

Habitats Regulations Screening Assessment

Introduction

The requirement for Habitats Regulations Assessment 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.

There are no European sites in either Lambeth or Southwark boroughs. European sites that are within 10km of Southwark and 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.

The neighbourhood plan sits under Lambeth and Southwark Local Plans, the London Plan, and National Planning Policy Framework; and it has to be in general conformity with the policies in the documents above it in the planning hierarchy. The two borough local plans have been subject to Habitats Regulations Screening Assessments and both concluded that the local plans would not result in significant adverse effects on any European site, nor have an adverse impact on the integrity of the four sites.

Screening Analysis

The policies within the Southbank and Waterloo Neighbourhood Plan Draft Submission Version August 2017 have been appraised to assess whether they would be likely to result in significant effects on the four European sites. The Neighbourhood Plan policies have 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 SoWN 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. 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 and Southwark Boroughs and South London in general have a number of open spaces available much more locally than the 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 and Southwark boroughs and the four sites (at least 5 km), development resulting from the 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 the Lambeth and Southwark boroughs.
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.

Table 3: Assessment of SoWN Neighbourhood Plan Draft Submission Version August 2017 policies using criteria set out in Table 1

SoWN policy	Likely to have an impact	Reason (from Table 1)
Green Infrastructure, open space and air quality		
P1	No	A3
P2	No	A3
P3	No	A1/A2
P4	No	A3
P5	No	A3
P6	No	A3
Housing		
P7	No	A1
P8	No	A1
P9	No	A4
Development management		
P10	No	A4
P11	No	A1
Retail and work		
P12	No	A1
P13	No	A4
P14	No	A4
P15	No	A3/A4

Social infrastructure and culture		
P16	No	A3
P17	No	A4
Streetscape and transport		
P18	No	A3
Policy and guidance: planning gain and mitigation		
P19	No	A3
P20	No	A3

Conclusion

This screening assessment of the Southbank and Waterloo Neighbourhood Plan Draft Submission Version August 2017 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. The screening analysis of the Submission Version Neighbourhood Plan 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. The assessment has found that the Southbank and Waterloo Neighbourhood Plan Draft Submission Version August 2017 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 the Appropriate Assessment stage is not required.

Appendix 1 – Management objectives of the four European sites

Site	Designation and code	Objectives	Qualifying habitats	Qualifying species
Wimbledon Common	SAC UK0030301	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: - the extent and distribution of qualifying natural habitats and habitats of qualifying species - the structure and function *including typical species) of qualifying natural habitats - the structure and function of the habitats of qualifying species - the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely - the populations of qualifying species; and - the distribution of qualifying species within the site	<ul style="list-style-type: none"> • European dry heaths • North Atlantic wet heaths with <i>Erica tetralix</i> 	<ul style="list-style-type: none"> • Stag beetle
Richmond Park	SAC UK0030246	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: - The extent and distribution of the habitats of qualifying species - The structure and function of the habitats of qualifying species - The supporting processes on which the habitats of qualifying species rely - The populations of qualifying species; and - The distribution of qualifying species within the site.		<ul style="list-style-type: none"> • Stag beetle
Epping Forest	SAC UK0012720	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: - the extent and distribution of qualifying natural habitats and habitats of qualifying species - the structure and function (including typical species) of qualifying natural habitats - the structure and function of the habitats of qualifying species - the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely - the populations of qualifying species; and - the distribution of qualifying species within the site	<ul style="list-style-type: none"> • European dry heaths • North Atlantic wet heaths with <i>Erica tetralix</i> • Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i>); Beech forests on acid soils 	<ul style="list-style-type: none"> • Stag beetle
Lee Valley	SPA UK9012111	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: - The extent and distribution of the habitats of the qualifying features - The structure and function of the habitats of the qualifying features - The supporting processes on which the habitats of the qualifying features rely - The population of each of the qualifying features; and - The distribution of the qualifying features within the site.		<ul style="list-style-type: none"> • Great bittern (non-breeding) • Gadwall (non breeding) • Northern shoveler (non breeding)