

**ADDENDUM TO
INFORMATION FOR
HABITATS REGULATIONS
ASSESSMENT**

**LAND AT MANOR FARM
& COPSEY'S NURSERY,
DENVILLES,
HAMPSHIRE**

JULY 2014

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1.0 INTRODUCTION

1.1 Background

1.1.1 Aluco Ecology Ltd was commissioned by Barratt David Wilson Homes to research the potential for the proposed development on land at Manor Farm and Copsey's Nursery, Denvilles, Havant to have an adverse effect on European designated sites along the Solent coastline. An information for Habitats Regulations Assessment report (HRA) was produced in February 2013 (Aluco Ecology, 2013).

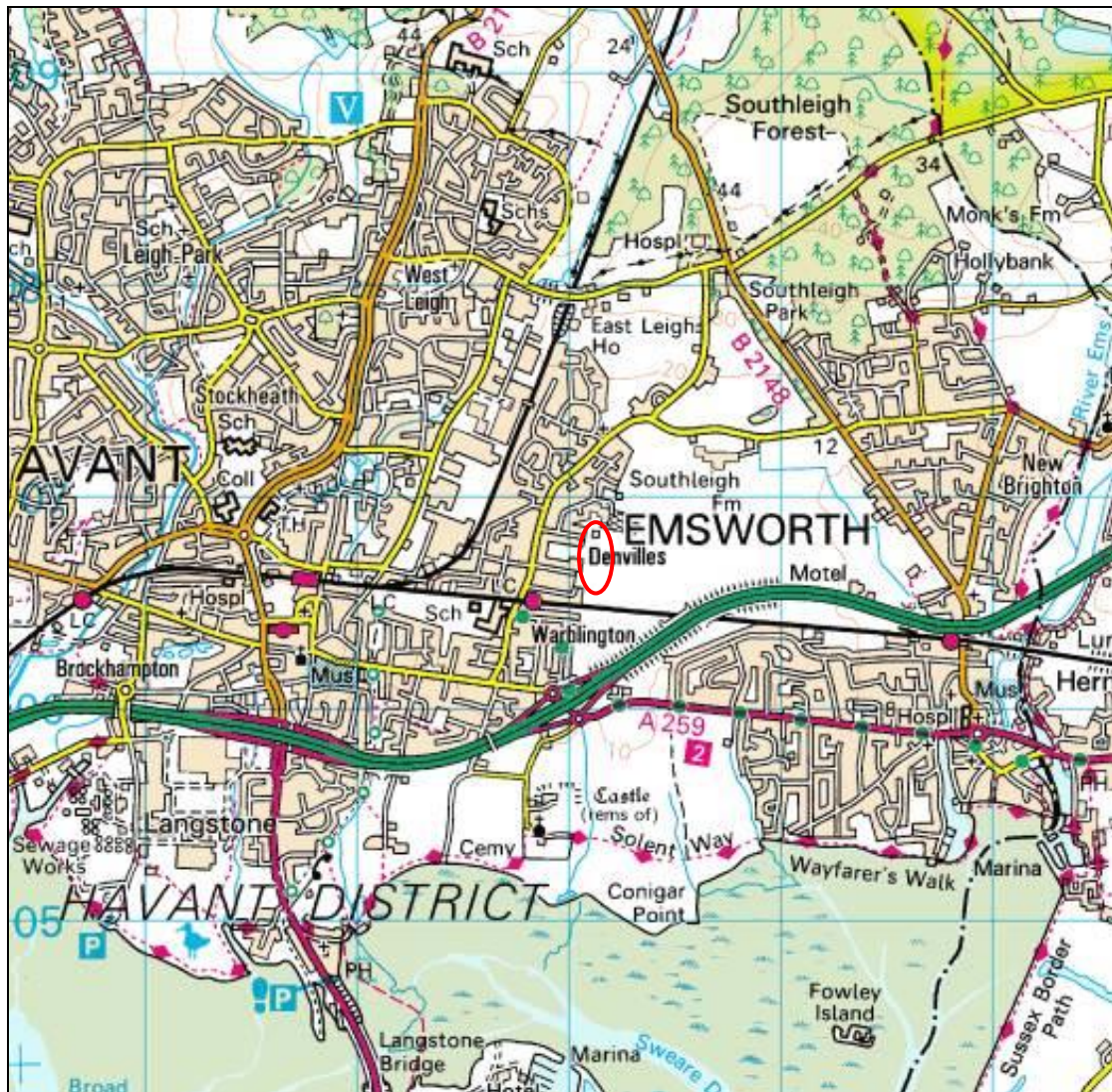
1.1.2 The HRA provided an overview of the relevant research and analysis of this research in relation to the development proposals under consideration in a Planning Application for 191 units on land at Manor Farm and Copsey's Nursery, Denvilles. It set out an avoidance and mitigation package and provided information for Likely Significant Effects Assessment.

1.1.4 The HRA and its conclusions was accepted by Natural England & Havant Borough Council as the Local Planning Authority, and planning permission subsequently granted. This addendum considers a re-planning of a latter phase of the Copsey's Nursery element of the development that includes an increase in housing density to deliver an additional 9 dwellings.

1.1.5 This report therefore provides additional assessment based on the small increase in the proposed development and wider local picture and discusses the potential for effects from the development through an increase in population and resultant potential for increase in recreational type use of the European Sites.

1.2 Outline of the Scheme and Site Location

1.2.1 The site location is shown at **Figure 1** below. **Figure 2** shows the re-plan of an existing phase of the site area to provide an additional 9 dwellings.



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Figure 1: Location of the Site

1.3 Relevant Legislation and Policy

- 1.3.1 The Habitats Directive 1992/43/EC and Wild Birds Directive 1979/409/EEC were implemented by the European Union as a pan European initiative to commit Member States to designate and protect wildlife sites that fell within the criteria adopted, and that these sites would represent a network of the most important and representative wildlife areas in the European Union. The sites are known collectively as Natura 2000/Sites of Community Importance. Under the Wild Birds Directive Member States are required to designate Special Protection Areas (SPAs) for species of bird and their habitats considered of importance. Under the Habitats Directive Member States are required to designate Special Areas of Conservation (SAC) for all other species and habitats considered to be of importance. The Habitats Directive also outlines provisions in Section 6.3-6.4 on the protection of these sites (and SPAs) from Plans and Projects by Member States.
- 1.3.2 In the UK these Directives are implemented into national legislation through the Habitats & Species Regulations 2010. This sets out the tests that a plan or project should go through in

order to ascertain whether it would have a material impact on the designated features of a European Site (i.e. an SPA/SAC). By policy the UK Government also considers sites designated under the International Convention on the Protection of Wetlands Especially as Waterfowl Habitat (the Ramsar Convention, 1971) should be protected by this procedure. In this document 'European Site' is used to refer to the Solent SPA/SAC/marine SACs and Ramsar sites collectively.

1.3.3 The relevant tests for Plans and Projects are set out in Regulation 61-62 of the Habitat Regulations:

Assessment of implications for European sites and European offshore marine sites 61.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which— (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives. (2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required. (3) The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify. (4) They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate. (5) In the light of the conclusions of the assessment, and subject to regulation 62 (considerations of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be). (6) In considering whether a plan or project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given. (7) This regulation does not apply in relation to a site which is— (a) a European site by reason of regulation 8(1)(c), or (b) a European offshore marine site by reason of regulation 15(c) of the 2007 Regulations (site protected in accordance with Article 5(4) of the Habitats Directive). (8) Where a plan or project requires an appropriate assessment both under this regulation and under the 2007 Regulations, the assessment required by this regulation need not identify those effects of the plan or project that are specifically attributable to that part of it that is to be carried out in Great Britain, provided that an assessment made for the purpose of this regulation and the 2007 Regulations assesses the effects of the plan or project as a whole.

Considerations of overriding public interest 62.—(1) If the competent authority are satisfied that, there being no alternative solutions, the plan or project must be carried out for imperative reasons of overriding public interest (which, subject to paragraph (2), may be of a social or economic nature), they may agree to the plan or project notwithstanding a negative assessment of the implications for the European site or the European offshore marine site (as the case may be). (2) Where the site concerned hosts a priority natural habitat type or a priority species, the reasons referred to in paragraph (1) must be either— (a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or (b) any other reasons which the competent authority, having due regard to the opinion of the European Commission, consider to be imperative reasons of overriding public interest. (3) Where a competent authority other than the Secretary of State or the Welsh Ministers desire to obtain the opinion of the European Commission as to whether reasons are to be considered imperative reasons of overriding public interest, they may submit a written request to the appropriate authority— (a) identifying the matter on which an opinion is sought; and (b) accompanied by any documents or information which may be required. (4) The appropriate authority— (a) may seek the opinion of the European Commission concerning the plan or project; and (b) where such an opinion is received, must send it to the competent authority. (5) Where a competent authority other than the Secretary of State or the Welsh Ministers propose to agree to a plan or project under this regulation notwithstanding a negative assessment of the implications for the site concerned— (a) they must notify the appropriate authority; and (b) they must not agree to the plan or project before the end of the period of 21 days beginning with the day notified by the appropriate authority as that on which their notification was received, unless the appropriate authority notify them that they may do so. (6) Without prejudice to any other power, the appropriate authority may give directions to the competent authority in any such case prohibiting them from agreeing to the plan or project, either indefinitely or during such period as may be specified in the direction.

- 1.3.4 With regard to a Planning Application the Competent Authority would be the Local Planning Authority, in this case Havant Borough Council, to consider the potential for impacts and adverse effects on any European Site prior to granting permission for the project to proceed.

1.4 European Sites Subject to this Assessment

Statutory Designated Sites

- 1.4.1 Four European and Internationally important sites (Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Ramsar Sites) are present within 5km of the site, and are summarised in **Table 1** below.

Table 1: Statutory Designated Sites

Site	Status	Distance from Site	Summary
Solent Maritime	SAC	1.4m	Estuarine habitats and species
Solent & IoW Lagoons	SAC	1.4m	Estuarine habitats and species
Chichester & Langstone Harbour	SPA	1.4km	Estuarine habitats and species
Chichester & Langstone Harbour	Ramsar	1.4km	Estuarine habitats and species

1.4.2 Conservation Objectives for Chichester & Langstone SPA/Ramsar are collectively based on maintaining in favourable condition the habitats on which the interest features depend (where they are not related to habitats per se :

- Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of the regularly occurring Annex 1 species, in particular; sand / shingle and shallow coastal waters.
- Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of the regularly occurring migratory species, in particular; shingle, saltmarsh, intertidal mudflats / sandflats and mixed sediment shores.
- Subject to natural change, maintain in favourable condition the habitats for the internationally important assemblage of waterfowl, in particular; shingle, saltmarsh, intertidal mudflats / sandflats, mixed sediment shores and shallow coastal waters.

1.4.3 The Conservation Objectives for the Solent Marine SAC are:

- Subject to natural change, maintain the ‘estuaries’ in favourable condition, in particular: saltmarsh communities, intertidal mudflats / sandflats communities, mixed sediment communities and subtidal sediment communities.
- Subject to natural change, maintain the ‘Cord-grass swards’ in favourable condition, in particular; Small Cord-grass (*Spartina maritima*) communities, Smooth Cord-grass (*Spartina alternifolia*) communities, Townsend’s Cord-grass (*Spartina x townsendii*) communities.
- Subject to natural change, maintain the ‘Atlantic salt meadows (*Glaucopuccinellietalia*)’ in favourable condition, in particular; low marsh communities, mid-marsh communities, upper marsh communities and transitional high marsh communities.
- Subject to natural change, maintain the ‘annual vegetation of drift lines’ in favourable condition.
- Subject to natural change, maintain the ‘*Salicornia* and other annuals colonising mud and sand’ in favourable condition, in particular; annual *Salicornia* saltmarsh communities and *Suaeda maritima* saltmarsh communities.
- Subject to natural change, maintain the ‘mudflats and sandflats not covered by seawater at low tide’ in favourable condition, in particular; intertidal mud communities, intertidal muddy sand communities, intertidal sand communities and intertidal mixed sediment communities.
- Subject to natural change, maintain the ‘sandbanks slightly covered by seawater all the time’ in favourable condition, in particular; subtidal gravely sand and sand, subtidal muddy sand and subtidal Eelgrass *Zostera marina* beds.

1.4.4 The European Sites closest to the proposed development are considered further in **Section 3.2**.

1.5 Screening of Potential Adverse Effects

- 1.5.1 Consultation with Natural England highlighted the potential impacts on European and Ramsar Sites from additional residential development, whereby new residents may use and contribute to increased recreational disturbance issues with a potential likely significant effect on the European Sites (particularly Chichester & Langstone Harbour SPA/Ramsar). The addendum follows this screening and considers the additional 9 dwellings and the potential for disturbance impacts.

1.6 Structure of Report

- 1.6.1 The remainder of this report is set out to provide further summary of the large amounts of information available on the potential for adverse effects to occur on the European Sites in the area.
- 1.6.2 This involves the following:
- Update on the Local Planning Policy Position at Havant Borough Council;
 - Summary of Avoidance and Mitigation Measures for Manor Farm & Copsey's Nurseries.
 - an assessment of Likely Significant Effects on the European and Ramsar sites is undertaken with assessment of avoidance and mitigation measures.



Figure 2: Additional 9 Dwellings from an increase in density of the Development at Copsey's Nursery

2.0 HAVANT BOROUGH COUNCIL AVOIDANCE MEASURES POLICY

2.1 Introduction

- 2.1.1 Following the granting of planning permission in early 2013 for the Manor Farm and Copsey's Nurseries development, the Solent Forum has published its avoidance strategy (SDMP, Phase III, see solentforum.org). This has been considered at a local level in Havant through the production of an Appropriate Assessment of the Core Strategy (Lepus Consulting, 2013 & 2013a). These documents set out the Council's approach to avoidance of significant effects on the European Sites.

2.2 New Policy

- 2.2.1 The Appropriate Assessment sets out a number of new policies relating to the potential for significant effects on the relevant European Sites. The main policy of concern relating to the additional 9 dwellings at Copsey's Nursery is DM24. This is reproduced below:

Box 1: Policy DM24 Recreational Disturbance to Special Protection Areas (SPAs) from Residential Development
 Policy DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

Planning permission will be granted for residential developments that avoid or mitigate a likely significant effect on the SPAs, caused by recreational disturbance through the in combination effect of net additional dwellings. This mitigation can be provided through:

- a) A financial contribution.
- b) A developer provided package of measures associated with the proposed development designed to avoid any significant effect on the SPAs subject to meeting the tests of the Habitats Regulations.
- c) A combination of measures in (a) and (b) above.

Where these measures cannot be provided development proposals will be refused, unless the applicant can show, subject to meeting the tests of the Habitats Regulations, that there would not be an adverse effect on the integrity of the SPAs.

The provisions of this policy do not exclude the possibility that some residential schemes, due to their size/and or location, may require individual assessment under the Habitats Regulations on advice from Natural England and additional site specific avoidance or mitigation measures.

Box 1: New Policy Relating to Recreational Impacts on European Sites (Lepus Consulting, 2013 at p26)

- 2.2.2 The Appropriate Assessment goes on to detail the measures and procedures for developments to ensure that they comply with the policy so that there is no significant adverse effect on the European Sites. It is based on the Phase III SDMP report, where a number of options are set out for avoidance and mitigation of residential development. These are reproduced in **Box 2** below:

Measure	Year	Notes
A delivery officer	1	A high priority to get established quickly in order to get other projects off the ground. Employed at start, initially on a 3 year contract
A team of wardens/rangers	1	Employed after delivery officer, once branding and other elements (were staff to be based) are organised by delivery officer. A 'quick win'
A coastal dog project	1	Project started in first year, one of first roles for delivery officer. Will take a few years to become established. A 'quick win'
A review of parking and access points	1	Undertaken by delivery officer and by warden team (or external body). Initiated in first year, may take some time to collate.
A review of watersport zones/watersport access	1	Undertaken by delivery officer and by warden team (or external body). Initiated in first year, potentially would take a year to complete
Codes of conduct pack	2-3	Informed by the review of zones and access.
Series of site specific projects	3+	Clarity on site specific projects will come following the review of parking and the review of watersports. Once the strategic measures are in place it will be possible to hone in on particular locations where there are issues
Watersport permits & enforcement	3+	Monitoring data will provide information on where there are particular issues and enforcement may be required. Implementation of these elements will therefore be directly linked to impacts picked up in the monitoring
Sangs/additional gi/alternative roost sites		These measures will be opportunity led

Box 2: Avoidance & Mitigation Measures (from Liley & Tyldesley, 2013, Table 3 at p44)

2.2.3 The Havant Appropriate Assessment goes on to suggest that the measures can be relied on by a development proposal whereby either:

- a contribution can be paid to the developing mitigation programme (as set out in the report and reproduced here as Box 2); or
- a development proposal can contribute directly to one or more of the mitigation measures, and this may be acceptable in lieu of a financial contribution, for example at section 5.2.10 'This may suit a landowner with extensive land that might be possibly managed in the long term as a SANG or some such resource that contributes to mitigating effects in accordance with the principles...'; or
- a combination of the above two options may also be possible.

2.2.4 The distance from the European Sites for which this policy affects is given as the entirety of Havant Borough Council area, on the basis that there is only very limited land outside of 5.6km from the coastal sites.

2.3 Habitats Regulations Assessment 2010

2.3.1 In terms of disturbance effects on European Sites, the 2010 HRA for Havant Borough Council, (UE Associates, 2010) was considered in the original HRA for the Manor Farm & Copsey's Nurseries site (Aluco Ecology, 2013). The 2010 Assessment provided a form of words for provision of suitable alternative natural greenspace for avoidance and mitigation purposes, and that it should tie in with Green Infrastructure policy. This is reproduced in **Box 3** below:

"It is recognised that the provision of alternative natural greenspace, to relieve recreational pressure upon sensitive European sites in South Hampshire will need to be provided in order to ensure that the levels of growth proposed within the Core Strategy do not result in adverse effects upon European site interest features. This provision of alternative natural greenspaces will need to be over and above that provided for public open space in accordance with national policy. This will include the development and implementation of a green infrastructure strategy in order to improve local access to informal open spaces, the countryside and the coast, in less sensitive areas which are easily accessible to the present and future populations living in the urban areas of Havant and south Hampshire, and the provision of new alternative natural greenspaces for people to enjoy a similar experience to that found at the European sites. This could include the provision of new country parks or similar resources (such as planned for Havant Thicket), coastal zone management and improvements to existing open spaces such as Forest of Bere, Catherington Down (in conjunction with East Hampshire district), Portsdown Hill and Southsea Common (in conjunction with Portsmouth), and along the stream corridors at Leigh Park and West Leigh, to increase their attractiveness to local visitors. It could also include designating certain areas (such as important bird feeding and roosting areas) as a priority for nature conservation over recreational use, and managing and enhancing such areas accordingly." (See also **Chapter Ten**).

Box 3: Summary of HRA Avoidance & Mitigation Measures with specific reference to SANGS (UE Associates, 2010 Table 11.2b at p77)

3.0 SUMMARY OF SITE SPECIFIC AVOIDANCE AND MITIGATION IN THE HRA FOR MANOR FARM & COPSEY'S NURSERIES

3.1 Introduction

- 3.1.1 The HRA for the development of 191 dwellings (Aluco Ecology, 2013) considered the overall picture that the research outlined (eg SDMP, and Havant Council HRA, Green Infrastructure) in order to focus on the local picture in Havant.
- 3.1.2 This identified the lack of green infrastructure in Havant and the need to increase provision. This provision could be fulfilled by a SANGS site, and the development of 191 dwellings provided a new SANGS site. The green infrastructure for the development included a total provision of 3.36ha, which included informal open space element of 2.6ha, a formal open space element of 0.25ha and an allotment provision of 0.49ha.
- 3.1.3 In doing this the development site HRA considered the local situation at the coast and European Sites, the likely recreational impacts, the proximity of existing formal and informal alternative green infrastructure in the local area, and the potential to provide a new area of green infrastructure that was previously private on land that could be enhanced for ecological, landscape and recreational opportunities, and did not currently provide supporting habitat for the Waders or Waterfowl.
- 3.1.4 The summary of the assessment stated the following (Aluco Ecology, 2013 at section 3.3.5):
- The closest point from the European Sites to the proposed development is 1.4km;
 - Access along the coast here is possible on road and only nearer the coast through the rights of way network;
 - Parts of the European Sites closest to the proposed development are under the control and management of conservation organisations with the nearest area of coast not known for particularly notable concentrations of waterfowl or particularly sensitive uses such as high tide feeding areas and roost;
 - The most popular areas locally for visitors are Hayling Island and the National Trust sites at West Wittering/East Head;
 - Other parts of the harbour are under private, third party and Council/Conservancy ownership;
 - Popular coastal areas (such as Hayling Island) and the AONB are open for informal public recreation;
 - Green space provision around the proposed development is very limited;
 - Formal recreational space is proposed on the development site which will increase provision within the local area for all residents;
 - Close to home walks are generally favoured for daily and especially weekday use, the nearest coast is beyond the normal distance that the majority of residents will walk for regular recreational use;
 - The new Open Space provides a 1km circular walk on an all-weather path surface in addition to open play areas suitable for energetic ball and retrieve exercise for dogs. The new open space provision has been designed for a range of walk lengths due to

interlocking path networks and open nature to provide a safe feeling environment. Dog bins will be provided and regularly serviced to ensure a clean walking environment.

- Due to the lack in local recreational / dog walking areas the proposed new open space will also provide for and be used by existing residents of local housing. This will provide a positive impact in reducing indirect recreational pressure at the coast, especially in relation to weekday and functional walks such as dog walks from existing local housing.

3.1.5 The assessment went on to provide detailed design of the avoidance and mitigation package for the development. This is summarised in **Figures 3 & 4** and **Box 4** below, reproduced from the HRA (Aluco Ecology, 2013).

3.2 Summary of Likely Significant Effects Information Assessment (Aluco Ecology, 2013)

3.2.1 To summarise, the likely significant in-combination assessment from the HRA for the development site showed that:

- Local area research demonstrates the current development proposals are a distance away such that they fall within the general use pattern of the coastal sites,
- The site is outside the main range of 'by foot' coast visits for daily functional walks, with the addition of railway lines and the A27 to cross which is likely to further influence local 'by foot' movement,
- The local circumstances, backed up by questionnaire survey data in the local area suggests that there is benefit from providing alternative recreational resources within close walking distance from homes and that these new resources would be used by the new residents and local existing residents as there is a minimal existing local open space provision,
- At the local coastline, there are 'natural' access restrictions from car visits, such as Warblington Church area. Once in a car there is the obvious draw of the beach areas on Hayling Island or East Head.

3.2.2 And it concluded; With the scheme providing such onsite recreational provision for the new and existing local houses, the potential for it to contribute to significant in-combination disturbance to the features of the SPA/Ramsar (see Section 1) is avoided and any recreation use is therefore considered de minimis.

Design of Open Space

The design of the open space has focused on the following aims:

- To provide a suitable informal open area for local residents for recreational purposes;
- Circular dog walk, general open play areas, features and interest on the walk
- To significantly increase existing local open space resource;
- To provide future benefits to local wildlife;
- To assist and complete the local landscape.

A plan of the layout of the proposed open space is provided at **Figure 3-4** below. Whilst design has taken in the principals of the Thames Basin Heaths suitable alternative natural space criteria 'SANGS', it has not rigidly stuck to these criteria although the design does meet the majority of the criteria (Natural England, 2007).

One of the main features of the open space is to provide additional habitat and features of interest on the walk. Informal walkways through the open space will enable a circular route of 1km on site through the different habitats planned on site.

Provision of native locally sourced species within the landscaping of the scheme and particularly within the open space area to the eastern end of the scheme will provide new habitats for wildlife on the edge of the site. The natural habitats will extend to the offsite boundaries to provide suitable corridors for wildlife.

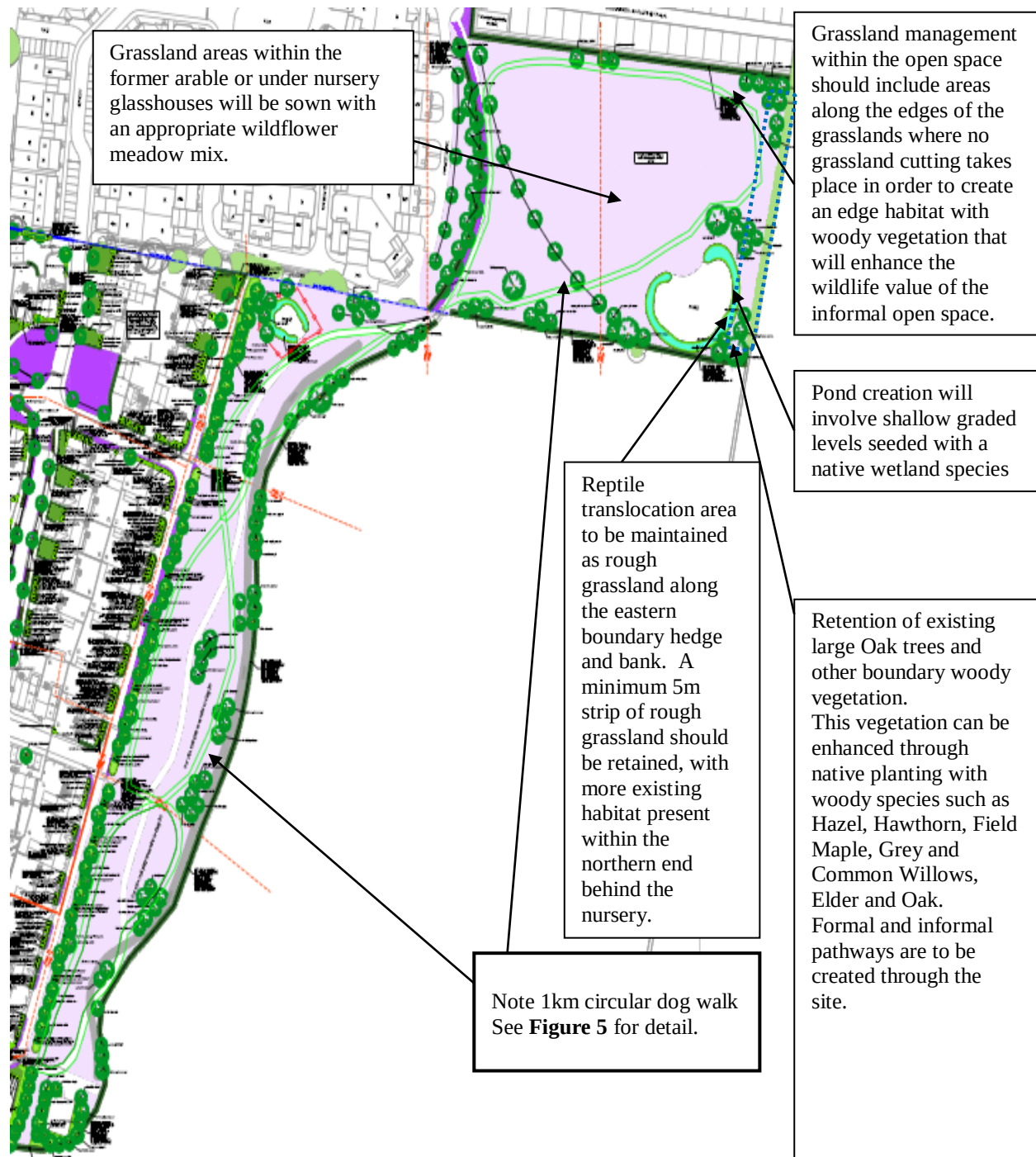
Two new ponds will be created on site as part of the surface water strategy. These ponds will be designed to have shallow edge profiles and will have the surrounding area planted with native species vegetation mixes providing focal points along the walking routes.

Benefits to the local bat and bird communities will arise from the proposals, by providing new roosting and nesting opportunities, through the provision of bat and bird boxes that can be located in the mature trees just off site and in the buildings to be constructed.

The eastern boundary hedge, the ditch line and the 5m retained habitat strip will be enhanced for wildlife. The hedge will be cut every three years in an 'A' shape to provide additional habitat at the base of the hedgerow and bank.

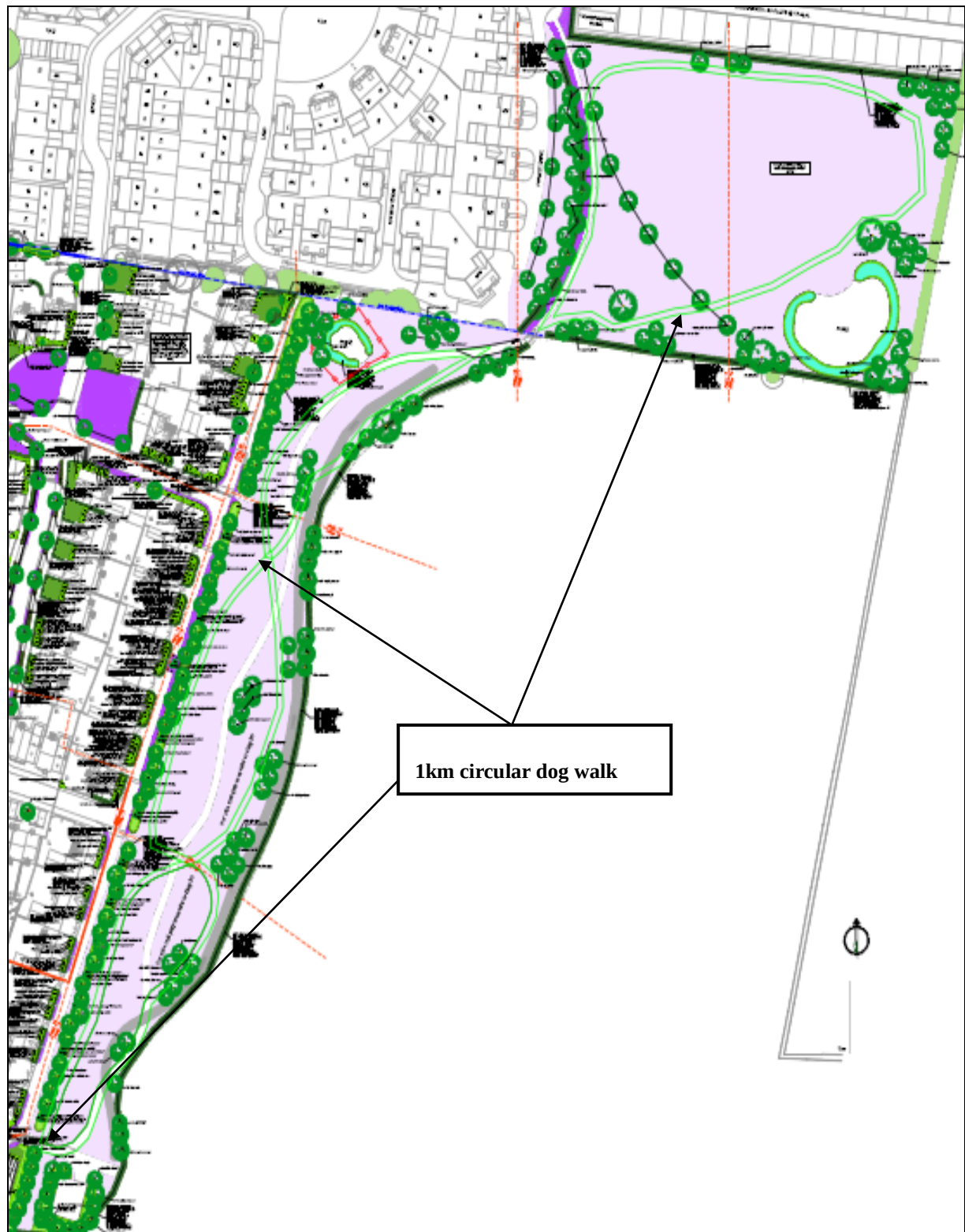
Figure 3-4 below shows enhancement potential. This will be developed in a management plan for the retained and created open areas, which will include ecology prescriptions and management options.

Box 4: Design of Avoidance & Mitigation Measures (From Aluco Ecology, 2013, Section 4)



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Figure 3: Mitigation and Enhancement



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Figure 4: Enlarged to show walk detail

5.0 POTENTIAL LIKELY SIGNIFICANT EFFECTS TO EUROPEAN SITES FROM DEVELOPMENT PROPOSALS FOR THE ADDITIONAL NINE DWELLINGS

5.1 Introduction

- 5.1.1 This section provides information for the formal screening process within the Habitat Regulations 2010. The assessment includes potential mitigation measures outlined above, as well as avoidance measures, as case law (e.g. Hart District Council v (1) Secretary of State for Communities & Local Government, (2) Luckmore Ltd, (3) Barratt Homes Ltd) ‘the Dilly Lane’ case, provides for assessment of Likely Significant Effects to include such mitigation as well as avoidance measures.
- 5.1.2 The assessment of Likely Significant Effects alone or in-combination considers the whether the development proposals are likely to have a significant effect (including any avoidance and mitigation measures documented or offered as a part of the scheme) on the features of the European & Ramsar Sites and their conservation objectives (see Section 1).
- 5.1.3 The main issues that have through consultation have requested that further information is how the additional increase in the density of the development to provide an additional 9 dwellings will provide and contribute to a potential likely significant effect on the European Sites (particularly Chichester & Langstone Harbour SPA/Ramsar);
- 5.1.4 The assessment of Likely Significant Effects alone and in-combination can be considered in the light of the additional local information and extensive background research undertaken and summarised above (and in Aluco Ecology, 2013).
- 5.1.5 The conclusions of this assessment can be used by Havant Borough Council as information for their Habitats Regulation Assessment on the proposed planning project, and whether they would be required to undertake an Appropriate Assessment under the Habitat Regulations 2010.

5.2 Increase in Population and Amount of Avoidance & Mitigation Measures

- 5.2.1 The additional 9 dwellings from the increase in density of the development (see **Figure 2**) is likely to see an increase in the population of 22 people. This is based on an average of 2.4 people per dwelling. This represents a c5% increase in the population of the new development (existing permission of 191 dwellings) as a result in the density changes.
- 5.2.2 The open space strategy for the site of 3.36ha, including the 2.6ha of informal recreational provision, is more than two times the green infrastructure policy requirement, and the excess in open space, with the design of this open space provides the avoidance and mitigation measures that were accepted for the development of 191 dwellings on the site.
- 5.2.3 The increase of 9 dwellings and the associated c5% increase in population of the development proposals is considered likely to be seen as de minimis when considering the uncertainties in

providing specific measured avoidance and mitigation measures on impacts as diffuse as indirect effects of increases in recreation along the coastal European Sites. The measures proposed already build in a precautionary buffer to ensure that the longer term impacts are not significant.

5.2.4 The updating of Havant Borough Council policy in response to the Solent wide mitigation strategy published in 2013 has also been considered in light of the increase in density of the development and proposed 9 new dwellings. The updated Appropriate Assessment (Lepus Consulting, 2013, 2013a) provides a mechanism whereby measures such as site specific SANGs can be used to avoid and mitigate potential for adverse effects alone or in-combination. This is reflected in the new policy DM24.

5.2.5 The SANGs provided at Manor Farm & Copsey's Nurseries was developed having regard to the previous HRA assessment policy (UE Associates, 2010). This recognised the under provision of Green Infrastructure in the Borough, and the provision here not only provides new residents with informal and formal recreation and outdoors opportunities, but provides existing residents with a new open space feature (see Aluco Ecology, 2013).

5.3 Likely Significant Effects in-combination of the Additional 9 dwellings at Copsey's Nurseries

5.3.1 The proposed development is unlikely to have a significant effect alone on the European Sites (including Ramsar Sites) outlined in Section 1 above. The only potential pathway to significant effects and requirements for a detailed Appropriate Assessment are therefore potential for the additional residents to contribute to an in-combination effect from existing use and other proposed developments within the zone of influence of the sites. The likely significant effect in-combination is considered below.

5.3.2 From research into the local situation for the larger development of 191 dwellings at Manor Farm and Copsey's Nurseries (Aluco Ecology, 2013), the wider Solent picture and detailed local picture building up is that users of the most local stretch of coast either arrive on foot or by car. The majority of foot users are from within 1km. Virtually all those on foot are within 1.3km based on local data. The proposed development is outside this for walking to the coast. Therefore in order to contribute to the cumulative or in-combination effect of disturbance at the coast, users from the proposed development the additional 9 dwellings would drive to the coast.

5.3.3 When you look at the local open space resource for the residents in the Manor Farm, Denvilles area compared to the picture shown by other studies, the conclusion may be drawn that users are predicted not to use the coast with any more significance than users within the area. The main motivation for use is availability and accessibility. It is accepted that the development will also lead to residents using the coast along Chichester - Langstone Harbour. However, use of this resource is restricted by access from vehicle users (a key factor), and avoidance measures are already in place. This will serve to limit additional pressure from new development.

- 5.3.4 Looking at the features of the proposed development. The location of the larger development on site with planning permission (191 dwellings) is very well situated and is providing new alternative open space informal recreation resources. This will increase the local area resource with the provision of 3.36ha comprising formal open space within the development (0.25ha), allotments (0.49ha), and the informal open space element which equates to just over 2.6ha. This will provide more than just the direct benefit open space elsewhere would provide. The local site is therefore in a position to provide new access to recreation resources not only for residents of the new proposed development but also locally to existing residents. Local research suggests that residents adjacent to the development would also use the open space and some as an alternative to the coastline.
- 5.3.5 The additional 9 dwellings will result in approximately 22 additional people on the larger development site. This is an increase in c5%. The provision of green infrastructure within the larger development is more than double the minimum policy recommendations and has been designed to incorporate the precautionary principle for avoidance and mitigation measures. As a result it is considered that the increase in the size of population of the development by 22 additional people is unlikely to be detectable within the measures proposed and the additional population.
- 5.3.6 The measures proposed on site will provide a well-used alternative open space recreational resource. The existing local situation regarding access to the coast, with the development being north of the A27, with restricted existing local footpath links, and a current lack of local green space sites, will mean that the provision of informal open space in this location will provide a new local resource of value.
- 5.3.7 To summarise. With the larger scheme providing such onsite recreational provision for the new and existing local houses, the potential for it to contribute to significant in-combination disturbance to the features of the SPA/Ramsar (see Section 1) is avoided and any recreation use is therefore considered de minimis. The increase in this scheme by the proposals to increase density to provide 9 additional dwellings (a c5% increase) is also considered de minimis on the basis that it will be undetectable against the baseline and the degree of mitigation avoidance measures already proposed.
- 5.3.8 Havant Borough Council have through their policy DM24 an additional option that could be considered to provide a part levy on the additional 9 dwellings if there is further information that suggests the increase in 9 dwellings and increase in population by c5% in relation to the accepted avoidance and mitigation measures is not sufficient.

6.0 CONCLUSIONS

- 6.1.1 This report provides an additional assessment of the avoidance and mitigation measures for the Manor Farm and Copsey's Nurseries development that were adopted for the 191 dwellings on the site. The additional assessment is as a result in an increase in density of the development whereby 9 additional dwellings are proposed in a later phase of the scheme.
- 6.1.2 The increase in dwellings is considered insignificant in relation to the existing avoidance and mitigation measures as they provide a large provision of new open space in an area where open space is currently under provided, and that this has been developed in line with the precautionary principle. The open space provision is of a scale to ensure that the additional c5% increase in population of the larger scheme as a result of this application is not likely to have a significant effect on the designated European Sites.

8.0 REFERENCES

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Report Authors

Anthony Blunden MSc CEnv MIEEM

Gareth Knass LLb Hons MSc MIEEM

Aluco Ecology Ltd