered likely to visit the site.

- 3.12** The New Forest SPA was designated as a result of the assemblage of bird species present, which are vulnerable to the increase in recreational pressure associated with new housing development. To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of

developer contributions per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest.

- 3.13** Given this, it is necessary to include text in the plan to highlight the issue and what will be required to mitigate these effects:

New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.

3.14 Mottisfont Bats SAC

The Plan Area is within 7.5km of the Mottisfont Bats SAC which is an internationally designated site due to the presence of a breeding population of the barbastelle bat. As a result of research, suitable habitats for foraging, commuting and roosting opportunities, including suitable buildings, hedgerows and trees, within 7.5km of the site are considered important for this species and for maintaining the breeding population within the SAC. Any removal of trees, woodland or hedgerows should be avoided and, where it is required, appropriately mitigated to prevent an adverse impact on this internationally protected site. The bats are also sensitive to external lighting and flightlines should remain unlit, functioning as dark corridors. Any buildings/trees with potential to support roosting barbastelles must be fully assessed and surveyed within any full planning application, in accordance with relevant best practice guidelines. Any impacts on confirmed roost sites should be avoided and, where impacts cannot be avoided, appropriately mitigated to prevent an adverse impact on this internationally protected site. Significant roosts may be subject to further protection under international and national law.

- 3.15** Given this, it is necessary to include text in the plan to highlight the issue and what will be required to mitigate these effects:

Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan.

Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.

Task 4: Findings and Recommendations

3.16 Methodology

Each element of the plan has been categorised against screening criteria developed by Natural England to provide a clear audit trail for the screening assessment.

The screening criteria used are as follows:

- Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development;
- Category A2: The policy is intended to protect the natural environment;
- Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
- Category A4: The policy would positively steer development away from European sites and associated sensitive areas;
- Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- Category B – no significant effect;
- Category C – likely significant effect alone; and
- Category D – Likely significant effects in combination.

3.17 The effect of each policy has been considered both individually and in combination with other plans and projects. These are detailed for each policy that was 'screened in' and are shown below in Table 3

Table 3 - Conclusions and Recommendations

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
Policy EL2: Preserve the historic environment		<i>Retain and enhance both designated and non-designated heritage assets and archaeology. Also includes criteria for conversion of historic buildings.</i>	It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.
	C and D for Mottisfont Bats SAC	Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.	<i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i>
	D for New Forest SPA	Additional dwellings within 13.6km of the New Forest SPA will lead to effects in-	<i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate</i>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	C and D for Solent and Maritime SAC and Solent and Southampton Water SPA	<p>combination</p> <p>There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.</p>	<p><i>against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i></p> <p><i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i></p>
Policy EL10: Maintain dark skies and minimise light and noise pollution		<p><i>New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting.</i></p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC. Where the impacts on internationally</p>

Habitats Regulations Assessment (Appropriate Assessment) Report

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	C and D for Mottisfont Bats SAC	<p><i>Any development must address where appropriate the broad range of planning considerations to reduce noise pollution</i></p> <p>Barbastelle bats require darker conditions than most bat species. Lighting can affect roosts, commuting routes and foraging habitat.</p>	<p>designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p>
Policy HD1: Housing Mix		<p><i>Community supported housing development within or adjoining the settlement boundary or built up area of the villages should include a range of house types (market and affordable) with the majority being one to three bedroom homes. Housing developments will need to comply with the affordable housing thresholds and requirements in force at the time of the application.</i></p> <p>West Dean and West Tytherley village have potential to support Barbastelle</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to</i></p>

Habitats Regulations Assessment (Appropriate Assessment) Report

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	C and D for Mottisfont Bats SAC	roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.	<i>occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i>
	D for New Forest SPA	Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i>
	C and D for Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to	<i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral</i>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
		<p>the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.</p>	<p><i>from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i></p>
<p>Policy HD2: Characteristics of infill development</p>	<p>C and D for Mottisfont Bats SAC</p>	<p><i>Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road) for housing or small business needs. Any proposed infill development should ensure that immediate neighbours are not adversely affected with a range of considerations. Any infill development should meet all the other policies (EL and IC) required in this joint NDP, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP core settlement hierarchies.</i></p> <p>West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause</p>	<p><i>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</i></p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	New Forest SPA	<p>impacts alone and in-combination.</p> <p>Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination</p>	<p><i>this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p> <p><i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i></p>
	C and D for Solent and Maritime SAC	<p>There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC</p>	<p><i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
		and the Solent and Southampton Water SPA.	<i>appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i>
Policy HD3: Development within residential gardens	C and D for Mottisfont Bats SAC	<p><i>Development proposals for new dwellings on sites that form part of an existing residential garden or groups of gardens must meet criteria listed in the policy.</i></p> <p><i>Proposals to create separate unit accommodation for dependent persons or business use must meet criteria listed in the policy.</i></p> <p>Gardens have potential to contain mature trees / outbuildings with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
	D for New Forest SPA	Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination	<p><i>Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p> <p><i>New residential development and overnight accommodation within the New Forest SPA recreation buffer zone will need to mitigate against the recreation pressure on the New Forest Special Protection Area. This could be in the form of a financial contribution or provision of alternative natural green space for recreational use to the standard in force at the time of the application. This mitigation is designed to deliver suitable alternative natural green spaces, which provides comparable recreational value to the New Forest in order to draw visitors away from the New Forest, and therefore mitigate the impacts on the SPA. Such mitigation measures must be secured for the duration of the development's effects and must fully adhere to any updates to the guidance issued following the approval of this Plan.</i></p>
	C and D for Solent and Maritime SAC	There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavorable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.	<p><i>New residential development and overnight accommodation within the Plan area will be required to confirm the nitrogen budget and set out specific and appropriately located mitigation measures that will be implemented in order to ensure development is nutrient neutral from the start of its operational phase. Such mitigation measures must be secured for the duration of the development's effects. A financial contribution to strategic mitigation measures may be an appropriate alternative to direct provision of mitigation. In this case it will be necessary to liaise with Test Valley Borough Council and Natural England to confirm an appropriate mitigation scheme to which the contributions will be directed and to ensure any contributions are sufficient to fully mitigate the impacts of the development on the Solent internationally designated sites.</i></p>

C / D (Red) – Screened in			
Policy	Screening (Category)	Policy Summary and Assessment under Habitats Regulations	Conclusions and recommendations
IC7: Support for new and existing businesses	C and D for Mottisfont Bats SAC	<p><i>Development proposals within existing businesses and new small scale businesses will be supported if they meet criteria listed in the policy.</i></p> <p>Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.</p>	<p>It is advised that further wording is added to the plan which stipulate that developments which fall under this policy will only be supported provided the requirements under the Habitats Regulations are fully adhered to, and impacts on internationally designated sites can be avoided or, where this is not possible, appropriately mitigated at planning application stage. This includes consideration for the Mottisfont Bats SAC, New Forest SPA, Solent and Southampton Water SPA and Solent Maritime SAC. Where the impacts on internationally designated sites are considered likely to occur, such impacts must be fully assessed and appropriately mitigated where required at planning application stage.</p> <p><i>Where direct or indirect impacts on suitable roosting, foraging and commuting habitats for barbastelle bats are considered likely to occur, such impacts must be fully assessed, avoided and, where required, appropriately mitigated to prevent any adverse impacts on this internationally protected site at the planning application stage. This should be in full accordance with relevant best practice guidelines, and must fully adhere to any updates to the guidance issued following the approval of this Plan. Such mitigation measures must be secured for the duration of the development's effects. Exterior lighting affecting roosting, foraging and/or commuting habitat for bats will need to conform with the latest best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (current guidelines being Guidance note 08/18 Bats and artificial lighting in the UK) due to the proximity to the Mottisfont Bats SAC.</i></p>

Task 5: Consultation

- 3.18 As noted in Section One this draft report is being made available for consultation with Natural England.

4.0 CONCLUSION

- 4.1 This report outlines the methods used and the findings arising from the Appropriate Assessment stage of the Habitats Regulations Assessment for the West Dean and West Tytherley Neighbourhood Plan. The AA considered the Mottisfont Bats SAC, New Forest SPA, Solent and Maritime SAC and the Southampton Water SPA in and around the plan area.
- 4.2 In conclusion, the Regulation 16 plan as submitted will have a likely significant effect on European sites in the absence of avoidance and mitigation measures. Therefore, further wording is advised for relevant policies within the NP to address the impacts as shown in Table 3.
- 4.3 Providing the West Tytherley and West Dean Neighbourhood Plan is updated to include the advised mitigation wording as set out in **Table 3**, it can be concluded that the policies contained within the West Tytherley and West Dean Neighbourhood Plan would not lead to any adverse effects on integrity of any European sites, either alone or in combination with other plans.
- 4.4 However, further HRA and AA are likely be required for relevant developments at the planning application stage, in which further avoidance and mitigation measures will be required.

Appendix A

Natural England Correspondence

Response to be added when received

Appendix B

European Sites with the potential to be affected by the Neighbourhood Plan

Solent Maritime SAC

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
<p>Solent Maritime SAC - The Solent is a complex site encompassing a major estuarine system on the south coast of England. The Solent and its inlets are unique in Britain and Europe for their hydrographic regime with double tides, as well as for the complexity of the marine and estuarine habitats present within the area. Sediment habitats within the estuaries include extensive areas of intertidal mudflats, often supporting eelgrass <i>Zostera</i> spp. and green algae, saltmarshes and natural shoreline transitions, such as drift line vegetation. The SAC forms part of the Solent & Southampton Water SPA/Ramsar.</p> <p>All four species of cordgrass found within the UK are present within the Solent and it is one of only two UK sites with significant amounts of the native small cordgrass <i>Spartina maritima</i>. The SAC contains rich intertidal mudflats, saltmarsh, shingle beaches and adjacent coastal habitats, including grazing marsh, reedbeds and damp woodland.</p>			
<p>Solent Maritime SAC (11,243.12 ha)</p>	<p><i>Qualifying features:</i></p> <ul style="list-style-type: none"> • H1110 Sandbanks which are slightly covered by sea water all the time • H1320 <i>Spartina</i> swards (<i>Spartinion maritimae</i>) • H1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) • S1016 <i>Vertigo moulinsiana</i>: Desmoulin's whorl snail • H1130 Estuaries • H1210 Annual vegetation of drift lines • H1220 Perennial vegetation of stony banks • H1140 Mudflats and sandflats not covered by seawater at low tide 	<p><u>Public Access/Disturbance</u></p> <p>Recreational activities can affect annual vegetation of drift lines (H1210) and the vegetation of stony banks (H1220).</p> <p><u>Coastal squeeze</u></p> <p>Habitats are being lost as they are squeezed between rising sea levels and hard coastal defences that are maintained. There is a direct impact due to loss of the SAC habitats such as saltmarsh. In some areas rising sea levels will result in coastal grasslands being lost to more saline grasslands. The habitats that are lost could be created elsewhere, but there is difficulty in finding suitable areas. The neutral grassland habitats will take a long time to create as mitigation, but intertidal habitat can be created relatively quickly. Current compensation provides required habitat for Epoch 1 of the Shoreline Management Plan 2, further investigation is required for Epoch 2 and 3. This project will utilise outputs from Shoreline Management Plans, the Environment Agency's Regional Habitat Creation Project and the New Forest District Council/Channel Coastal Observatory's Solent Dynamic Coast Project.</p>	<p>The qualifying habitats of the SAC are reliant a range of coastal factors, including salinity, sedimentation, tide, sea level, turbidity and elevation, which influence the interdependent intertidal, subtidal and terrestrial habitats. These factors influence the complex interdependent intertidal, subtidal and terrestrial habitats present along the coast.</p> <p>There is no Natural England Conservation Objectives: Supplementary Advice for this site.</p>

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
	<ul style="list-style-type: none"> • H2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") • H1150 Coastal lagoons • H1310 <i>Salicornia</i> and other annuals colonising mud and sand <p><i>Conservation objectives:</i></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> – the extent and distribution of qualifying natural habitats and habitats of qualifying species – the structure and function (including typical species) of qualifying natural habitats – the structure and function of the habitats of qualifying species – the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely – the populations of qualifying species; and 	<p><u>Water pollution</u></p> <p>Water pollution affects a range of habitats at the site through eutrophication and toxicity. Sources include both point source discharges (including flood alleviation / storm discharges) and diffuse water pollution from agriculture / road runoff, as well as historic contamination of marine sediments, primarily from copper and Tributyltin (TBT). A position statement from the Environment Agency and Natural England on water quality in the Solent and housing growth confirms the need to control nitrogen inputs to the Solent from development growth. Environment Agency flood event discharge consents allow untreated waters to be discharged which end up in the SAC and are likely to have a negative impact. There is a threat of spillage from oil transportation and transfer and by the usage by ships and pilotage.</p> <p><u>Changes in species distributions</u></p> <p>Areas of saltmarsh are eroding and decreasing.</p> <p><u>Climate change</u></p> <p>Climate change has resulted in rising sea level causing flooding to habitats.</p> <p><u>Change to site conditions</u></p> <p>There is an increasing loss of saltmarsh in much of the Solent for reasons unknown, and this needs to be investigated.</p> <p><u>Invasive species</u></p> <p>The highest risk pathways through which marine INNS are introduced and then spread have been identified as:</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
	<ul style="list-style-type: none"> – the distribution of qualifying species within the site. 	<p>commercial shipping (through release of ballast water, and biofouling on hulls); recreational boating (through biofouling on hulls); aquaculture (through contamination of imported or moved stock - or escaped stock in the case of the pacific oyster), and natural dispersal.</p> <p><u>Direct land take from development</u></p> <p>Private sea defences are causing disruption to the natural processes of allowing erosion to move sediments around the SAC.</p> <p><u>Change in land management</u></p> <p>Changes to land management are likely to occur in areas where tidal flaps/sluices are altered and this results in changes to water levels or salinity of that land. Some sluices are failing, which may also result in changes to water levels or salinity of land. Some ditches and drains are neglected and this can cause difficulties in land management, resulting in changes.</p> <p><u>Air Pollution</u></p> <p>Impact of atmospheric nitrogen deposition</p> <p>Nitrogen deposition exceeds site relevant critical loads. Locally observed effects are unknown.</p> <p><u>Hydrological changes</u></p> <p>Titchfield Haven has a high level of water abstraction licences - if all were used then water levels would be too low in the SAC. Percolation of sea water through sea walls is causing saline intrusion into non-saline grassland habitats and changing them.</p>	

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Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p><u>Direct impact from 3rd party</u></p> <p>Off-roading is causing damage to some areas of grassland. Private sea defences are causing disruption to the natural movement processes of natural materials along the coast. House boats are unlicensed and have the potential to cause damage to intertidal habitats. Fly grazing is causing issues affecting large areas of Chichester Harbour.</p> <p><u>Extraction: non-living resources</u></p> <p>Shingle extraction for aggregates may have an adverse impact upon intertidal fauna and flora and may affect the movement of coastal sediments that would in turn have an impact upon intertidal habitats.</p> <p><u>Other</u></p> <p>SAC boundary may not cover the extent of all Annex 1 and Annex 2 features and/or supporting habitats.</p>	

Solent and Southampton Water SPA/ Ramsar

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
<p>Solent and Southampton Water SPA/ Ramsar comprises of estuaries and adjacent coastal habitats including intertidal flats, saline lagoons, shingle beaches, saltmarsh, reedbeds, damp woodland, and grazing marsh. The diversity of habitats support internationally important numbers of wintering waterfowl, important breeding gull and tern populations and an important assemblage of rare invertebrates and plants.</p>			
<p>Solent and Southampton Water SPA (5,401.12 ha)</p>	<p><i>Qualifying features:</i></p> <ul style="list-style-type: none"> • A046a(NB) <i>Branta bernicla</i>: Dark-bellied brent goose • A052(NB) <i>Anas crecca</i>: Eurasian teal • A156(NB) <i>Limosa islandica</i>: Black-tailed godwit • Waterbird assemblage • A176(B) <i>Larus melanocephalus</i>: Mediterranean gull • A191(B) <i>Sterna sandvicensis</i>: Sandwich tern • A192(B) <i>Sterna dougallii</i>: Roseate tern • A193(B) <i>Sterna hirundo</i>: Common tern • A195(B) <i>Sterna albifrons</i>: Little tern • A137(NB) <i>Charadrius hiaticula</i>: Ringed plover 	<p><u>Public Access/Disturbance</u></p> <p>Recreational activities can affect annual vegetation of drift lines (H1210) and the vegetation of stony banks (H1220).</p> <p><u>Coastal squeeze</u></p> <p>Habitats are being lost as they are squeezed between rising sea levels and hard coastal defences that are maintained. There is a direct impact due to loss of the SAC habitats such as saltmarsh. In some areas rising sea levels will result in coastal grasslands being lost to more saline grasslands. The habitats that are lost could be created elsewhere, but there is difficulty in finding suitable areas. The neutral grassland habitats will take a long time to create as mitigation, but intertidal habitat can be created relatively quickly. Current compensation provides required habitat for Epoch 1 of the Shoreline Management Plan 2, further investigation is required for Epoch 2 and 3. This project will utilise outputs from Shoreline Management Plans, the Environment Agency's Regional Habitat Creation Project and the New Forest District Council/Channel Coastal Observatory's Solent Dynamic Coast Project.</p>	<p>In general, the qualifying bird species of the SPA rely on:</p> <ul style="list-style-type: none"> – The site's ecosystem and hydrology as a whole (see list of habitats below). – Maintenance of populations of species that they feed on (see list of diets below). – Off-site habitat, which provide foraging habitat for these species. – Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat. <p>There is no Natural England Conservation Objectives: Supplementary Advice for this site.</p>

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
	<p><i>Conservation objectives:</i></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> • the extent and distribution of the habitats of the qualifying features; • the structure and function of the habitats of the qualifying features; • the supporting processes on which the habitats of the qualifying features rely; • the population of each of the qualifying features; and • the distribution of the qualifying features within the site. 	<p><u>Fisheries: Commercial marine and estuarine</u></p> <p>Towed gear, hand gathering of shellfish, bait digging and aquaculture are the main fishery activities in this site.</p> <p><u>Water pollution</u></p> <p>Water pollution affects a range of habitats at the site through eutrophication and toxicity. Sources include both point source discharges (including flood alleviation / storm discharges) and diffuse water pollution from agriculture / road runoff, as well as historic contamination of marine sediments, primarily from copper and Tributyltin (TBT). A position statement from the Environment Agency and Natural England on water quality in the Solent and housing growth confirms the need to control nitrogen inputs to the Solent from development growth. Environment Agency flood event discharge consents allow untreated waters to be discharged which end up in the SAC and are likely to have a negative impact. There is a threat of spillage from oil transportation and transfer and by the usage by ships and pilotage.</p> <p><u>Changes in species distributions</u></p> <p>Areas of saltmarsh are eroding and decreasing.</p> <p><u>Climate change</u></p> <p>Climate change has resulted in rising sea level causing flooding to habitats.</p> <p><u>Change to site conditions</u></p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>There is an increasing loss of saltmarsh in much of the Solent for reasons unknown, and this needs to be investigated.</p> <p><u>Invasive species</u></p> <p>The highest risk pathways through which marine INNS are introduced and then spread have been identified as: commercial shipping (through release of ballast water, and biofouling on hulls); recreational boating (through biofouling on hulls); aquaculture (through contamination of imported or moved stock - or escaped stock in the case of the pacific oyster), and natural dispersal.</p> <p><u>Biological Resource Use</u></p> <p>Gull egg collecting occurs in some places, and wildfowling occurs in several places. These activities are likely to be disturbing to breeding and wintering birds even though they are licenced/consented at the moment.</p> <p><u>Change in land management</u></p> <p>Changes to land management are likely to occur in areas where tidal flaps/slucices are altered and this results in changes to water levels or salinity of that land. Some sluices are failing, which may also result in changes to water levels or salinity of land. Some ditches and drains are neglected and this can cause difficulties in land management, resulting in changes.</p> <p><u>Inappropriate pest control</u></p> <p>Predator control is decreasing, resulting in increased predation by foxes etc. and this is the likely cause of decrease in successful breeding of gulls and terns.</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p><u>Air Pollution</u></p> <p>Impact of atmospheric nitrogen deposition</p> <p>Nitrogen deposition exceeds site relevant critical loads. Locally observed effects are unknown.</p> <p><u>Direct impact from 3rd party</u></p> <p>Off-roading is causing damage to some areas of grassland. Private sea defences are causing disruption to the natural movement processes of natural materials along the coast. House boats are unlicensed and have the potential to cause damage to intertidal habitats. Fly grazing is causing issues affecting large areas of Chichester Harbour.</p> <p><u>Other</u></p> <p>SAC boundary may not cover the extent of all Annex 1 and Annex 2 features and/or supporting habitats.</p>	
<p>Solent and Southampton Water Ramsar (5,346.44 ha)</p>	<p><i>Qualifying features:</i></p> <p><u>Ramsar Criterion 1</u></p> <p>The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing</p>	<p><u>Erosion</u></p> <p>Coastal Defence Strategies, regulation of private coastal defences, shoreline management plans.</p>	<p>In general, the qualifying bird species of the Ramsar site rely on:</p> <ul style="list-style-type: none"> - The site's ecosystem and hydrology as a whole (see list of habitats below). - Maintenance of populations of species that they feed on (see list of diets below). - Off-site habitat, which provide foraging habitat for these species. - Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
	<p>marshes, reedbeds, coastal woodland and rocky boulder reefs.</p> <p><u>Ramsar Criterion 2</u></p> <p>The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.</p> <p><u>Ramsar Criterion 5</u></p> <p>Assemblages of international importance</p> <ul style="list-style-type: none"> - Species with peak counts in winter: 51343 waterfowl (5 year peak mean 1998/99-2002/2003) <p><u>Ramsar Criterion 6</u></p> <p>Species/populations occurring at levels of international importance.</p> <p>Qualifying Species/populations (as identified at designation):</p> <ul style="list-style-type: none"> • Species with peak counts in spring/autumn: Ringed plover <i>Charadrius hiaticula</i> • Species with peak counts in winter: Dark-bellied brent goose <i>Branta bernicla</i>, Eurasian teal <i>Anas crecca</i>, Black-tailed godwit <i>Limosa islandica</i> 		

Mottisfont Bats SAC

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
<p>Mottisfont Bats SAC - The Mottisfont woodland supports an important population of the rare barbastelle <i>Barbastella barbastellus</i>. It is one of only six known maternity sites in the UK (2002 data) and the only one in Hampshire. Mottisfont contains a mix of woodland types including hazel coppice with standards, broadleaved plantation and coniferous plantation which the bats use for breeding, roosting, commuting and feeding.</p>			
<p>Mottisfont Bats SAC (196.55ha)</p>	<p><i>Qualifying features:</i> 1308 Barbastelle <i>Barbastella barbastellus</i></p> <p><i>Conservation objectives:</i> Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. 	<p>Supporting off-site habitat (flightlines)</p> <p>Restore the presence, structure and quality of any linear landscape features which function as flightlines both within and outside the site to surrounding foraging areas used by barbastelles. Flightlines should remain unlit, functioning as dark corridors.</p> <p>Barbastelles feed mainly on small moths, some flies and beetles. They may forage up to 5-7 km from their maternity roosts, though some individuals in less favourable habitat may forage further to reach suitable feeding grounds (Greenaway, 2001). It is thought that barbastelles prefer pastoral landscapes with deciduous woodland, wet meadows and water bodies, though they will feed in more open areas i.e. orchards, suburban parks. Barbastelles prefer to commute along linear landscape features, such as woodland edges and hedgerows, to cross extensive open areas (i.e. arable fields) to reach foraging grounds, and may feed to a certain extent within these more open areas. Typical flightlines used by this species include linear hedgerows, waterways, blocks of scrub, wooded rides and tracks, and sunken lanes. Flightlines will extend beyond the designated site boundary into the wider local landscape. The annual surveys of woodland transects through the NBMP have identified that Back Lane is an important</p>	<p>There is a Natural England Conservation Objectives: Supplementary Advice for this site.</p> <p>UK0030334 MottisfontBatsSAC SACO Formal Published 11 Feb 19.pdf (itss.local)</p>

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>flightline for barbastelles travelling towards the River Test.</p> <p><u>Supporting off-site habitat (foraging areas)</u></p> <p>Restore any core areas of feeding habitat outside of the SAC boundary that are critical to Barbastelles during their breeding period</p> <p>Roost choice, and the presence of bats within the SAC, is likely to be influenced by the site's ability to provide bats with food and shelter. Key feeding areas around a roost, and the commuting routes (or flightlines) between them, will be an important element of sustaining the SAC population. The site has a number of small coppice and broadleaved woodlands around it. There are also the channels of the River Test and River Dun, along with the fens, marshy areas, wet grassland and flowing ditches found in the surrounding valley floors. Flightlines will extend beyond the designated site boundary into the wider local landscape.</p> <p><u>Supporting processes (on which the feature and/or its supporting habitat relies)</u></p> <p>Restore the feature's ability, and that of its supporting habitat, to adapt or evolve to wider environmental change, either within or external to the site</p> <p>This recognises the increasing likelihood of supporting habitat features to absorb or adapt to wider environmental changes. Resilience may be described as the ability of an ecological system to cope with, and adapt to environmental stress and change whilst retaining the</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>same basic structure and ways of functioning. Such environmental changes may include changes in sea levels, precipitation and temperature for example, which are likely to affect the extent, distribution, composition and functioning of a feature within a site. The vulnerability and response of features to such changes will vary. Using best available information, any necessary or likely adaptation or adjustment by the feature and its management in response to actual or expected climatic change should be allowed for, as far as practicable, in order to ensure the feature's long-term viability. The overall vulnerability of this SAC to climate change has been assessed by Natural England (2015) as being low, taking into account the sensitivity, fragmentation, topography and management of its supporting habitats. This means that this site is considered to be vulnerable overall but are a lower priority for further assessment and action. Individual species may be more or less vulnerable than their supporting habitat itself. In many cases, change will be inevitable so appropriate monitoring would be advisable.</p> <p><u>Air quality</u></p> <p>Restore concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</p> <p>The supporting habitat of this feature is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>growth, altering its vegetation structure and composition (including food-plants) and reducing supporting habitat quality and population viability of this feature. Critical Loads and Levels are recognised thresholds below which such harmful effects on sensitive UK habitats will not occur to a significant level, according to current levels of scientific understanding. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition. There are currently no critical loads or levels for other pollutants such as Halogens, Heavy Metals, POPs, VOCs or Dusts. These should be considered as appropriate on a case-by-case basis. Ground level ozone is regionally important as a toxic air pollutant but flux-based critical levels for the protection of seminatural habitats are still under development. It is recognised that achieving this target may be subject to the development, availability and effectiveness of abatement technology and measures to tackle diffuse air pollution, within realistic timescales.</p> <p><u>Disturbance from human activity</u></p> <p>Control and minimise human access to all roost sites.</p> <p>Maternity roosts of barbastelle bats are particularly sensitive to disturbance and should be secured against unauthorised access, which can result in disturbance to bats at critical times of year. This can disrupt their breeding cycle and can affect their population viability and use of the site</p> <p><u>Water quantity/ quality</u></p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>Maintain water quality and quantity of on surface water and/or groundwater to a standard which provides the necessary conditions to support barbastelle bats.</p> <p>The following are important wet features in the landscape around Mottisfont Bats: the channels of the River Test and River Dun, along with the fens, marshy areas, wet grassland and flowing ditches found in the surrounding valley floors.</p> <p><u>Variations from national feature-framework of integrity-guidance:</u></p> <p>The four attributes concerned with the external and internal condition of buildings used by maternity colonies or for hibernation and access to these have been deleted as the maternity roosts on this site are in trees. The 'population abundance at a hibernation site' attribute has been deleted as the SAC is only known to support a breeding colony.</p>	

New Forest SPA

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
<p>The New Forest SPA comprises the largest area of 'unsown' vegetation in lowland England and includes the representation on a large scale of habitats formerly common but now fragmented and rare in lowland western Europe. The intimate mosaic of habitats owes much to the local geology and traditional commoning grazing system, a situation which is uncommon in lowland England.</p> <p>The New Forest sits in the centre of a dip in the surrounding chalk known as the Hampshire Basin and comprises a series of eroded terraces of soft sedimentary clays and sands capped with flint gravel, brick earth and other superficial deposits. The Soils are mainly acid, poor in nutrients, susceptible to leaching and only slowly permeable with locally enriched areas. This great variation in its soils is reflected in the New Forest's distinctive vegetation. The habitats include lowland heath, valley and seepage step mire, or fen, ancient pasture woodland, including riparian and bog woodland and a range of acid to neutral grasslands. Nowhere else do these habitats occur in combination and on so large a scale.</p> <p>The site supports an exceptionally rich bird fauna including internationally important breeding populations and wintering populations of bird species associated with these habitats. With substantial development close by the Forest and within easy reach of two major urban areas it is estimated by the National Park Authority that the New Forest receives over 15 million day visits a year. The New Forest SPA has permissive public access and there are a wide range of activities including Page 4 of 38 traditional countryside pursuits and sports events permitted by the landowners. Within the SPA are ten campsites providing 3,300 pitches and three golf courses.</p>			
New Forest SPA 27,997.59 ha	<p><i>Qualifying features:</i></p> <p>A072 Pernis apivorus; European honey-buzzard (Breeding)</p> <p>A082 Circus cyaneus; Hen harrier (Non-breeding)</p> <p>A099 Falco subbuteo; Eurasian hobby (Breeding)</p> <p>A224 Caprimulgus europaeus; European nightjar (Breeding)</p> <p>A246 Lullula arborea; Woodlark (Breeding)</p> <p>A302 Sylvia undata; Dartford warbler (Breeding)</p> <p>A314 Phylloscopus sibilatrix; Wood warbler (Breeding)</p> <p><i>Conservation objectives:</i></p> <p>Ensure that the integrity of the site is</p>	<p><u>Extent and distribution of supporting breeding habitat</u></p> <p>Maintain the extent, distribution and availability of suitable breeding habitat which supports the relevant qualifying feature for all necessary stages of its breeding cycle (courtship, nesting, feeding):</p> <p>Conserving or restoring the extent of supporting habitats and their range will be key to maintaining the site's ability and capacity to support the SPA population. The information available on the extent and distribution of supporting habitat used by the feature may be approximate depending to the nature, age and accuracy of data collection. This target will apply to any supporting habitat which is known to occur outside the site boundary. Within the SPA there are 4430ha of grazed pasture woodland and 8140ha of enclosed woodland which is not subject to livestock grazing and is a mixture of</p>	<p>There is a Natural England Conservation Objectives: Supplementary Advice for this site.</p> <p>UK9011031_NewForestSPA_COSA Formal Published 19 Mar 19.pdf (itss.local)</p>

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
	<p>maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. 	<p>broadleaves and conifer plantation including 400ha of old growth woodland.</p> <p><u>Extent and distribution of supporting non-breeding habitat</u></p> <p>Maintain the extent and distribution of suitable habitat (either within or outside the site boundary) which supports the feature for all necessary stages of the non-breeding/wintering period (moulting, roosting, loafing, feeding)</p> <p>Conserving or restoring the extent of supporting habitats and their range will be key to maintaining the site's ability and capacity to support the SPA population. The information available on the extent and distribution of supporting habitat used by the feature may be approximate depending to the nature, age and accuracy of data collection. This target may apply to supporting habitat which also lies outside the site boundary</p> <p><u>Connectivity with supporting habitats</u></p> <p>Maintain the safe passage of the relevant qualifying feature between feeding nesting and roosting areas</p> <p>The ability of the feature to safely and successfully move to and from nesting, feeding and roosting areas using flight-lines and movement routes is critical to their breeding success and to the adult fitness and survival. This target will apply within the site boundary and where birds regularly move to and from off-site habitat where this is relevant.</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p><u>Conservation measures</u></p> <p>Maintain management or other measures (whether within and/or outside the site boundary as appropriate) necessary to maintain the structure, function and/or the supporting processes associated with the feature and its supporting habitats.</p> <p>Active and ongoing conservation management is often needed to protect, maintain or restore this feature at this site. Other measures may also be required, and in some cases, these measures may apply to areas outside of the designated site boundary in order to achieve this target. Further details about the necessary conservation measures for this site will typically be found within, where applicable, supporting documents such as Natura 2000 Site Improvement Plan, Site Management Strategies or Plans, the Views about Management Statement for the underpinning SSSI and/or management agreements.</p> <p><u>Food availability within supporting habitat</u></p> <p>Maintain the distribution, abundance and availability of key prey items at preferred prey sizes.</p> <p>The availability of an abundant food supply is critically important for successful breeding, adult fitness and survival and the overall sustainability of the population. As a result, inappropriate management and direct or indirect impacts which may affect the distribution, abundance and</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>availability of prey may adversely affect the population.</p> <p><u>Water quality/ quantity</u></p> <p>Where the supporting habitats of the SPA feature are dependent on surface water ensure water quality and quantity is maintained to a standard which provides the necessary conditions to support the feature</p> <p>For many SPA features which are dependent on wetland habitats supported by surface water, maintaining the quality and quantity of water supply will be critical, especially at certain times of year during key stages of their life cycle. Poor water quality and inadequate quantities of water can adversely affect the availability and suitability of breeding, rearing, feeding and roosting habitats. Typically, meeting the surface water and groundwater environmental standards set out by the Water Framework Directive (WFD 2000/60/EC) will also be sufficient to support the SPA Conservation Objectives but in some cases more stringent standards may be needed to support the SPA feature. Further site-specific investigations may be required to establish appropriate standards for the SPA.</p> <p><u>Adaptation and resilience</u></p> <p>Maintain the ability of the feature's supporting habitats to adapt or evolve to wider environmental change, either within or external to the site</p> <p>This recognises the increasing likelihood of natural habitat features to absorb or adapt to wider environmental changes. Resilience may be described as the ability of an</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>ecological system to cope with, and adapt to environmental stress and change whilst retaining the same basic structure and ways of functioning. Such environmental changes may include changes in sea levels, precipitation and temperature for example, which are likely to affect the extent, distribution, composition and functioning of a feature within a site. The vulnerability and response of features to such changes will vary.</p> <p><u>Air quality</u></p> <p>Restore as necessary the concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</p> <p>The structure and function of the habitats which support this SPA feature may be sensitive to changes in air quality. Exceeding critical values for air pollutants may result in changes to the chemical status of its habitat substrate, accelerating or damaging plant growth, altering vegetation structure and composition and thereby affecting the quality and availability of nesting, feeding or roosting habitats. Critical Loads and Levels are thresholds below which such harmful effects on sensitive UK habitats will not occur to a noteworthy level, according to current levels of scientific understanding. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition. There are currently no critical loads or levels for other pollutants such as Halogens, Heavy Metals, POPs, VOCs or Dusts. These should be considered as appropriate on a case-by-case basis. Ground level ozone is regionally important as</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>a toxic air pollutant but flux-based critical levels for the protection of semi-natural habitats are still under development. It is recognised that achieving this target may be subject to the development, availability and effectiveness of abatement technology and measures to tackle diffuse air pollution, within realistic timescales. The critical load for nitrogen deposition is currently being exceeded at this SPA (December 2018).</p> <p><u>Minimising disturbance caused by human activity</u></p> <p>Reduce the frequency, duration and/or intensity of disturbance affecting nesting, roosting, foraging, feeding, moulting and/or loafing birds so that the non-breeding qualifying feature is not significantly disturbed</p> <p>The nature, scale, timing and duration of some human activities can result in the disturbance of birds at a level that may substantially affect their behaviour, and consequently affect the long-term viability of the population. Such disturbing effects can result in changes to feeding or roosting behaviour, increases in energy expenditure due to increased flight, and desertion of supporting habitat (both within or outside the designated site boundary where appropriate). This may undermine successful feeding and/or roosting, and/or may reduce the availability of suitable habitat as birds are displaced and their distribution within the site contracts. Disturbance associated with human activity may take a variety of forms including noise, light, sound, vibration, trampling, and presence of people, animals and structures.</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p><u>Vegetation characteristics</u></p> <p>Maintain an optimal mix of vegetation. The height, cover, variation and composition of vegetation are often important characteristics of habitats supporting this feature which enable successful nesting/ rearing/ concealment/ roosting. Many bird species will have specific requirements that conservation measures will aim to maintain, for others such requirements will be less clear. Activities that may directly or indirectly affect the vegetation of supporting habitats and modify these characteristics may adversely affect the feature.</p> <p><u>Landscape</u></p> <p>Maintain areas of mature woodland within the SPA and the wider local landscape.</p> <p>Some features are known to favour large areas of open terrain, largely free of obstructions, in and around its nesting, roosting and feeding areas. Often there is a need to maintain an unobstructed line of sight within nesting, feeding or roosting habitat to detect approaching predators, or to ensure visibility of displaying behaviour. An open landscape may also be required to facilitate movement of birds between the SPA and any off-site supporting habitat. The home range of some qualifying features can extend to several kilometres from its nesting area.</p> <p>Maintain a high proportion of open and unobstructed terrain whilst retaining mature trees in woodland, small clumps and as isolated individuals.</p> <p>Some features are known to favour large areas of open</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>terrain, largely free of obstructions, in and around its nesting, roosting and feeding areas. Often there is a need to maintain an unobstructed line of sight within nesting, feeding or roosting habitat to detect approaching predators, or to ensure visibility of displaying behaviour. An open landscape may also be required to facilitate movement of birds between the SPA and any off-site supporting habitat.</p> <p>Maintain the amount of open and unobstructed patches within nesting and foraging areas, including areas of clearfell, windfall, wide tracks, open forest and heath.</p> <p>Some features are known to favour large areas of open terrain, largely free of obstructions, in and around its nesting, roosting and feeding areas. Often there is a need to maintain an unobstructed line of sight within nesting, feeding or roosting habitat to detect approaching predators, or to ensure visibility of displaying behaviour.</p> <p><u>Predation</u></p> <p>Restrict predation and disturbance of breeding qualifying features caused by native and non-native predators.</p> <p>This will ensure that breeding productivity (number of chicks per pair) and survival are sustained at rates that maintain or restore the abundance of the feature. Impacts to breeding productivity can result directly from predation of eggs, chicks, juveniles and adults, and also from significant disturbance. The presence of predators can influence bird behaviours, such as abandonment of nest</p>	

Site name Area, ha	Qualifying features and conservation objectives	Key vulnerabilities	Non-qualifying habitats and species upon which the qualifying habitats and/or species depend
		<p>sites or reduction of effective feeding. In the New Forest numbers of Goshawk, are increasing which may increase the likelihood of chick predation although there is no evidence to suggest this is currently an issue. Unpublished data provided by Hampshire ornithological Society indicates that numbers of birds and breeding success has changed little over the past ten years Where evidence suggests predator management is required, measures can include their exclusion through fencing and scaring or by direct control. Any such measures must consider the legal protection of some predators, as well as the likely effects of such control on other qualifying features.</p> <p><u>Vegetation characteristics</u></p> <p>Maintain a mixture of open areas, such as glades and wide rides, and stands of mature trees within woodlands in known nesting areas.</p> <p>The height, cover, variation and composition of vegetation are often important characteristics of habitats supporting this feature which enable successful nesting / rearing / concealment / roosting. Many bird species will have specific requirements that conservation measures will aim to maintain, for others such requirements will be less clear. Activities that may directly or indirectly affect the vegetation of supporting habitats and modify these characteristics may adversely affect the feature.</p>	

Appendix C

Potential for in combination effects with other plans and projects.

Local Plans and Strategies

Test Valley Borough Revised Local Plan (Adopted Local Plan 2011-2029)

The Council is in the process of preparing a new Local Plan, but this is in an early stage of development. A refined issues and options consultation has taken place however no policies have been developed for this yet.

Housing Provision:

The plan makes provision for a minimum of 10,584 homes over the plan period, including 6,444 homes at Andover.

Employment Provision:

The plan allocates just over 20ha employment land, although a number of policies permit employment development in suitable circumstances.

HRA Pre-Submission Findings¹:

Overall, 41 out of 51 policies were assessed as being not likely to have significant effects alone or in combination on any International site as they do not give rise to effects that could affect such a site. Detailed assessment of the effects of these policies found that, generally, the effects of the plan would not undermine the conservation objectives of any sites of International nature conservation importance. Where this was not the case, the plan policy wording was updated to state that proposals would not be supported where they could not demonstrate no adverse effects on the relevant European sites (Mottisfont Bats SAC).

With regards to water quality, treated wastewater from some areas may ultimately drain into the Solent. However, the Plan explicitly requires that development does not cause deterioration of water bodies with respect to declines in water quality.

As such, the HRA concluded that the Revised Local Plan DPD will not adversely affect any European sites.

HRA Addendum Findings²:

This addendum updated the HRA to account for the Schedule of Proposed Minor Changes and comments from Natural England. This work did not result in a change to the overall conclusions of the Pre-Submission HRA.

Wiltshire Core Strategy (Adopted 2015) Chippenham Site Allocations Plan (Adopted 2017) Wiltshire Housing Site Allocations Plan (Adopted 2020)

The Wiltshire Local Plan comprises a series of documents, including the Core Strategy, Chippenham Site Allocations Plan and the Wiltshire Site Allocations Plan.

Housing provision

The Core Strategy makes provision for at least 42,000 homes from 2006 to 2026. Of this, the 4,510 homes to be delivered at Chippenham are allocated through the Chippenham Site Allocations Plan.

The Wiltshire Housing Site Allocations Plan includes 3 objectives:

1. Review settlement boundaries.
2. Help demonstrate a rolling five year land supply for housing development.
3. Allocate sites that support the spatial strategy of the Wiltshire Core Strategy – just under 2,500 homes are allocated via this document. (note that a substantial number of homes provided for by the Core Strategy had been built or committed prior to adoption of this document.)

Employment provision

The Core Strategy provides for around 27,500 jobs up to 2026, through around 70ha employment land

allocated. Of this, the 26.5ha of employment land to be delivered at Chippenham are allocated through the Chippenham Site Allocations Plan.

HRA of Core Strategy Findings³:

The screening (initially undertaken in 2009) concluded that there was uncertainty as to whether or not the Core Strategy would have adverse effects on the integrity of European sites. Following HRA work identified potential effects from recreational pressure, water quality (River Avon SAC), air quality (Cotswold Beechwoods SAC), and potential effects on habitat at Bath and Bradford-on-Avon Bats SAC. Existing and amended policies in the local plan were considered sufficient to ensure no adverse effects on integrity. With regards to water quality, treated wastewater from new development would drain into the River Avon SAC, therefore the Solent sites would be unaffected.

HRA of Chippenham Site Allocations Plan⁴:

The HRA concluded that the Chippenham Site Allocations Plan is unlikely to have significant effects on the integrity of European sites and notes that the majority of land uses were already subject to HRA and through the HRA of the Core Strategy, and appropriate policies for avoidance and mitigation are already in place. Following Submission and Adoption, the Council confirmed changes to the plan were not expected to result in changes to the HRA conclusions.

HRA Site Allocations Plan Findings⁵ :

The HRA identified potential likely significant effects from recreational pressure (Salisbury Plain SPA and Bath and Bradford on Avon Bats SAC), water quality (River Avon SAC), water quantity (River Avon SAC), Habitat loss/deterioration (Bath and Bradford on Avon Bats SAC). However, the HRA concluded no adverse effects on integrity subject to policy recommendations/updates and mitigation strategies.

Basingstoke and Deane Local Plan 2011 to 2029 (Adopted 2016)

Housing Provision

The plan makes provision for 15,300 homes over the plan period.

Employment Provision

The plan makes provision for 8,100-12,600 jobs over the plan period. Although the plan states that specific locations are to be allocated through a subsequent DPD, such a DPD does not seem to have yet been produced.

HRA Findings⁶:

The HRA screening found that seven policies had potential to affect European sites as they will, or are likely to, result in development. However, the screening then identified other policies within the plan that were considered to adequately avoid or mitigate any likely significant effects. These constitute policies relating to Thames Basin Heaths SPA, green infrastructure, water quality, sustainable water use, pollution and transport. With regards to water quality in particular, treated wastewater from new development would drain into the London catchment and therefore would not affect the Solent sites.

An addendum considered main modifications but concluded there are no changes to the HRA findings.

Winchester District Local Plan Part 1: Joint Core Strategy (Adopted 2013) Winchester District Local Plan Part 2: Development Management and Site Allocations (Adopted 2017) Winchester District Local Plan 2018-2038 (Emerging)

The emerging Local Plan is in the early stages of development, with only an issues and options document having been published so far. As such, no policies have been developed for this yet.

Housing Provision

The Local Plan Part 1 makes provision for around 12,500 new dwellings over the plan period, with around 4,000 of these being located in Winchester, 6,000 in South Hampshire Urban Areas and the rest in market towns and rural areas. The Local Plan Part 2 identifies sites to deliver housing requirements of the Local Plan Part 1 that had not yet been delivered or committed.

Employment Provision

The Local Plan Part 1 makes provision for 20ha employment land over the plan period. The Local Plan Part 2 identifies sites to deliver development requirements of the Local Plan Part 1, that had not yet been delivered or committed.

HRA of Local Plan Part 1 Findings ⁷:

The screening stage concluded that likely significant effects of the plan could not be ruled out in relation to air quality, water levels, water quality, disturbance and fragmentation of supporting habitats and the River Itchen SAC, Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar. The appropriate assessment stage concluded that impacts would be sufficiently avoided or mitigated through development controls and site management measures, including project level HRA. Potential adverse effects on integrity were identified as a result on the plan in-combination with development proposed in surrounding areas, in regard to air quality, water levels and water quality, as well as fragmentation of supporting habitat. The HRA made a series of recommendations to address any issues, most of which were incorporated into the Local Plan Part 1. Accepting that some recommendations/mitigation measures are to be considered/implemented at more detailed stages of plan-making, the HRA concluded that the Core Strategy contains effective strategic plan level mitigation to address the issues identified through the HRA process, as far as is possible within the remit of a planning document.

HRA of Local Plan Part 2 Findings ⁸:

The HRA concluded that most policies/allocation are unlikely to have significant effects on European sites alone. Whilst some allocations are in close proximity to the River Itchen SAC, the HRA concluded suitable mitigation is within the plan policies to mitigate any impacts. The screening found that nine of the site allocations identified to deliver new housing fall within the Solent Recreation Mitigation Partnership Charge Zone. It was concluded that as long as the standard contribution of £172 is provided for each new housing unit within the charge zone, then the development proposed will not have likely significant in combination effects on the Solent SPAs. Overall, as the Local Plan Part 2 does not propose additional growth to the Local Plan Part 1, it is considered that the mitigation and avoidance measures in Part 1 are sufficient to avoid any adverse impacts on integrity resulting from Part 2.

HRA Scoping of the emerging Local Plan ⁹:

Due to the early stages of the plan, only an HRA Scoping Report has been published, which is subject to consultation from July to August 2020.

This identifies sites that could potentially be affected by the new Local Plan and what the sensitivities of those sites are, although as policies have not been worked up, it does not provide any assessment of effects. Potential sites affected include European sites in the Solent, for which sensitivities identified include disturbance, recreation pressure, water quality/quantity, air pollution and functionally linked land.

Eastleigh Borough Local Plan 2016 – 2036 (emerging)

The emerging Local Plan is currently undergoing Examination. Public hearings have taken place and the Council is considering amendments to the plan based on the Inspector's Post Hearings Advice ¹⁰.

Housing Provision

The Local Plan provides for 14,580 new homes from 2016-2036, including 7,570 with planning permission or resolution to grant planning permission.

Employment Provision

The Local Plan provides for 144,050 sqm of new employment development within the plan period.

HRA Findings ¹¹:

The HRA identified potential for likely significant effects on the River Itchen SAC (air pollution, noise and vibration, hydrological impacts, functionally linked land, non-native species, water abstraction and water pollution), Solent Maritime SAC (non-native species, hydrological impacts and water pollution), New Forest SPA (recreational disturbance) and Solent and Southampton Water SPA/Ramsar (recreational disturbance, noise and vibration and water pollution).

Chapter 8 of the HRA sets out a mitigation strategy to address these potential issues. This recognises that a number of issues will be adequately avoided or mitigated by policies within the Local Plan. For those issues not addressed by existing policies, the HRA sets out mitigation measures that would be required to ensure no adverse effects on integrity (many of these are to be implemented at the development management stage, including through project-level HRA).

With regards to water pollution in the Solent, the HRA states that the potential or adverse effects resulting from planned development in Eastleigh borough is adequately dealt with by the Integrated Water Management Study (IWMS) Action Plan (Amex Foster Wheeler, 2018) provided that EBC are committed to its implementation and provisions are made for infrastructure upgrades when required and/or adjustments to the phasing of development later in the plan period. Overall, the HRA concluded that there would be no adverse effects on integrity of any European site, provided the measures set out in the mitigation strategy are followed.

City Centre Action Plan (2015) Core Strategy Partial Review (2015) Southampton City Council – City Vision (emerging)

Southampton City Council are in the process of producing a new Local Plan. The emerging plan is at an early stage and the initial public consultation took place from February to May 2020. As such, no policies have been developed for this yet and the information below relates to the adopted local plan.

The adopted development plan consists of a series of documents, including the City Centre Action Plan and the Core Strategy Partial Review.

Housing Provision

Overall, the adopted development plan provides for 16,300 new homes; the City Centre Action Plan makes provision for approximately 5,450 dwellings in the city centre between 2008 and 2026.

Employment Provision

Overall, the adopted development plan provides for 97,000 sq m of office development and 97,000 sq m of industrial/warehouse development between 2006 and 2026.

HRA Findings ^{12,13, 14}:

With regards to the Core Strategy and Core Strategy Partial Review, it was not concluded that likely significant effects would occur but uncertain effects were recorded against a number of potential effects, including recreational disturbance, coastal squeeze, disturbed flight lines/ecological connectivity, pollution, water quantity and water quality. The HRA was not taken to the appropriate assessment stage, but rather relied on more detailed plans, particularly the City Centre Action Plan (CCAP), and the HRAs of these.

With regards to the CCAP HRA, likely significant effects were identified in relation to recreational disturbance, air pollution, water quality, water quantity, collision risk and noise and light pollution. Most of these effects were identified as likely to occur on the Chichester and Langstone Harbours SPA / Ramsar, Portsmouth Harbour SPA / Ramsar, River Itchen SAC, Solent and Southampton Water SPA/ Ramsar site,

Solent Maritime SAC and the New Forest SAC/SPA/Ramsar site. The Appropriate Assessment for the CCAP concluded that there would be no adverse effects on integrity as a result of the plan, as mitigation measures were identified in the HRA to avoid or mitigate any potential effects. The majority of the mitigation identified relies on existing strategies or policies within the CCAP, or other applicable planning policy.

The HRA work done to date on the emerging City Vision15 has highlighted that issues regarding water quality in the Solent could arise as a result of the emerging plan. However, no policies have been prepared to assess at this stage.

New Forest District Local Plan Part 1: Planning Strategy (Adopted 2020)

New Forest District Local Plan Part 2: Sites and Development Management (Adopted 2014)

The Local Plan Part 2 was adopted before Part 1 as it follows on from the previous Core Strategy (2009). As the new Part 1 is the most up to date document in terms of quantum of development to be delivered, the information below considers just the new Part 1 Local Plan.

Housing Provision:

The Part 1 Local Plan provides for at least 10,420 new homes over the plan period 2016-2036.

Employment Provision:

The Part 1 Local Plan provides for 126,000 sqm of employment floorspace over the plan period, including 40,000 sqm already completed or with planning permission.

HRA Findings ¹⁶:

The Part 1 Local Plan HRA identified potential for likely significant effects as a result of direct loss of or damage to European sites and supporting habitat, urban edge effects, changes in air quality, traffic collision, recreation pressure, changes in water quality and in water quantity. However, the appropriate assessment stage found that these effects would not result in adverse effects on integrity of the site either in themselves, or as a result of existing mitigation measures or mitigation included in the Local Plan policies.

New Forest National Park Local Plan 2016 – 2036 (Adopted 2019)

Housing Provision:

The Local Plan provides for 800 new homes over the plan period 2016-2036.

Employment Provision:

The Local Plan permits small-scale business development and redevelopment of existing sites but does not allocate any sites for employment use.

HRA Findings ^{17,18,19}:

The January 2018 HRA found that likely significant effects could arise in relation to direct loss of or damage to European sites or supporting habitat, urban edge effects, air pollution, traffic collision, recreation pressure and changes in water quality and quantity. However, it relied on mitigation within the Local Plan to screen the majority of these effects out of appropriate assessment, except loss or damage to offsite supporting habitat and traffic collision. The July 2018 addendum required urban edge effects, recreation pressure and changes to water quality and quantity to be screened into appropriate assessment. However, the overall conclusions were the same, in that no adverse effects on integrity are expected in relation to any European site, either because impact pathways do not exist or because sufficient mitigation is in place either through existing management measures or policies within the local plan itself.

The HRA Addendum assessed the main modifications to draft and they have no implications for the HRA conclusions at the draft stage, as modified by subsequent HRA addendum reports, or they serve to strengthen mitigation of potential effects on European Sites. Therefore, the local plan will not have an adverse effect on the integrity of any European site, either alone or in-combination with other plans or projects.

West Berkshire Core Strategy (2006-2026) (Adopted 2012) Housing Site Allocations DPD (Adopted May 2017) West Berkshire Local Plan Review to 2036 (Emerging)

The current development plan consists of a number of documents, including the Core Strategy, which sets out an overall strategy for development until 2026. The Council is currently working on a new Local Plan which will run until 2036.

Regulation 18 consultation for the emerging Local Plan was carried out from November to December 2018. This consultation did not present new policies or site allocations, but rather a review of the current strategy and a roadmap for how it needs to be updated.

Housing Provision

The Core Strategy makes provision for at least 10,500 new homes over the plan period. The Housing Site Allocations DPD allocates homes that are not already provided for via completions or commitments.

Employment Provision

The Core Strategy includes a policy to manage employment development but does not allocate new employment sites as evidence showed a sufficient supply of employment land exists to meet needs until the end of the plan period.

HRA Core Strategy Findings ²⁰:

The screening exercise concluded that there was the possibility of likely significant effects in relation to Kennet and Lambourn Floodplain SAC (water quality and quantity and urban edge effects, including increased costs of site management), River Lambourn SAC (water quality and quantity and increased costs of site management) and Kennet Valley Alderwoods SAC (recreational disturbance and water quantity).

The HRA concluded that no adverse effects on integrity would arise, either due to further consideration of the potential issues or because policies within the Core Strategy are expected to provide sufficient mitigation.

HRA Housing Site Allocations DPD Findings ²¹:

The analysis in the report confirms that the potential effects of the housing site allocations and other policies in the Housing Site Allocations DPD will not give rise to further issues, principally on the basis of the Core Strategy which ensures that appropriate measures are in place to mitigate against/avoid potential significant effects on European sites.

¹Test Valley Borough Council (2013) Habitats Regulations Assessment for Test Valley Revised Local Plan DPD 2011-2019. Regulation 19 – Pre Submission. Available at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/local-development-framework/dpd>

² Test Valley Borough Council (2013) Habitats Regulations Assessment for Test Valley Revised Local Plan DPD 2011-2019. Regulation 19 – Pre Submission, Addendum to Main Report. Available at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/local-development-framework/dpd>

³ WSP on behalf of Wiltshire Council (2012) Wiltshire Core Strategy Submission Draft – Assessment under the Habitats Regulations. Available at: <http://www.wiltshire.gov.uk/corestrategydocument?directory=Sustainability%20Appraisal%20and%20Habitat%20Regulation%20Assessment&filerref=3>

- ⁴ Wiltshire Council (2015) Chippenham Site Allocations Plan Habitats Regulations Assessment (HRA) Screening. Available at: <http://www.wiltshire.gov.uk/chippenham-hra-screening.pdf>
- ⁵Wiltshire Council (2020) Wiltshire Housing Site Allocations Plan, Assessment under the Habitats Regulations. Available at: <http://www.wiltshire.gov.uk/whsap-adoption-hra.pdf>
- ⁶Basingstoke and Deane Council (2014) Revised Basingstoke and Deane Pre-Submission Local Plan 2011 to 2019, HRA Screening Assessment. Available at: <https://www.basingstoke.gov.uk/content/page/51504/Local%20Plan%20Habitats%20Regulation%20Assessment.pdf>
- ⁷ Enfusion (2012) Winchester Local Development Framework Habitat Regulations Assessment (HRA) Report, HRA (AA) of Submission Core Strategy. Available at: <https://www.winchester.gov.uk/planning-policy/winchester-district-local-plan-2011-2036-adopted/evidence-base/environment/habitat-regulations- assessment-of-the-local-plan-policies>
- ⁸ Enfusion (2014) Winchester Local Plan Part 2 – Development Management and Site Allocations, Habitat Regulations Assessment Screening. Available at: <https://www.winchester.gov.uk/planning-policy/winchester-district-local-plan-2011-2036-adopted/sustainability-appraisals/draft-local-plan-part-2-sustainability- appraisal-and-habitats-regulations-screening- assessment>
- ⁹LUC (2020) Winchester District Local Plan Habitats Regulations Assessment, Scoping Report. Available at: <https://www.winchester.gov.uk/planning-policy/winchester-district-local-plan-2018-2038-emerging/sustainability-appraisal-habitats-regulations-assessment>
- ¹⁰ <https://www.eastleigh.gov.uk/media/7309/ed71-eastleigh-post-hearings-final.pdf>
- ¹¹ Urban Edge Environmental Consulting (2019) Habitat Regulations Assessment for the Eastleigh Borough Local Plan 2016-2036. Available at: <https://www.eastleigh.gov.uk/media/5477/ed12a-41-hra-main-report.pdf>
- ¹² Urban Edge Environmental Consulting (2013) Habitats Regulations Assessment for the Southampton City Centre Action Plan. Available at: https://www.southampton.gov.uk/policies/ccap-habitat-regulations- assessment_tcm63-368381.pdf
- ¹³ Halcrow (2009) HRA Summary Report for the Southampton Core Strategy
- ¹⁴ UE Associates (2012) HRA for the Partial Review of the Southampton Core Strategy: Screening Statement
- ¹⁵ UE Associates (2019) Habitats Regulations Assessment for the Southampton City Vision Local Plan, Baseline Evidence Review. Available at: https://www.southampton.gov.uk/images/hra-final_tcm63-424266.pdf
- ¹⁶ LUC (2018) Habitats Regulations Assessment of New Forest District Local Plan Part 1
- ¹⁷ LUC (2018) Habitat Regulations Assessment of New Forest National Park Local Plan 2016 – 2036. Available at: https://www.newforestnpa.gov.uk/app/uploads/2018/01/HRA_of_New_Forest_NPA_Local_Plan_Reg_19.pdf
- ¹⁸ LUC (2018) Habitats Regulations Assessment of New Forest National Park Local Plan 2016-2036, Addendum to review implications of CJEU judgment in Case C-323/17 People Over Wind and Sweetman v. Coillte Teoranta for the HRA at Submission Draft stage. Available at: <https://www.newforestnpa.gov.uk/app/uploads/2018/07/Review-of-HRA-of-New-Forest-NPA-Local-Plan-re-People-Over-Wind.pdf>
- ¹⁹ LUC (2019) Habitat Regulations Assessment of New Forest National Park Local Plan 2016 – 2036 Addendum. Available at: <https://www.newforestnpa.gov.uk/app/uploads/2019/04/4-HRA-Addendum-of-Proposed-Main-Modifications.pdf>
- ²⁰ West Berkshire Council (2010) Habitat Regulations Assessment of West Berkshire Core Strategy. Available at: [https://citizen.westberks.gov.uk/media/36470/West-Berkshire-Habitat-Regulations-Assessment-Core-Strategy-/pdf/West_Berkshire_Habitat_Regulations_Assessment_\(Core_Strategy\).pdf?m=637007820906330000](https://citizen.westberks.gov.uk/media/36470/West-Berkshire-Habitat-Regulations-Assessment-Core-Strategy-/pdf/West_Berkshire_Habitat_Regulations_Assessment_(Core_Strategy).pdf?m=637007820906330000)
- ²¹ West Berkshire Council (2016) West Berkshire Local Plan Housing Site Allocations Development Plan Document Submission Habitat Regulations Assessment Screening Report. Available at: <http://info.westberks.gov.uk/CHttpHandler.ashx?id=40250&p=0>

Appendix D

Habitats Regulations Assessment Screening

Habitats Regulations Assessment Screening

West Dean and West Tytherley Neighbourhood Development Plan

Introduction

This HRA has been prepared by Test Valley Borough Council as the responsible authority to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019^[1], in which a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures, the competent authority must undertake an appropriate assessment to examine the effects of the plan on the conservation objectives of the European Sites in question, consult the appropriate nature conservation body and have regard to its representations. Both the screening and any subsequent appropriate assessment, must consider the impacts of the plan alone and in combination with other plans or projects.

It is usually the case that a plan of this nature does not go into the detailed aspects of development proposals, particularly where the plan does not allocate any development. Therefore the full effects of potential development cannot be accurately assessed at the plan making stage. Those details will typically be identified through a planning application which would be subject to further, more detailed HRA. The principle that a HRA need only consider the effects of a proposal or policy in as much detail as is specified by the plan was explained by Advocate General Kokott in a judgement brought against the UK government in 2005:

“Many details are regularly not settled until the time of the final permission. It would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure.”

Where appropriate assessment is undertaken, the competent authority may go on to authorise the plan or project provided that it will not adversely affect the integrity of any European sites. Otherwise the plan cannot be authorised unless it meets specific statutory tests.

Methodology

Each element of the plan has been categorised against screening criteria developed by Natural England to provide a clear audit trail for the screening assessment.

The screening criteria used are as follows:

- Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development;
- Category A2: The policy is intended to protect the natural environment;
- Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
- Category A4: The policy would positively steer development away from European sites and associated sensitive areas;

^[1] On 1st January 2021 the Conservation of Habitats and Species Regulations 2017 (as amended) were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

- Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- Category B – no significant effect;
- Category C – likely significant effect alone; and
- Category D – Likely significant effects in combination.

The effect of each policy has been considered both individually and in combination with other plans and projects. Where potential for likely significant effects have been identified, the plan will need to be taken forward for Stage 2 of the HRA process.

Natura Sites considered within Test Valley

The following parameters were identified and assessed for the following European sites.

Recreation – European sites within 5km of the plan area, or where Salisbury Plain SPA/SAC or New Forest SAC / SPA is within 15km of the plan area:

- Salisbury Plain SAC and SPA
- River Avon SAC
- New Forest SAC / SPA

Hydrology / Hydrogeology - Sites that fall wholly or partly within the Wessex Water / Southern Water Resource Zones may be susceptible to impact:

- Solent and Maritime SAC
- Southampton Water SPA
- Salisbury Plain SAC / SPA
- River Avon SAC

Air Pollution / Nitrogen Deposition – European sites within 200m of a main road

- Southampton Water SPA
- Porton Down SPA
- Salisbury Plain SAC / SPA
- River Avon SAC

Physical Damage / Interruption of Flight Lines / Disturbance

- Porton Down SPA
- Mottisfont

Screening of policies within the West Dean and West Tytherley Neighbourhood Development Plan

The proposed NP outlines a number of policies which have triggered the need for further Appropriate Assessment as currently written and as detailed within the table 1 below.

Taking into account the scale, location and nature of the proposals, there is potential for three European sites to be effected. This includes the Mottisfont Bats SAC, New Forest SPA and the Solent and Maritime SAC. All parts of the draft plan have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects. Several policies have the **potential to give rise to significant effects and are therefore taken forward to Stage 2 of the appropriate assessment**, as outlined below.

Other policies would either not lead directly to development or would have no significant effects either alone or in combination with other plans and projects due to the scale and nature of the proposals in the plan.

April 2020

Table 1: Habitats Regulation Assessment Screening for the West Dean and West Tytherley Neighbourhood Development Plan

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy EL1: Countryside protection and the village setting	A2/A3	Development proposals that conserve and if possible, enhance the character of both parishes and their settings in a beautiful rural landscape will be supported.	Category A2: The policy is intended to protect the natural environment; Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
Policy EL2: Preserve the historic environment	C and D for Mottisfont Bats SAC D for New Forest SPA C and D for Solent and Maritime SAC and Solent and Southampton Water SPA	Retain and enhance both designated and non-designated heritage assets and archaeology. Also includes criteria for conversion of historic buildings.	Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination. Additional dwellings within 8km of the New Forest SPA will lead to effects in-combination There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.
Policy EL3: Conservation Area	A3	Within Conservation Area and sites adjacent, development proposals will be required to conserve and enhance their character and	Category A3: The policy is intended to conserve or enhance the natural, built or historic environment.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		appearance and must meet criteria listed in the policy.	
Policy EL4: Protection of views	A2	Any development proposal will need to ensure it protects and if possible enhances the important natural and rural views within and on the fringes of the two villages and those in the Conservation Area. 24 views identified in the policy.	Category A2: The policy is intended to protect the natural environment.
Policy EL5: Protect natural features such as trees and hedgerows.	A2	Development proposals to conserve and enhance trees and hedgerows	Category A2: The policy is intended to protect the natural environment.
Policy EL6: Conservation of the environment, ecosystems and biodiversity	A2	Development should preserve and if possible enhance well-established features of the environment, ecosystems, and biodiversity, including mature trees, species-rich hedgerows, watercourses, and other ecological networks, together with the habitats alongside them, including ponds.	Category A2: The policy is intended to protect the natural environment.
Policy EL7: Preservation and enhancement of SSSIs, CWSs and SINC.	A2	Development within (or nearby where such development could adversely affect the site) these areas will not be supported and consideration must be given to the stepping stones or habitat corridors for protected species. The level of protection and mitigation must be	Category A2: The policy is intended to protect the natural environment.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		proportionate to the status of the habitat or species.	
Policy EL8: Conserve and maintain agricultural and equestrian land, including public rights of way	A2	Development will only be supported on agricultural fields, equestrian land or other greenfield sites in the open countryside when special circumstances can demonstrated as set out in criteria including where there is an overriding need for the development in proposed location (e.g. Rural worker) and for the re-use of old buildings.	Category A2: The policy is intended to protect the natural environment.
Policy EL9: Local green space designations	A2	Allocates 3 sites as LGS. Development proposals on the allocated LGS will not be supported other than where it is necessary to meet utility infrastructure needs.	Category A2: The policy is intended to protect the natural environment.
Policy EL10: Maintain dark skies and minimise light and noise pollution	C and D for Mottisfont Bats SAC	New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting. Any development must address where appropriate the broad range of planning considerations to reduce noise pollution	Barbastelle bats require darker conditions than most bat species. Lighting can affect roosts, commuting routes and foraging habitat.
Policy HD1: Housing Mix	C and D for Mottisfont Bats SAC	Community supported housing development within or adjoining the settlement boundary or built up area of the villages should include a range of house types (market and affordable)	West Dean and West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
	<p>D for New Forest SPA</p> <p>C and D for Solent and Maritime SAC</p>	<p>with the majority being one to three bedroom homes. Housing developments will need to comply with the affordable housing thresholds and requirements in force at the time of the application.</p>	<p>Dwellings within 8km of the New Forest SPA will lead to effects in-combination</p> <p>There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.</p>
<p>Policy HD2: Characteristics of infill development</p>	<p>C and D for Mottisfont Bats SAC</p> <p>New Forest SPA</p> <p>C and D for Solent and Maritime SAC</p>	<p>Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road) for housing or small business needs.</p> <p>Any proposed infill development should ensure that immediate neighbours are not adversely affected with a range of considerations.</p> <p>Any infill development should meet all the other policies (EL and IC) required in this joint NDP, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP core settlement hierarchies.</p>	<p>West Tytherley village have potential to support Barbastelle roosts in outbuildings, derelict or farm buildings. Loss of a significant roost would cause impacts alone and in-combination.</p> <p>Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination</p> <p>There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.</p>

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy HD3: Development within residential gardens	C and D for Mottisfont Bats SAC D for New Forest SPA C and D for Solent and Maritime SAC	Development proposals for new dwellings on sites that form part of an existing residential garden or groups of gardens must meet criteria listed in the policy. Proposals to create separate unit accommodation for dependent persons or business use must meet criteria listed in the policy.	Gardens have potential to contain mature trees / outbuildings with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination. Dwellings within 13.6km of the New Forest SPA will lead to effects in-combination There is an issue with nitrates in the Solent and Maritime SAC, which is leading to unfavourable condition of the SAC. If any new dwellings discharge to the River Test, there is uncertainty as to whether the Plan will have a significant effects on the Solent and Maritime SAC and the Solent and Southampton Water SPA.
Policy HD4: Design of new development and energy efficiency.	A1	Development proposals must demonstrate how they will contribute to the character of the area, incorporating design principles that reflect the local vernacular and must meet criteria listed in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy HD5: Landscape	A1	New landscape features will need early consideration in the design process to ensure they are well integrated into new developments and must meet criteria listed in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy HD6: Flooding and drainage mitigation	A1	Planning applications must demonstrate how any new development will provide, through the installation of the necessary infrastructure, mitigation against flooding and drainage issues. A	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		<p>site-specific flood risk assessment should be produced taking full account of the current Flood Zones and the specific drainage system in each village.</p> <p>Sustainable Drainage systems (SuDS) should be used to manage water run-off from any new development. Systems that retain rainwater for domestic use are encouraged.</p>	
Policy IC1: Infrastructure	A1	Any new development should set out the direct and indirect infrastructure implications for its build particularly with regard to its size and location within the settlement.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC2: Impact of new development on use of transport infrastructure	B	Support will be given to highways or other transport improvements which facilitate safe access for pedestrians, disabled, mobility vehicles, runners, riders and cyclists through and between all parts of the village, and the linkages between outlying settlements.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC3: Parking standards	A1	All new residential development including alterations and extensions which provide extra bedrooms must provide resident and visitor car parking spaces on site and avoid on street parking especially that restricts free flow of traffic. Standards are included in the policy.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC4 : Public or community transport	A1	The Parish Councils will keep under review the feasibility of coordinating and improving community transport including volunteer drivers.	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		Any new development, including affordable housing, must allow for easy access of occupants to local services	
Policy IC5: Traffic calming	A1	Developments need to demonstrate they do not increase risks to pedestrians or exacerbate parking issues	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
Policy IC6: Enhanced utilities and services	A1	<p>Proposed development should not create an unacceptable impact on the amenities of local residents nor on a feature of natural or biodiversity importance.</p> <p>ii. Development proposals must ensure that the supporting ground-based infrastructure (utility or communications) does not cause damage to, or reduce the effectiveness of, existing infrastructure, roads, footpaths or cause harm to the Conservation Areas or Heritage sites.</p> <p>iii. Design of new buildings that include green improvements, such as rainwater harvesting for household water usage, will be encouraged.</p> <p>iv. New development must demonstrate how it will provide, through the installation of the necessary infrastructure and ducting, the ability for occupiers to connect to high speed broadband. Mobile connectivity, including 5G when introduced nationally, will be essential.</p> <p>v. Particular care should be taken in any renewable project to mitigate the impact of</p>	Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.

Policy	Screening Categorisation (red = take forward to AA)	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		power lines and pylons and sub stations on surrounding countryside and views.	
IC7: Support for new and existing businesses	C and D for Mottisfont Bats SAC	Development proposals within existing businesses and new small scale businesses will be supported if they meet criteria listed in the policy.	Loss of habitat with potential for barbastelle roosts. Loss of a significant roost would cause impacts alone and in-combination.
Policy IC8: Protect or enhance community facilities	B	Proposals to encourage retention, improvement or reuse of facilities including Assets of community value will be strongly supported	Category B – no significant effect.

Conclusion

The HRA screening in Table 1 concludes that the Draft West Dean / West Tytherley Neighbourhood Plan **does require a full Habitats Regulation Assessment Appropriate Assessment** to be undertaken.

April 2020