

Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA)

PLEASE NOTE: Undertaking the HRA process is the responsibility of Havant Borough Council as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	30/04/21
HRA completion date:	02/06/21
Application reference:	APP/21/00222
Application address:	Northwood Farm, Northwood Lane, Hayling Island, PO11 0LR
Application description:	Erection of Grain Store
Lead Planning Officer:	Tina Pickup
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017 (as amended).	

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	▪ Chichester & Langstone Harbours Special Protection Area (SPA) ▪ Chichester & Langstone Harbours Ramsar site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar ▪ Portsmouth Harbour SPA ▪ Portsmouth Harbour Ramsar ▪ Solent and Isle of Wight Lagoons SAC (Hereafter known as the Solent European Sites)
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.
Are there any other projects or plans that together with the planning application being assessed could affect the site?	Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity in combination with other development in the Solent area due to increase in recreational pressure. All new housing development that would drain to the Budds Farm or Thornham Wastewater Treatment

	Works due to increase in nitrogen deposition leading to a reduction in water quality. The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire.
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Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Affect on SPA Core Site H60N and Construction Activity and Noise Impacts

The proposed development is adjacent the Solent Waders & Brent Goose Strategy site, Core Area H60N. Core Areas are considered essential to the continued function of the SWBG ecological network and unmitigated loss is not permitted.

The proposed grain store and associated hardstanding for access would not result in any direct loss of the Core Area but would be sited immediately adjacent the south-west corner.

During construction works there would be the potential for noise and activity associated with the construction process to cause disturbance of qualifying bird species present on site. As a result, there would be a likely significant effect to the following European Sites due to construction noise and activity:

- Chichester and Langstone Harbours SPA
- Chichester and Langstone Harbours Ramsar site

Would the proposal lead to a likely significant effect on European site integrity?

Yes, due to construction impacts and potential for noise and visual disturbance.

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.

To avoid any adverse impacts on the function of the adjacent SPA land a Construction Environmental Management Plan (CEMP) has been submitted, outlining the following precautions:

- Construction will not take place during the overwintering period (i.e. October to March inclusive)
- Construction will take place using standard farm machinery that is used at the site all year
- No loud piling equipment will be used or necessary
- Construction materials to be stored within existing farm complex, not on fields
- Waste Disposal will be via current farm recycling and waste collection
- No significant change to dust or noise of normal farm practices anticipated

It is further noted that 2 existing trees between the proposed grain store and Core Area will remain and provide some long-term visual buffering of the proposed building.

With the above mitigation measures provided in the CEMP, which will be conditioned, it is considered that the proposed works would be highly unlikely to result in disturbance of SPA bird species on the adjacent Core H60N site. Construction activities would be undertaken outside the overwintering period using regular machinery so the additional impacts would be minimal and would not be likely to result in noise and visual disturbance sufficient to affect any birds within the Core Site H60N.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

This assessment represents Havant Borough Council's Appropriate Assessment as a Competent Authority in accordance with requirements under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework.

This assessment concludes that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above Solent European sites.

The authority has concluded that the adverse effects arising from the proposal can be adequately mitigated for with compliance with the submitted CEMP and construction taking place outside the overwintering period. i.e. October to March inclusive.

Natural England Officer:

Summary of Natural England's comments:

No objection subject to mitigation

The proposals are adjacent to a Core site H60N identified in the Solent wader and brent geese strategy. The Solent Waders and Brent Goose Strategy (SWBGS) aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development

Natural England is concerned that, without appropriate mitigation, the proposed development could have significant indirect impacts upon the qualifying features of the aforementioned designated site due to impacts on the Solent Waders and Brent Goose ecological network.

Appropriate Assessment

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. Provided the measures outlined in the CEMP are approved and secured by appropriately worded condition we raise no further concerns.