

Habitat Regulations Assessment (HRA) Screening Statement for the Wallingford Neighbourhood Development Plan

28 November 2019

INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance¹, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan² (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment³ of South Oxfordshire District Council’s emerging Local Plan 2034 as its basis for assessment. From this, the Local Authority will determine whether the Wallingford Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required.

LEGISLATIVE BASIS

3. Article 6(3) of the EU Habitats Directive provides that

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

4. Regulations 105-106 of the Conservation of Habitats and Species Regulations 2017 state:

¹ Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other species, and for habitats.

² The South Oxfordshire Core Strategy (December 2012) and the South Oxfordshire Local Plan 2011 (January 2006).

³ South Oxfordshire Local Plan Habitat Regulation Assessment Report (March 2019)

“105.-(1) Where a land use plan-

- (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 the site,
the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.*

(2) The plan-making 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 specifies.

(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan 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).

(5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.

(6) 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 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).*

106.—(1) A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required.

(2) In this regulation, “qualifying body” means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation

to a neighbourhood area as a result of section 61F of the TCPA 1990 (authorisation to act in relation to neighbourhood areas)(159), as applied by section 38C of the 2004 Planning Act (supplementary provisions)(160).

(3) Where the competent authority decides to revoke or modify a neighbourhood development plan after it has been made, it must for that purpose make an appropriate assessment of the implications for any European site likely to be significantly affected in view of that site's conservation objectives; and regulation 105 and paragraph (1) apply with the appropriate modifications in relation to such a revocation or modification.

(4) This regulation applies in relation to England only.

ASSESSMENT

5. The Habitats Regulation Assessment (HRA) of the emerging new South Oxfordshire Local Plan 2034 used a screening distance of 17km to identify European sites which could be affected by development from the plans. This distance has been subject to consultation with Natural England and reflects the average travel to work distance in the district.
6. There are 4 Special Areas of Conservation (SACs) within 17km of the Wallingford NDP boundary. These are as follows:
 1. Little Wittenham SAC – approximately 2.5km from NDP boundary (South Oxfordshire District Council)
7. One of the best-studied great crested newt sites in the UK, Little Wittenham comprises two main ponds set in a predominantly woodland context (broadleaved and conifer woodland is present). There are also areas of grassland, with sheep grazing and arable bordering the woodland to the south and west. The River Thames is just to the north of the site, and a hill fort to the south. Large numbers of great crested newts *Triturus cristatus* have been recorded in the two main ponds, and research has revealed that they range several hundred metres into the woodland blocks.
8. The main pressures and threats to this site include the impacts of public access and disturbance, and invasive fish species upon great crested newt. With regard to the types of development that may be brought forward in the Local Plan, visitor disturbance could impact the site.
 2. Hartslock Wood SAC – approximately 8.5km from NDP boundary (South Oxfordshire District Council)

9. This site hosts the priority habitat type 'orchid rich sites'. The steep slopes of this site on the chalk of the Chilterns comprise a mosaic of chalk grassland, chalk scrub and broadleaved woodland. The chalk grassland mostly consists of a mosaic of shorter-turf NVC type CG2 *Festuca ovina*–*Avenula pratensis* grassland and taller CG3 *Bromus erectus* grassland. The site supports one of only three UK populations of monkey orchid *Orchis simia*, a nationally rare Red Data Book species. The bulk of this site lies on a steep slope above the River Thames. Recent storms and landslips have resulted in a diverse agestructure for the yew population. Open patches show a rich flora including local species such as southern wood-rush *Luzula forsteri*, wood barley *Hordelymus europaeus* and narrow-lipped helleborine *Epipactis leptochila*.

10. The main threat to this site is air pollution and the risk of atmospheric nitrogen upon the dry grasslands and yew-dominated woodland.

3. Aston Rowant SAC – approximately 12km from NDP boundary (South Oxfordshire District Council)

11. Aston Rowant is classified as SAC because it supports one of the largest remaining populations of juniper in lowland Britain. It is selected as an example of juniper formations on the chalk in the south east of England. At this site juniper is present as part of a mixed scrub community but also occurs as isolated bushes in chalk grassland. In common with most lowland populations of juniper, successful reproduction and survival of new generations of bushes is extremely rare and conservation is currently dependent upon significant levels of management intervention. The low level of reproductive success is the main threat to the feature at this site. Aston Rowant also supports *Asperulo-Fagetum* beech forests although this is not a primary reason for classification as SAC.

12. The main pressures and threats to this site include an unsustainable on-site population, changes in species distribution, disease of juniper as well as the impacts of air pollution and the risks of atmospheric nitrogen deposition upon juniper. Additionally, conflicting conservation objectives threaten beech.

4. Chilterns Beechwood SAC – approximately 14km from NDP boundary (South Oxfordshire District Council)

13. The Chilterns Beechwoods SAC comprises nine separate sites scattered across the Chilterns. There are three features of interest: semi-natural grasslands and scrubland on chalk; *Asperulo-Fagetum* beech woodland (for which this is considered to be one of the best areas in the UK and lies in the centre of the habitat's UK range); and Stag beetle *Lucanus cervus*, for which the area is considered to

support a significant presence. The rare coralroot *Cardamine bulbifera* is found in these woods.

14. The main pressures and threats to this site include the impacts of forestry and woodland management, disease, deer and the invasive species of grey squirrel upon beech. Additionally, the changes in species distribution of stag beetle as well as the impact of public access and disturbance upon stag beetle. Air pollution and the impact of atmospheric nitrogen deposition also threaten the dry grasslands, beech and stag beetle.

5. Cothill Fen SAC – approximately 16km from NDP boundary (Vale of White Horse District Council)

15. Cothill Fen is designated as a SAC for its calcium-rich, spring fed fens and alder woodlands on floodplains.

16. The main pressures and threats to this site include the impact of water pollution and hydrological changes, as well as air pollution and the impact of atmospheric nitrogen deposition upon the calcium-rich water fed fens.

17. As required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the qualifying body (Wallingford Town Council) provided the required information to enable South Oxfordshire District Council to determine whether the assessment under Regulation 105 is required. Consideration has been given to the potential for the development proposed by EHNDP to result in significant effects associated with:

- Physical loss of/damage to habitat;
- Non-physical disturbance e.g. noise/vibration or light pollution;
- Air pollution;
- Increased recreation pressure; and
- Changes to hydrological regimes.

18. The Wallingford NDP is allocating one housing site, Site E for 502 dwelling. However, this site already has extant planning permission (P16/S4275/O). Therefore, no 'new' residential sites are being allocated through the Wallingford NDP. The Wallingford NDP is also allocating one employment site for 3.10 hectares, known as Site C. This site already has extant planning permission (P14/S2633/FUL). No 'new' employment sites are being proposed through the Wallingford NDP. No other forms of development are proposed through the Wallingford NDP.

Potential Impact

Physical loss of habitat – Noise, vibration and light pollution

19. Any development resulting from the Neighbourhood Plan will be located within the neighbourhood area. There are no European sites within the Neighbourhood Plan area, therefore loss of habitat from within the boundaries of a European site can be ruled out in relation to all sites.
20. Loss of habitat from outside of the boundaries of a European site could still affect the integrity of that site if it occurs in an area used by the qualifying species of the site (e.g. for off-site breeding, foraging or roosting). Two of the European sites included in this assessment have mobile species amongst their qualifying features that could travel outside of the site to make use of other areas of habitat:
 - Little Wittenham SAC; great crested newt; and
 - Chiltern Beechwoods SAC: stag beetle.
21. The HRA (March 2019) produced alongside the emerging Local Plan 2034 states that great crested newts will travel away from their breeding ponds, during the terrestrial phase of their lifecycle, but not large distances. 500 metres is considered an appropriate buffer distance inside which great crested newts might be found, from their breeding location. The site listing for Little Wittenham SAC states that great crested newts have been found to range several hundred metres into the site's woodland blocks. Research has found that great crested newts at Little Wittenham SAC migrate within woodland and do not over-winter in the arable farmland. All of the woodland within 500 metres of the ponds at Little Wittenham SAC is within the SAC boundary. Therefore potential loss of or damage to off-site habitats associated with Little Wittenham SAC can be screened out of further assessment.
22. The HRA (March 2019) produced alongside the emerging Local Plan 2034 states that where stag beetle is a qualifying feature of a site, the individuals may travel outside of the SAC boundary, although it is unlikely that they will travel far – it is generally only the male stag beetle that flies during the summer months, and the female beetle rarely flies. The preferred habitat for stag beetles is old, established woodland, and the larvae feed on rotting tree matter. As the beetle larvae take years to develop, they can be vulnerable to tree clearance and the 'tidying up' of wood in parks and especially gardens. Research suggests that 2 km may be an appropriate buffer inside which sites could be functionally connected, as this is the distance that males travel to females during the breeding season. Chilterns Beechwoods SAC is a composite of nine SSSIs.
23. Bisham Woods SSSI, which is the part of the Chiltern Beechwoods SAC that supports the qualifying stag beetle population, is greater than

2 km from the District boundary. Therefore potential loss of or damage to off-site habitats associated with Chilterns Beechwoods SAC can be screened out of further assessment.

Non-physical disturbance e.g. noise/vibration or light pollution

24. The most recent HRA of the emerging South Oxfordshire Local Plan 2034 (March 2019) states:

'Using a precautionary approach, we have assumed that the effect of noise, vibration and light are most likely to be significant if development takes place within 500 metres of a European site with qualifying features sensitive to these disturbances, or known off-site breeding, foraging or roosting areas.'

25. None of the European sites are within 500 metres of the designated area. Therefore, effects in relation to noise, vibration and light pollution can be screened out of further assessment.

Air Pollution

26. Air pollution is most likely to affect European sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by any deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen availability that can then affect plant health, productivity and species composition.
27. Based on the Highways Agency Design for Road and Bridges (DMRB) Manual Volume 11, Section 3, Part 120 (which was produced to provide advice regarding the design, assessment and operation of trunk roads (including motorways)), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself.
28. The European sites within 17km of Wallingford that are within 200m of strategic roads are the Aston Rowant SAC (M40) and Chilterns Beechwoods SAC (A404, A4010). However, the Wallingford NDP is allocating 1 housing sites, totalling 502 houses. These sites have already been granted consent, therefore the NDP will not result in any additional 'new' homes over and above those with extant planning permission.
29. Therefore, the likely significant effects in relation to air pollution can be ruled out and do not need to be considered further.

Impacts of recreation – visitor pressure

30. The most recent HRA of the emerging South Oxfordshire Local Plan 2034 (March 2019) states:

'Natural England's Site Improvement Plans record the threats and pressures relevant to each European site. Public access or disturbance are not identified as current threats or pressures at the following sites, despite their lying close to large settlements: Aston Rowant SAC, Hartslock Wood SAC, Cothill Fen SAC, and Oxford Meadow SAC.'

31. The HRA of the emerging South Oxfordshire Local Plan 2034 sets out that the potential for effects depends upon the scale of development proposed and the features for which the site is designated. However, as a conservative estimate, it is assumed that any development within 7 km of a sensitive site could have impacts due to recreation. Where site specific information indicates that development beyond 7 km could produce recreation impacts, this will be taken into account; for example at Little Wittenham SAC, where development in the eastern fringes of the Vale of White Horse District could be relevant.

32. Little Wittenham SAC is part of a larger site managed by the Earth Trust as a nature reserve. The areas which are most important to the population of great crested newts (GCN) have restricted access which is designed to prevent conflicts between the visiting public, the newts and their habitat.

33. The increased visitor levels which are likely to occur as a result of the modest increase in population in Wallingford may result in increased pressure on the habitats on the reserve as a whole. Due to the restricted access policies to the areas where newts are primarily found, the increased visitor numbers will be concentrated onto other habitats on the reserve. These habitats are not related to the primary reasons for the selection of the SAC.

34. Great crested newts are not believed to be particularly sensitive to human disturbance provided their breeding ponds are not affected and their primary terrestrial habitat and hibernacula are not adversely affected. Provided controls on access to the most sensitive areas are maintained (i.e. ponds and hibernacula are not disturbed) there is no reason to believe that there would be any significant effect on the integrity of the site or the primary reason for the selection of the site.

35. At Chiltern Beechwood SAC, public access/disturbance is only identified in relation to the stag beetle population. The portion of the SAC that supports the stag beetle population (Bisham Woods SSSI) is greater than 7km from the District boundary, and therefore is

considered unlikely to result in likely significant effects from development within South Oxfordshire, either alone or in-combination with other plans or projects.

36. Therefore, likely significant effects in relation to visitor pressure and the impacts of recreation can be ruled out do not need to be considered further.

Water quality and quantity

37. European sites at which aquatic or wetland environments support qualifying features have the potential to be affected by changes in water quantity or quality. The only European sites close to Wallingford with aquatic or wetland habitats are Little Wittenham SAC and Cothill Fen SAC. At Little Wittenham SAC its ponds support great crested newts, but changes to water quality or quantity have not been identified as an issue at this site, this site has therefore been screened out.
38. Cothill Fen SAC has calcium rich springwater-fed dens that have been identified as sensitive to water pollution and hydrological changes. The types of development that have the potential to affect water quality/quantity or flow regimes at sensitive European sites are residential or employment development that would involve significant increase in demand for water supply and treatment, and infrastructure development that requires significant excavation in proximity to watercourses or groundwater.
39. However, the Wallingford NDP is allocating one housing site, totalling 502 houses and one employment site. Both of these benefit from extant planning permission, as set out earlier in this report. These sites have already been granted consent, therefore the NDP will not result in any additional 'new' homes or development over and above those with extant planning permission.
40. Potential water quality and hydrological effects have therefore been screened out of further assessment for all sites.

Cumulative effects

41. The NDP allocates 502 dwellings and employment land for 3.10 hectares. Development of the site which will deliver these dwellings has already been granted planning permission, therefore the Wallingford NDP does not result in any additional 'new' homes and in-combination effects do not need to be assessed further.

CONCLUSION

42. All of the above designations are outside of the built-up area of Wallingford. None of the designations are located within the NDP designated area, with the closest (Little Wittenham SAC) approximately 2.5km from the Wallingford neighbourhood area boundary.
43. The Wallingford NDP is allocating one housing site, Site E for 502 dwelling and one employment site, Site C for 3.10 hectares. However, both of these sites already have extant planning permission, with Site E having outline planning permission (P16/S4275/O) and Site C having full planning permission (P14/S2633/FUL).
44. The Screening Assessment was sent to Natural England on 28 October for a four-week consultation period. The response is in full in Appendix 1. Natural England agree with the Screening Assessment and are satisfied with the conclusion that there will be no likely significant effects on Natura 2000 sites.
45. The Wallingford NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans and projects; therefore, an Appropriate Assessment for the Wallingford NDP is not required.

Authorised by:



On behalf of Head of Planning

Date: 28/11/2019

APPENDIX 1 – Natural England Response

Date: 07 November 2019
Our ref: 299037
Your ref: -

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BY EMAIL ONLY



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Dear Dorottya,

Thank you for your consultation on the above dated 28 October 2019 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Having reviewed the HRA Screening Assessment of the Wallingford Neighbourhood Plan I can confirm that we are satisfied with the conclusion that there will be no likely significant effects on Natura 2000 sites.

For any queries relating to the specific advice in this letter only please contact Rebecca Micklem on 020822 57686. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Rebecca Micklem
Lead Adviser Sustainable Development
Thames Team