

Habitats Regulation Assessment (HRA)

Respondent number	Comment	Officer comment
ANON-KSAR-NKZG-B	LEFT NO COMMENT	Noted
ANON-KSAR-NKKA-P	<p>The area North of Rareridge lane, between the gardens and the National South Downs Park is home to so much wildlife such as several species of deer, badgers, birds, butterflies, moths, snakes etc. When Rareridge close was developed and after the development next to the poets estate was built the planning department were very precise in telling residents that it would not allow building beyond the north boundaries of Rareridge Lane gardens because they would be visible as a skyline, right up to the N park boundary.</p>	<p>The responses to the comments on the HRA have been summarised and responded to in Appendix A of the IIA. The full document can be found here.</p>
BHLF-KSAR-N86F-K Natural England Link here	<p>Comments on the Habitats Regulations Assessment (HRA) - Air Quality Paragraph 5.34 concludes that there is currently insufficient traffic data to quantify the effects on the Local Plan on roads within 200m of designated sites. We would expect the plan to address the impacts of air quality on the natural environment. It should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (Sustainability Appraisal (SA) and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable. Natural England advises that one of the key issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.</p>	<p>The responses to the comments on the HRA have been summarised and responded to in Appendix A of the IIA. The full document can be found here.</p>

	<p>The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic⁸, which feature habitats that are vulnerable to nitrogen deposition/acidification. APIS provides a searchable database and information on pollutants and their impacts on habitats and species.</p> <p>It is advised that assessment, alone and in combination with other plans and projects, should be carried out in line with Natural England guidance that provides a simple step by step approach to assessing road traffic emissions under the Habitats Regulations. All designated sites that may be impacted by the affected road network within a reasonable buffer zone should be screened in for consideration under the Local Plan appropriate assessment. Please note that the method for assessing in combination effects has changed in the past few years due to a number of high profile appeal decisions. They include the following: The Wealden Judgement; The People Over Wind Case; and CJEU Ruling in The Netherlands Nitrogen and Agriculture Cases C-293/17 and C-294/17. As such we would be looking for a more detailed in-combination assessment with other plans/projects in the area and with Local Plans. Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear. For further information please see this report from Air Quality Consultants (AQC) that looks at ammonia emissions from roads for assessing impacts on nitrogen-sensitive habitats. Whilst we are aware that the current CREAM model created by AQC used to assess ammonia emissions from road traffic has not been peer reviewed, at this</p>	
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	<p>time it has been recognised as a Best Available Tool and we deem it appropriate to be used where any caveats associated with this model are also considered within the assessment. An assessment based on the best available approach is necessary. The next stage of assessment can then consider uncertainties in the model and site specifics to decide if mitigation needs to be considered.</p> <p>It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.</p> <p>Natural England will be happy to advise further as the Plan progresses.</p> <p>- Water Quality Nutrients</p> <p>The HRA does not include nitrogen and phosphorus budgets arising from the Local Plan.</p> <p>It is Natural England's advice that a Plan-level nitrogen and phosphorus budget is calculated, and a suitable mitigation strategy is devised to ensure the total housing provision over the local plan period will achieve nutrient neutrality in order to ensure impacts on protected sites will be avoided. Mitigation can be delivered via several different on-site or off-site options, including delivery of nature-based solutions such as land use change to natural habitats, delivery of community orchards, constructed wetlands or vegetated riparian buffers. Other options may include the implementation of improved technology at wastewater treatment works or retrofitting of older less efficient works with newer models. Such options may come forward via on-site provision within development sites, or by a local authority-led schemes within the appropriate catchment. Other wider strategic schemes approved by the local authority and Natural England may also be available and where these are relied upon it is advised that credits are secured/reserved to ensure that there is adequate supply available for the local plan growth. Bespoke solutions at Neighbourhood plan or development level can also come forward. We encourage the Council to seek to allocate land</p>	
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through the local plan process to strategically address the impacts of nutrients from new development on the River Itchen SAC and Solent marine designated sites.

Surface run-off

The Appropriate Assessment concludes that affects arising from direct pollution via surface water-run off can be sufficiently mitigated by policies NE1, NE5, NE17, D5 and D8. Please see our comments under Policies NE6 and NE17 above regarding incorporation of SuDS features.

- Recreational Disturbance – Solent designated sites

Paragraph 5.48 refers to the strategy for the Solent Recreation Mitigation Partnership (SRMP), now known as Bird Aware Solent, which requires developers' contributions within 5.6km of the coast to address the in-combination effects of recreational disturbance from new development on the Solent SPAs. A significant area of the Winchester District lies within 5.6km of Solent & Southampton Water SPA; new housing within this zone will be required to address these impacts. The partnership prepared a strategy that was published in 2017 that aims to prevent bird disturbance from recreational activities. It seeks to do this through a series of management measures which actively encourage all coastal visitors to enjoy their visits in a responsible manner, rather than restricting access to the coast or preventing activities that take place there.

The Bird Aware project is set to run until 2034 and its mitigation capacity has been assessed at 63,684 homes. Winchester's housing need was calculated at 3375 homes based on the Partnership for Urban South Hampshire (PfSH) Spatial Position Statement 2016. This is likely to lead to a shortfall of mitigation during the Plan period. Natural England is considering this issue and engaging with the Bird Aware project board and PfSH Stakeholders on the way forward.

We advise that Winchester City Council consider within their HRA the level of forthcoming housing that will be covered by the current Strategy

and work out any remaining capacity that is left. Any identified shortfall in the latter stages of the Plan period is likely to require further mitigation. We will continue to engage with Winchester City Council on this issue.

- Recreational Disturbance – New Forest designated sites

We advise that the HRA Screening document refers to recent studies and analysis conducted by Footprint Ecology, a national leader in the field of recreational impacts on protected sites, the impact of recreational activities of the special interest features of the New Forest designated sites. A series of reports focussing on different aspects of the work were published and these can be found on the New Forest National Park Authority website here. The work identifies that visitor levels at the sites (and associated impacts) will increase by a predicted 11.4% with new housing coming forward over the period 2018-2036. The majority of visitors to the New Forest designated sites originate from within a straight-line 13.8km radius (the zone in which 75% of visitors live). Additional visitors will be likely through tourism.

The Zone of Influence report provides clarification and advice relating to the establishment of an appropriate 'zone of influence' or 'catchment area' within which visitors from new development are likely to have a significant impact on the New Forest. It makes several recommendations including use of the 75th percentile to define a zone of influence (i.e. the 13.8km zone), with scope to adjust this to reflect particular circumstances; it recommends the exclusion of several districts from the 13.8km zone based on low visitor levels – this includes the district of Winchester. It also recommends that large developments just outside of the zone of influence, particularly those within 15km of the protected sites, should be subject to Habitats Regulations Assessment (HRA) and that mitigation may be required.

Natural England agree with the above recommendations and we therefore advise your Council that large development in Winchester district, within 15km of the New Forest designated sites, assess impacts

	<p>on a case by case basis via HRA in consultation with Natural England. We advise this applies to EIA development so that any potential effects from significant residential (or touristic) development is captured. Mitigation, where assessed as required, may take the form of provision of very high quality local greenspace and/or a per dwelling contribution towards direct measures at the designated sites to address residual impacts.</p> <p>The HRA Screening acknowledges the main points above, but concludes the Draft Local Plan is not considered likely to significantly affect the New Forest SAC/SPA/Ramsar either alone or in-combination with other plans and projects. Natural England disagree with this conclusion and would advise the Plan screens in this impact pathway, taking it through to Appropriate Assessment and outlining the suitable mitigation options.</p> <p>Other comments</p> <p>European Sites are now referred to as 'Habitats sites' in the context of planning policy.</p>	
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