

# **Ashington Neighbourhood Plan**

## **Habitats Regulations Assessment Screening Report for Pre-Submission (Regulation 14) consultation**

**June 2019**

## **Introduction**

- 1.1 This report represents a screening of the need for a Habitats Regulations Assessment (HRA) under Directive 92/43/EEC, also known as the Habitats Directive<sup>1</sup>.
- 1.2 HRA is the a two-stage process to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. Firstly, plans or programmes must be screened to determine if they are likely to have a significant effect (and are not plans connected to the management of the European site(s) in question). If it cannot be demonstrated during at the screening stage that the plan or programme will not have significant effects of the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken, which is a much more detailed study of the effects of the plan or programme. The two parts together form a full HRA.
- 1.3 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required.
- 1.4 This report provides a screening opinion on the need for an HRA in respect of the Ashington Neighbourhood Plan.

## **Ashington Neighbourhood Plan**

- 2.1 The purpose of the Ashington Neighbourhood Plan is to provide for the sustainable development of Ashington to make it a key service centre village for residents and surrounding villages. To do this, it seeks to address a set of objectives organised into themes:

### **Transport**

- Reduce reliance on private car by enhancing sustainable transport options including public transport, green linkages and safe crossings.
- Improved accommodation of private cars, through better parking provision in retail, community and housing areas.

### **Environment**

- Conserve and enhance the village's heritage assets. To acknowledge and increase their profile.

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<sup>1</sup> Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

- Protect the green and rural nature of the Parish and its links to the countryside environment.
- Ensure that all new development is designed to protect and enhance the landscape, reduce or minimise flood risk, promote biodiversity and positively enhance the Parish wherever opportunities exist e.g. noise pollution from A24 and flooding at Mill Lane.

### **Economy**

- Develop new local services (including retail, business, education, medical and tourism) and enhance opportunities to support existing services. Create a village centre and consider land and business space for local needs.

### **Community**

- Protect, improve and/or replace existing community facilities and provide additional facilities that meet identified local need or that are required as a consequence of future development e.g. Youth Club, sport provision, Scout Hall, play area, schools.

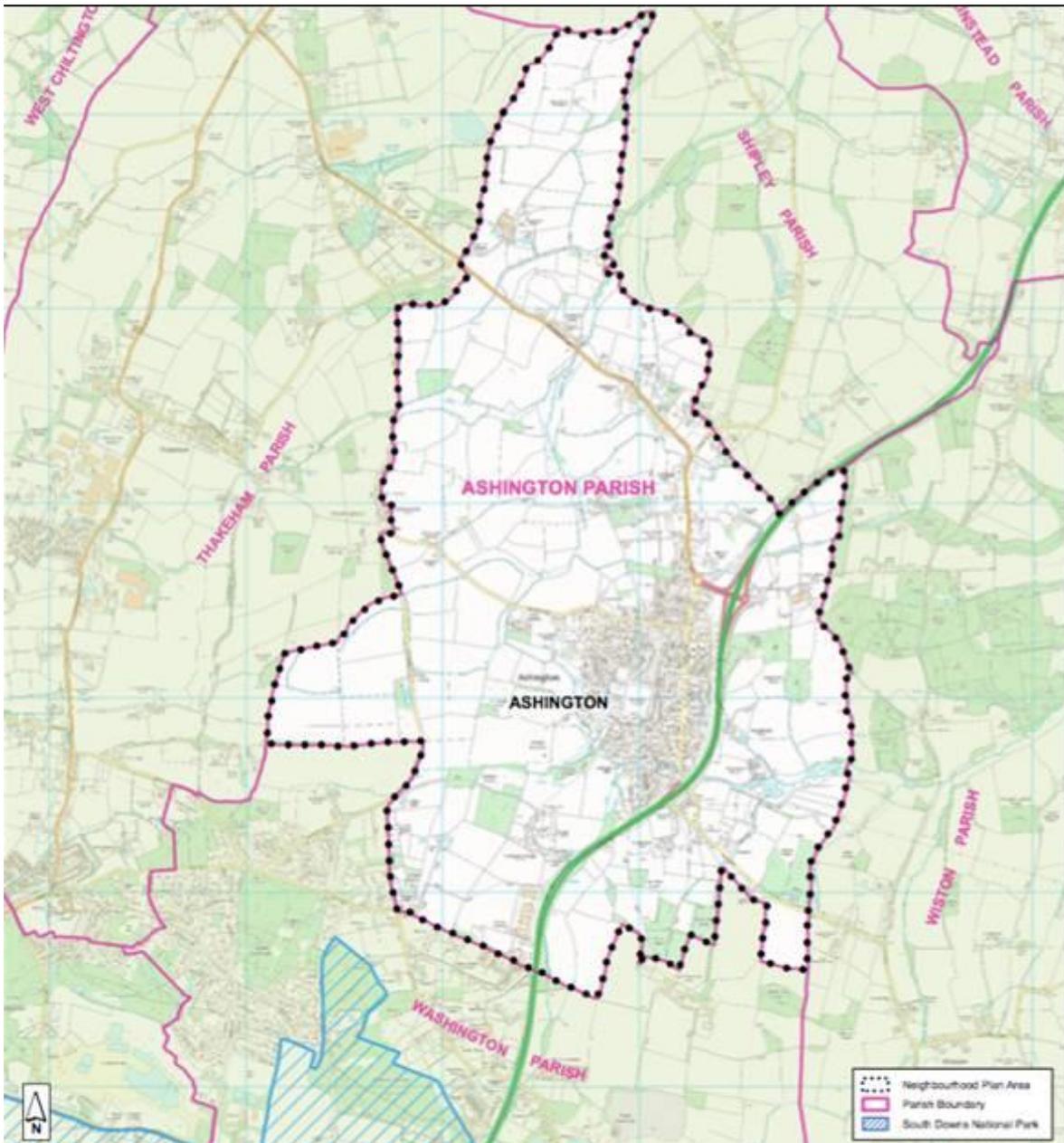
### **Planning**

- Contribute to the HDPF (Horsham District Planning Framework) requirement for new homes by providing housing that meets the current and future needs of the Parish, maximising opportunities for development of sustainable sites e.g. more starter homes and more care homes.
- Recognise the hierarchical relationship between Ashington, its surrounding settlements and the South Downs National Park (SDNP).

2.2 The legislative background set out below outlines the regulations that require this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and whether there is the need for an SEA.

2.3 The designated Ashington Neighbourhood Area is shown in Figure 1.

**Figure 1: Ashington Neighbourhood Plan Area**

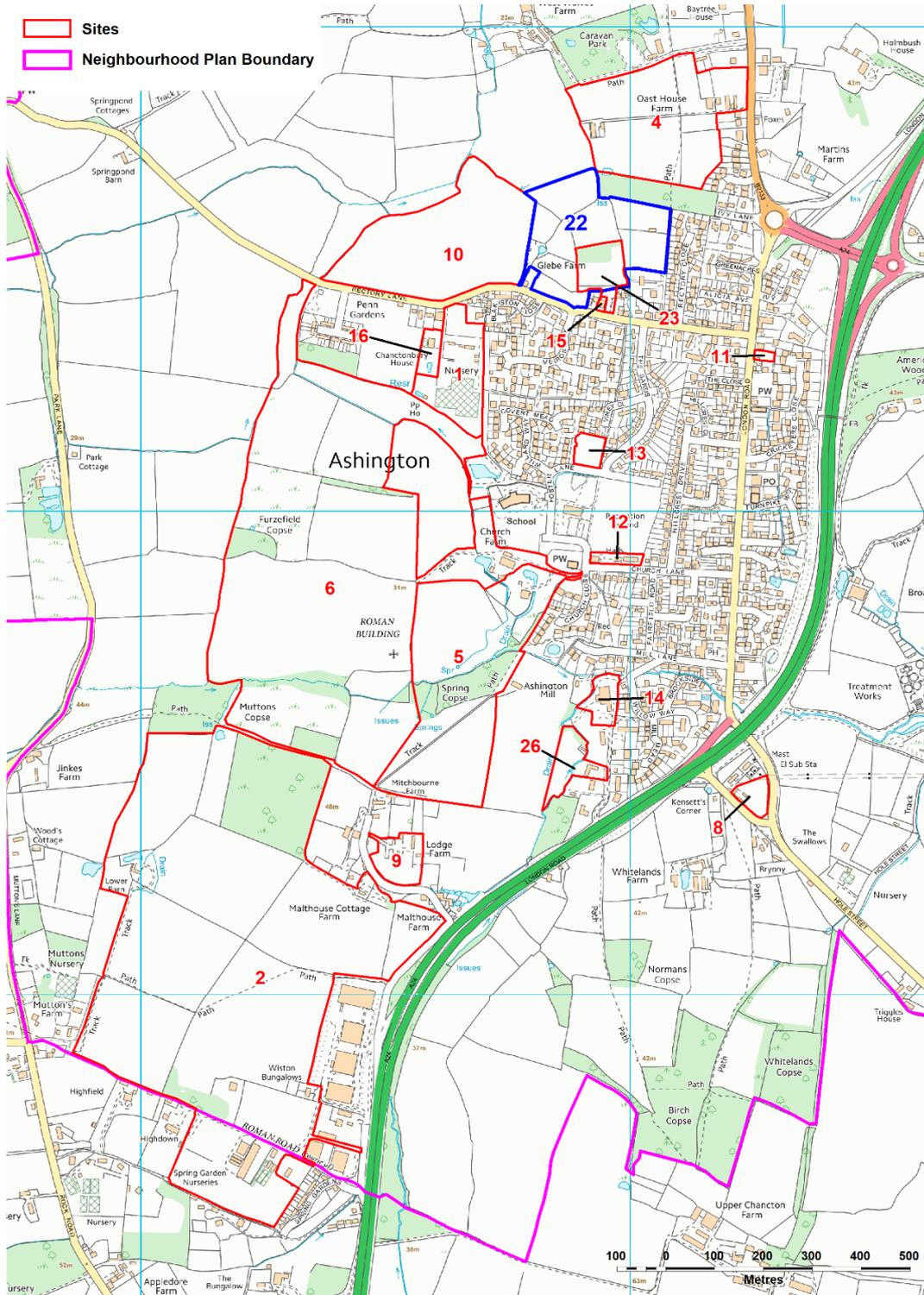


- 2.4 The Neighbourhood Plan covers a 15-year period from 2016 to 2031 and seeks, amongst other things, to specify certain exact locations for development.
- 2.5 The development of the Plan has involved a Call for Sites. This resulted in 28 sites being submitted within the Neighbourhood Area. A number of sites were not taken forward for assessment:
- 5 sites were clearly isolated from the built-up area boundary so were considered to represent unsustainable development.
  - 2 sites did not respond to further requests for information.

- 2 sites were considered too small.
- 1 site was put forward for uses not considered to align with the objectives of the Neighbourhood Plan.
- 3 sites subsequently were granted planning permission for development.

2.6 Two of the sites taken forward were then amalgamated. This resulted in 14 sites being taken forward for more detailed assessment, as shown in Figure 2.

**Figure 2: Sites taken forward for detailed assessment**



2.7 The draft Plan proposes allocations on Sites 1, 5 and 6 totalling approximately 225 dwellings.

## **Background to Habitats Regulations Assessment in Horsham District**

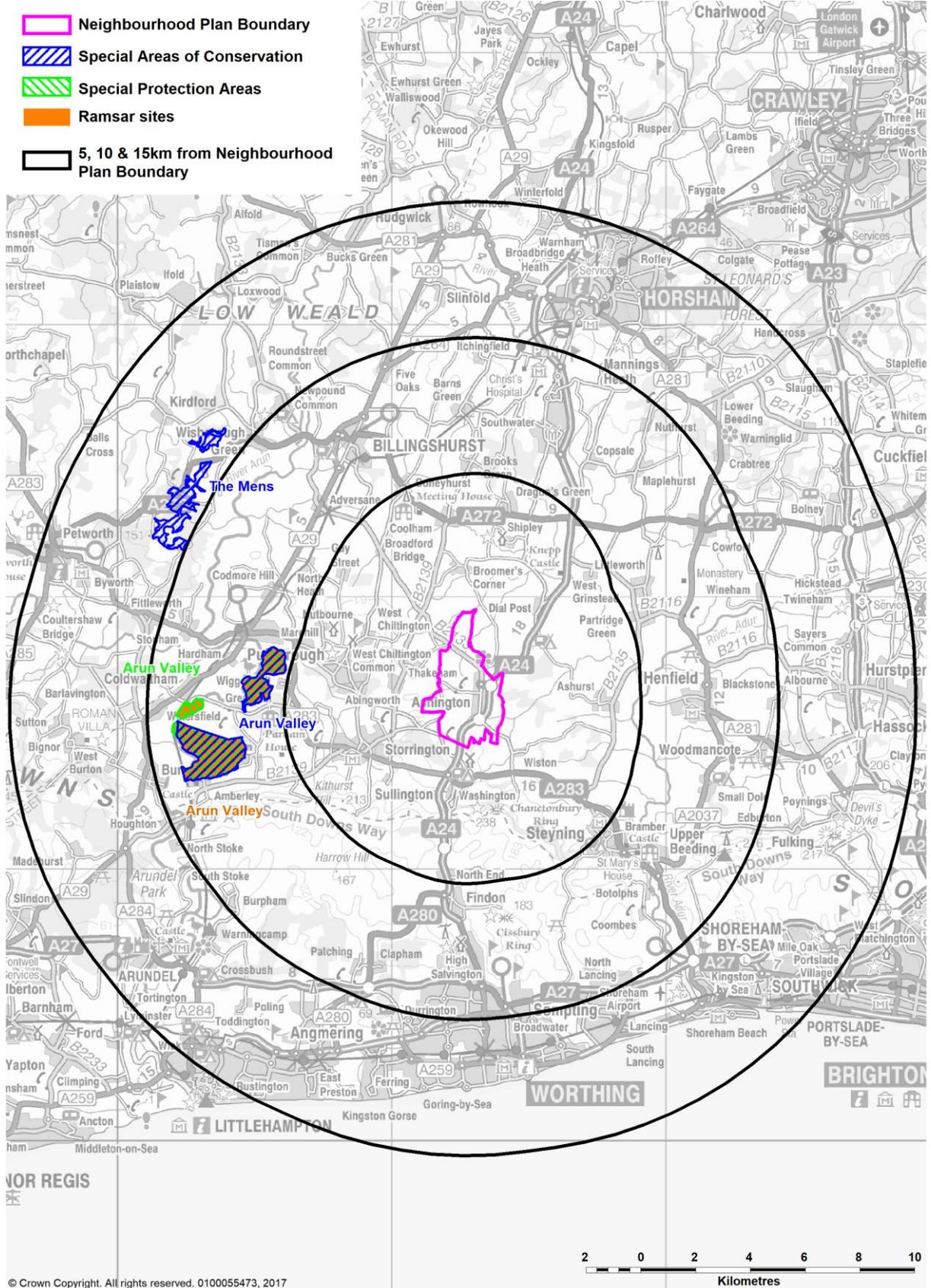
### **Higher level development plans**

- 2.8 Neighbourhood Development Plans do not exist in isolation, and instead sit within the wider national and district level framework for planning. The National Planning Policy Framework (NPPF) sets the broad social, environmental and economic policies in which development can take place. It has a presumption in favour of sustainable development, although paragraph 119 makes it clear this does not apply where development requiring appropriate assessment is being considered, planned or determined.
- 2.9 Within Horsham District, the strategic policies against which planning proposals are considered are contained in the Horsham District Planning Framework (HDPF). The HDPF has been subject to Habitats Regulation Assessment Screening and Appropriate Assessment.
- 2.10 Neighbourhood Development Plans prepared in Horsham District to date have been written to be in conformity with strategic policies identified in the HDPF. In terms of assessing whether Neighbourhood Plans will have any adverse impacts on an international site the starting point for this screening assessment has been the Habitat Regulation Assessment (April 2015) undertaken for the HDPF, and this report should be read in conjunction with that document. This assessment considers the impact of the HDPF requirement for at least 1,500 homes to be identified and delivered through Neighbourhood Development Plans.

### **Horsham District Council Habitats Regulations Assessment, April 2015**

- 2.11 The Habitat Regulations Assessment of the HDPF identified two key international sites which could be impacted by development of the quantum identified in the HDPF. These sites, as they relate to Ashington parish, are shown in Figure 3 and their reason for designation are set out in Table 1 below.

**Figure 3: Location of the Ashington Neighbourhood Area within a 5-15km radius of SACs, SPAs and RAMSAR sites**



**Table 1: International sites**

| Name of site           | Approx. distance from Horsham DC boundary                  | Reason for designation   |
|------------------------|--|--|
| Arun Valley SPA/Ramsar | Inside HDC boundary (but within South Downs National Park) | Internationally important wintering population of Bewick swan. Additionally the SPA qualifies as over winter the area regularly supports 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97).  |
| Arun Valley SAC        | Inside HDC boundary (but within South Downs National Park) | Ramshorn snail ( <i>Anisus vorticulus</i> ) for which this is considered to be one of the best areas in the United Kingdom.  |
| The Mens SAC           | 2km straight line.<br>3.5km by road.                       | Extensive area of mature beech woodland rich in lichens, bryophytes, fungi and saproxylic invertebrates. One of the largest tracts of Atlantic acidophilous beech forests in the south-eastern part of the habitat's UK range. Also supports Barbastelle bats. |

2.12 As part of the screening of the HDPF, it was considered whether other international sites within 20km of the HDC boundary could be affected by development in the District. Taking into account the reasons for the designation of these sites, it was concluded that development of land within Horsham District was too distant to have any impact on their integrity and they were screened out of any further assessment. The sites that will be developed through neighbourhood planning will take place within the boundary of Horsham District. As a consequence these development locations will remain too distant to impact on the integrity other international sites (particularly as the quantum of development was considered through the HRA process), and these sites can remain screened out for further Appropriate Assessment of NDPs.

2.13 As both the Arun Valley and the Mens SPA had the potential to be adversely impacted by the HDPF, it was subject to an Appropriate Assessment. This suggested changes to the HDPF after which it was concluded that the HDPF (alone or in combination with other plans) will not have an adverse impact on the European sites. The impacts and mitigation proposed are summarised in Table 2.

**Table 2: Measures to avoid adverse impacts on the integrity of European sites**

| <b>Site potentially affected</b> | <b>Impact</b>  | <b>Effect</b>  | <b>Mitigation in the HPDF</b>   |
|----------------------------------|--|--|---|
| Arun Valley SPA/SAC/Ramsar       | Increased water demand from new housing.                                     | Low river flows/ groundwater levels and consequent water availability issues in wetland sites.   | HDPF Policy 38 requires that water quality and availability is maintained   |
|                                  | Increased water demand from new housing.                                     | Water quality deterioration in wetland sites, especially eutrophication through high phosphorus levels.  | HDPF Policies 24, 35 and 38 require that there is no pollution of watercourses, groundwater accords with the WFD and necessary upgrades to sewage works are provided before development can take place. |
|                                  | Increased housing development causing faster run-off and higher flood peaks. | Heightened downstream flood risk in wetland sites, damaging vegetation through prolonged deep flooding in winter, while summer floods threaten invertebrates and make essential site management difficult or impossible. | HDPF Policies 35 and 38 require that technically feasible solutions to reduce flood risk is incorporated into development and design measures ensure that water vulnerability is addressed.             |
| The Mens SAC                     | Housing development.   | Disrupted flight paths and feeding areas for bat populations present within sites.   | HDPF Policies 24 and 25 – require development to preserve the integrity of the natural environment and countryside features which support the bat population.   |

2.14 Although it was concluded that the HDPF would not have any impact on international sites, it was highlighted that as the location of some of the homes was not yet known as these would come forward through NDPs and that there was therefore some potential for sites identified in NDPs to have additional impacts on the European sites that could not

be identified as part of the higher level assessment. In particular, it was noted that the parishes of Pulborough, West Chiltington, Thakeham, Storrington and Sullington, are located in close proximity to the Arun Valley SAC/SPA/Ramsar site and/or water courses which flow into the site and these are likely to require especially close examination if any significant proposal was to arise through the Neighbourhood Plan process.

- 2.15 The sites proposed for allocation in the Ashington Neighbourhood Plan do however lie within the designated 'Bat Sustenance Zone' which is a 14km radius from the woodland in which species from this woodland are known to fly and feed (this covers the whole parish). Development in this area could have an indirect impact if feeding/foraging routes are lost. The HDPF has policies (including Policy 31 – Green Infrastructure and Biodiversity) which set out requirements in this respect. It is therefore considered that there are unlikely to be additional impacts arising from the Neighbourhood Plan that would not be covered by the existing HDPF policy framework. Moreover, the issue was screened out of the HDPF HRA as there were no proposals that could clearly have a significant adverse impact.
- 2.16 Air quality has the potential to impact on the integrity of international sites, but it is very difficult to pinpoint the impact of a specific development on an international site. This is because air pollutants have a range of sources, few of which originate in defined projects identified in local plans. The cumulative impact of air pollutants from transport, domestic and industrial development together with transnational sources is however impacting sites such as the Mens SAC, where nitrogen deposition is causing a problem. The issue was however screened out of the HDPF HRA as there were no proposals that could clearly have a significant adverse impact. Nevertheless there is the potential that proposals in NDPs could have specific impacts, and this issue has therefore been revisited.

### **Approach to screening to Ashington Neighbourhood Plan**

- 2.17 In screening the emerging Ashington Neighbourhood Plan the following issues have been considered:
- a. Do any of the proposed policies increase quantum of development beyond 1,500 homes? If this is the case, then additional impacts to sites not assessed in the Appropriate Assessment of the HDPF?
  - b. Will the development locations on the plan have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR or the Mens SAC (including air quality) that cannot be avoided by the application of the policies in the HDPF?
  - c. Are there any additional policies within the plan which could impact alter the mitigation measures set out in the Council's HDPF?
  - d. Do any of the above apply in combination with other plans or programmes?

## **Assessment of the Ashington Neighbourhood Plan**

### ***a. Do any of the proposed policies increase quantum of development beyond 1,500 homes? If this is the case, then additional impacts to sites not assessed in the Appropriate Assessment of the HDPF?***

2.18 As part of the Ashington Neighbourhood Plan, a Housing Needs Assessment<sup>2</sup> was prepared which identified the following ranges of housing that the Plan should, where possible, plan for:

- 123 to 200 dwellings for the period 2017 to 2031
- 167 to 272 dwellings for the period 2017 to 2036

2.19 The draft Plan allocates sites that are expected to deliver at least 225 dwellings. As at June 2019, the number of dwellings allocated in neighbourhood plans (either 'made' plans or plans that are at examination or referendum stage) in Horsham district total 953. The further 225 dwellings proposed in the Ashington Neighbourhood Plan would therefore take the total number of dwellings to 1,178. This is still below the 1,500 dwelling requirement in Policy 15 of the HDPF.

2.20 The overall quantum of development is therefore within that assessed in the HRA of the HDPF and no additional impacts will arise in this respect.

### ***b. Will the development locations on the plan have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR or the Mens SAC (including air quality) that cannot be avoided by the application of the policies in the HDPF?***

2.21 None of the potential development sites being taken forward as draft allocations in the Ashington Neighbourhood Plan directly adjoin the Arun Valley or the Mens woodland. The impacts arising from development are as those identified in Table 2 and the wider air quality issues.

2.22 In respect of air quality, paragraph 9.13 of the HDPF reflects the decision to declare the whole District as an Emission Reduction Area which means all developments in Horsham district must make reasonable endeavours to minimise air quality emissions; this is also reflected in Policy 24 (Environmental Protection). This will prevent any impacts to air quality which could potentially be attributed to these developments.

### ***c. Are there any additional policies within the plan which could impact alter the mitigation measures set out in the Council's HDPF?***

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<sup>2</sup> Navigus Planning (2017) *Ashington Housing Needs Assessment*, for Ashington Parish Council

2.23 The Ashington Neighbourhood Plan has not yet reached the stage where individual policies have been drafted. However, the Plan's objectives do not conflict with the requirements incorporated in the HDPF policies as set out in Table 3 or Policy 24 which addresses air quality issues. The Plan contains two objectives which are expected to result in policies which complement the existing measures. In particular, the objective to promote biodiversity has the potential to assist the retention of bat foraging grounds for the Mens.

***d. Do any of the above apply in combination with other plans or programmes?***

2.24 Question a. considers the total level of development in combination of all neighbourhood development plans. District wide impacts have been considered through the HRA of the HDPF, and this process will continue as other authorities undertake any necessary Appropriate Assessments of their own plans and programmes.

### **Screening outcome**

2.25 The screening assessment which has been undertaken concludes that no likely significant effects in respect of the European sites within 20km of Horsham district will occur as a result of the implementation of the Ashington Neighbourhood Plan. As such, the Neighbourhood Plan does not require a full HRA to be undertaken.

2.26 The outcome of this Screening Report is subject to review by Natural England and Horsham District Council. The Screening Report and subsequent screening opinion may also need to be reviewed if significant changes are made to the Neighbourhood Plan as a result of this review or any other evidence that informs a significant change to the Plan prior to the Pre-Submission Stage (Regulation 14).

