

Draft Kennington and Oval Neighbourhood Plan (Regulation 15 Submission Version)

HRA Screening Assessment

February 2025

1 Introduction

- 1.1 This report sets out the screening assessment of the draft Kennington, Oval and Vauxhall Neighbourhood Plan (draft Plan) submitted for Regulation 16 consultation on 31 December 2024.
- 1.2 The requirement for Habitats Regulations Assessment (HRA) in the UK is set down in the Conservation of Habitats and Species Regulations 2010 (No. 490). The regulations require that authorities assess the effects of land use plans on European sites (Natura 2000) to determine whether there will be any ‘likely significant effects’ (LSEs) on any Natura 2000 sites as a result of the plan’s implementation (either on its own or in combination with other plans or projects). If there are LSEs, the authority will need to undertake an Appropriate Assessment to determine whether or not there will be any adverse effects on the sites’ integrity. This report is stage 1 of the process that screens whether or not the Appropriate Assessment will be required.
- 1.3 There are no European sites in Lambeth borough. European sites that are within 10km of Lambeth (or at least partially within) are: Wimbledon Common (SAC), Richmond Park (SAC), Lee Valley (SAC) and Epping Forest (SAC) (the main Epping Forest site is more than 15km away from Lambeth). Appendix 1 sets out management objectives and qualifying features of these four European sites.
- 1.4 The Lambeth Local Plan has been subject to Habitats Regulations Screening Assessment which concluded that the local plan would not result in significant adverse effects on any European site, nor have an adverse impact on the integrity of the four sites. Should the KOV NP be ‘made’, it would sit alongside the Lambeth Local Plan, the London Plan, and South Bank and Waterloo Neighbourhood Plan. In line with the Basic Conditions, it has to be in general conformity with the strategic policies of the London Plan and Lambeth Local Plan.
- 1.5 Officers from the London Borough of Lambeth (LBL) have previously consulted the Environment Agency, Natural England and Historic England on a draft HRA screening of the Reg 14 Plan. Assessment of the Regulation 14 Pre-Submission NP between 24 April – 31 May 2024. No specific comments were provided by the statutory bodies regarding the draft HRA Screening Assessment.
- 1.6 Given no issues have been raised by the statutory bodies, LB Lambeth concluded the KOV NP is unlikely to have any adverse effect on any European Site, therefore an Appropriate Assessment will not be required.

- 1.7 The changes to the draft Plan are relatively minor in nature. The changes do not result in any new policies or site allocations within the draft Plan. This final version of the plan is tested against the HRA Screening Framework. This report will be sent to the Environment Agency, Natural England and Historic England for comment.

2. Screening Analysis

- 2.1 The policies within the draft Plan have been appraised to assess whether they would be likely to result in significant effects on the four European sites.
- 2.2 Policies have also been assessed against the criteria in Table 1 below (from Tyldesley and Associates 2009) and in combination with other applicable plans. In considering potential impacts the following pathways (routes by which a change in activity within the KOV boundary can lead to an effect upon a European site) were taken into account: recreational causes, urbanisation, impacts on surrounding habitat, atmospheric pollution, water resources and water quality.
- 2.3 Table 2 sets out the reasons why no potential pathway is considered to cause adverse effect. Table 3 sets out the results of the appraisal.

Table 1: Criteria to assist in determining adverse effects on European Sites

Category	Ref	Explanation
Category A: No negative effect	A1	Policies that will not themselves lead to development e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy.
	A2	Policies intended to protect the natural environment, including biodiversity.
	A3	Policies intended to conserve/enhance the natural/built/historic environment, where enhancement measures will not be likely to have any negative effect on a European Site.
	A4	Policies that positively steer development away from European sites and associated sensitive areas.
	A5	Policies that 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	B	Effects are trivial or ‘de minimis’, even if combined with other effects
Category C: Likely significant effect alone	C1	The option, policy or proposal could directly affect a European site because it provides for, or steers, a quantity or type of development onto a European site, or adjacent to it
	C2	The option, policy or proposal could indirectly affect a European site e.g. because it provides for, or steers, a quantity or type of development that may be very close to it, or ecologically, hydrologically or physically connected to it or it may increase disturbance as a result of increased recreational pressures

	C3	Proposals for a magnitude of development that, no matter where it was located, the development would be likely to have a significant effect on a European site
	C4	An option, or policy that makes provision for a quantity / type of development (and may indicate one or more broad locations e.g. a particular part of the plan area), but the effects are uncertain because the detailed location of the development is to be selected following consideration of options in a later, more specific plan. The consideration of options in the later plan will assess potential effects on European Sites, but because the development could possibly affect a European site a significant effect cannot be ruled out on the basis of objective information
	C5	Options, policies or proposals for developments or infrastructure projects that could block options or alternatives for the provision of other development or projects in the future, which will be required in the public interest, that may lead to adverse effects on European sites, which would otherwise be avoided
	C6	Options, policies or proposals which depend on how the policies etc are implemented in due course, for example, through the development management process. There is a theoretical possibility that if implemented in one or more particular ways, the proposal could possibly have a significant effect on a European site
	C7	Any other options, policies or proposals that would be vulnerable to failure under the Habitats Regulations at project assessment stage; to include them in the plan would be regarded by the EC as 'faulty planning'
	C8	Any other proposal that may have an adverse effect on a European site, which might try to pass the tests of the Habitats Regulations at project assessment stage by arguing that the plan provides the imperative reasons of overriding public interest to justify its consent despite a negative assessment

Category D: Likely significant effect in combination	D1	The option/policy/proposal alone would not be likely to have significant effects but if its effects are combined with the effects of other policies/proposals provided for or coordinated by the LDD (internally), cumulative effects would be likely to be significant
	D2	Options, policies or proposals that alone would not be likely to have significant effects but if their effects are combined with the effects of other plans or projects, and possibly the effects of other developments provided for in the LDD as well, the combined effects would be likely to be significant
	D3	Options or proposals that are, or could be, part of a programme or sequence of development delivered over a period, where the implementation of the early stages would not have a significant effect on European sites, but which would dictate the nature, scale, duration, location, timing of the whole project, the later stages of which could have an adverse effect on such sites

Table 2: Potential Pathways to European Sites

Potential pathway to cause adverse effect – Y/ N?	Reasons
Recreational - No	<ul style="list-style-type: none">• Lambeth Borough and South London in general have a number of open spaces available much more locally than any European Sites.• Sites have management strategies, for example Epping Forest which includes licensing for some recreational activities.• Richmond Park is not thought to be sensitive to recreational pressure.
Urbanisation and Impacts on Surrounding Habitats – No	<ul style="list-style-type: none">• Generally, Natural England suggests 400m from an SPA as the distance within which they felt no new development could be allowed because of the general ‘urbanisation’ effects that would be experienced by the SPA.• Given the above general guidance and the distance between Lambeth borough and the four sites (at least 5 km), development resulting from the draft Neighbourhood Plan is unlikely to result in adverse impacts on the integrity of the site.
Atmospheric Pollution – No	<ul style="list-style-type: none">• Natural England has previously advised that vehicular emissions decline exponentially from the road edge, and the concentration of pollutant from roads can be said to have localised impacts up to 200m from the road side.• There are no European Sites within 200m of any roads in Lambeth.

Water resources and quality - No	<ul style="list-style-type: none"> • Wastewater is treated at the Crossness Treatment Plant and discharged into the Thames. • Environment Agency's Review of Consents (whereby new abstraction licenses may not be granted if they will harm a European Site). • 80% of public water supply for London comes from storage reservoirs connected to the River Thames and River Lee, with the remaining 20% coming from groundwater supplies of the confined chalk aquifer. • Potential problem from over-extraction of surface water for public supply; however this is addressed through Environment Agency review of consents.
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Table 3: Assessment of draft KOV Neighbourhood Plan policies using criteria set out in Table 1

Draft KOV Policy	Likely impact?	Reason (from table 1)
Policy KOV1 – Local Green Spaces	No	A3
Policy KOV2 – Air quality	No	A1 / A3
Policy KOV3 - Local Centres	No	A1 / A3
Policy KOV4 - Community Assets	No	A1 / A3
Policy KOV5 - Important Local Views	No	A3

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Policy KOV1 – Local Green Spaces	No	A3
Policy KOV2 – Air quality	No	A1 / A3
Policy KOV3 - Local Centres	No	A1 / A3
Policy KOV4 - Community Assets	No	A1 / A3
Policy KOV5 - Important Local Views	No	A3

3. Conclusion

- 3.1 This HRA Screening Assessment of the draft Plan, has not identified any likely significant effect or impact on the integrity of any European site. Pathways of impact were identified and assessed. Potential pathways include recreational causes, urbanisation, impacts on surrounding habitat, atmospheric pollution, water resources and water quality.
- 3.2 The screening assessment of the Regulation 14 Pre-Submission KOV NP was undertaken against criteria devised by Tyldesley and Associates (2009). This involved screening the policies for significant effects on the European sites against the criteria. The policies were all deemed to fall under Category A – no negative effects.
- 3.3 As required by the regulations, a draft HRA Screening Assessment was shared with the statutory for comment. No specific comments were provided by the statutory bodies.
- 3.4 The HRA screening assessment has found that the draft Plan is unlikely to have adverse effects on the European sites and will not result in an adverse impact on the integrity of the four sites. Accordingly, an Appropriate Assessment stage is not required.